It’s time to choose our Executive Branch . . .
Be sure to check out **KCIS** and vote Nov. 5!

*The Kentucky Candidate Information Survey* is the only nonpartisan survey that quotes the candidates in their own words.

The Family Foundation’s voter information project, the *Kentucky Candidate Information Survey (KCIS)*, was initiated in 1993 and has served the Commonwealth every election year since. Sometimes, it has literally made the difference in the outcome of a race NOT because it endorses one candidate or another, but because it causes readers to think and evaluate each candidate in a number of ways.

This year could be the same – **KCIS** could be a difference-maker.

Besides the newspapers' distribution across the state, individuals can download the PDFs of each race, print and copy them to share them with others at their church or nonprofit organization because the *Survey* complies with the IRS 501(c)3 requirements.

In other words, it doesn’t tell you *WHO* to vote for or *WHICH* Party should be in power; it simply serves all candidates and all citizens by getting solid candidate information out so responsible citizenship can rule the election day.

This year there are three parties that are represented in the *Survey* – the usual Democrat and Republican candidates, but this year also the Libertarian Party candidates.

*The Kentucky Candidate Information Survey* also boasts responses from candidates at every level of Kentucky’s judiciary, albeit a small number of races this year. A majority of the 11 judicial candidates responded, providing important insight into who they are, how they view their role as a judge, and what they consider the biggest issue facing the judiciary.

See this unique, nonpartisan **Survey**

Listed side-by-side, candidates respond in their own words.

The *Kentucky Candidate Information Survey*‘s website has something for every Kentuckian. It’s an excellent resource for the busy citizen who desires to be an informed voter.

Find the resources and info you need, without the spin –

**Which political party best aligns with your opinions?** Explore a side-by-side comparison of the official Republican and Democrat party platforms in the Parties’ own words.

**What are the candidates’ priorities?** What is their vision? How can they improve the Commonwealth for ALL citizens? Read your candidates’ *Survey* responses, so you know where they stand on a variety of issues . . . in their own words.

**What are your judicial candidates’ qualifications?** Their judicial philosophy? Get to know your judicial candidates in their own words, allowing you to be introduced to who they truly are.

**Kentucky Candidate Information Survey**

Kentucky’s best nonpartisan candidate website.

[www.VoteKentucky.us](http://www.VoteKentucky.us)

This website has candidates in their own words:

– 2 Governor and 2 Lt. Governor campaigns
– 2 each Attorney General, Secretary of State, Auditor and Commissioner of Agriculture candidates (& 1 Treasurer)
– This year has only 5 judicial races, but all of them have respondents that are online in the *Survey*.

“Like” & “Share” on Facebook for others

Search Facebook: **@VoteKentucky**
Here’s a summary of The Family Foundation’s brief in its 10-year Historical Horse Racing case

For TFF to lose, the Kentucky Supreme Court will have to assert that pari-mutuel wagering no longer has to be “mutual.”

The Family Foundation did not bring this case. Kentucky’s Horse Racing Commission and eight racetrack associations brought this action to determine whether historical horse racing machines are legal, because they were unsure. But their “agreed case” failed to name anyone opposing their implementation of the machines. The Family Foundation, concerned about potential corruption, then joined.

After nine years and numerous irregularities, the case is now before the Kentucky Supreme Court. The Family Foundation filed an appellate brief on Sept. 6.

Kentucky’s Horse Racing Commission

Instead of being a regulatory agency, the Horse Racing Commission is acting as an advocate. Instead of seeking an objective consultant, the Commission relied on the gambling consultant paid for by interested vendors and racetracks.

This lack of impartiality among executive officials and the choice to press the case for the side they represent, instead of adopting the fairest and best reading of a regulation, is exactly what the four U.S. Supreme Court justices warned about during their June concurrence in *Kisor v. Wilkie*.

The unelected Commission has ushered in all the burdens of slot gaming for the nearly exclusive benefit of the racetracks with virtually no benefit to the Commonwealth and without a word of policy debate. Policy decisions of these magnitudes, with these implications, being determined by an unelected Commission without a vote of the people or the General Assembly violates the most fundamental principles of Kentucky’s system of government.

