1 BEFORE THE STATE OF INDIANA CIVIL RIGHTS COMMISSION 2 3 4 5 PUBLIC MEETING OF MARCH 28, 2014 6 7 ORIGINAL 8 9 PROCEEDINGS in the above-captioned matter, before the Indiana 10 Civil Rights Commission, Alpha Blackburn, 11 12 Chairperson, taken before me, Lindy L. Meyer, Jr., a Notary Public in and for the State of 13 14 Indiana, County of Shelby, at the Indiana 15 Government Center South, Conference Center, 16 Room A, 402 West Washington Street, Indianapolis, 17 Indiana, on Friday, March 28, 2014 at 11:12 o'clock a.m. 18 19 20 21 William F. Daniels, RPR/CP CM d/b/a ACCURATE REPORTING OF INDIANA 22 12922 Brighton Avenue

> Carmel, Indiana 46032 (317) 848-0088

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1	APPEARANCES:
2	COMMISSION MEMBERS:
3	Alpha Blackburn, Chairperson
4	David C. Carter Steven A. Ramos
5	Barry Baynard Charles D. Gidney
6	INDIANA CIVIL RIGHTS COMMISSION
7	By Akia Haynes, Deputy Director  Indiana Government Center North
8	100 North Senate Avenue, Room N103
9	Indianapolis, Indiana 46204 On behalf of the Commission.
10	OTHER COMMISSION STAFF PRESENT:
11	Noell Allen
12	Pamela Cook Debbie Rincones-Chavez
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1	11:12 o'clock a.m. March 28, 2014
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3	CHAIRPERSON BLACKBURN: Good morning.
4	The Indiana Civil Rights Commission is now in
5	public session. We do indeed have a quorum. I
6	would ask for the approval of the minutes.
7	COMM. CARTER: So moved.
8	COMM. GIDNEY: Second.
9	CHAIRPERSON BLACKBURN: All in favor.
10	COMM. CARTER: Aye.
11	COMM. BAYNARD: Aye.
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12	COMM. RAMOS: Aye.
13	COMM. GIDNEY: Aye.
14	CHAIRPERSON BLACKBURN: Aye.
15	Anyone opposed?
16	(No response.)
17	CHAIRPERSON BLACKBURN: Thank you.
18	And you have the Financial Report.
19	Ms. Cook, if you would like to present.
20	MS. COOK: Okay.
21	
I	Good morning. You've had a chance to
22	review the Financial Report. It's located in
23	your packet. We are currently awaiting our first

1	quarterly drawdown for the HUD Partnership Funds,
2	in the amount of \$62,500, and we're gearing up
3	for our final quarter of this fiscal year, and we
4	have do anticipate being on target. We probably
5	won't have anything to revert this year. I do
6	anticipate using all of our general funds to
7	cover salaries.
8	If you have any questions, I'd like to
9	entertain those at this time.
10	(No response.)
11	MS. COOK: Thank you.
12	CHAIRPERSON BLACKBURN: Thank you
13	very much.
14	May I have a motion to approve the
15	Financial Report?
16	COMM. GIDNEY: So moved.
17	COMM. RAMOS: Second.
18	CHAIRPERSON BLACKBURN: All in favor?
19	COMM. CARTER: Aye.
20	COMM. BAYNARD: Aye.
21	COMM. RAMOS: Aye.
2,2	COMM. GIDNEY: Aye.
23	CHAIRPERSON BLACKBURN: Aye.

Anyone opposed?

(No response.)

CHAIRPERSON BLACKBURN: Thank you.

Under Old Business, Report by

Commissioners on the Complaint Appeals. I need

to ask for a continuance in the case of -- cases

of Lonnie L. Johnson versus First Cash Pawn and

Lonnie L. Johnson versus the City of Indianapolis

Fire Department.

We'll go now then to Comm. Crenshaw, who has reported, though she's not here, in the case of Leroy -- well, let's start in the proper order on your agenda. Aboubakar Badiane versus Federal Mogul, she would like to uphold the Deputy Director's decision of no probable cause.

May I have a motion to accept that recommendation?

COMM. CARTER: So moved.

COMM. BAYNARD: Second.

CHAIRPERSON BLACKBURN: All in favor?

COMM. CARTER: Aye.

COMM. BAYNARD: Aye.

COMM. RAMOS: Aye.

Aye. COMM. GIDNEY: 1 2 CHAIRPERSON BLACKBURN: Aye. 3 Anyone opposed? (No response.) 4 5 CHAIRPERSON BLACKBURN: Thank you. And in the case of Leroy Alexander versus 6 Indianapolis Public Schools, her recommendation 7 is to uphold the Deputy Director's decision of no 8 9 probable cause. May I have a motion to accept? 10 COMM. RAMOS: So moved. 11 COMM. GIDNEY: Second. 12 CHAIRPERSON BLACKBURN: All in favor? 13 COMM. CARTER: Aye. 14 15 COMM. BAYNARD: Aye. 16 COMM. RAMOS: Aye. 17 COMM. GIDNEY: Aye. CHAIRPERSON BLACKBURN: Aye. 18 19 Anyone opposed? (No response.) 20 CHAIRPERSON BLACKBURN: Thank you. 21 22 Comm. Carter. COMM. CARTER: Yes. In the case of 23

Marcus L. Sanders verses Brothers United, I 1 recommend we uphold the Deputy Director's no 2 probable cause finding. 3 CHAIRPERSON BLACKBURN: May I have a 4 motion to accept Comm. Carter's recommendation? 5 COMM. BAYNARD: So moved. 6 COMM. RAMOS: Second. 7 CHAIRPERSON BLACKBURN: All in favor? 8 COMM. CARTER: Aye. 9 COMM. BAYNARD: Aye. 10 COMM. RAMOS: 11 COMM. GIDNEY: Aye. 12 CHAIRPERSON BLACKBURN: Aye. 13 Anyone opposed? 14 (No response.) 15 Thank you. CHAIRPERSON BLACKBURN: 16 Comm. Gidney. 17 COMM. GIDNEY: Okay. In the matter 18 of -- I believe this is Dybala versus Custom 19 Mechanical Systems my recommendation is to uphold 20 the finding of no probable cause. 21 CHAIRPERSON BLACKBURN: May I have a 22 motion to accept that recommendation? 23

