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BEFORE THE STATE OF INDIANA

CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF AUGUST 18, 2023

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana  
Civil Rights Commission, Adrienne L. Slash,  
Chairperson, taken before me, Lindy L. Meyer,  
Jr., a Notary Public in and for the State of  
Indiana, County of Shelby, at the Indiana  
Government Center North, 100 North Senate Avenue,  
Room N300, Indianapolis, Indiana, on Friday,  
August 18, 2023 at 1:12 o'clock p.m.

- - -

ACCURATE REPORTING OF INDIANA, LLC  
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1 APPEARANCES:

2 COMMISSION MEMBERS:

3 Adrienne L. Slash, Chairperson  
4 Steven A. Ramos  
5 Holli Harrington  
6 Sue Silberberg (via Zoom)  
7 James W. Jackson (via telephone)  
8 Terry Tolliver

9 INDIANA CIVIL RIGHTS COMMISSION  
10 By David Fleischhacker, Deputy Director  
11 Indiana Government Center North  
12 100 North Senate Avenue, Room N300  
13 Indianapolis, Indiana 46204  
14 On behalf of the Commission.

15 OTHER COMMISSION STAFF PRESENT:

16 Michael Lostutter  
17 Christiana Afuwape

18 ALSO PRESENT:

19 None

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22

23

1 1:12 o'clock p.m.  
2 August 18, 2023

3 - - -

4 CHAIRPERSON SLASH: It is 1:12 on  
5 August 18th. I call this meeting of the Indiana  
6 Civil Rights Commission to order.

7 MR. LOSTUTTER: I have just a few  
8 things. Please be advised no party will be  
9 allowed to speak directly to the Commission  
10 during a Commission meeting, except during a  
11 previously scheduled oral argument.

12 Commissioners will make their initial  
13 determination based on the complaint, notice of  
14 finding, the appeal, and the final investigative  
15 report.

16 You must not address the Commission  
17 members except and unless you are addressed  
18 directly by them, and if you have any questions  
19 about your case, please wait to speak to the  
20 Docket Clerk until after the Commission meeting.

21 Thank you.

22 CHAIRPERSON SLASH: Thank you.

23 Okay. We do have a quorum, so no worries  
there. If you want to announce the agenda, we

1 can kind of keep moving.

2 MR. LOSTUTTER: We will be going over  
3 approval of previous meeting minutes; and then we  
4 will have the presentation of the ICRC Director's  
5 Report for the month of July; then Old Business,  
6 appeals that were assigned to Commissioners last  
7 month; and then New Business, appointment of  
8 Commissioners to new complaint appeals; review of  
9 ALJ Decisions and Orders, of which there is one;  
10 and then reading into the record the final orders  
11 of the ALJ automatically confirmed, of which  
12 there are two.

13 CHAIRPERSON SLASH: Thank you.

14 Now I'll call for a -- does anyone want to  
15 call for a motion to approve last month's meeting  
16 minutes?

17 VICE-CHAIR RAMOS: So moved.

18 CHAIRPERSON SLASH: Thank you.

19 COMM. TOLLIVER: Second.

20 CHAIRPERSON SLASH: Thank you.

21 MR. LOSTUTTER: We'll call the roll.

22 Comm. Jackson?

23 COMM. JACKSON: Present.

1 CHAIRPERSON SLASH: Was that aye --  
2 COMM. HARRINGTON: Present.  
3 CHAIRPERSON SLASH: -- or present?  
4 COMM. JACKSON: Aye.  
5 CHAIRPERSON SLASH: Okay. Thank you.  
6 MR. LOSTUTTER: Comm. Harrington?  
7 COMM. HARRINGTON: Present.  
8 MR. LOSTUTTER: Comm. Tolliver?  
9 COMM. TOLLIVER: Aye.  
10 MR. LOSTUTTER: Vice-Chair Ramos?  
11 VICE-CHAIR RAMOS: Aye.  
12 MR. LOSTUTTER: Chair Slash?  
13 CHAIRPERSON SLASH: Aye.  
14 MR. LOSTUTTER: The minutes are  
15 approved.  
16 CHAIRPERSON SLASH: Thank you.  
17 We'll have the ICRC Director's Report.  
18 MR. FLEISCHHACKER: Sure. Thank you,  
19 Chair Slash.  
20 We have had a couple of events lately that  
21 we've had staff up to. We've had staff go up to  
22 Lake Station and Fort Wayne for a couple of  
23 events up there, but while also there, they were

1 meeting with some of the local officials, like in  
2 Fort Wayne, the Fort Wayne Human Rights  
3 Commission there, and in the Lake Station area,  
4 and the mayors of some of the different cities  
5 and everything.

6           So, again, just getting back out into  
7 communities outside of Central Indiana,  
8 Indianapolis area, again, just raising awareness  
9 and being involved to try to increase awareness  
10 of the Indiana Civil Rights Commission and what  
11 we do.