The Game

Exacta Gaming has the appearance of slot gaming. It uses slot gaming themes with names like “Triple Cherry Pop”, “Aloha Tiki Bar”, “In Ra We Trust”, and “Devil’s Gate.” Money is inserted. A bet is placed. Spinning wheels, lights, and sounds flood the player’s senses. Three 10-horse horse races are chosen at random. It is assumed players utilize the “AutoCap” feature, which automatically selects the order of finish for them, allowing rapid play. Internal rules of the game reveal that the first-place horse in the first race must be correctly guessed to win any prize. Amazingly, a player can match 28 of 30 positions and win no prize. Each unique wager is placed in a carryover pool of losses, like lotteries and jackpots, rather than the required wagering pools.

**NOT** Pari-Mutuel Wagering

For the wagering to be lawful, it must be pari-mutuel wagering. Thus, it is required that players “are wagering among themselves”. Based on the ordinary meaning of words and the basics of grammar, this requires players to be wagering on the same uncertain event in a manner that has a mutual/reciprocal impact on each other.

Importantly, the Commission and racetracks’ own witnesses admitted that no two players are ever wagering on the same uncertain event and have no mutual (reciprocal) effect on each other, thus violating the requirement that the games be pari-mutuel wagering.

When a patron chooses his own machine, the machine randomly chooses his own historical race, and the patron places his own wager at his own time, he is not wagering against, among, or with ANYONE else. If it is pari-mutuel, answer the question, “Who is he wagering against, among or with?”

Franklin Circuit Court

Because Exacta Gaming does not meet the requirements to be pari-mutuel wagering, the Franklin Circuit Court changed the requirements and then judged them met.

**Now What?**

Once it is apparent to the Kentucky Supreme Court that Exacta Gaming is not pari-mutuel wagering on horse racing, the next question is what to do about it. The racetracks must cease operations.

The Horse Racing Commission and racetracks are the ones who brought this case because they were unsure the games were legal. They told the court they wanted to know before implementing them. Now, after misleading the Kentucky Supreme Court and being guilty of conduct that violates the fundamental conceptions of fairness, they cannot claim that making them cease operations is unfair.

**Conclusion**

Because Exacta Gaming does not meet the requirements to be pari-mutuel wagering, the Franklin Circuit Court changed the requirements and then judged them met.

If the Franklin Circuit Court is not reversed, the Kentucky Supreme Court will have presided over the greatest expansion of gaming in the history of Kentucky without a vote of the people or the General Assembly.

It will do so based on a trial court that 1) disregarded the Kentucky Supreme Court’s previous instructions in the case, 2) ignored every applicable rule for interpreting law, 3) failed to apply the plain meaning of words and basics of grammar, and 4) relied upon the legal opinions of a non-lawyer consultant to a public Commission whose employer was paid $860,849.67 by interested vendors and racetracks.

To read the brief in its entirety or to watch our News Conference dealing with the brief’s filing, go to [kentuckyfamily.org](http://kentuckyfamily.org)
KY “Hands On” decision has huge implications

As a nation, Americans must stand up and protect free speech and religious liberty without doing harm in the process.

Even before the U.S. Supreme Court declared a right to same-sex marriage in 2015, the LGBT movement’s sexual orientation and gender identity (SOGI) or so-called “fairness” ordinances were threatening the livelihood of Christian business owners. Since then, such clashes have only become more frequent and widespread.

Civil rights ordinances are meant to ensure equality for various people groups that have previously been or continue to be discriminated against. But the recent addition of “sexual orientation” and “gender identity” too often results in their use to punish business owners who refuse to support or celebrate same-sex marriage. Thus, punishing another protected class of people for what defines it—a faith in Jesus Christ which results in obedience to His commands.

Three court cases resulting from those pre-Obergefell clashes have a critical role to play in establishing the guidelines for ongoing and future clashes.

Masterpiece Cakeshop v. Colorado Civil Rights Commission, decided by the U.S. Supreme Court in June 2018, did not decide the “delicate question of when the free exercise of his religion must yield to an otherwise valid exercise of state power,” but it did clearly establish that answering that question requires “an adjudication in which religious hostility on the part of the State itself would not be a factor in the balance the State sought to reach.”