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1	COMM. CARTER: So moved.
2	COMM. BAYNARD: Second.
3	CHAIRPERSON BLACKBURN: All in favor?
4	COMM. CARTER: Aye.
5	COMM. BAYNARD: Aye.
6	COMM. RAMOS: Aye.
7	COMM. GIDNEY: Aye.
8	CHAIRPERSON BLACKBURN: Aye.
9	Anyone opposed?
10	(No response.)
11	CHAIRPERSON BLACKBURN: Thank you.
12	Comm. Baynard.
13	COMM. BAYNARD: Yes, Madam Chair. In
14	the case of Steven Cundiff verses Crown Point
15	School Corporation, I recommend that we uphold
16	the Deputy Director's finding of no probable
17	cause.
18	CHAIRPERSON BLACKBURN: May I have a
19	motion to accept that recommendation?
20	COMM. RAMOS: So moved.
21	COMM. CARTER: Second.
22	CHAIRPERSON BLACKBURN: Is there a
23	second?

1 COMM. CARTER: Second. 2 CHAIRPERSON BLACKBURN: All in favor? 3 COMM. CARTER: Aye. 4 COMM. BAYNARD: Aye. 5 COMM. RAMOS: Aye. 6 COMM. GIDNEY: Aye. 7 CHAIRPERSON BLACKBURN: Aye. 8 Anyone opposed? 9 (No response.) 10 CHAIRPERSON BLACKBURN: Assignment of 11 New Appeals. Hmm. Okay. I have a question. 12 My -- I thought that the Janice Taylor versus 13 Securitas Security Service had been dismissed. 14 MS. RINCONES-CHAVEZ: No, ma'am. 15 just filed an appeal a few weeks ago. CHAIRPERSON BLACKBURN: I'm sorry? 16 17 MS. RINCONES-CHAVEZ: She just filed 18 the appeal a few weeks ago. 19 CHAIRPERSON BLACKBURN: Okay. 20 In that case, Comm. Carter, if you could 21 please review. And assigned to me, I think is Respondent's Objections and Request for Oral 22 23 Argument, and that case is Andrew Straw versus

Indiana Democratic Party. I don't know that any 1 2 action is required. 3 Okay. Findings of Fact, Conclusions of 4 Law and Order. 5 MS. ALLEN: Madam Chair? б CHAIRPERSON BLACKBURN: Yes. 7 MS. ALLEN: Before you move on, were 8 you going to make a decision on if you would 9 accept the request for oral arguments in the Andrew Straw case? 10 11 CHAIRPERSON BLACKBURN: Uh-huh. Yes. And any other questions about that? 12 13 MS. ALLEN: I would defer to 14 Ms. Haynes. MS. HAYNES: The only other question 15 16 we would have is if you are granting the request for oral argument, would you like to schedule 17 that for the next Commission meeting? 18 CHAIRPERSON BLACKBURN: Not if we 19 already have two, so I will leave the scheduling 20 21 up to you of what works best. 22 MS. HAYNES: Okay. CHAIRPERSON BLACKBURN: Okay. Thank 23

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you.
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           Findings of Fact, Conclusions of Law and
3
    Order. If there are no questions about any of
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    those -- do I hear any?
5
                       (No response.)
                 CHAIRPERSON BLACKBURN: Are there
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7
    comments you want to make regarding --
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                 MS. ALLEN: No, ma'am.
9
                 CHAIRPERSON BLACKBURN: All right.
            Then I move -- may I have a motion to
10
11
    accept --
                 COMM. CARTER: So moved.
12
13
                 CHAIRPERSON BLACKBURN: -- the
    findings?
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15
                 COMM. GIDNEY: Second.
16
                 CHAIRPERSON BLACKBURN: And all in
17
    favor?
                 COMM. CARTER: Aye.
18
19
                 COMM. BAYNARD: Aye.
20
                 COMM. RAMOS: Aye.
21
                 COMM. GIDNEY: Aye.
22
                 CHAIRPERSON BLACKBURN: Aye.
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            Anyone opposed?
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(No response.)

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Commissioners.

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CHAIRPERSON BLACKBURN: All right. Hearing no Consent -- having no Consent Agreements to consider nor Oral Arguments, we will move to the Executive Director's Report.

MS. HAYNES: Good morning,

COMM. RAMOS: Good morning.

CHAIRPERSON BLACKBURN: Good morning.

MS. HAYNES: So, as you guys have probably heard, our Commission has been quite busy during the month of March. On the 5th, we had the 10th Annual Torchbearer Awards; that went very well.

And on the 14th, we had the Disability Update CLE in Bloomington, where our very own Comm. Carter participated, so again, we'd like to thank him for that.

And on the 27th was the kickoff of the Indiana Black Barbershop Health Initiative, and that will officially occur on April 5th. It's taking place in 13 cities this time.

And then the next really big event that's

coming up, of course, is the Indiana Fair Housing Summit, and it's entitled, "Breaking Boundaries: Empowering and Furthering Fair Housing." That will be a two-day event over April 3rd and 4th.

On April 3rd, it'll take place from approximately 1:00 p.m. to 6:00, and the second day is the entire day, from 9:00 to 5:00, and that will offer eight CLE and CE credits, including one ethics credit.

CHAIRPERSON BLACKBURN: Is there a point in the schedule in particular where you would like Commissioners to be present?

MS. HAYNES: Yes. We'd actually like if you could be present for the entire event, because let me explain how it works. We have concurrent workshops on both days, and so on day one, there's part one of the workshop. Part two is that subsequent day.

CHAIRPERSON BLACKBURN: What day of the week are we talking about?