12           We've got CORE that continues to go on.  
13 We were just at, I think, the Indianapolis  
14 Central Library this past month, and then we've  
15 got -- what have we got coming up next month?  
16 Next month we'll be at the Wayne Branch of the  
17 Indianapolis Library System.

18           We've got the Days of Service coming up on  
19 September 18th and 19th, so hopefully, if your  
20 calendars permit, you're able to join us for  
21 parts of one of those days, but again, we'll be  
22 along the Martin Luther King, Jr. Boulevard, or  
23 Street, kind of north of downtown, in the Watkins

1 Park Area, doing beautification projects within  
2 that community.

3 Last year we had around 150 or so  
4 volunteers as part of those two Days of Service.  
5 We're hoping to have closer to 200 volunteers or  
6 more this year, again, doing a lot of  
7 beautification projects and things of that  
8 nature. We've got good partnerships with the  
9 City of Indianapolis and other entities that are  
10 coming together to make that happen.

11 And then we've got some activities going  
12 on coming up, with the Circle City Classic being  
13 a parade and different things of that nature, so  
14 we've got that coming up in late September as  
15 well, as well as the Indiana Latino Expo or  
16 Health Fair Saturday, September 23rd. We'll have  
17 a presence there for that.

18 So, again, a lot of things going on. Our  
19 External Affairs area remains busy. You know, we  
20 had the conference back in June, but we've not  
21 rested since then, continue to do good things.

22 One thing that I wanted to put back on  
23 your radar, Chair Slash, just for your

1 consideration today, there is that cross-council  
2 summit that's coming up on August 23rd, so if  
3 today you want to further discuss who from the  
4 Commission may want to attend that and so we can  
5 get someone registered. I know, I think,  
6 Vice-Chair Ramos and Comm. --

7 CHAIRPERSON SLASH: Comm. Blackburn.

8 MR. FLEISCHHACKER: -- Blackburn had  
9 expressed interest in attending, and you had  
10 expressed an interest in possibly attending as  
11 well, if your schedule permitted. So, further  
12 conversation can happen today about that, or  
13 off-line if --

14 CHAIRPERSON SLASH: Okay.

15 MR. FLEISCHHACKER: -- no decision is  
16 made today. I just wanted to put that back on  
17 your radar.

18 Continue -- as far as projects go,  
19 continue to make enhancements to the CMS, Case  
20 Management System. We're hoping to, in the near  
21 future, have the DocuSign integrated fully into  
22 CMS, so then staff will be able to send out  
23 documents directly from CMS and get signed copies



1 back instead of having to have them filter  
2 through our other Web-based DocuSign system as  
3 currently set up. So, we're looking forward to  
4 that.

5 (Comm. Silberberg joined via Zoom.)

6 MR. FLEISCHHACKER: Our Genesys phone  
7 system continues to be a good product for us.  
8 We, again, are averaging around four and a half  
9 to five calls per hour that are coming into our  
10 phones, and for the month of July we had a little  
11 over 800 calls that we answered as part of that  
12 process, which is on par with what we've had over  
13 the previous few months.

14 Our Fair House -- Fair Housing Testing  
15 program continues. We've conducted a number of  
16 tests already over the course of this year. We  
17 have contracts with both -- well, we have a  
18 contract with IHEDA, Indiana Housing Community  
19 Development Authority, to do tests, and then  
20 we've also got partnership funds that we received  
21 from HUD to do testing.

22 We've done only testing under the  
23 partnership funds piece for HUD. There were --

1 let's see, 83 -- so, 98 tests that we did as far  
2 as under those partnership funds, and then we got  
3 another -- let's see here -- another hundred or  
4 so that we're doing for IHCDA. Some of them  
5 we've completed, but that contract goes through  
6 the end of the calendar year, versus the HUD  
7 contract year that just ended.

8           From the tests that we've done so far, I  
9 think we've got about 18 that we're moving  
10 forward with, with Director-initiated complaints,  
11 so some of those we've already started having  
12 like settlement discussions about those, getting  
13 those settled. As part of those settlement  
14 discussions, we're asking for some administrative  
15 costs back from the respondents as part of the  
16 settlement proceedings.

17           So, we're working through those and, you  
18 know, hopefully utilizing those to correct  
19 behavior in those respondents that we're testing.  
20 Like for the IHCDA tests, a number of the tests  
21 were -- we did testing a couple of years ago with  
22 IHCDA, and from those there were a number of  
23 properties that had some significant differences

1 in how they treated the control and protected  
2 class.

3 All of those were retested as part of this  
4 contract period, and then testing additional  
5 properties above and beyond that. So, trying to  
6 see, you know, is what we did -- because the  
7 prior tests, we had all of those entities engage  
8 in training, so "Did that training pay off?" You  
9 know, "Are they still doing -- engaging in  
10 behavior that would be discriminatory?" So,  
11 we're looking at those kind of things to see, you  
12 know, what's our return on investment for those  
13 kind of areas.

