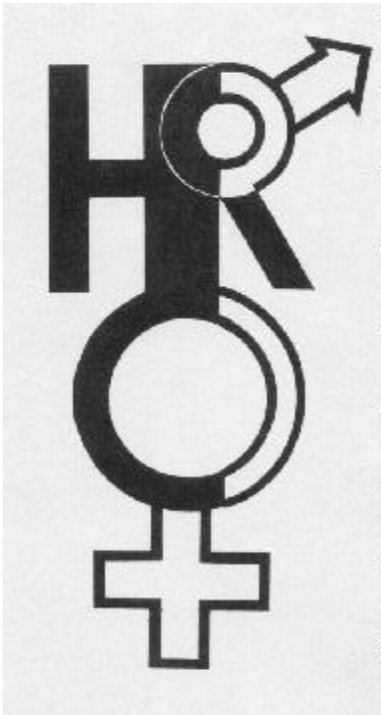




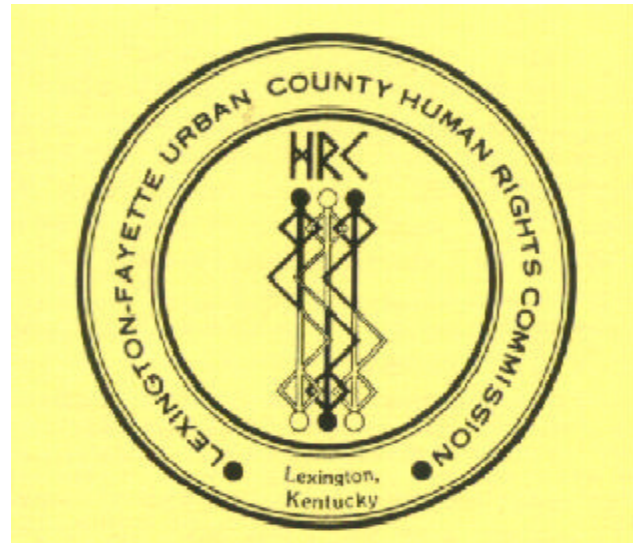
1960s



1960s



1970s



1980s

# ANNUAL REPORT FY 2004





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LEXINGTON-FAYETTE URBAN COUNTY  
HUMAN RIGHTS COMMISSION

William D. Wharton, Executive Director  
wwharton@ifuchrc.org

October 1, 2004

The Honorable Teresa Ann Isaac  
Mayor of Lexington-Fayette Urban County, Kentucky

The Honorable Members of the Urban County Council  
Lexington-Fayette Urban County, Kentucky

Dear Mayor Isaac and Members of the Urban County Council:

I am pleased to submit to you the Commission's FY 2003 annual report. As always, our annual report highlights the activities of our compliance and community relations programs during the past fiscal year.

June 20, 2003 marked the fortieth anniversary of the creation of the commission. Several events to commemorate this milestone are planned for the coming fiscal year.

We are proud of the Commission's continued accomplishments, but we are also increasingly concerned about the continuing fiscal challenges that our agency faces. Staff is continually challenged to find ways to work smarter with decreasing resources and increasing workloads. While we have managed the past couple of years with staff shortages, we must find resources to fulfill our statutory mandate.

As the Commission and staff begin our forty-first year, we respectfully ask for your continued support of our efforts to carry out our statutory duties.

Sincerely,

William D. Wharton  
Executive Director

## COMMISSIONERS

*The Commission's policy-making body is made up of fourteen volunteer Commissioners who are appointed by the Mayor and approved by the Urban County Council. Commissioners are appointed to one four-year term, with the option of being renewed for a second four-year term.*

