

Kentucky Equal Justice Center

September 25, 2020

Staff Report Highlights

Communications — Alexandra Werner Winslow

- We implemented a 4x-daily [Twitter](#) and [Facebook](#) post schedule (and 1x daily post **schedule** on [Instagram](#)) that has resulted in approximately 300% growth in engagement across all three platforms since Alexandra came on board in July 2020. The frequency and consistency have also gained us about 30% more followers across Facebook and Instagram.

Some notable content from this time:

- **"Live tweeting"** several in-person events — anti-eviction rallies in Covington and Lexington, and "March on Mitch" focused on pandemic relief— scored approximately triple our average social media engagement. The [most recent](#) live coverage post (March on Mitch) had the highest engagement of any social media post since at least April 2019.
- **Cutting [individual speaker videos](#)** from our UI and Labor Day Town Halls has stretched the events' longevity and massively increased their impact, plus been a content boost for our partners (KCEP, HHCK, KVH, etc.).
- **KYRenterHelp.org** and HomerenterDeclaration.org have both been incredible [housing tools](#), not only getting all the good reach Ben mentioned, but having the additional perk of really boosting our social media.
- **Broadcast email:** We've sent out several emails since Alexandra came on board in July 2020, including two on evictions and one on our Labor Day Town Hall. All of them have exceeded what's deemed a healthy open rate (15-25%), with two of them scoring in the 30% range. Now that Raaziq is on board, we'll look into implementing a consistent strategy around when and how we send emails for both donor engagement and issue area campaigns.

Food Justice Fellow — Tyler Offerman

- **Administrative Advocacy:** Tyler continues to work with KEJC staff and allies in the ThriveKY Coalition to seek administrative support for improvements to SNAP, P-EBT, Unemployment Insurance, and other public benefit programs by:
 - **UI and safe work:** Working with labor union allies to urge the Governor and the Secretary of Labor to publish clear guidance on suitability of work and good cause in pandemic-related unemployment insurance programs. See [joint letter](#).

- **Intentional Program Violations:** Working with Betsy to urge the new DCBS Commissioner to adopt less punitive rules and standards on intentional program violations (IPVs) and overpayments in SNAP.
- **SNAP Outreach:** Working with DCBS to better advertise the SNAP Outreach program.
- **Hunger, Food, and Farm Networks:** Tyler's work with the Kentucky Center for Economic Policy to provide support for SNAP and WIC Technical Assistance Group is evolving:
 - **Food Policy Network:** KEJC, KCEP, Community Farm Alliance, and Feeding Kentucky are working to support a larger and broader Kentucky Food Policy Network.
 - **The SNAP & WIC TAG** will continue to meet and support legal aid staff and other allies with clients participating in federal nutrition programs, now in coordination with the broader food policy networking effort.
- **COVID response:** Tyler continues to work with state and national partners to push Congress and the White House for comprehensive COVID-19 relief legislation now that key provisions of the Families First Coronavirus Response Act and the CARES Act have expired.

Health Law Fellow — Betsy Davis Stone

- **Notice Improvement:** As part of the Cabinet's **Notice Improvement Project**, Betsy, Miranda, and Rich have helped to revamp the template for all Requests for Information (RFIs). ([See latest version.](#)) Details:
 - **High volume:** DCBS sends out more than a million RFIs to public benefit recipients each year. RFIs tell benefit recipients what information and documentation they need to provide to verify eligibility.
 - **High consequence:** The stakes are high because failure to understand or comply with an RFI can result in loss of benefits.
 - **Variables:** We're currently in the process of reviewing nearly a thousand variables that DCBS caseworkers can select when preparing an RFI.
- **Claims:** DCBS also invited us to provide feedback from the four legal aid programs about recent **changes to their Claims Notices used to collect SNAP overpayments**. We convened a group of legal aid attorneys who regularly represent SNAP beneficiaries in overpayment cases, reviewed the notices and the federal and state regulations, and submitted suggested changes to DCBS. DCBS is currently reviewing our suggested changes.
- **UK discovery:** We're busy responding to class discovery requests and reviewing the defendants' discovery responses in our **class action lawsuit against UK Healthcare and the Department of Revenue** (*Alexander v. Miller*). Betsy is tying up some loose ends, communicating with plaintiffs and other UK debtors, and doing some advance drafting

before she takes maternity leave in November. See the most recent news story to feature KEJC's medical debt advocacy and one of our plaintiffs in the case: [Medical Debt Tsunami](#).