14 We're about a month and a half away from  
15 wrapping up the EEOC contract, and we are on  
16 track to meet that. We've got a current  
17 inventory of close to 400 employment  
18 investigations that we're -- that our staff are  
19 working through. Our contract for EEOC is 350  
20 for the current contract period that we're in, so  
21 we have, you know, enough cases to meet this  
22 contract period, and then next year is already in  
23 our inventory. So, we continue to move through

1 those and get those done.

2 As far as just some kind of updates on  
3 metrics, our numbers continue to be -- continue  
4 to be elevated this year compared to where they  
5 were last year at the same time. Inquiries are  
6 up 27 and a half percent. We're at 1592 through  
7 the end of July 2023 compared to 1248 last year.  
8 Our formalized complaints are up over 61 percent  
9 compared to last year, 634 formalized complaints  
10 through the end of July 2023 compared to 393 at  
11 that point last year.

12 And then settlement funds obtained through  
13 conciliations and such, we're up about five and a  
14 half percent. We've recovered, through the end  
15 of July, \$509,000 for complainants compared to  
16 483,000 in the same period last year.

17 And we have around 60 open litigation  
18 cases. Right now, at the end of July, we are  
19 at 56, but we've had five new cause cases since  
20 then, but I know that we've closed one or two  
21 that have settled as well.

22 But again, our staff continue to do great  
23 work. We've brought on some -- an additional

1 employment investigator to help work through the  
2 increased inventory that we have for that, and  
3 just trying to keep things move along and keep  
4 our quality and customer service levels at the  
5 high level that we believe that they're at, and  
6 continue to do the numbers that we're doing as  
7 well.

8 CHAIRPERSON SLASH: Question.

9 MR. FLEISCHHACKER: Yes, Chair Slash.

10 CHAIRPERSON SLASH: The formalized  
11 complaint number is -- essentially is up; is that  
12 what you're saying?

13 MR. FLEISCHHACKER: Almost, yeah.

14 CHAIRPERSON SLASH: So, I get where  
15 we could see like an increase in tracking, just  
16 like calls and inquiries, but do we have like  
17 where this is coming from?

18 MR. FLEISCHHACKER: It could be  
19 just -- I think anecdotally it's from probably a  
20 number of different things, probably from us  
21 being out there more, raising awareness, public  
22 awareness type situations. I think part of it is  
23 our staff being better able to move inquiries to

1 formalized complaints.

2 In 2022, kind of year to date through  
3 July, our inquiry to formalized complaint was 31  
4 and a half percent, and this year it's at 40  
5 percent. So, more of the inquiries that are  
6 coming in, we're moving to formalized complaints.

7 Whether that's the ability of our staff to  
8 get them under that or just the nature of the  
9 complaints that are coming in and how they're  
10 able to articulate what allegedly has occurred to  
11 them. So, I think there's probably a number of  
12 different factors that play into that --

13 CHAIRPERSON SLASH: Okay.

14 MR. FLEISCHHACKER: -- but I don't  
15 think one thing necessarily explains it.

16 CHAIRPERSON SLASH: Yeah. It's just  
17 a big --

18 MR. FLEISCHHACKER: Yeah.

19 CHAIRPERSON SLASH: -- difference in  
20 the --

21 MR. FLEISCHHACKER: Well, if you  
22 think back, like back in 2017, 2018 -- I think  
23 maybe it was the end of 2017 going into '18 --

1     like when the hashtag Me-Too movement started, it  
2     kind of gained traction, and that resulted in a  
3     significant increase in complaints just because a  
4     number of people were more willing to share their  
5     experiences and talk about it and come, you know,  
6     file complaints about their experiences.

7             And then we had such a downturn with  
8     COVID, where fewer people were interacting with  
9     each other, fewer people were engaging in, you  
10    know, visiting places of public accommodation,  
11    but now a lot of those things are easing up and  
12    people are back to work in person with each other  
13    and back visiting places, so I think that kind of  
14    plays into kind of an increase as well.

15            CHAIRPERSON SLASH:   Okay.  Thank you.

16            MR. FLEISCHHACKER:   Yeah.

17            VICE-CHAIR RAMOS:    Just to add, we  
18    had the Indiana Latino Expo Breakfast with the  
19    Mayor on Wednesday, which was very well received,  
20    a lot of people were there.

21            CHAIRPERSON SLASH:   Uh-huh.

22            VICE-CHAIR RAMOS:    It seemed more  
23    like a political commercial than anything, but --

1 (Laughter.)

2 CHAIRPERSON SLASH: Yes.

3 VICE-CHAIR RAMOS: -- but it was well  
4 attended, and it was good to see people there.

5 CHAIRPERSON SLASH: Yes.

6 Anyone else have any questions?

7 (No response.)

8 CHAIRPERSON SLASH: Anyone on the  
9 phone have any questions for David?

10 (No response.)

11 MR. FLEISCHHACKER: All right. Thank  
12 you.

13 CHAIRPERSON SLASH: Thank you.

14 Now we'll move through Old Business, and  
15 I'll begin. The first case, Adam Boylan versus  
16 Caravan Facilities Management, LLC,  
17 Case EMra22120710, that case was assigned to  
18 Comm. Tolliver.