MS. HAYNES: April 3rd is a Thursday, and the actual workshops are from 1:00 to 3:45.

4:00 to 6:00 is the Networking Reception. And

then day two is Friday, and that is from 9:00 until 5:00 p.m., and we will have two concurring workshop sessions as well as that ethics training on professional conduct in fair housing.

As part of that, we will be getting results from our testing program. We have a few preliminary ones. We conducted some testing in Terre Haute, and we did approximately 31 tests. Of course, some of those were thrown out because of incomplete results, but out of the ones that weren't, we did find some evidence of differential treatment, and we will go into more detail on that during the actual Summit itself.

CHAIRPERSON BLACKBURN: Was the testing done by staff here at the Civil Rights Commission, or did you train people for those?

MS. HAYNES: We use outside sources, and we trained and worked with them, because we did not want to have a conflict of any sort.

COMM. RAMOS: Will you be videotaping or providing Webinar access to the Fair Housing seminar sessions?

MS. HAYNES: I will have to check

with you on that one. I'm not sure of the answer.

COMM. RAMOS: Yeah. I'm going to be in Washington, D.C., and it would be interesting to be able to at least capture that perhaps over the weekend or at another time, if it's available.

MS. HAYNES: Uh-huh. I will get back with you on that one.

And last but not least -- well, second-to-last, actually -- on the 30th, it'll be the Holocaust Memorial Day Remembrance. And then moving into the beginning of June, June 2nd through the 6th, we will be hosting week two of the NAFTA training. We had week one previously, and now we will move to the second portion.

Do you guys have any questions?

COMM. GIDNEY: No.

MS. HAYNES: Thank you.

CHAIRPERSON BLACKBURN: Thank you

very much.

Are there any announcements?

(No response.)

1 CHAIRPERSON BLACKBURN: Any small 2 talk? 3 COMM. RAMOS: Actually, on the -- I 4 believe it's the first Saturday in May, there is 5 an Indiana Latino Expo, where people from across the state, Latinos, will be having events and 6 7 That might be something to have a activities. 8 booth at. I mean it's not very much. It's only 9 like \$150 for nonprofit kind of stuff. 10 MS. HAYNES: Uh-huh. 11 COMM. RAMOS: And especially if you 12 have -- Debbie, you speak Spanish, don't you? 13 MS. RINCONES-CHAVEZ: Yes, oh, yes. 14 COMM. RAMOS: So, you definitely want 15 to have somebody there that speaks Spanish, but they have a pretty good turnout. 16 They expect to 17 have ten -- probably ten thousand people. MS. RINCONES-CHAVEZ: I'm sorry; what 18 19 was the date again? Is it the first Saturday or the third? 20 COMM. RAMOS: Actually, what I'll do 21 22 is I'll send you the --23 MS. RINCONES-CHAVEZ: Okay.

COMM. RAMOS: -- admission card --1 MS. RINCONES-CHAVEZ: Awesome. 2 3 MS. HAYNES: That's great. COMM. RAMOS: -- for the event, and 4 then you can --5 6 CHAIRPERSON BLACKBURN: Where is it 7 going to be? 8 COMM. RAMOS: It's at the State 9 Fairgrounds. CHAIRPERSON BLACKBURN: Okay. 10 Comm. Carter, you don't have any 11 announcements? 12 COMM. CARTER: Well, I don't know. 13 14 was thinking whether I should say anything about the CLE. 15 CHAIRPERSON BLACKBURN: Yes, please. 16 COMM. CARTER: It was very 17 18 interesting. Two days earlier I had done a presentation with another person with 19 20 disabilities for a 5th grade class, and I was 21 really hoping that the 5th grade class would come up with questions that I could use to the 22 lawyers, you know, "This is the kind of thing the 23

kids think about," and lawyers don't seem to be able to grasp the basic ideas the way kids can.

But there wasn't anything like that; it was left to my mind.

But there was a presentation in great detail about the requirements, accessibility requirements, of those, and overview of some court cases, including one of ours. And Diane -- I can't think of her last name.

MS. ALLEN: Diane Graves.

right. Well, she had a different last name when I started here. Diane was -- covered some material very competently, and then I rant and raved -- or ranted and raved -- and got into, strangely enough, the Building Code.

But it was -- I thought there were a lot of different points of view presented so that the lawyers who -- I've always been amazed over the years how often I'm talking to a lawyer who has no clue about the Americans with Disabilities

Act. I sometimes wonder if they have any clue about the Civil Rights Act. But I think it was

good for them.

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MS. ALLEN: Yes, and what I would like to add, and I just explained to Comm. Carter when he first arrived, that oftentimes at CLE's, attorneys are speaking at a very high level about the law, and that's fine, but rarely do they get an opportunity to hear from an individual who's in the trenches about a disability or any other subject matter, for that matter.

So, I think it was a really good CLE. The feedback we received was very positive. I will call on Comm. Carter again when we're in Bloomington. It was a really good event, so I'm really happy that Comm. Carter was able to participate, and I hope that you all can attend if we're ever in your neck of the woods.

As a matter of fact, I will be in Hammond May 23rd for a CLE. We will discuss Title 7 and how that may affect other areas of the law, including corporations, bankruptcy, and I think credit was the other one.

And one other thing: Debbie here, she is being so modest, but I would like for her to at

least explain or tell you about some of the 2 events that she's participated in in the last few 3 weeks. 4 MS. RINCONES-CHAVEZ: Thank you, 5 Judge Allen. 6 I've been a part of the Commission for a 7 while, and I'm growing with them, so now I'm 8 actually doing some radio interviews for the 9 Spanish community here in Indiana, and it's been fun and wonderful and a learning experience. 10 11 I've been, gosh, in Gary doing a live-stream 12 radio interview, and then in Bloomington over the phone. So, I'm hoping to grow in that and move 13 14 on. 15 COMM. RAMOS: Have you done anything 16 for the Host? 17 MS. RINCONES-CHAVEZ: No. I haven't 18 contact -- no one's contacted me. 19 COMM. RAMOS: Let me provide an 20 introduction to the Host. The Host is a 21 Latino --22 MS. RINCONES-CHAVEZ: A large Latino 23 magazine.