## EXECUTIVE COMMITTEE



JEFF JONES  
CHAIR  
APPOINTED IN 1999



GLORIA RIE  
VICE CHAIR  
APPOINTED IN 2001



BRIAN BERTHIAUME  
TREASURER  
APPOINTED IN 2001



ANDREA COLEMAN  
SECRETARY  
APPOINTED IN 2002

# COMMISSIONERS



ADELA DELEON  
APPOINTED IN 1999



PAUL ENGEL  
APPOINTED IN 1997



FAYE LIEBERMANN  
APPOINTED IN 2003



SAMYE MILLER  
APPOINTED IN 1995



CONNIE MORTON  
APPOINTED IN 2003



CLEO PRICE  
APPOINTED IN 2002

# COMMISSIONERS



MAHJABEEN RAFIUDDIN  
APPOINTED IN 2003



ANGELA SLATON  
APPOINTED IN 2003



RUSS WILLIAMS  
APPOINTED IN 2003



HANK ZEITLIN  
APPOINTED IN 2002



**HISTORY FLASHBACK  
FROM 1965**  
**COMMISSION EXECUTIVE COMMITTEE**  
**(LTO R) WILLIAM F. CAULDER, CHAIR;  
RALPH M. WENZEL, VICE CHAIR; ZIRL  
A. PALMER, SECRETARY; AND DR.  
SHERMAN E. MILLER, TREASURER.**

*(Note: Current Commissioner Samye Miller is Dr. Sherman Miller's daughter.)*

## OUR SINCERE THANKS

*Commissioners Lori Johnson and Trime Persinger resigned from the commission in FY 2004. Commissioner Lori Davis' term expired and after serving two terms, Commissioner Carolyn Edwards' term expired. We thank them for the time that they dedicated to the Commission during their terms.*



LORI DAVIS  
APPOINTED IN 2000



CAROLYN EDWARDS  
APPOINTED IN 1997



LORI JOHNSON  
APPOINTED IN 2002



TRIME PERSINGER  
APPOINTED IN 2002

## INTERNSHIPS



*Executive Director William Wharton and  
Jessica Garrett, Lafayette High School*



*Executive Director William Wharton  
and Lindsey Luttrell, Centre College*



*Executive Director William Wharton and  
Tyler Perraut, Henry Clay High School*



*Executive Director William Wharton and  
Heather Strotman, University of Kentucky*

## COMMISSION HISTORY

Following public demonstrations by the local chapter of the NAACP and CORE for open public accommodations and equal employment opportunities in 1961 and 1962, many community-minded and religiously oriented citizens of Lexington began to express their concern. They expressed the need for community action to improve human relations and establish bridges of communication among the several racial, ethnic, and religious groups in Lexington.

In January 1963, the National Conference on Religion and Race was convened in Chicago. For the first time, top Protestant, Catholic and Jewish leaders came together to discuss racial discrimination. Out of this conference came the recommendation that delegates return to their individual communities throughout the nation and work toward the establishment of local interfaith, inter-racial committees to achieve full human rights for all Americans.



*(LtoR) Clayton Jones, Rev. Robert Estill, Rabbi Robert Rothman, Rev. Joseph Pilger, and Mim Hunt at the meeting in February 1963.*

Lexingtonians who attended or heard about that conference were challenged to begin to resolve some of our most pressing community problems by means of local initiative and community involvement. On February 12, 1963, the Social Action Committee of the United Church Women, under the leadership of its chairperson, Mrs. Robert F. "Mim" Hunt, called together a group of about 250 people. This group was challenged by the report of the Chicago conference made by the Rev. Robert W. Estill, then Rector at Christ Episcopal Church. The principal address was given by Mr. Clayton Jones, then an Assistant Director at the Kentucky Commission on Human Rights. His remarks and suggestions

for action provided the spark that led to the formation of a steering committee, with Mrs. W. K. Massie as secretary, to organize a community-wide group interested in human rights.

In March 1963, the Lexington Committee on Religion and Human Rights (LCRHR) was organized. A Protestant minister (the Rev. James W. Angell), a Catholic priest (the Rev. Leo Wilson), and a rabbi (Rabbi Robert Rothman) were elected co-chairs of the organization. Several sub-committees were formed to work in the areas of education, employment, public accommodations, housing, legislation, and church liaison.

As it sought ways and means of implementing its program, the Lexington Committee on Religion and Human Rights soon realized that Lexington needed an official public agency to work alongside the voluntary organization. In the spring of 1963, the subcommittee on legislation, consisting of two lawyers (Mr. Harold Dees and Professor Paul Oberst), drafted a proposal for an ordinance and presented it to the Board of City Commissioners for adoption. The purpose of this ordinance was to create an official Lexington Commission on Human Rights. The steering committee of LCRHR also submitted names of a number of persons concerned with human rights who might be considered for appointment to the commission.