19 COMM. TOLLIVER: Thank you.

20 There are two issue here. On the first  
21 issue, I'd recommend that we approve the  
22 Commission's recommendation that there was no  
23 probable cause under the Indiana Civil Rights



1 Law, and on the second issue, which is the same,  
2 a no probable cause claim under the Indiana Civil  
3 Rights Law.

4 CHAIRPERSON SLASH: Thank you.

5 The next case, Jesse Rider --

6 MR. FLEISCHHACKER: You have to take  
7 a vote.

8 CHAIRPERSON SLASH: I'm sorry. That  
9 might have been rough, a little. Go ahead and  
10 call the roll since we have two on the phone.

11 MR. LOSTUTTER: Oh, all right. Well,  
12 do we need to also --

13 CHAIRPERSON SLASH: Yes. Thank you.

14 MR. LOSTUTTER: -- move it and --

15 CHAIRPERSON SLASH: I'm gone one  
16 whole month in my life and I come back and I  
17 can't remember what I'm doing. Thank you for all  
18 of the corrections.

19 Is there a motion?

20 VICE-CHAIR RAMOS: So moved.

21 CHAIRPERSON SLASH: Thank you.

22 Is there a second?

23 COMM. HARRINGTON: Second.

1 CHAIRPERSON SLASH: Thank you.  
2 MR. LOSTUTTER: I'll call the roll.  
3 CHAIRPERSON SLASH: There we go.  
4 MR. LOSTUTTER: Comm. Silberberg?  
5 COMM. SILBERBERG: Aye.  
6 MR. LOSTUTTER: Comm. Jackson?  
7 COMM. JACKSON: Aye.  
8 MR. LOSTUTTER: Comm. Harrington?  
9 COMM. HARRINGTON: Aye.  
10 MR. LOSTUTTER: Comm. Tolliver?  
11 COMM. TOLLIVER: Aye.  
12 MR. LOSTUTTER: Vice-Chair Ramos?  
13 VICE-CHAIR RAMOS: Aye.  
14 MR. LOSTUTTER: Chair Slash?  
15 CHAIRPERSON SLASH: Aye.  
16 MR. LOSTUTTER: The ayes have it.  
17 CHAIRPERSON SLASH: Thank you.  
18 The next case, Jesse Rider versus Herman  
19 and Kittle Properties and Lynhurst Park  
20 Apartments, Case HOha23020142, that case was  
21 assigned to Comm. Silberberg.  
22 COMM. SILBERBERG: I -- I say --  
23 there's a finding of no prob -- I'm sorry -- a

1 finding of no probable cause.

2 CHAIRPERSON SLASH: Thank you.

3 Is there a motion?

4 COMM. TOLLIVER: So moved.

5 CHAIRPERSON SLASH: Is there a  
6 second?

7 COMM. HARRINGTON: Second.

8 CHAIRPERSON SLASH: Thank you.

9 MR. LOSTUTTER: We'll take the roll.

10 Comm. Silberberg?

11 COMM. SILBERBERG: Aye.

12 MR. LOSTUTTER: Comm. Jackson?

13 COMM. JACKSON: Aye.

14 MR. LOSTUTTER: Comm. Harrington?

15 COMM. HARRINGTON: Aye.

16 MR. LOSTUTTER: Comm. Tolliver?

17 COMM. TOLLIVER: Aye.

18 MR. LOSTUTTER: Vice-Chair Ramos?

19 VICE-CHAIR RAMOS: Aye.

20 MR. LOSTUTTER: Chair Slash?

21 CHAIRPERSON SLASH: Aye.

22 MR. LOSTUTTER: The ayes have it.

23 CHAIRPERSON SLASH: Okay.

1           The next case, Rachel Godley versus FCA  
2           (Chrysler) US LLC's Kokomo Engineer -- Engine  
3           Plant, Case EMha22090499, that was assigned to  
4           Vice-Chair Ramos.

5                   VICE-CHAIR RAMOS: Madam Chair, there  
6           were two issues, both of which under Indiana  
7           Civil Rights Law, and I recommend that we uphold  
8           the Director's decision -- or recommendation of  
9           no probable cause.

10                   CHAIRPERSON SLASH: Thank you.

11                   Is there a motion?

12                   COMM. TOLLIVER: So moved.

13                   CHAIRPERSON SLASH: Thank you.

14                   Is there a second?

15                   COMM. HARRINGTON: Second.

16                   CHAIRPERSON SLASH: Thank you.

17                   MR. LOSTUTTER: I will call the roll.

18                   Comm. Silberberg?

19                   COMM. SILBERBERG: Aye.

20                   MR. LOSTUTTER: Comm. Jackson?

21                   COMM. JACKSON: Aye.

22                   MR. LOSTUTTER: Comm. Harrington?

23                   COMM. HARRINGTON: Aye.

1 MR. LOSTUTTER: Comm. Tolliver?

2 COMM. TOLLIVER: Aye.

3 MR. LOSTUTTER: Vice-Chair Ramos?

4 VICE-CHAIR RAMOS: Aye.

5 MR. LOSTUTTER: Chair Slash?

6 CHAIRPERSON SLASH: Aye.

7 MR. LOSTUTTER: The eyes have it.

8 CHAIRPERSON SLASH: The next case is  
9 LaToya Richardson versus Indiana University and  
10 Purdue University Indianapolis,  
11 Case EDra22110652. The case was assigned to me,  
12 and I recommend that we uphold the Deputy  
13 Director's finding of no probable cause. And I  
14 believe we have two recusals in this vote.