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1
                 COMM. RAMOS: -- magazine, and
    clearly it's free, because they're like Nuvo,
2
3
    except it's Latino.
4
                MS. RINCONES-CHAVEZ:
                                       Right.
5
                 COMM. RAMOS: It actually has a
    fairly wide distribution.
6
7
                MS. RINCONES-CHAVEZ: I know Danny
8
    was pretty well in contact with them, but
9
    unfortunately I don't speak too much anymore, so
    I want to continue to grow in that.
10
                 COMM. RAMOS: Sure. Remind me, we'll
11
12
    do an introduction.
13
                 MS. RINCONES-CHAVEZ: Great. Thank
14
    you.
15
                 COMM. RAMOS: Maybe we can go to
    lunch with Sam and Leon.
16
17
                 MS. RINCONES-CHAVEZ: Okay.
18
    sounds great.
19
                 COMM. RAMOS: They're pretty good
20
    people.
                 MS. RINCONES-CHAVEZ: Great.
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22
                 COMM. RAMOS: And you should be at
     the next one.
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1	MS. RINCONES-CHAVEZ: I will. I
2	will.
3	CHAIRPERSON BLACKBURN: Wonderful.
4	Hearing no other announcements, this
5	meeting is adjourned.
6	— — — — — — — — — — — — — — — — — — —
7	Thereupon, the proceedings of March 28, 2014 were concluded at 11:29 o'clock a.m.
8	at 11:29 o'clock a.m.
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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, March 28, 2014 in this matter and

transcribed by me.

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Lindy L. Meyer, Jr.,

Notary Public in and for the State of Indiana.

My Commission expires October 27, 2016.

\$	7	Argument [1] - 9:23	Brighton [1] - 1:22
Ψ	į	argument [1] - 10:17	Brothers [1] - 7:1
		Arguments [1] - 12:4	Building [1] - 18:16
<b>\$150</b> [1] - 16:9	7 [1] - 19:18	arguments [1] - 10:9	Business [1] - 5;4
\$62,500 [1] - 4:2	r F	arrived [1] - 19:4	busy[1] - 12:12
	8	assigned (1) - 9:21	240 <b>y</b> (1) 12.12
1		Assignment [1] - 9:10	С
•		1 7	<u> </u>
	848-0088 [1] - 1:23	attend [1] - 19:15	
100 [1] - 2:8		attorneys [1] - 19:5	captioned [1] - 1:10
10th [1] - 12:13	9	available [1] - 15:7	capture [1] - 15:5
<b>11:12</b> [2] - 1:18, 3:1		Avenue [2] - 1:22, 2:8	card [1] - 17:1
11:29 [1] - 22:7	İ	awaiting [1] - 3:23	Carmel [1] - 1:22
12922 [1] - 1:22	9:00 [2] - 13:7, 14:1	Awards [1] - 12:13	Carter [8] - 2:3, 6:22, 9:20,
13[1] - 12:22		Awesome [1] - 17:2	
14th [1] - 12:15	Α	Aye [40] - 3:10, 3:11, 3:12,	12:17, 17:11, 19:3, 19:12,
1:00 [2] - 13:6, 13:22		3:13, 3:14, 4:19, 4:20,	19:14
1.00 [2] - 13.0, 13.22		4:21, 4:22, 4:23, 5:21,	CARTER [18] - 3:7, 3:10,
•	a.m [3] - 1:18, 3:1, 22:7	5:22, 5:23, 6:1, 6:2, 6:14,	4:19, 5:18, 5:21, 6:14,
2	able [3] - 15:5, 18:2, 19:14	6:15, 6:16, 6:17, 6:18, 7:9,	6:23, 7:9, 8:1, 8:4, 8:21,
	Aboubakar [1] - 5:13	7:10, 7:11, 7:12, 7:13, 8:4,	9:1, 9:3, 11:12, 11:18,
2014 [5] - 1:5, 1:17, 3:1, 22:7,	above-captioned [1] - 1:10	8:5, 8:6, 8:7, 8:8, 9:3, 9:4,	17:13, 17:17, 18:11
	accept [7] - 5:16, 6:10, 7:5,	9:5, 9:6, 9:7, 11:18, 11:19,	Carter's [1] - 7:5
23:7	7:23, 8:19, 10:9, 11:11	11:20, 11:21, 11:22	case [8] - 5:6, 5:11, 6:6, 6:23
2016[1] - 23:15	access [1] - 14:21	11.20, 11.21, 11.22	8:14, 9:20, 9:23, 10:10
23rd (1) - 19:18	accessibility [1] - 18:6	<b>D</b>	cases [2] - 5:6, 18:8
<b>27</b> [1] - 23:15	ACCURATE [1] - 1:21	В	Cash [1] - 5:7
27th [1] - 12:19	Act [2] - 18:22, 18:23		CE [1] - 13:8
28 [5] - 1:5, 1:17, 3:1, 22:7,	action [1] - 10:2	Badiane [1] - 5:13	Center[3] - 1:15, 2:7
23:7		bankruptcy [1] - 19:20	CERTIFICATE [1] - 23:1
2nd [1] - 15:13	activities (1) - 16:7	1	1
	actual [2] - 13:22, 14:13	Barbershop [1] - 12:20	certify [1] - 23:5
3	add [1] - 19:3	Barry [1] - 2:4	Chair [2] - 8:13, 10:5
	adjourned [1] - 22:5	basic [1] - 18:2	CHAIRPERSON [49] - 3:3,
	admission [1] - 17:1	Baynard [2] - 2:4, 8:12	3:9, 3:14, 3:17, 4:12, 4:18,
30th [1] - 15:11	affect [1] - 19:19	BAYNARD [12] - 3:11, 4:20,	4:23, 5:3, 5:20, 6:2, 6:5,
<b>31</b> [1] - 14:8	agenda [1] - 5:13	5:19, 5:22, 6:15, 7:6, 7:10,	6:13, 6:18, 6:21, 7:4, 7:8,
<b>317</b> [1] - 1:23	ago [2] - 9:15, 9:18	8:2, 8:5, 8:13, 9:4, 11:19	7:13, 7:16, 7:22, 8:3, 8:8,
<b>3:45</b> [1] - 13:22	Agreements [1] - 12:4	BEFORE [1] - 1:1	8:11, 8:18, 8:22, 9:2, 9:7,
3rd [3] - 13:4, 13:5, 13:21	Akia [1] - 2:7	beginning [1] - 15:13	9:10, 9:16, 9:19, 10:6,
	Alexander (1) - 6:6	behalf [1] - 2:9	10:11, 10:19, 10:23, 11:6,
4	Allen [2] - 2:11, 20:5	best [1] - 10:21	11:9, 11:13, 11:16, 11:22,
	ALLEN [6] - 10:5, 10:7,	big [1] - 12:23	12:2, 12:9, 13:10, 13:19,
	10:13, 11:8, 18:10, 19:2	Black [1] - 12:20	14:14, 15:20, 16:1, 17:6,
402 [1] - 1:16	Į.	BLACKBURN [49] - 3:3, 3:9,	17:10, 17:16, 22:3
46032 [1] - 1:22	Alpha [2] - 1:11, 2:3	3:14, 3:17, 4:12, 4:18,	Chairperson [2] - 1:12, 2:3
46204 [1] - 2:8	amazed [1] - 18:19	1 ' ' '	chance [1] - 3:21
4:00[1] - 13:23	Americans [1] - 18:21	4:23, 5:3, 5:20, 6:2, 6:5,	Charles [1] - 2:5
4th [1] - 13:4	amount [1] - 4:2	6:13, 6:18, 6:21, 7:4, 7:8,	CHAVEZ [15] - 9:14, 9:17,
-raijij = 10r	Andrew [2] - 9:23, 10:10	7:13, 7:16, 7:22, 8:3, 8:8,	16:13, 16:18, 16:23, 17:2,
<i>E</i>	announcements [3] - 15:22,	8:11, 8:18, 8:22, 9:2, 9:7,	•
5	17:12, 22:4	9:10, 9:16, 9:19, 10:6,	20:4, 20:17, 20:22, 21:4,
	Annual [1] - 12:13	10:11, 10:19, 10:23, 11:6,	21:7, 21:13, 21:17, 21:21,
5:00 [2] - 13:7; 14:2	answer [1] - 15:2	11:9, 11:13, 11:16, 11:22,	22:1
5th [4] - 12:12, 12:21, 17:20,	anticipate [2] - 4:4, 4:6	12:2, 12:9, 13:10, 13:19,	Chavez [1] - 2:12
	appeal [2] - 9:15, 9:18	14:14, 15:20, 16:1, 17:6,	check [1] - 14:23
17:21	Appeals [2] - 5:5, 9:11	17:10, 17:16, 22:3	cities [1] - 12:22
		Blackburn [2] - 1:11, 2:3	City [2] - 5:8, 23:4
6	APPEARANCES [1] - 2:1	Bloomington [3] - 12:16,	CIVIL [2] - 1:1, 2:6
	approval [1] - 3:6	19:13, 20:12	Civil [4] - 1:11, 3:4, 14:15,
6:00 m 10:6 40:00	approve [1] - 4:14	booth [1] - 16:8	18:23
6:00 [2] - 13:6, 13:23	April [4] - 12:21, 13:4, 13:5,	Boundaries [1] - 13:2	class [2] - 17:20, 17:21
6th [1] - 15:14	13:21	Breaking [1] - 13:2	CLE [5] - 12:16, 13:8, 17:15