The Board of City Commissioners adopted the proposal and agreed to consider the matter. On June 13, 1963, a resolution establishing the Lexington Commission on Human Rights was given first reading. On June 20, 1963, with Mayor Richard J. Colbert abstaining, Resolution 1484 creating the Lexington Commission on Human Rights was passed.

Resolution 14~4 was published on June 22, 1963 and the first persons appointed to the Commission were made on August 8, 1963 by Mayor Colbert. The original 15 members of the Commission were: Robert Babbage, George Barker, William Caulder, Jr., Mrs. A. Lee Coleman, Ted Grizzard, Ovan Haskins, Julian T. Hutchinson, Maurice H. Hymson, Dr. J. C. Lee, William McCann, Justin McCarthy, Patrick Molloy, Garland O'Neill, Zirl Palmer and S. T. Roach. At the organizational meeting the following officers were elected: Chair Robert Babbage; Vice Chair Ovan Haskins; Secretary S. T. Roach; and Treasurer Patrick Molloy. The Commission staff consisted of two employees, Cathryn Adams, executive secretary, hired in February of 1964; and Gregory Shinert, executive director, hired in June of 1964.

In the ordinance creating the Commission, the Board of Commissioners made the following findings:

- 1) The Board of Commissioners of the City of Lexington recognized that “the practice of discrimination against any individual because of race or creed or color is detrimental to the peace, progress, and welfare of the City”.
- 2) “The lack of full participation of any individuals in the privileges of full membership in the community retards the progress of the community and affects the general well-being of the whole City”.
- 3) The Board of City Commissioners desired “to implement a constructive approach to the problem involved in improving relations leading to the elimination of discriminatory practices” in the City of Lexington.

In April of 1966, the Commission recommended the creation of the Lexington-Fayette County Human Relations Commission to the Fayette County Fiscal Court and the City Board of Commissioners. The Commission found and recommended that a “metropolitan” approach was needed if Lexington-Fayette County were to avoid the serious racial and violent conflicts that troubled other urban areas and avoid the racial strife between the inner city and the suburbs.

The Commission further noted and recommended “one inter-local government body” for providing all needed governmental services in Lexington -Fayette County to help permit solutions for the racial and economic problems of our city/county.

In May of 1966, Fayette County Judge Joe E. Johnson and Mayor Fred Fugazzi appointed a joint study committee to “discuss ... possible membership on a County Committee and the ways and means for forming a City-County Human Rights Commission.”

Members of the Joint Study Committee included: Eugene Mooney, Chair; Joe Graves, Jr.; Mrs. Pauline Gould Gay; David Bolotin; Johnnie Johnson; Ralph Wenzel; Ovan Haskins; Mrs. A. Lee Coleman; Zirl A. Palmer; George Barker; and City Commissioner Harry N. Sykes.

On June 18, 1966, the Joint Committee presented to the Fayette Fiscal Court and the Lexington Board of City Commissioners:

“The Joint Study Committee recommends that a Lexington-Fayette County Human Rights Commission be established and ordinances and resolutions prohibiting racial discrimination in public accommodations, employment and residential housing in Lexington and Fayette County be promptly and expeditiously adopted.”

The City and County both accepted the creation of a joint commission and ordinances prohibiting racial discrimination in public accommodations and employment. The housing ordinance recommendation was ignored because a majority of the Fiscal Court and City Board of Commissioners would not pass the ordinance.

In October of 1966 the Fayette Fiscal Court formally approved the final draft of the ordinances, with the City Board of Commissioners following in December of 1966.

The Commission duties were:

- To promote and secure the mutual understanding and respect among all economic, social, religious, and ethnic groups.
- Act as conciliator in controversies involving inter-group and inter-racial relations.



*The commission's first Executive Director Gregory Shinert and Executive Secretary Ann Washington in 1965.*

- Cooperate with Federal, State, and other city and counties in efforts to develop harmonious inter-group and inter-racial relations.
- Enlist support of civic, religious, laborer, and commercial groups and leaders to improve human relations and eliminate discriminatory practices.
- Receive complaints, conduct investigations, hold hearings and have such studies made as will enable the commission to carry out the purposes of the Kentucky Civil Rights Act.