15 MR. FLEISCHHACKER: They'll just vote  
16 to abstain.

17 CHAIRPERSON SLASH: Okay. Very good.  
18 I just wanted to make sure we're clear before we  
19 start the vote.

20 Is there a motion, though?

21 VICE-CHAIR RAMOS: So moved.

22 CHAIRPERSON SLASH: Thank you.

23 Is there a second?

1                   COMM. HARRINGTON:    Second.

2                   CHAIRPERSON SLASH:    Thank you.

3                   MR. LOSTUTTER:        I will call the roll.

4                   Comm. Silberberg?

5                   COMM. SILBERBERG:     I have to recuse.

6                   CHAIRPERSON SLASH:    So, your vote is

7                   abstain?

8                   MR. LOSTUTTER:        Abstain.

9                   COMM. SILBERBERG:     Yes.

10                  CHAIRPERSON SLASH:    Okay. Thank you.

11                  MR. LOSTUTTER:        Comm. Jackson?

12                  COMM. JACKSON:        Aye.

13                  MR. LOSTUTTER:        Comm. Harrington?

14                  COMM. HARRINGTON:    Aye.

15                  MR. LOSTUTTER:        Comm. Tolliver?

16                  COMM. TOLLIVER:      I will abstain.

17                  MR. LOSTUTTER:        Vice-Chair Ramos?

18                  VICE-CHAIR RAMOS:    Aye.

19                  MR. LOSTUTTER:        Chair Slash?

20                  CHAIRPERSON SLASH:    Aye.

21                  MR. LOSTUTTER:        The ayes have it.

22                  CHAIRPERSON SLASH:    Thank you.

23                  And that concludes our Old Business, so

1 we'll move to our New Business, and I will assign  
2 them pretty much across this table. I believe I  
3 can do so. The first one is Rakeisha Nall versus  
4 Family and Social Services, I'll assign to  
5 Comm. Harrington.

6 MR. LOSTUTTER: One thing to note:  
7 She filed an appeal past the deadline. She said  
8 that she was sick, that that slowed her down.  
9 So, I just -- I put that out there.

10 CHAIRPERSON SLASH: Okay.

11 MR. FLEISCHHACKER: That will be part  
12 of the review process.

13 CHAIRPERSON SLASH: That'll be a part  
14 of the review process?

15 MS. AFUWAPE: Yes.

16 CHAIRPERSON SLASH: Okay. So, that's  
17 just a note, Comm. Harrington, on your case.

18 The next one, Robert Lawson versus  
19 Crownpointe Communities, LLC, I'll assign that  
20 one to myself. The next one, Maria Nunez versus  
21 Humane Fort Wayne, I'll assign that one to  
22 Vice-Chair Ramos. And then we have Tresha  
23 Saffold versus Driveco Learning Center, that case

1 I'll assign to Comm. Tolliver. And then the last  
2 one is Kocho Long versus Indianapolis Housing  
3 Agency, because I can see you, I'll assign that  
4 one to Comm. Silberberg.

5 COMM. SILBERBERG: I will not be at  
6 the next meeting, because it's on the High Holy  
7 Days.

8 CHAIRPERSON SLASH: Oh, yes. Thank  
9 you for that reminder.

10 Comm. Jackson, I'll assign that one to  
11 you; okay?

12 COMM. JACKSON: I'm sorry; what did  
13 you say?

14 CHAIRPERSON SLASH: I am assigning  
15 the case of Kocho Long versus Indianapolis  
16 Housing Agency to you for next month.

17 COMM. JACKSON: Okay. That's good.

18 CHAIRPERSON SLASH: Thank you.

19 All right. The next one, we have  
20 Administrative Law Judge's Order Disposing of  
21 Proceedings. We've got one of them, so the  
22 Administrative Law Judge -- the case of ICRC  
23 versus [sic] Dawn Reinoehl versus Open Door



1 Rentals and Real Estate, Case H0se22110642, the  
2 Administrative Law Judge granted in part and  
3 denied in part Respondent's Notice of Election.

4 The Notice was not effective in moving  
5 Complaint of Discrimination under the ICRL out of  
6 the administrative forum, but did result in  
7 Complaint of Discrimination under the IFHA  
8 against the Respondent and should be dismissed  
9 with prejudice. The objection period in this  
10 matter is closed.