(

{

19:10, 19:18 CLE's [1] - 19:4 clearly [1] - 21:2 clue [2] - 18:21, 18:22 CM [1] - 1:21 Code [1] - 18:16 coming [1] - 13:1 COMM [74] - 3:7, 3:8, 3:10, 3:11, 3:12, 3:13, 4:16, 4:17, 4:19, 4:20, 4:21, 4:22, 5:18, 5:19, 5:21, 5:22, 5:23, 6:1, 6:11, 6:12, 6:14, 6:15, 6:16, 6:17, 6:23, 7:6, 7:7, 7:9, 7:10, 7:11, 7:12, 7:18, 8:1, 8:2, 8:4, 8:5, 8:6, 8:7, 8:13, 8:20, 8:21, 9:1, 9:3, 9:4, 9:5, 9:6, 11:12, 11:15, 11:18, 11:19, 11:20, 11:21, 12:8, 14:20, 15:3, 15:18, 16:3, 16:11, 16:14, 16:21, 17:1, 17:4, 17:8, 17:13, 17:17, 18:11, 20:15, 20:19, 21:1, 21:5, 21:11, 21:15, 21:19, 21:22 Comm [11] - 5:10, 6:22, 7:5, 7:17, 8:12, 9:20, 12:17, 17:11, 19:3, 19:12, 19:14 comments [1] - 11:7 COMMISSION [4] - 1:1, 2:2, 2:6, 2:10 Commission [8] - 1:11, 2:9, 3:4, 10:18, 12:11, 14:16, 20:6, 23:15 Commissioners [3] - 5:5, 12:7, 13:12 community [1] - 20:9 competently [1] - 18:14 Complaint [1] - 5:5 concluded [1] - 22:7 Conclusions [2] - 10:3, 11:2 concurrent [1] - 13:16 concurring [1] - 14:2 conduct [1] - 14:4 conducted [1] - 14:7 Conference [1] - 1:15 conflict[1] - 14:19 Consent [2] - 12:3 consider [1] - 12:4 contact [2] - 20:18, 21:8 contacted [1] - 20:18 continuance [1] - 5:6 continue [1] - 21:10 Cook [2] - 2:12, 3:19 COOK [2] - 3:20, 4:11 Corporation [1] - 8:15 corporations [1] - 19:20 correct [1] - 23:6 County [2] - 1:14, 23:4 course [2] - 13:1, 14:9