The U.S. Supreme Court, by a 7-2 decision, condemned the “clear and impermissible hostility toward the sincere religious beliefs that motivated his objection.” A Christian business owner is “entitled to the neutral and respectful consideration of his claims.” That’s a clear guideline and an essential piece of the puzzle.

Lexington-Fayette Urban County Human Rights Commission v. Hands On Originals involves a promotional printing company in Lexington who referred a potential customer to another printer, rather than print t-shirts promoting the Lexington Gay Pride Festival.

The Kentucky Supreme Court heard oral arguments at the end of August. The case is primed to establish the critical distinction between refusing to communicate a message and refusing to serve a person belong to a specific class. This is an essential step to uphold free speech and the free exercise of religion.

Arlene’s Flowers v. State of Washington is once again being appealed to the nation’s highest court after the Washington Supreme Court upheld its ruling against the Christian business owner despite the U.S. Supreme Court’s ruling in Masterpiece Cakeshop.

The case has the potential to provide some guidance on the line between conduct and free speech/expression. This is a watershed issue and a huge piece of the puzzle because speech receives a much higher level of protection than conduct, especially if Hands On Originals can help clearly establish the message distinction.

Americans and Kentuckians must answer the question of where to draw the line between conduct and speech/expression to address florists, bakers, photographers, and others that may not constitute “pure speech” such as speaking, writing, and publishing.

“Hands On Originals’ owners serve all customers, but can’t communicate all messages,” said Michael Johnson, policy analyst for The Family Foundation. “Kentucky’s highest court has the humbling opportunity to help lead the way nationally in resolving these clashes in a manner that protects the rights of all.”

TFF files two amici briefs outside KY

Two national cases are important.

The Family Foundation has joined with its “sister organizations” across the nation to file amici briefs in two important federal court cases.

The U.S. Supreme Court will hear arguments in Harris Funeral Homes Inc. v. Equal Employment Opportunity Commission during its new October term. Though there are several important aspects to this case, The Family Foundation’s amicus brief focuses on the threat to parental rights posed if the Court rules “transgender status” to merely be an extension of “sex.” Such a decision could limit parental rights in educational and school activities, medical care of children, and other aspects. These would likely include bathrooms, shower rooms and locker rooms as well as sports competition.

The second case, Thomas More Law Center v. Becerra, involves your First Amendment right to freedom of association. California is requiring nonprofit organizations to release the name, address, and donation amount of their donors. That’s something that is ripe for abuse and misuse to punish those who support certain organizations or causes, so The Family Foundation is taking a stand. No one should be harassed because they gave to a nonprofit organization simply because other citizens are trying to oppress that group.
Like the Israelite mid-wives in Egypt, Help Centers are saving lives and shaping futures of young mothers. 

The Centers are funded primarily by contributions from those in their areas of service. They are staffed, in part, by numerous volunteers who simply express the care and support that these young women need — the Centers offer many groups doing the many things necessary. Grace and Truth must both be manifest. Pregnancy Help Centers are the essence of Grace and Truth — meeting women at their point of need, serving them without judgement. The Centers are a proven, consistent resource for help, advice, and support. These women who are caught in an untimely pregnancy and who do not have the financial means to carry their pregnancy to its conclusion are able to explore other options and to do so without fear of judgment because of the care that they receive from the Centers.

Pregnancy Help Centers offer a wide variety of services that include, but are certainly not limited to:

- Pregnancy testing
- Pregnancy residencies
- Ultrasound and nurse consultations
- Options counseling, including referrals to adoption agencies
- Affirming services, which includes services for new fathers — free material resources including: hymen/maternity clothes, baby gifts, formula, and a new baby mobile
- Assistance with housing, job training, and education
- Smoking cessation classes
- Assistance with legal issues and educational services
- Spiritually focused guidance in order to live a virtuous lifestyle
- Crisis pregnancy counseling and financial planning
- Grief assistance for those who regret past pregnancy decisions

These centers are funded primarily by contributions from those in their areas of service. They are staffed, in part, by numerous volunteers who simply want to help the women in need within their communities.

