

1 INDIANA CIVIL RIGHTS COMMISSION
2 INDIANA GOVERNMENT CENTER NORTH
3 100 NORTH SENATE AVENUE, ROOM N103
4 INDIANAPOLIS, INDIANA 46204-2255

5 IN THE MATTER OF:)
6 INDIANA CIVIL RIGHTS)
7 COMMISSION PUBLIC MEETING)

8
9
10 ORIGINAL
11
12
13

14 A transcript of the Indiana Civil Rights
15 Commission public meeting held before me, Lisa M. Hobbs, a
16 Notary Public in and for the County of Johnson, State of
17 Indiana, at the Indiana Government Center South, Conference
18 Room 5, 402 West Washington Street, Indianapolis, on
19 December 16, 2005, commencing at 2:31 p.m., David C.
20 Carter, Vice Chair.

21
22
23 WM. F. DANIELS d/b/a
24 ACCURATE REPORTING OF INDIANA
25 12922 BRIGHTON AVENUE
CARMEL, IN 46032

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

COMMISSIONERS IN ATTENDANCE:

Vice Chair David C. Carter
Commissioner John Garcia
Commissioner Barry Baynard

FROM INDIANA CIVIL RIGHTS COMMISSION:

Executive Director Judge Gregory Kellam Scott
Robert Lange
Barbara Dobbins

Lisa M. Hobbs,
Court Reporter

December 16, 2005 2:31 p.m.

1
2 VICE CHAIR CARTER: The December meeting of the
3 Indiana Civil Rights Commission will come to order please.

4 We don't have a quorum as yet, so we will proceed with
5 the matters that do not require official action and hope
6 that the remaining -- the fourth commissioner will show up,
7 and then we can go back in the agenda to those things which
8 we were not able to act upon.

9 There are no minutes, so we don't have to deal with
10 that, nor were there any consent agreements. The Findings
11 of Fact, Conclusions of Law, And Order require a vote and
12 so we can't do those, and there are no other orders. We
13 cannot move on the motions and orders or any of the
14 following sections including probable cause and other
15 motions. We could have reports from the commissioners in
16 the field, but we can't vote on them, so I imagine we can
17 just pass on those.

18 MS. DOBBINS: I can assign them.

19 VICE CHAIR CARTER: We can assign them. Okay.

20 MS. DOBBINS: Or you can, uh-huh.

21 VICE CHAIR CARTER: Yeah.

22 And so Commissioner Baynard will take Graves v.
23 Miller's Carpet.

24 Well, there are only three of us, and there's three of
25 them.

1 This is the first time in I don't know how many years
2 that I have not been assigned a case but I've got to take
3 one anyway.

4 (Laughter.)

5 VICE CHAIR CARTER: So --

6 MS. DOBBINS: He'll take that one, Hammonds.

7 VICE CHAIR CARTER: -- you want me to do that one?

8 MS. DOBBINS: I don't know. Whatever you want to do,
9 sir.

10 VICE CHAIR CARTER: Well --

11 COMMISSIONER GARCIA: Give him the smaller one.

12 VICE CHAIR CARTER: Yeah.

13 COMMISSIOENR GARCIA: We'll give him the smaller one.

14 VICE CHAIR CARTER: I had the door stop last time.

15 MS. DOBBINS: I know. The smallest one is --

16 VICE CHAIR CARTER: I -- no, that doesn't matter.

17 MR. LANGE: Scott --

18 VICE CHAIR CARTER: Okay. Well, Mr. Garcia has to
19 drive further than I do. So --

20 MR. LANGE: Hammonds is probably the smallest --

21 VICE CHAIR CARTER: Commissioner Garcia will take
22 Scott v. Adams and Associates, and I will take Commissioner
23 Blackburn's case, Hammonds v. AMA Property Management.

24 Which takes us to the administrative update that -- I
25 let pass something earlier we should have done.

1 COMMISSIONER BAYNARD: Committee reports.

2 VICE CHAIR CARTER: And where is that?

3 COMMISSIONER BAYNARD: First page, committee reports.

4 VICE CHAIR CARTER: Okay.

5 COMMISSIONER BAYNARD: Second -- third page.

6 VICE CHAIR CARTER: Third page.

7 MS. DOBBINS: No, that's the executive session, sir.

8 VICE CHAIR CARTER: Second page.

9 COMMISSIOENR BAYNARD: Oh, I'm sorry.

10 VICE CHAIR CARTER: Okay. Well -- oh, was that
11 committee reports?

12 MS. DOBBINS: That's in the Executive Section.

13 JUDGE SCOTT: That we've already done.

14 VICE CHAIR CARTER: All right. Okay. So
15 administrative update then. That probably seems clearer.
16 All right.

17 JUDGE SCOTT: So the director's report, I would just
18 indicate that the HUD, the U.S. Department of Housing and
19 Urban Development, has a new training academy, the National
20 Fair Housing Training Academy, which was opened at Howard
21 University if you recall. Chair Blackburn and I attended
22 the grand opening ceremony which was a very nice ceremony.
23 And that facility is now in full use.

24 And, in fact, at the request of HUD, I attended as a
25 director the first week of the training, and there are at

1 least five weeks I believe in order for certification to
2 occur for our investigators. And many of our investigators
3 are currently in the third, fourth, and fifth weeks of
4 training. And they will be certified by the Center as
5 investigators able to handle matters that are filed with
6 our agency.