11 Is there a recommendation to approve,  
12 remand or --

13 VICE-CHAIR RAMOS: Madam Chair, I  
14 recommend that we uphold the recommendation to  
15 dismiss with prejudice.

16 CHAIRPERSON SLASH: Okay.

17 Are there any questions or is there a  
18 second?

19 COMM. TOLLIVER: I'll second.

20 CHAIRPERSON SLASH: Thank you.

21 MR. LOSTUTTER: We will call roll.

22 Comm. Silberberg?

23 COMM. SILBERBERG: I'm sorry; I got

1 pulled away for one second. I didn't hear the --

2 CHAIRPERSON SLASH: Oh, that's okay.

3 We are looking at an ALJ Decision and Order.

4 This one, the recommendation is that it should be

5 dismissed with prejudice, and we have a motion on

6 the floor to dismiss it with prejudice, and a

7 second, and we're calling the roll.

8 COMM. SILBERBERG: Okay. Aye.

9 CHAIRPERSON SLASH: Thank you.

10 MR. LOSTUTTER: Comm. Jackson?

11 COMM. JACKSON: Aye.

12 MR. LOSTUTTER: Comm. Harrington?

13 COMM. HARRINGTON: Aye.

14 MR. LOSTUTTER: Comm. Tolliver?

15 COMM. TOLLIVER: Aye.

16 MR. LOSTUTTER: Vice-Chair Ramos?

17 VICE-CHAIR RAMOS: Aye.

18 MR. LOSTUTTER: Chair Slash?

19 CHAIRPERSON SLASH: Aye.

20 MR. LOSTUTTER: The ayes have it.

21 CHAIRPERSON SLASH: This next section

22 we don't have to struggle through the process

23 because they're already confirmed and we don't

1 have to vote. These are ALJ Decisions that are  
2 Automatically Confirmed. The first one,  
3 ICRC/Rachel Drabick versus Julia Croucher,  
4 Richard Morris, Shirley K. Paris, and the  
5 Julia A. Croucher's Trust, Case HOfs22110640.  
6 The next case is ICRC/Adhanom Tesfa versus M & J  
7 Management Company, LLC and Eagle Creek Court,  
8 LLC, Case HOfs22090543.

9 Okay. Let's see here. And so, the next  
10 meeting date that we have is September 15th. It  
11 does sound as though we will have two that will  
12 not be with us.

13 COMM. HARRINGTON: I will not be.

14 CHAIRPERSON SLASH: Three. So, we  
15 will need another meeting date.

16 MR. LOSTUTTER: Okay.

17 (Discussion off the record.)

18 CHAIRPERSON SLASH: Okay. So, as we  
19 look at September, I think we kind of can look at  
20 Thursday, the 14th or --

21 COMM. HARRINGTON: I won't be here --

22 CHAIRPERSON SLASH: You won't be here  
23 then, either?

1                   COMM. HARRINGTON:  -- the whole --  
2                   from the 9th to the 16th.

3                   CHAIRPERSON SLASH:  Okay.  How about  
4                   Thursday, the 21st?

5                   VICE-CHAIR RAMOS:  I will not be here  
6                   then as well --

7                   CHAIRPERSON SLASH:  Okay.

8                   VICE-CHAIR RAMOS:  -- or that Friday.

9                   CHAIRPERSON SLASH:  Okay.  Or that  
10                  Friday?

11                  VICE-CHAIR RAMOS:  Correct.

12                  CHAIRPERSON SLASH:  Well, let's see  
13                  here, try to --

14                  MR. LOSTUTTER:  How about the 29th of  
15                  September?  That's a Thursday.

16                  CHAIRPERSON SLASH:  The 20 -- yeah, I  
17                  was going to say the 28th or the 29th.

18                  COMM. TOLLIVER:  Either of those work  
19                  for me.

20                  CHAIRPERSON SLASH:  Huh?

21                  COMM. TOLLIVER:  Either of those will  
22                  work for me, 28 or 29.

23                  CHAIRPERSON SLASH:  28 or 29?

1                   COMM. HARRINGTON:   (Shook head no.)

2                   CHAIRPERSON SLASH:   You can't do  
3 either one?

4                   COMM. HARRINGTON:   Huh-uh.

5                   CHAIRPERSON SLASH:   Okay.   Could you  
6 do a --

7                   COMM. HARRINGTON:   28th, I can deal  
8 with the 28th, potentially.

9                   COMM. SILBERBERG:   I -- I won't be in  
10 town the 28th or the 29th.   I won't be available.

11                  CHAIRPERSON SLASH:   Okay.   Well,  
12 let's see.

13                  COMM. SILBERBERG:   The 21st or 22nd  
14 would work for me.

15                  CHAIRPERSON SLASH:   Okay.   How are  
16 we -- let's see.   What about -- did we look at  
17 the 18th?