Impact Litigation and Advocacy — Ben Carter

- **Amicus on evictions:** KEJC filed an amicus brief for the Homeless and Housing Coalition of Kentucky, Metropolitan Housing Coalition, and KEJC in a federal lawsuit challenging the Commonwealth's eviction protections. Link to [Motion](#) and [Brief](#).
- **Declaration:** Ben created [HomerenterDeclaration.org](#) to help homerenters review, sign, and email the Declaration people are required to send to their landlords to get protection from eviction. As of September 22, the tool has been:
 - viewed 3,400 times
 - used about 900 times to email the landlord or generate the Declaration for later delivery (not accounting for duplicates or people testing the tool)
 - about 300 of the users were Kentuckians
 - duplicated by Indiana Bar Foundation, Legal Aid Society of Cleveland, and the Debt Collective in California (and is being used unaltered by other direct service providers)
 - mentioned in the New York Times
 - [video screencast](#) by AppalReD explaining the tool and how to use it
- [KyRenterHelp.org](#): Ben created an online Kentucky legal aid locator, Answer and Jury Demand generator, issue-spotter.
- **Op-ed:** Ben placed an op-ed in the Herald-Leader about the need for action on every level to protect Kentuckians from eviction: [Some 500,000 Ky renters are at cliff's edge. Don't shove them off in eviction crisis.](#)
- **Speaking up:** Ben spoke at anti-eviction rallies in Covington (July 30) and Lexington (August 24); testified at the legislature's IJC on Judiciary on August 10 ([slides](#)).
- **Upcoming:** another eviction op-ed in Sept. 30 LEO Weekly.

Maxwell Street Legal Clinic — Leah Engle

- **Case counts:** Maxwell Street has **opened** 64 new cases since the board meeting in July, and continued work on our open cases. This summer, we've averaged 666 phone calls a month. After the Supreme Court DACA decision, we had consultations with 36 prospective DACA initial clients. Unfortunately, USCIS is refusing to accept initial DACA applications.
- **Fee hikes:** In September, we have been focused on submitting naturalization and other cases that will be impacted by the new USCIS fee schedule, going into effect October 2. Naturalization fees will go from \$725 to \$1,170, and we will no longer be able to apply for a

fee waiver for most cases. This will make it difficult for many of our clients to pay their immigration fees and become citizens.

- **On the radio:** We've continued our monthly bilingual immigration law update with RadioLex. This month, we spoke about DACA, the new fee schedule, and public charge. In October, we will talk about TPS and other **immigration** updates. Michelle and Allison presented on immigration remedies for crime victims for Fayette County DCBS, and we have been approached by Woodford County for a similar training.
- **Thanks, Nathalie:** Nathalie Dietrich will be leaving Maxwell Street on November 15. Nathalie has been a full-time DOJ accredited representative for the past five years. Before that she served as a volunteer and a **part-time** legal assistant. We are grateful for all the work and support Nathalie has given Maxwell Street through the years and are sad to see her go! She promises to stay on as a volunteer DOJ rep. We wish Nathalie all the best!

Outreach Coordinator — Miranda Brown

- **KEJC on RADIOLEX:** Miranda produced three new radio episodes in English and Spanish, covering:
 - [immigrant worker rights](#) related to COVID-19 in the workplace
 - [food benefits](#) including SNAP, WIC, and Pandemic EBT
 - voting rights and safe elections (airing Monday, 9/28/20)

The programs feature McKenzie, Tyler, and voting rights activist Debbie Garner, a former felon herself.

- **Fighting public charge misinformation:** Miranda and Leah hosted a [webinar](#) for 11 local housing assistance provider staff covering Public Charge in Relation to Housing Services. Miranda also spoke about KEJC's work on a national cohort call with the Protecting Immigrant Families Campaign.
- **Advocacy feedback loop:** Miranda helped 10 new families with health coverage and received several new referrals from the Community Response Coalition of Kentucky to help mixed status and undocumented families access Medicaid and Presumptive Eligibility Medicaid.
- Miranda participates in biweekly meetings of the Benefind Communications Committee, providing feedback on the communications plan and materials created for the redesigned [benefind.ky.gov](#).

Workers' Rights — McKenzie Cantrell

- **Good (great!) news:** On [July 15th](#) and [Labor Day](#), KEJC partnered with the Kentucky AFL-CIO, KCEP, Kentucky State Building and Construction Trades Council, and Center for Popular Democracy to produce two virtual town hall style meetings advocating for the continuation of expanded unemployment benefits for workers.

The Labor Day program was a combined celebration of essential workers, commentary on the changing nature of work and call to worker advocacy on safety and unemployment. We heard testimony from elected officials, affected workers, union leaders and economic experts.

- **Bad (definitely could be better) news:** We received an adverse ruling in our human trafficking case against a Lexington restaurant. The Defendants were awarded summary judgment after a hearing on the human trafficking and intentional infliction of emotional distress claims. Our wage and hour claims are still alive, and we've been ordered to mediate the case by November.