The Joint Study Committee, while formally noting the non-acceptance of the housing ordinance, recommended an open housing study citing the fact that many citizens do not know the facts concerning the forms, extent and human impact of racial discrimination in housing. The Joint Committee felt a careful study would clarify these matters for all citizens.

Judge Johnson was able to persuade a majority of the Fiscal Court to pass Fayette County's first Fair Housing Ordinance in August of 1967. The Fiscal Court made the following findings:

“...discrimination in housing may adversely affect the continued redevelopment, renewal, growth, and progress of the County of Fayette, and of its citizens; and ... It is the policy of the county to safeguard all individuals within the county from discrimination because of race, color, religion, and national origin in connection with housing; thereby to protect their interest in personal dignity and freedom from humiliation, to made available to the county their full productive capacities, to secure the county against strife and unrest which would menace its democratic institutions, and to preserve the public safety, health, and general welfare...”

In May of 1974 the merger of the city-government created the Lexington-Fayette Urban County Human Rights Commission.

In October 6, 1983 ordinance 190-83 was passed by the Urban County Council. This ordinance allows the Commission to apply for substantial equivalency and participation in the Fair Employment Practices Agency program (FEPA) of the U.S. Equal Employment Opportunity Commission (EEOC) and the Fair Housing Assistance Program (FHAP) by the U.S. Department of Housing and Urban Development (HUD).

In September 17, 1992 ordinance 166-92 was passed by the Urban County Council adding disability and familial status as protected classes in housing.

In October 6, 1994 ordinance 199-94 was passed by the Urban County Council adding disability as a protected class in employment cases, deletes the age limit of seventy (70) in employment cases, and adds sex as a protected status in limited public accommodation cases.

In July 8, 1999 ordinance 201-99 passed by the Urban County Council added sexual orientation and gender identity as protected classes against discrimination in employment, housing and public accommodations. This move makes Lexington the second city (after Louisville) in the Commonwealth to take this step.

The Commission currently investigates discrimination complaints in employment, housing and public accommodations based on race, color, age (40+ in employment), sex, national origin, disability, religion, sexual orientation/gender identity, familial status (presence of children under 18 yrs. of age in housing), and retaliation. The Commission added a staff position of community relations coordinator in the early 1990s to take a more formal pro-active step in educating the community about anti-discrimination laws and related issues. Today the commission staff and commissioners are actively involved in various community relations activities.

The Commission has three (3) statutory functions:

1. To promote and secure mutual understanding and respect among all ethnic groups in Lexington-Fayette County and act as conciliator in controversies involving inter-group and inter-racial relations;
2. Cooperate with Federal, State and other local agencies in the efforts to develop harmonious inter-group and inter-racial relations and shall endeavor to enlist support of civic, religious, laborer, and commercial groups and leaders dedicated to the improvement of human relations and the elimination of discriminatory practices; and
3. Receive complaints, conduct investigations, hold hearings and make studies as will able the Commission to carry out the purposes of the Kentucky Civil Rights Act.

## 40th Anniversary Reception

*The 40th Anniversary Reception, held on November 6, 2003, was in honor of the individuals who were integral in the Commission's formation and early efforts.*

*Dr. Sherman Miller was one of the early commissioners in 1964 and served on the commission until 1986. Members of his family are pictured on the right. (LtoR) Dr. Miller's grandson (Freda's son) Dr. Neil Lerner, Dr. Miller's son Joseph Miller, and Dr. Miller's daughters Freda Miller and Samye Miller, Commission Chair.*



*Pictured to the right are two former commissioners. Former chair Robert Jefferson who served on the commission from 1969 to 1988 and Robert Wimsatt who served on the commission from 1976 to 1986.*



*Patrick Molloy is one of the first commissioners in '63 and served as the first treasurer. He is pictured with Chair Samye Miller.*



*(Right) Robert Miller worked to create the original commission and worked on many issues including school integration and public accommodations. (LtoR) Mr. Miller's daughter, Jennifer Miller; Commission Chair Samye Miller; Commission Vice Chair Jeff Jones (back center); Mr. Miller's son and KY State Treasurer Jonathan Miller; Mr. Miller's brother Jack Miller; and Mr. Miller's granddaughters (Jonathan Miller's daughters) Emily and Abigail (front).*