Court [1] - 23:3 court [1] - 18:8 covered [1] - 4:7 covered [1] - 18:13 credit [2] - 13:9, 19:21 credits [1] - 13:8 Crenshaw [1] - 5:10 Crown [1] - 8:14 Cundiff [1] - 8:14 Custom [1] - 7:19

# D

D.C [1] ~ 15:4 d/b/a[1] - 1:21 Daniels [1] - 1:21 Danny [1] - 21:7 date [1] - 16:19 David [1] - 2:3 days [2] - 13:16, 17:18 Debbie [3] - 2:12, 16:12, 19:22 decision [3] - 5:15, 6:8, 10:8 defer[1] - 10:13 definitely [1] - 16:14 Democratic [1] - 10:1 Department [1] - 5:9 Deputy [5] - 2:7, 5:14, 6:8, 7:2, 8:16 detail [2] - 14:13, 18:6 Diane [3] - 18:8, 18:10, 18:13 different [2] - 18:12, 18:18 differential [1] - 14:12 Director [1] - 2:7 Director's [5] - 5:15, 6:8, 7:2, 8:16, 12:5 Disabilities [1] - 18:21 disabilities [1] - 17:20 Disability [1] - 12:15 disability [1] - 19:8 discuss [1] - 19:18 dismissed [1] - 9:13 distribution [1] - 21:6 done [3] - 14:15, 17:18, 20:15 drawdown [1] - 4:1 during [2] - 12:12, 14:13

## E

Dybala [1] - 7:19

eight [1] - 13:8 Empowering [1] - 13:3 entertain [1] - 4:9 entire [2] - 13:7, 13:14 entitled [1] - 13:2 especially [1] - 16:11 ethics [2] - 13:9, 14:3 event [5] - 12:23, 13:4, 13:14, 17:4, 19:13 events [2] - 16:6, 20:2 evidence [1] - 14:11 except [1] - 21:3 Executive [1] - 12:5 expect [1] - 16:16 experience [1] - 20:10 expires [1] - 23:15 explain [2] - 13:15, 20:1 explained [1] - 19:3 Expo [1] - 16:5

## F

fact [1] - 19:17 Fact [2] - 10:3, 11:2 Fair [3] - 13:1, 13:3, 14:21 fair [1] - 14:4 Fairgrounds [1] - 17:9 fairly [1] - 21:6 favor [8] - 3:9, 4:18, 5:20, 6:13, 7:8, 8:3, 9:2, 11:17 Federal [1] - 5:13 feedback [1] - 19:11 few [4] - 9:15, 9:18, 14:6, 20:2 filed [2] - 9:15, 9:17 final [1] - 4:3 Financial [3] - 3:18, 3:22, 4:15 findings [1] - 11:14 Findings (2) - 10:3, 11:2 fine [1] - 19:6 Fire [1] - 5:9 first [4] - 3:23, 16:4, 16:19, 19:4 First [1] - 5:7 fiscal [1] - 4:3 foregoing [1] - 23:5 free [1] - 21:2 Friday (3) - 1:17, 14:1, 23:7 fun [1] - 20:10 Funds [1] - 4:1 funds [1] - 4:6 Furthering [1] - 13:3

## G

Gary [1] - 20:11 gearing [1] - 4:2 general [1] - 4:6 Gidney [2] - 2:5, 7:17 GIDNEY [14] - 3:8, 3:13, 4:16, 4:22, 6:1, 6:12, 6:17, 7:12, 7:18, 8:7, 9:6, 11:15, 11:21, 15:18 gosh [1] - 20:11 Government [2] - 1:15, 2:7 grade [2] - 17:20, 17:21 granting [1] - 10:16 grasp [1] - 18:2 Graves [2] - 18:10, 18:11 Great [2] - 21:13, 21:21 great [3] - 17:3, 18:5, 21:18 grow [2] - 20:13, 21:10 growing [1] - 20:7 guys [2] - 12:10, 15:17

## Н

Hammond [1] - 19:17 happy [1] - 19:14 Haute [1] - 14:8 HAYNES [12] - 10:15, 10:22, 12:6, 12:10, 13:13, 13:21, 14:17, 14:23, 15:8, 15:19, 16:10, 17:3 Haynes [2] - 2:7, 10:14 Health [1] - 12:20 hear [2] - 11:4, 19:7 heard [1] - 12:11 Hearing [2] - 12:3, 22:4 hereby [1] - 23:5 high [1] - 19:5 Hmm [1] - 9:11 Holocaust [1] - 15:12 hope [1] - 19:15 hoping [2] - 17:21, 20:13 Host [3] - 20:16, 20:20 hosting[1] - 15:14 housing [1] - 14:4 Housing [3] - 13:1, 13:3, 14:21 HUD [1] - 4:1

#### 1

ideas [1] - 18:2 including [3] - 13:8, 18:8, 19:20 incomplete [1] - 14:10 indeed [1] - 3:5 INDIANA [3] - 1:1, 1:21, 2:6 Indiana [15] - 1:10, 1:14, 1:17, 1:22, 2:7, 2:8, 3:4, 10:1, 12:20, 13:1, 16:5, 20:9, 23:4, 23:13 Indianapolis [4] - 1:16, 2:8, 5:8, 6:7 individual [1] - 19:7 Initiative [1] - 12:20 interesting [2] - 15:4, 17:18 interview [1] - 20:12 interviews [1] - 20:8 introduction [2] - 20:20,

