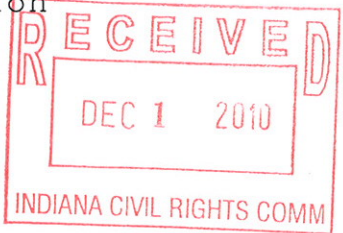


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Indiana Civil Rights Commission
November Monthly Meeting
November 19, 2010
11:00 a.m.



Indiana Government Center South
Conference Center Room A
402 W. Washington Street
Indianapolis, Indiana 46204

The public hearing in the above-captioned matter was held before the State of Indiana Civil Rights Commission on the 19th day of November, 2010, at 11:00 a.m., in the Indiana Government Center South, Room A, 402 W. Washington Street, Indianapolis, Marion County, Indiana 46204, and reported by me, Deborah J. Pearce, Notary Public in and for the County of Hamilton, State of Indiana.

ACCURATE REPORTING OF INDIANA
William F. Daniels, Prop. RPR/CP CM
12922 Brighton Avenue
Carmel, Indiana 46032
317-848-0088

1 CHAIRPERSON BLACKBURN: Good morning. The
2 Indiana Civil Rights Commission is now in public
3 session.

4 You have already in front of you the agenda
5 for today. Are there any additions to the agenda?

6 Hearing none. We have a quorum. I'd like to
7 approve and adopt the minutes.

8 May I have a motion?

9 MR. CARTER: So moved.

10 MR. RAMOS: Second.

11 CHAIRPERSON BLACKBURN: All in favor?

12 THE COMMISSIONERS: Aye.

13 Anyone opposed?

14 Thank you.

15 Ms. Essex has submitted her financial report.

16 Is there someone here from staff that wants to
17 represent her in presenting it?

18 Are there any questions from the
19 Commissioners regarding the financial report?

20 May I have a motion, then, to accept?

21 MR. GARCIA: So moved.

22 MR. CARTER: Second.

23 CHAIRPERSON BLACKBURN: All in favor?

24 THE COMMISSIONERS: Aye.

25 CHAIRPERSON BLACKBURN: Anyone opposed?

1 Thank you.

2 I'm not aware of any old business, but does
3 anyone have an item for this?

4 Hearing none.

5 New business: Consent agreement. We do have
6 consent agreement. May I have a motion to accept?

7 MR. RAMOS: So moved.

8 CHAIRPERSON BLACKBURN: May I have a second?

9 MR. BAYNARD: Second.

10 CHAIRPERSON BLACKBURN: All in favor?

11 THE COMMISSIONERS: Aye.

12 CHAIRPERSON BLACKBURN: Is anyone opposed?

13 Thank you.

14 Findings of fact: May I have a motion to
15 accept the finding?

16 MR. CARTER: Do we have any?

17 CHAIRPERSON BLACKBURN: Melissa Stone vs.

18 Dash.

19 JUDGE LANGE: That's an appeal.

20 CHAIRPERSON BLACKBURN: Okay. Then, moving
21 right along, we'll go to the report by
22 Commissioners on appeals that they have reviewed.

23 And having reviewed Gray vs. The Palace, I'd
24 like to continue that and try to ascertain with
25 some certainty how many people were at The Palace.

1 I don't guess I need a vote on that.

2 We'll move to Commissioner Carter.

3 MR. CARTER: Madame Chair, in the case of
4 Wood vs. Achieva Resources Corporation, Inc., I
5 recommend that we sustain the no probable cause
6 finding.

7 CHAIRPERSON BLACKBURN: May I have a motion
8 to accept that recommendation?

9 MR. BAYNARD: So moved.

10 MR. GARCIA: Second.

11 CHAIRPERSON BLACKBURN: All in favor?

12 THE COMMISSIONERS: Aye.

13 CHAIRPERSON BLACKBURN: Anyone opposed?

14 Thank you.

15 Do we have a report from Commissioner Gidney
16 on the Jones vs. CSL Plasma Services?

17 MS. SHARP: We have no report from
18 Commissioner Gidney.

19 CHAIRPERSON BLACKBURN: Assignment of
20 appeals: Commissioner Carter, would you review
21 Stone versus Dash, HOha-10070330?