*Joe Graves (R) was a member of the joint study committee that recommended the creation of a joint city-county commission in 1966. He was inducted into the 2003 Kentucky Civil Rights Hall of Fame. Mr. Graves is pictured above speaking with Lexington community member Ron Alpern.*



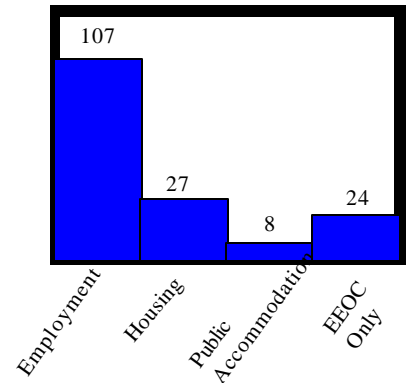
*HUD Kentucky Office Director Ben Cook.(R) presented Executive Director William Wharton and Chair Samye Miller with recognition for the 40th Anniversary.*



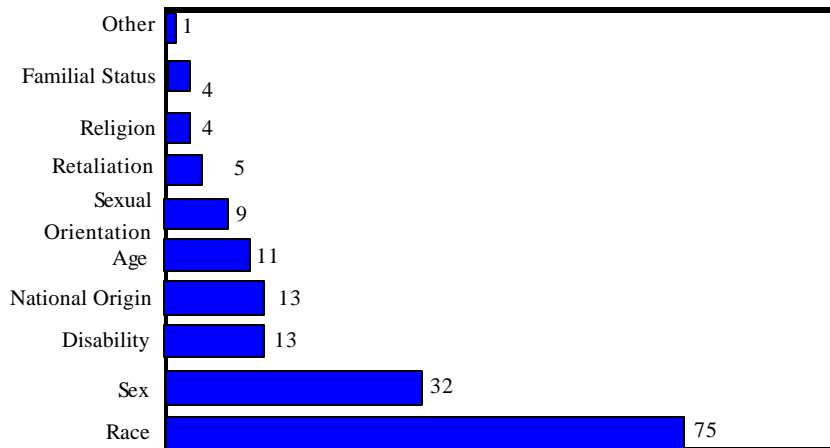
*Charles Powell (R) served on the Commission from 1978 to 1989. He is pictured with Commission Vice Chair Jeff Jones.*

**COMPLIANCE** is made up of two investigators, the office manager, commission attorney and the executive director. The primary function of this section is to investigate discrimination complaints in employment, housing and public accommodations based on race, color, age, sex, national origin, disability, religion, familial status, and sexual orientation/gender identity. In addition to the enforcement of antidiscrimination laws, members of the compliance section also participate in education and outreach.

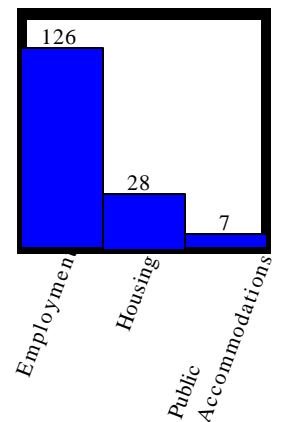
**TOTAL COMPLAINTS RECEIVED FY 2004**



**COMPLAINTS RECEIVED BY BASIS  
FY 2004 (JULY 2003-JUNE 2004)**



**TOTAL COMPLAINTS CLOSED FY 2004**



**COMMUNITY RELATIONS** is responsible for coordinating education and outreach. This section includes involvement from the Commission staff and volunteer hours from Commissioners. In FY 2004, the Commission attended 62 community events and 110 community meetings, conducted 36 workshops, and attended 17 trainings to further our knowledge of community and human rights issues. In addition, the Commission continually updates existing and creates new educational materials including updating the Commission web site. The Commission also continued its tradition of working with students at Harrison Elementary School to provide Fair Housing and Cultural Diversity Awareness information to students and guardians/parents. The hate and bias initiative of the Commission was furthered in FY 2004, as we continued to report hate and bias incidents in our community and assisted in organizing and participating in the second Hate Free Lexington Rally. The Commission collaborated with other agencies and the LFUCG to organize Lexington's first commemoration of Race Equality Week in the fall of 2003 and hosted the Quad State Equal Opportunity and Fair Housing Conference in the spring of 2004 that drew over one hundred guests from Florida, Tennessee, Georgia, North Carolina and South Carolina.