Without doubt, these centers exist not only for the unborn child, but also for the mother. They stock their offices with both maternity clothing and baby clothing, as well as other maternal supplies that can help a young woman make the transition into gracefully bringing a new life into the world and shaping that life. Pregnancy Help Centers’ clients receive totally FREE, confidential, and non-discriminating services that include, but are certainly not limited to: pregnancy testing

This year marks the 13th year that CHOOSING LIFE license plate dollar amounts have supported Pregnancy Help Centers that serve the women of Kentucky. The big winners in the "CHOOSING LIFE" license project have always been the Kentucky women who are caught in an untimely pregnancy and who do not have the financial means to carry their pregnancy to its conclusion. They are able to explore other options and to do so without fear of judgment because of the care that they receive from the Centers.

Pregnancy Help Centers will receive 100% of the money that you donate above the actual cost of your license plate. And don’t forget that the Kentucky Horse Racing Commission is currently seeking Kentucky’s courts to bypass the General Assembly to legalize slot-like “historical horse racing” machines by claiming that wagering doesn’t have to be “mutual” to be “pari-mutuel.” (See the every race, every day.

All of these situations have one thing in common, a regulatory body that, by all appearances, is fulfilling its role of “an enforcer on both the safety and integrity of the work of the Commission’s consultant who was to determine whether or not ‘historical horse racing’ machines are legal.”

Chris Hunt, general counsel for the Kentucky auditor’s office, called the Commission’s actions “out of the ordinary” and Michael Fagan, a former assistant U.S. Attorney in the Eastern District of Kentucky, said that the relationship between the tracks and the state regulators appears problematic. Fagan, who specializes in gambling cases, noted that “The industry that is supposed to be regulated is buying its own regulator.”

The bottom line is that the horse racing industry NEEDS REAL GOVERNANCE . . . and it needs it NOW!!!

Industry insiders as “regulators”? Horse racing industry needs to be policed by others — they choose themselves every time. 

The Family Foundation

Pregnancy Help Centers dot the Kentucky landscape, is.
Trump and McConnell continue the drum beat

They continue to set a record pace for judicial appointments and, at the same time, are fulfilling Trump’s campaign promise.

The Federal Judiciary was a main motivator for Trump voters during the 2016 election. According to a CNN exit poll, 56 percent of those who supported Trump listed the U.S. Supreme Court as the “most important factor” in their vote.

Love it or hate it, President Trump has kept his campaign promises to appoint more judges that: 1) exercise a philosophy of restraint, believing that judges must interpret the law strictly rather than using the bench to enact social and political change; 2) interpret the Constitution in line with what is explicitly stated, rather than reading it expansively; and 3) believe that courts should interpret the Constitution as the writers intended, rather than believing it must grow and adapt to new circumstances.

Such an approach likely means that no person, political party, or even judge will agree with every decision reached, but it ensures the rule of law, rather than the Federal Judiciary merely being another partisan branch.

Trump’s number of appointments is tied with President George W. Bush as the second-highest of the past five U.S. presidents at this point in their presidency and is only two appointments shy of President Clinton.

Despite this, Trump also has the second-highest number of vacant seats remaining. Those 95 vacancies ensure further opportunity to reshape the Federal Judiciary and that confirming the 40 pending nominees will likely remain a top priority for U.S. Senate Majority Leader Mitch McConnell and the Republican-controlled Senate.

“In God We Trust”

House Bill 46, passed in the 2019 Session, requires that all public schools post the National Motto in a “prominent location.”

After viewing an American victory from a British warship in 1814, Francis Scott Key penned the Star Spangled Banner’s lyrics and concluded the last verse with “and this be our motto: in God is our trust.” The motto first appeared on United States coins in 1864 during the Civil War. Congress acted multiple times since then to affirm and broaden its usage. Finally an Act of Congress in 1956 made “In God We Trust” the official United States National Motto.

Last March the Kentucky General Assembly passed House Bill 46, the National Motto Bill. Sponsored by Rep. Brandon Reed (R-Hodgenville), the bill passed by a vote of 72-25 in the House and 29-8 in the Senate. It was signed into law by Gov. Bevin on March 25. HB 46 requires each public school in Kentucky to place the National Motto in a “prominent location.” Kentucky was not the first or last state to enact similar laws.