22 And are there no other cases, then?

23 MS. SHARP: No.

24 CHAIRPERSON BLACKBURN: Is there an
25 administrative update, Mr. Brewster?

1 MR. BREWSTER: Administrative update. First
2 and foremost I was looking over the minutes from
3 the last meeting when I wasn't here, and I
4 understand we wanted to introduce Brad Meadows,
5 our communications director. He is working on our
6 website and kind of keeping track -- well, that's
7 his primary mission right now, but we're going to
8 get him involved in some other things.

9 We have an outreach coordinator that will be
10 starting, I think, after Thanksgiving, the 29th,
11 and she will work with Brad and also Danny Lopez,
12 and they will be our outreach unit, which we
13 haven't had in several years. So that's going to
14 be good.

15 Danny and myself and Jamal, we all started
16 our road trip last week. I think Jamal went over
17 that with you last month that we're trying to get
18 out to the local agencies, and we went down and
19 spoke with Columbus last week.

20 We spoke to some folks in Jeffersonville and
21 New Albany, and neither of those communities have
22 a civil rights commission, but we're trying to
23 establish some connections there.

24 And Tuesday and Wednesday we went down and I
25 took a 14-hour trip from Bloomington and

1 Evansville and Terre Haute and spoke with quite a
2 few people around in those communities. And so
3 far, we've had pretty good response.

4 I think as Jamal mentioned last month that in
5 the communities like Evansville where they have
6 federal contracts, there's a little hesitancy to
7 welcome us in. There's, kind of, you know, turf
8 battles, I guess you could call it, but they don't
9 want us to supplant them -- and we made it clear
10 that we don't want to supplant them.

11 We're really leaning on these communities,
12 mostly, for outreach and education, and since they
13 are the ones there on the ground, we can rely on
14 them to get people together and provide education.

15 And, then, in some of the smaller
16 communities, like Terre Haute, we're hopeful that
17 they would then be able to refer complaints to us
18 because they don't have enforcement authority
19 there. There's some other communities that don't.
20 We want to be of service in that regard.

21 I also spoke with the director in Muncie
22 yesterday. So next -- I think our next trip is up
23 to the northwest, Gary, Chicago, Hammond, and
24 we'll probably stop in Lafayette.

25 Lafayette doesn't have a Commission, but they

1 do have an ordinance, so we're going to try to
2 find a connection there and create a greater
3 presence.

4 CHAIRPERSON BLACKBURN: With whom? Where do
5 you begin?

6 MR. BREWSTER: I think they have somebody
7 identified in the mayor's office who accepts and
8 take complaints and takes calls. We're not sure
9 yet who that is going to be. Danny Lopez had been
10 working on that and trying to identify people.

11 So after that, we'll probably have one more
12 trip up to South Bend, Elkhart, Goshen, and
13 Ft. Wayne. And that should complete our state
14 journey.

15 Then we just need to follow-up, obviously.
16 We're going to write up some memorandums of
17 understanding with some of these agencies to get
18 in writing a relationship for -- like I say, we're
19 willing to provide training. We have funds
20 through our HUD money to set up some seminars and
21 things like that, and in return we hope they would
22 refer any cases to us that they don't have
23 jurisdiction over and also act as the organizers
24 of the seminars and things.

25 The bigger mission, obviously, is to get to

1 all of those little communities that don't have
2 any local agencies. That's kind of a longer-term
3 goal. That's going to take a lot of work and
4 trying to figure out who we need to talk to, but
5 that's kind of what we're doing.

6 CHAIRPERSON BLACKBURN: How does that effort
7 to make face-to-face contact with people in those
8 local communities interface with the
9 communications effort of trying to get at least
10 the information about what we're doing here on the
11 state level on the web so that everybody can
12 access the agency in a more direct way?