## 2004 POLICE COMMUNITY RELATIONS AWARDS

As part of the Human Rights Commission's statutory mission to endeavor to promote positive inter-group relations, the Commission charged its Community Relations Committee to develop and implement programs that promote improved relations between the police and the community they serve. As part of the charge, the Community Relations Committee and Commission staff attended community meetings, interviewed residents, and met with and learned a great deal about law enforcement officers and the environment in which they serve. During this process the Commission and the Committee discovered that there are many law enforcement officers making outstanding contributions on a daily basis to make this community a better place to live.

Based on this finding, the Commission created the Police Community Relations Award program. The program is designed to recognize and honor those police officers that continue to make outstanding contributions in the community. We seek to recognize officers who help the community understand the joint role of promoting public safety, crime prevention, and community involvement. The 2004 award winners were honored at the Commission's civil rights luncheon on Tuesday, March 4, 2004 in Lexington. The Commission announced an expansion of the award program to the Excellence in Public Safety Awards that will expand the nominations accepted from law enforcement only to all outstanding sworn officers in the field of public safety.



*(LtoR) John Dobken, Insight Communications; Officer Thomas Coon; Jeff Jones, Chair, LFUC Human Rights Commission.*

**Officer Thomas Coon** has been with the Lexington-Fayette Urban County Division of Police for seven years. He also served with the Winchester Police Department for twenty years. He has been assigned to the Bureau of Traffic for over five years and is a Motorcycle Certified Member of the Selective Enforcement Unit. He also volunteers as a recruit mentor. He has earned six letters of appreciation and one Professional Service Award. Officer Coon is a graduate of Tates Creek High School and attended Eastern Kentucky University. He is married to his wife of twenty-four years and has one son.

**Officer Robert Pearl** has been employed with the University of Kentucky Police since December 2002. Prior to working with the University of Kentucky Police, Officer Pearl has served as an officer in Newport, NH and as a park ranger for the state of Kentucky. Throughout his employment with the UK police, he has served in the Bureau of Patrol. Officer Pearl also serves on the Executive Protection Team, which is responsible for the protection of dignitaries that visit campus. Officer Pearl is also actively involved in the Adopt a Cop program where he is assigned to a particular dorm and works with students on campus safety. In addition, Officer Pearl gives his time visiting patients at the University of Kentucky Children's Hospital.



*(LtoR) John Dobken, Insight Communications; Officer Robert Pearl; Jeff Jones, Chair, LFUC Human Rights Commission.*

## 2004 QUAD-STATE FAIR HOUSING AND EQUAL OPPORTUNITY CONFERENCE



*HUD Assistant Secretary Carolyn Peoples (center) with HUD Kentucky and LFUC Human Rights Commission staff.*

The Lexington-Fayette Urban County Human Rights Commission hosted the 2004 Quad-State Fair Housing and Equal Opportunity Conference in Lexington, KY March 3 – 5, 2004. This year's conference theme was *Brown v. The Board of Education*: "With All Deliberate Speed..." Commemorating 50 Years of Civil Rights Enforcement.

The Quad-State Conference began after a U.S. Department of Housing and Urban Development (HUD) policy conference in 1992, with the original idea of bringing together fair housing practitioners in Tennessee and North Carolina for

regional housing training. South Carolina and Kentucky came on board soon after the initial conference.

This year's conference focused on the 50<sup>th</sup> Anniversary of *Brown v. The Board of Education* with guest speaker Joseph A. Delaine, Jr. who is a member of the *Brown v. Board of Education* 50<sup>th</sup> Anniversary Commission. He is the son of Joseph DeLaine, Sr., pastor and president of the local NAACP who organized and led the black community's quest for equality in Clarendon, SC in the 1950s with the filing of *Briggs v. Elliott*. This case led the groundwork for *Brown v. Board of Education* which was filed four years later.

The life and work of Whitney Young, Jr. was honored with the conference dedicated to him. Mr. Young, a Kentucky native and graduate of Kentucky State University, was the director of the National Urban League from 1961 until his untimely death in 1971. During that time, he was unquestionably one of the "big four" civil rights leaders of the 1960s along with Martin Luther King, Jr., Roy Wilkins, and James Farmer. Mr. Young served on several presidential commissions and received the Medal of Freedom, the country's highest civilian award, for his efforts to end segregation and discrimination.