Schools throughout the Commonwealth have chosen banners, plaques and patriotic artwork to comply with the statute. In Monroe County, for example, the technology center has an eagle dressed in red, white and blue accompanied by a banner stating “In God We Trust.” However, in Fayette County Public Schools administrators chose instead to simply display an enlarged $1 bill.

The Fayette County action drew criticism from many who considered this an affront to State and Federal Government officials, to the nation’s history and unity, or simply a bad lesson to teach students in how to skirt the intent of law. “Some public school officials are teaching students how to cleverly defy the law,” stated Cole Cuzick, policy analyst for The Family Foundation. “Furthermore, they are elevating the ‘almighty dollar’ before students instead of our historical, national motto.”

Others supported the school administrators’ action citing “separation of church and state” or claiming the national motto is upsetting too many students and parents.

“Our national motto has long served as a vital component to our nation’s history and culture, and can serve as an example for our students.”

- Rep. Brandon Reed

The ACLU opposed HB46, but has not filed suit. Several national legal organizations have offered to provide free legal defense to any schools or states that require the motto be displayed in schools. In the past, there have been multiple legal attempts to remove the national motto from public places. Those responsible claim it violates the establishment clause. But both the Fifth and Eighth US Circuit Courts have upheld its use as being primarily secular and historic. In June 2019, the U.S. Supreme Court upheld the Eighth US Circuit Court of Appeals’ opinion which affirmed that the motto is “consistent with historical practices.”
A reputation of corruption

Given the casino industry’s longstanding reputation for corruption, one would think they would be careful to avoid doing things that supported that narrative. You would think. But on the eve of a Kentucky General Assembly session in which sports gambling is expected to be one of the major issues, gambling interests are already acting in character.

In early September, Louisville-based Churchill Downs announced that it was applying with the Kentucky Horse Racing Commission to build a $200 million “racing and gaming” facility near Cincinnati, named after the neighborhood near which it will be built: “Latonia.”

One has to ask why exactly Churchill Downs made this announcement, and why they are thinking of doing it (if they really are) at all. There is already a racing facility in the same area: Turfway Park. Horse racing itself seems to be entering the stretch in terms of popularity, evidenced in part by the diminishing number of actual horse races. So why would Churchill even be interested in building a new track at all, particularly so close to another racetrack?

Then there is the fact that Churchill Down, famous for the site of the Kentucky Derby, doesn’t make its money from horse racing, but from casinos it owns in a number of other states.

But the new facility will also house hundreds of “historic racing” machines, slot machines which hardly even look like they have anything to do with racing at all. There’s surely money to be made from that, but would even this be enough to compete with the large casino in Cincinnati?

It’s hard not to think that Churchill’s announcement to build a racetrack in Northern Kentucky doesn’t have something to do with the fact that the now 8-year court case on historic racing is about to be decided by the Kentucky Supreme Court, and that one of the elected justices, Michelle Keller, represents northern Kentucky on the court.

Part of the gambling industry’s reputation for corruption stems from their penchant for political manipulation, manipulation that could easily extend to elected supreme court justices.

Is Churchill making this announcement in order to influence votes on the state’s high court? It’s hard to say.

It’s important for them to win the historic racing case, since it would put the court’s seal of approval on the thousands of historical racing machines they have gone ahead and installed despite questions about their legality. But it might also bolster the effort to legalize sports wagering, which would give the casino industry another effective way to get into the pockets of Kentuckians.

Sports wagering legislation still faces a rocky future in Kentucky. It is not clear that they have the votes even in the House of Representatives, let alone the more difficult Senate. So, Churchill’s announcement could simply be evidence of desperation.

Legislation which has so far been proposed would do little for state coffers. Even the most optimistic revenue estimates for the state say it only stands to gain around $25 million, a small drop in the bucket when it comes to the state’s $37.9 billion pension shortfall, and hardly enough to build three or four school buildings.

The dilemma sports wagering advocates will face is this: If they simply allow betting on things like the Bengals vs. Steelers game or and the Reds vs. the Pirates, they won’t gather enough revenue to really matter, which will take away support for the bill; and if they try to get some serious money, they will have to expand the language of the legislation to include almost any kind of betting. It’s not a great position to be in.