21:12 it'll [2] - 13:5, 15:11 itself [1] - 14:13

#### J

Janice [1] - 9:12 Johnson [2] - 5:7, 5:8 Jr [3] - 1:13, 23:2, 23:11 Judge [1] - 20:5 June [2] - 15:13

# K

kickoff [1] - 12:19 kids [2] - 18:1, 18:2 kind [2] - 16:9, 17:23

#### L

large [1] - 20:22 last [5] - 15:10, 15:11, 18:9, 18:12, 20:2 Latino [4] - 16:5, 20:21, 20:22, 21:3 Latinos [1] - 16:6 law [2] - 19:6, 19:19 Law [2] - 10:4, 11:2 lawyer [1] - 18:20 lawyers [3] - 17:23, 18:1, 18:19 learning [1] - 20:10 least [3] - 15:5, 15:10, 20:1 leave [1] - 10:20 left [1] - 18:3 Leon [1] - 21:16 Leroy [2] - 5:12, 6:6 level [1] - 19:5 Lindy [3] - 1:12, 23:2, 23:11 live [1] - 20:11 live-stream [1] - 20:11 located [1] - 3:22 Lonnie [2] - 5:7, 5:8 lunch [1] - 21:16

## M

ma'am [2] - 9:14, 11:8

Madam [2] - 8:13, 10:5

magazine [2] - 20:23, 21:1

MARCH [1] - 1:5

March [5] - 1:17, 3:1, 12:12, 22:7, 23:7

Marcus [1] - 7:1

material [1] - 18:14

matter [6] - 1:10, 7:18, 19:9, 19:17, 23:7

mean [1] - 16:8 Mechanical [1] - 7:20 MEETING [1] - 1:5 meeting [2] - 10:18, 22:5 MEMBERS [1] - 2:2 Memorial [1] - 15:12 Meyer [3] - 1:12, 23:2, 23:11 might [1] - 16:7 mind [1] - 18:4 minutes [1] - 3:6 modest [1] - 19:23 Mogul [1] - 5:14 month [1] - 12:12 morning [5] - 3:3, 3:21, 12:6, 12:8, 12:9 motion [7] - 4:14, 5:16, 6:10, 7:5, 7:23, 8:19, 11:10 move [5] - 10:7, 11:10, 12:5, \_15:16, 20:13 moved [8] - 3:7, 4:16, 5:18,

moved [s] - 3.7, 4.16, 5.18, 6:11, 7:6, 8:1, 8:20, 11:12 moving [1] - 15:13 MS [35] - 3:20, 4:11, 9:14, 9:17, 10:5, 10:7, 10:13, 10:15, 10:22, 11:8, 12:6, 12:10, 13:13, 13:21, 14:17, 14:23, 15:8, 15:19, 16:10, 16:13, 16:18, 16:23, 17:2, 17:3, 18:10, 19:2, 20:4, 20:17, 20:22, 21:4, 21:7,

#### N

21:13, 21:17, 21:21, 22:1

N103 [1] - 2:8

NAFTA [1] - 15:15

name [2] - 18:9, 18:12

neck [1] - 19:16

need [1] - 5:5

Networking [1] - 13:23

New [1] - 9:11

next [3] - 10:18, 12:23, 21:23

Noell [1] - 2:11

nonprofit [1] - 16:9

North [2] - 2:7, 2:8

Notary [3] - 1:13, 23:3, 23:12

Nuvo [1] - 21:2

#### 0

o'clock [3] - 1:18, 3:1, 22:7 Objections [1] - 9:22 occur [1] - 12:21 October [1] - 23:15 OF [3] - 1:1, 1:5, 1:21 offer [1] - 13:8 officially [1] - 12:21 often [1] - 18:20

oftentimes [1] - 19:4 Old [1] - 5:4 one [10] - 13:8, 13:17, 15:1, 15:9, 15:15, 18:8, 19:21, 19:22, 21:23 one's [1] - 20:18 ones 121 - 14:7, 14:10 opportunity [1] - 19:7 opposed [8] - 3:15, 5:1, 6:3, 6:19, 7:14, 8:9, 9:8, 11:23 Oral [2] - 9:22, 12:4 oral [2] - 10:9, 10:17 order [1] - 5:12 Order [2] - 10:4, 11:3 OTHER [1] - 2:10 outside [1] - 14:17 overview [1] - 18:7 own [1] - 12:16

provide [1] - 20:19 providing [1] - 14:21 PUBLIC [1] - 1:5 public [1] - 3:5 Public [4] - 1:13, 6:7, 23:3, 23:12

## Q

quarter [1] - 4:3 quarterly [1] - 4:1 questions [5] - 4:8, 10:12, 11:3, 15:17, 17:22 quite [1] - 12:11 quorum [1] - 3:5

R

Ρ

p.m [2] - 13:6, 14:2 packet [1] - 3:23 Pamela [1] - 2:12 part [3] - 13:17, 14:5, 20:6 Part [1] - 13:17 participate [1] - 19:15 participated [2] - 12:17, 20:2 particular [1] - 13:11 Partnership [1] - 4:1 Party [1] - 10:1 Pawn [1] - 5:7 people [4] - 14:16, 16:5, 16:17, 21:20 perhaps [1] - 15:5 person [1] - 17:19 phone [1] - 20:13 place [2] - 12:22, 13:5 Point [1] - 8:14 point [1] - 13:11 points [1] - 18:18 portion [1] - 15:16 positive [1] - 19:11 preliminary [1] - 14:7 PRESENT [1] - 2:10 present [3] - 3:19, 13:12, 13:14 presentation [2] - 17:19, 18:5 presented [1] - 18:18 pretty [3] - 16:16, 21:8, 21:19 previously [1] - 15:15 probable [5] - 5:15, 6:9, 7:3, 7:21. 8:16 PROCEEDINGS [1] - 1:9 proceedings [2] - 22:6, 23:6 professional [1] - 14:4 program [1] - 14:6 proper[1] - 5:12