Approximately 100 participants from Kentucky, Tennessee, North Carolina, South Carolina, Florida, and Indiana gave updates from each state, received an address from HUD Assistant Secretary Carolyn Peoples, and attended workshop sessions on topics including issues in police/community relations, housing, employment, and education.

As part of the conference, the LFUC Human Rights Commission hosted the Civil Rights Luncheon featuring Dr. C.B. Akins, Sr. as guest speaker. Over two hundred guests joined conference participants for an uplifting address by Dr. Akins. He spoke of reflecting on *Brown v. The Board of Education* and on the work of civil rights, being resigned in working in the civil rights arena, and the reward of those working in civil rights is to leave a legacy. Dr. Akins reminded the crowd that we all stand on the shoulders of others and build on their labor and we must continue to work to remove the burden of racism for future generations.

In addition, the 2004 Police Community Relations Award recipients, Officers Thomas Coon and Robert Pearl, received recognition during the luncheon for outstanding community service. The Commission announced that in 2005 the award name would change to the Excellence in Public Safety Award to encompass all sworn officers in public safety.



*Rev. C.B. Akins addressed the crowd at the Civil Rights Luncheon.*

*To view more photographs from the conference, log on to the Commission web site at [www.lfuchrc.org](http://www.lfuchrc.org).*

## Lexington-Fayette Urban County Human Rights Commission

### PURPOSE

It is the purpose of the Lexington-Fayette Urban County Human Rights Commission to safeguard all individuals within Lexington-Fayette County from discrimination because of race, color, religion, national origin, sex, age, disability, familial status, and/or sexual orientation/gender identity in connection with housing, employment, and public accommodation to effect the provisions and purposes of the Kentucky Civil Rights Act (K.R.S. Chapter 344), Urban County Ordinance 200-99, provision 7.17 of the Lexington-Fayette Merger Charter of 1974, and any other laws enacted by Lexington-Fayette County relating to the Lexington-Fayette Urban County Human Rights Commission.

The Lexington-Fayette Urban County Human Rights Commission shall act to encourage and effect the guarantee of equal rights to all citizens, which rights are assured by the Constitution and the Laws of the United States, and of Lexington-Fayette Urban County and to serve as an investigative, consultative, educational, persuasive, and enforcement agency in order to guarantee equal opportunity for all people of the city of Lexington and Fayette County.

### UNIQUENESS

The Lexington-Fayette Urban County Human Rights Commission is an independently chartered agency of the Lexington-Fayette Urban County Government with three specific functions: (1) to receive complaints, conduct investigations, hold hearings, and have such studies made as will enable the Lexington-Fayette Urban County Human Rights Commission to carry out the purpose of the Ordinance; (2) to promote and secure a mutual understanding and respect among all ethnic groups in Fayette County; and (3) to act as conciliator in controversies involving inter-group and inter-racial relations.

### VALUES

The Lexington-Fayette Urban County Human Rights Commission stands for equal rights, equal opportunity, justice, and fair enforcement of the ideals. To carry out this belief, we must strive to follow through our commitments, maintain objectivity and fairness, and provide prompt, responsive, and patient attention to all those who seek our assistance. We must respect differences in values and behaviors, support one another, and seek exceed contractual service and mission related requirements by setting clear expectations and maintaining measurable standards. In addition, we must serve all people in an impartial and fair manner.

**Equality for all - it's a right, not a privilege.**

### Chair

Jeff Jones, Ph.D.

### Vice Chair

Gloria Rie

### Secretary

Andrea Coleman

### Treasurer

Brian Berthiaume

### Commissioners

Adela DeLeon

Paul Engel

Faye Liebermann

Samye Miller

Connie Morton

Cleo Price

Mahjabeen Rafiuddin

Angela Slaton

Russ Williams

Hank Zeitlin

### Executive Director

William D. Wharton

### Commission Attorney

Edward E. Dove

### Staff

Kathy Riley Hughes

Julie A. Lasslo

Tami J. Reed

Raymond A. Sexton

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