They’ve got to know that their odds are not good. So why not float the idea of building a casino in the district of an important Supreme Court justice?

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Love and Lordship

**Lexington, Oct. 1 - Oct. 15**

Love & Lordship Series for Men - Greg Williams
Blackburn Correctional Facility (Tues. afternoons)
3111 Spurr Road, Lexington, KY 40511

**Wilmore, Oct. 6 & 27 Nov. 3, 10 & 17**

Love & Lordship Series - Greg Williams
Wilmore Free Methodist Church
1200 Lexington Road, Wilmore, KY 40390

**Willisburg, Oct. 2 - Oct. 16**

Love & Lordship Series - Greg Williams
Isaiah House (Wed mornings)
2084 Main Street, Willisburg, KY 40078

**Lexington, Oct. 8 - Dec. 23**

Healthy Relationships for Men Series - Greg Williams
Lexington Leadership Foundation
422 Codell Dr., Lexington, KY 40509

For more information, call (859) 255-5400 or go to www.kentuckymarriage.org
We were FIRST a nation of volunteers . . .

Can **YOU** help?

Yes, it’s true . . . we do need financial support (See article below), but I am not addressing finances with this note. I am addressing the need for each of us to **take a step forward in faith** to “change the earth” . . . and more particularly, to change Kentucky and change the county in which we each live.

As things are shaping up, this next year will be pivotal for Kentucky and we, at The Family Foundation, will have information that Godly people must have in order to help the Commonwealth navigate the winds of social change in a family-friendly and family-healthy way.

We must be about our Father’s business! It is a privilege and a responsibility -- just like being an American citizen is a privilege and a responsibility

The fact is we each have dual citizenship -- we are citizens of these United States **AND** of the Kingdom of God. In these matters, we are able to serve both at the same time.

If you have about three hours, after the first of the year, that you can help us get good information out in your church and in your county please email or call me.

We CAN make a difference! A Godly difference!

(859)-255-5400
kent@kentuckyfamily.org

We are very pressed right now . . . Please give.

_Demanding times require focused work, but I think we can get by with a little help from our friends._ Please help if you can.

We have opened our Fall fundraising efforts. As you know, I try to ask for funds in only two windows of time: Spring and Fall, because I do not want you to be inundated with “ask” letters.

We are currently “under the gun” right now, with the Historical Horse Racing case (See related stories on pages, 2, 5 & 7) and with the distribution of our **Kentucky Candidate Information Survey**.

Here is “Where We Are”: **First**, we are absolutely delighted with the appellate brief that we filed with the Kentucky Supreme Court on Sept. 6. Stan Cave has done an outstanding job! It is clear to us and clear in his brief that these horse racing gambling devices are **NOT** pari-mutuel wagering, as the law requires. Similarly, it is clear that we **will win this case** if real justice is meted out! Please pray with us for that justice because, sadly, courts do not always do what is right these days . . . as you know. Please also pray for “our daily bread” because such a case is not inexpensive (even though Stan has regularly and significantly discounted his legal fees).

**Secondly**, we are currently distributing our Fall 2019

[Image: horse race.png]

Kent Ostrander is the executive director of The Family Foundation

[Image: kent.png]

Kentucky Candidate Information Survey (KCIS).

(See page 1) The Nov. 5 election is critical for the next four years and we need everyone out and everyone voting their conscience! Kentucky has been on the move with the Lord and we dare not stop now. OR, God has been on the move in Kentucky and we dare not stop now. Either way, we must all exercise our faith and step out in faith in order to see the handiwork of our God. Once again, reaching 400,000 Kentuckians is not inexpensive.

A gift of any amount helps immeasurably. The **CITIZEN** costs us about $10 per year, per person to deliver. $10 gifts would be huge . . . but because not all can give, please consider going beyond that amount.

The Lord has much for Kentucky to do as the nation wavers against adverse societal headwinds. Kentucky must play its part in getting the nation back on course.

Given our rich Christian heritage, _We can_ do it! And, _We WILL_ do it!

P.S. All gifts are tax deductible.

To give, mail to:

The Family Foundation
P.O. Box 911111
Lexington, KY 40591-1111

Or, go online to: kentuckyfamily.org