18                  COMM. TOLLIVER:   The 18th?

19                  CHAIRPERSON SLASH:   It's a Monday.

20                  VICE-CHAIR RAMOS:   That's okay for  
21 me.

22                  CHAIRPERSON SLASH:   Does Monday,  
23 September 18th work, on the phone?

1                   COMM. SILBERBERG:  Yes.

2                   CHAIRPERSON SLASH:  Okay.  So, that's  
3 four of us that can make it, which, you know,  
4 it's very important that we have at least that  
5 much.

6                   COMM. HARRINGTON:  (Nodded head yes.)

7                   CHAIRPERSON SLASH:  So, we'll go with  
8 September 18th.

9                   COMM. HARRINGTON:  So, if they move  
10 the meeting over as soon as possible, that would  
11 be -- ensure that I can.

12                   CHAIRPERSON SLASH:  Okay.  Fantastic.  
13                   All right.  And do we have any -- well, we  
14 do have something in the Election and Training,  
15 just kind of going back to the Director's Report,  
16 and my recommendation is that Vice-Chair Ramos  
17 and Comm. Blackburn are able to go.

18                   MR. FLEISCHHACKER:  Okay.

19                   CHAIRPERSON SLASH:  I don't think  
20 that I can make it work.  I was really trying --

21                   MR. FLEISCHHACKER:  Sure.

22                   CHAIRPERSON SLASH:  -- to shove  
23 things around, and it wasn't working.

1 MR. FLEISCHHACKER: Okay.

2 CHAIRPERSON SLASH: All right.

3 MR. FLEISCHHACKER: I'll work with  
4 them to get them registered, then.

5 CHAIRPERSON SLASH: Perfect.

6 Thank you so much for going.

7 VICE-CHAIR RAMOS: Sure.

8 CHAIRPERSON SLASH: And I look  
9 forward to hearing what you each learn.

10 VICE-CHAIR RAMOS: Okay.

11 CHAIRPERSON SLASH: So, do we have  
12 any announcements?

13 MS. AFUWAPE: You were looking to  
14 change the dates from the last -- the third  
15 Friday of every month to a date that would have  
16 everyone here.

17 CHAIRPERSON SLASH: Yes. So, we  
18 presently are the third Friday of every month  
19 from 1:00 to 3:00 p.m. The 1:00-to-3:00-p.m.  
20 part doesn't seem to be the problem, it's the  
21 Friday that seems to be the problem. Is there a  
22 preferred day of the week that works better, or a  
23 preferred week in the month that works better?

1                   VICE-CHAIR RAMOS: I'm officially  
2 retired, so I don't really care.

3                   COMM. TOLLIVER: Fridays are usually  
4 easier for me just because I try to keep them  
5 open, but --

6                   CHAIRPERSON BLACKBURN: Yeah. So,  
7 would the second or fourth week work better?

8                   COMM. TOLLIVER: That should be fine.

9                   VICE-CHAIR RAMOS: It doesn't matter.

10                  CHAIRPERSON SLASH: Holli?

11                  COMM. HARRINGTON: They would work  
12 better, because I have meetings on the third  
13 Friday.

14                  CHAIRPERSON SLASH: So, would the  
15 second or fourth work better?

16                  COMM. HARRINGTON: Either --

17                  CHAIRPERSON SLASH: Okay.

18                  COMM. HARRINGTON: -- but with --  
19 like I said, with notice, that would help.

20                  CHAIRPERSON SLASH: Okay.

21                  On the phone, would the second or fourth  
22 Friday of the month work better?

23                  COMM. JACKSON: Fridays for me are



1 challenging. A different day, like Monday, would  
2 work best, but whatever you all decide is fine.

3 COMM. SILBERBERG: Yes, I -- that's  
4 actually the same for me. Fridays are  
5 challenging --

6 CHAIRPERSON SLASH: Okay.

7 COMM. SILBERBERG: -- for me as well,  
8 and Mondays would be better for me as well.

9 CHAIRPERSON SLASH: Is there any  
10 concern with Mondays to those of us in the room?

11 VICE-CHAIR RAMOS: Parking might be  
12 more challenging. People are usually --

13 MR. FLEISCHHACKER: (Shook head no.)

14 VICE-CHAIR RAMOS: Oh, they're not?

15 MR. FLEISCHHACKER: No. The only  
16 thing, during the legislative session it might be  
17 a bit more challenging, but outside of the  
18 session periods, Mondays and Fridays are pretty  
19 light in the garages.