radio [2] - 20:8, 20:12 Ramos [1] - 2:4 RAMOS [30] - 3:12, 4:17, 4:21, 5:23, 6:11, 6:16, 7:7, 7:11, 8:6, 8:20, 9:5, 11:20, 12:8, 14:20, 15:3, 16:3, 16:11, 16:14, 16:21, 17:1, 17:4, 17:8, 20:15, 20:19, 21:1, 21:5, 21:11, 21:15, 21:19, 21:22 rant[1] - 18:14 ranted [1] - 18:15 rarely [1] - 19:6 raved [2] - 18:15 really [5] - 12:23, 17:21, 19:10, 19:13, 19:14 received [1] - 19:11 Reception [1] - 13:23 recommend [2] - 7:2, 8:15 recommendation [6] - 5:17, 6:7, 7:5, 7:20, 7:23, 8:19 regarding [1] - 11:7 Remembrance [1] - 15:12 Remind [1] - 21:11 Report [5] - 3:18, 3:22, 4:15, 5:4, 12:5 reported [1] - 5:11 Reporter [1] - 23:3 **REPORTING** [1] - 1:21 Request [1] - 9:22 request [2] - 10:9, 10:16 required [1] - 10:2 requirements [2] - 18:6, 18:7 residing [1] - 23:3 Respondent's [1] - 9:22 response [11] - 3:16, 4:10, 5:2, 6:4, 6:20, 7:15, 8:10, 9:9, 11:5, 12:1, 15:23 results (2) - 14:6, 14:10 revert [1] - 4:5

review [2] - 3:22, 9:21 RIGHTS [2] - 1:1, 2:6 Rights [4] - 1:11, 3:4, 14:15, 18:23 Rincones [1] - 2:12 RINCONES [15] - 9:14, 9:17, 16:13, 16:18, 16:23, 17:2, 20:4, 20:17, 20:22, 21:4, 21:7, 21:13, 21:17, 21:21, 22:1 Rincones-Chavez [1] - 2:12 RINCONES-CHAVEZ [15] -9:14, 9:17, 16:13, 16:18, 16:23, 17:2, 20:4, 20:17. 20:22, 21:4, 21:7, 21:13, 21:17, 21:21, 22:1

Room [2] - 1:16, 2:8

RPR/CP[1] - 1:21

start [1] - 5:12 started [1] - 18:13 state [1] - 16:6 STATE [1] - 1:1 State [3] - 1:13, 17:8, 23:13 Steven [2] - 2:4, 8:14 strangely [1] - 18:16 Straw [2] - 9:23, 10:10 stream [1] - 20:11 Street [1] - 1:16 stuff [1] - 16:9 subject [1] - 19:9 subsequent [1] - 13:18 Summit [2] - 13:2, 14:13 Systems [1] - 7:20

## T

S salaries [1] - 4:7 Sam [1] - 21:16 Sanders [1] - 7:1 Saturday [2] - 16:4, 16:19 schedule [2] - 10:17, 13:11 scheduling [1] - 10:20 School [1] - 8:15 Schools [1] - 6:7 second [4] - 8:23, 13:6, 15:11, 15:16 Second [9] - 3:8, 4:17, 5:19, 6:12, 7:7, 8:2, 8:21, 9:1, 11:15 second-to-last [1] - 15:11 Securitas [1] - 9:13 Security [1] - 9:13 seem [1] - 18:1 seminar [1] - 14:22 Senate [1] - 2:8 send [1] - 16:22 Service [1] - 9:13 session [1] - 3:5 sessions [2] - 14:3, 14:22 Shelby [2] - 1:14, 23:4 Shelbyville [1] - 23:4 small [1] - 16:1 sometimes [1] - 18:22 sorry [2] - 9:16, 16:18 sort [1] - 14:19 sounds [1] - 21:18 sources [1] - 14:17 South [1] - 1:15 Spanish [3] - 16:12, 16:15,

20:9

speaking [1] - 19:5

speaks [1] - 16:15

STAFF [1] - 2:10

staff [1] - 14:15

target [1] - 4:4

Taylor [1] - 9:12 ten [2] - 16:17 Terre [1] - 14:8 testing [3] - 14:6, 14:7, 14:15 tests [1] - 14:8 THE [1] - 1:1 Thereupon [1] - 22:6 thinking [1] - 17:14 third [1] - 16:20 thousand [1] - 16:17 thrown [1] - 14;9 Thursday [1] - 13:21 Title [1] - 19:18 Torchbearer [1] - 12:13 train [1] - 14:16 trained [1] - 14:18 training [2] - 14:3, 15:15 transcribed [1] - 23:8 transcript [1] - 23:6 treatment [1] - 14:12 trenches [1] - 19:8 true [1] - 23:5 turnout [1] - 16:16 two [6] - 10:20, 13:4, 13:17, 14:1, 14:2, 15:14 Two [1] - 17:18 two-day [1] - 13:4

#### U

Under [1] - 5:4 undersigned [1] - 23;2 unfortunately [1] - 21:9 United [1] - 7:1 up[4] - 4:2, 10:21, 13:1, 17:22 Update [1] - 12:16 uphold [5] - 5:14, 6:8, 7:2, 7:20, 8:15

# V

verses [2] - 7:1, 8:14 versus [7] - 5:7, 5:8, 5:13, 6:6, 7:19, 9:12, 9:23 videotaping [1] - 14:20 view [1] - 18:18

#### W

Washington [2] - 1:16, 15:4 Webinar [1] - 14:21 week [3] - 13:20, 15:14, 15:15 weekend [1] - 15:6 weeks [3] - 9:15, 9:18, 20:3 West [1] - 1:16 wide (1) -- 21:6-William [1] - 1:21 wonder [1], - 18:22 wonderful [1] - 20:10 Wonderful [1] - 22:3 woods [1] - 19:16 works [2] - 10:21, 13:15 workshop [2] - 13:17, 14:3 workshops [2] - 13:16, 13:22

## Y

year [2] - 4:3, 4:5 years [1] - 18:20