7 And I found the training to be, I thought, very
8 helpful, very supportive of investigators. It was helpful
9 for me being a new director to be able to participate in
10 the discussions and the areas of law in which the issues
11 arise with respect to fair housing, and then also, the
12 conduct of an investigation, the course of the
13 investigation, the practices that are deemed to be the best
14 practices used by our -- or should be used by our
15 investigators.

16 And so I had a 1-week program. But I will say this, I
17 have prevailed upon HUD to create a new series of courses
18 for directors which will only require directors to be away
19 two -- at the most three days, because after each session,
20 I spent a wonderful four to six hours by telephone
21 conference with one or more of our staff attorneys
22 preparing the filing which I mentioned had occurred
23 earlier. And so it made for some very long days and then
24 frequently leaving the sessions in order to make telephone
25 calls and tend to matters that needed immediate attention.

1 HUD said they heard, but did not guarantee that there
2 would be any comment that would indicate that it occurred.

3 So -- then the other is I'm hoping the Commission will
4 consider holding meetings of the Commission in areas other
5 than Indianapolis or outside Indianapolis in the various
6 cities from which the commissioners are familiar as well as
7 those cities that represent a significant portion of the
8 Indiana population. And hopefully anywhere from three or
9 more meetings would be held annually in those locations as
10 opposed to all the meetings being held here in
11 Indianapolis.

12 I feel very confident that we could obtain good
13 coverage of the meeting by the local media which will help
14 educate citizens with respect to the work of the
15 Commission, and also how important the Commission may be to
16 them on a given occasion.

17 So hopefully the Commission will have an opportunity
18 to consider that, and in the next meeting or either two
19 meetings from now can place that question on the agenda in
20 order to give the commissioners all an opportunity to
21 consider that suggestion.

22 As to the deputy director's report, you do have the
23 case processing information. And I'm very pleased to point
24 out that on the various cases that we are now beginning to
25 equal or exceed our intake in terms of cases that are

1 disposed of in the course of the investigations.

2 However, I will mention that in going through the
3 audit that we've mentioned to you, the I&O Audit, in going
4 through our cases, we do have several cases which are of
5 great concern, and we'll be working towards those cases and
6 completing them in the next three weeks -- or that's our
7 intention.

8 And it's somewhat embarrassing. We have a case that
9 was filed on 2001. We have a couple of cases that were
10 filed in 2003, and certainly we still have quite a few
11 cases that were filed in 2004.

12 However, we have been working on the cases in 2004,
13 and we are close to a point where we can say that all the
14 cases filed in 2004 have been completed. And we are
15 dealing principally with cases filed in 2005.

16 And also those few cases that for whatever reason --
17 and some of those reasons are the respondents have asked
18 for an enlargement of time. The blame cannot be cast on
19 the staff of the Agency. It's because we have individual
20 attorneys or respondents who have asked for an enlargement
21 of time, or in addition to asking for an enlargement of
22 time, they have been involved in mediation efforts that
23 have taken a good deal of time. And it is not time that
24 truly should be charged to the Agency.

25 But we're pretty pleased with where we are now, but

1 not wholly satisfied. We're hoping that by March to be
2 able to report that we are satisfied with where we are with
3 respect to the cases pending before the Commission.

4 And then the only other matter is the ADR update, and
5 I think you have a report. And unless there are any
6 questions, I don't know that I need to continue discussing
7 the ADR report other than to note that the amounts for ADR
8 payments may relate more to the cases than the days of the
9 year. During November -- October, November, the amounts
10 involved seemed to decrease, but I'm sure that's related to
11 the cases more so than it's related to the ability to have
12 the parties accept a alternative form of resolution.

13 And with that, unless there are any questions, I
14 believe we have provided you with the director and deputy
15 director's reports.

16 VICE CHAIR CARTER: Okay. Thank you.

17 Are there any additional announcements?

18 (No announcements were made.)

19 VICE CHAIR CARTER: Very well. I wish everybody a
20 happy holiday season according to his or her beliefs. And
21 I will entertain a motion to adjourn.

22 COMMISSIONER GARCIA: I move we adjourn.

23 VICE CHAIR CARTER: That's pretty entertaining.

24 (Laughter.)

25 VICE CHAIR CARTER: Okay.

1 COMMISSIOENR BAYNARD: Second.

2 MR. LANGE: And your Motion itself was pretty
3 entertaining.

4 VICE CHAIR CARTER: Oh, meaning the message?

5 MR. LANGE: Exactly.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

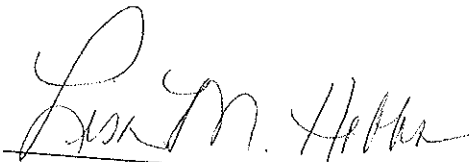
(The meeting concluded at 2:42 p.m., December 16, 2005.)

1 STATE OF INDIANA)
2 COUNTY OF JOHNSON) SS:
3)

4 I, Lisa M. Hobbs a Notary Public and Shorthand
5 Reporter in and for the County of Johnson, State of
6 Indiana, do hereby certify that on the 16th day of
7 December, 2005, at the Indiana Civil Rights Commission, I
8 took down in stenograph notes and recorded the foregoing
9 proceedings.

10 I do further certify that the above and foregoing is a
11 true and accurate transcript of my stenograph notes as
12 taken at said time and place, to the best of my knowledge
13 and belief.

14 IN WITNESS WHEREOF, I have hereunto set my hand and
15 affixed by notarial seal this 4th day of January, 2006.
16
17

18
19 
20 _____

21 Lisa M. Hobbs
22 Notary Public
23 Residing in Johnson County
24

25 My Commission Expires:

April 27, 2008