20 CHAIRPERSON SLASH: Okay.

21 COMM. TOLLIVER: Yeah, I just don't  
22 have control over my calendar, so whatever has to  
23 happen. Mondays are usually a lot crazier than

1 Fridays.

2 CHAIRPERSON SLASH: Okay.

3 Would a Monday work for you?

4 COMM. HARRINGTON: Uh-huh --

5 CHAIRPERSON SLASH: Okay.

6 COMM. HARRINGTON: -- with notice, I  
7 can.

8 CHAIRPERSON SLASH: So, can we shoot  
9 for adjusting, starting in October, to the third  
10 Monday?

11 MR. FLEISCHHACKER: That's on the  
12 16th.

13 CHAIRPERSON SLASH: Uh-huh. And we  
14 can revisit this next month, I promise, just to  
15 make sure.

16 VICE-CHAIR RAMOS: I don't get back  
17 from Europe until the 17th.

18 CHAIRPERSON SLASH: So, you'd miss  
19 that one?

20 VICE-CHAIR RAMOS: Uh-huh.

21 CHAIRPERSON SLASH: Okay.

22 COMM. JACKSON: This is

23 Comm. Jackson. That's fine. I'll probably be in

1 Israel that Monday, but any other Monday would  
2 probably be okay on that.

3 CHAIRPERSON SLASH: Would it be  
4 better if we start in November, because we've all  
5 got September and October pretty much blocked?

6 COMM. HARRINGTON: Yeah.

7 CHAIRPERSON SLASH: Okay. Well,  
8 let's just do that. We will start in November,  
9 and that gives us next month to have this  
10 conversation one more time as a confirmation.

11 COMM. HARRINGTON: Okay. So, we move  
12 September?

13 CHAIRPERSON SLASH: We move  
14 September's date.

15 COMM. HARRINGTON: And we've got  
16 October 20th?

17 CHAIRPERSON SLASH: Which we're going  
18 to keep for now --

19 COMM. HARRINGTON: Okay.

20 CHAIRPERSON SLASH: -- okay? You'll  
21 be on the phone, I'm sure. That's fine.

22 We're just going to try to take this day  
23 by day. Changing a longstanding meeting time

1 that you've had blocked for a long time sometimes  
2 can be hard. We'll take it with some grace.

3 Do we have -- so, do we have anything else  
4 for the announcements?

5 (No response.)

6 CHAIRPERSON SLASH: It doesn't look  
7 like we have anyone for public comment.

8 COMM. HARRINGTON: Well, I do have  
9 something to share. On August 31st at Ivy Tech  
10 from 9:00 to 3:00, there'll be a Diversity  
11 Outreach, and they call it a reverse trade show,  
12 in partnership with the airport and the City of  
13 Indianapolis, to try to create opportunities.  
14 So, all of the upcoming opportunities from the  
15 City, there are different entities that require  
16 state certification, the universities that will  
17 be there, so for any businesses looking to  
18 partner with minority-, women- or veteran-owned  
19 businesses, it would be a great opportunity to  
20 come out, or anyone trying to network with  
21 companies that have programs.

22 VICE-CHAIR RAMOS: How many companies  
23 do you anticipate being there?

1                   COMM. HARRINGTON: I think they said  
2 over 25 companies. So, the City will be there,  
3 but they'll have all of the different  
4 departments --

5                   VICE-CHAIR RAMOS: Okay.

6                   COMM. HARRINGTON: -- and then the  
7 airport, so their attendees, they're anticipating  
8 between two to four hundred, so it just depends  
9 on how -- organizations double up with how many  
10 people they actually bring to the venue.

11                  VICE-CHAIR RAMOS: Which campus?

12                  COMM. HARRINGTON: The -- I think the  
13 Ivy Tech Culinary Building.

14                  VICE-CHAIR RAMOS: Yeah. Okay.

15                  COMM. HARRINGTON: So, I don't know  
16 which campus they call it, but I know --

17                  VICE-CHAIR RAMOS: Okay.

18                  COMM. HARRINGTON: -- everyone calls  
19 it the Culinary Building.

20                  CHAIRPERSON SLASH: It's a really  
21 good event. I like that.

22                  COMM. HARRINGTON: Uh-huh. Yeah,  
23 we're partnering. We're doing three events at

1 1:00, because there are so many opportunities  
2 right now, were trying to have one -- a one-stop  
3 for primes and subs right now.

4 And then I don't know if IDOA has  
5 communicated their date, but they'll have another  
6 event at the state that all of us will support  
7 within two months after that, so --

8 CHAIRPERSON SLASH: Thank you.

9 COMM. HARRINGTON: Uh-huh.

10 CHAIRPERSON SLASH: Any other  
11 announcements?

12 (No response.)

13 CHAIRPERSON SLASH: Okay. Hearing  
14 none, I don't believe we have anyone here for  
15 public comment.

16 (No response.)

17 CHAIRPERSON SLASH: Okay. Well, it  
18 is 1:43. I call this meeting adjourned.

19 - - -  
20 Thereupon, the proceedings of  
21 August 18, 2023 were concluded  
22 at 1:43 o'clock p.m.  
23 - - -

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CERTIFICATE

I, Lindy L. Meyer, Jr., the undersigned Court Reporter and Notary Public residing in the City of Shelbyville, Shelby County, Indiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me on Friday, August 18, 2023 in this matter and transcribed by me.

*Lindy L. Meyer Jr.*

\_\_\_\_\_  
Lindy L. Meyer, Jr.,  
Notary Public in and  
for the State of Indiana.

My Commission expires August 26, 2024.

Commission No. NP0690003

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