13 MR. BREWSTER: Like I said, Brad's priority
14 right now is to have a website that's more
15 user-friendly and informative so when we do get
16 our name and website address out there, so that
17 when people come there's going to be something
18 useful for them. I've been working with Brad, and
19 I need to prioritize that, probably.

20 Our frequently asked questions, we have a few
21 on there now, but they're kind of automatically
22 generated by the State IOT, so we're going to have
23 some better frequently asked questions. Make it a
24 little easier for people to contact us via e-mail
25 about complaints. More information about what our

1 laws are, and then we're also working on getting
2 updated and more timely information about,
3 obviously, the Commission meetings, Judge Lange's
4 orders, and that kind of thing accessible on the
5 internet as well.

6 MR. RAMOS: I remember there was a
7 conversation earlier about a focus on education,
8 because there was an education committee six years
9 ago, and they are looking at revamping that.

10 Any further discussion on that?

11 MR. BREWSTER: I don't know if we're going to
12 have any type of committee or board. Mr. Lopez is
13 spearheading that effort. He and Jamal are
14 talking with people over at DOE about what our
15 role can be.

16 Recently we've had some specific complaints
17 out of Ft. Wayne, Allen County school system, so
18 we're kind of looking at that. We actually have
19 some complaints that have been filed up there.

20 They're not -- they're systemic complaints,
21 so we're trying to figure out how to deal with
22 that, because our staff has not traditionally been
23 geared for dealing with those complaints. We're
24 working on that.

25 But more than anything we're just trying to

1 come up with -- I think what Danny and Jamal want
2 to do is basically come up with some models of how
3 to address the disparities in education models
4 that have been researched out by professionals
5 that have more expertise than we do.

6 But to go around to communities and have a
7 dialog from our perspective, we're not going to
8 force anything on anybody, we don't have the
9 authority to do that. But we're going to foster a
10 dialog about options about the problems existing
11 throughout the state.

12 And that's another topic we talk about when
13 we go out and meet with these local agencies.
14 About what issues they're having in school systems
15 and what's being done about it. We would rely on
16 them to bring people to the table when we have
17 these talks, because sometimes they're pretty
18 contentious discussions.

19 So we don't want to be the big bad State,
20 we're just trying to open up a discussion, really.
21 So that's what we're thinking of right now.

22 MR. RAMOS: Thank you.

23 CHAIRPERSON BLACKBURN: Any other comments?

24 Are there any announcements other than for
25 the next meeting's dates which are printed in your

1 agenda?

2 MR. GARCIA: I'd like to say that a couple of
3 weeks ago I attended a disability fair that the
4 Human Rights Commission had involving veterans
5 affairs and what veterans ought to do to get their
6 house in order.

7 A lot of them don't know what benefits are
8 available to them. It was a pretty nice little
9 fair they had.

10 MR. CARTER: Speaking of disability, the
11 governor's planning counsel -- which is no longer
12 planning, they dropped the "Planning" from their
13 name, I don't know what that tells us -- is having
14 their annual disability conference from
15 December 6th and 7th, and you're going to be
16 presenting --

17 MR. BREWSTER: Right.

18 MR. CARTER: -- on the 6th, I think.

19 CHAIRPERSON BLACKBURN: Where?

20 MR. BREWSTER: Hyatt?

21 MR. CARTER: Yes.

22 MR. BREWSTER: Downtown.

23 CHAIRPERSON BLACKBURN: Did you say Highland?

24 MR. BREWSTER: Hyatt.

25 MR. GARCIA: Nothing ever happens in

1 Highland.

2 MR. CARTER: It snows once in a while.

3 CHAIRPERSON BLACKBURN: Hearing no other
4 announcements, happy Thanksgiving everybody and
5 see you.

6 I know, before I strike the gavel, I brought
7 with me a framed piece of artwork, and knowing how
8 it is next to impossible to retrieve from the
9 government anything given to the government, I am
10 lending this piece of artwork to your office to
11 help enliven the walls there.

12 It is one of Indiana's covered bridges done
13 by an architect. But it's framed and ready to
14 hang, which I thought you would appreciate.

15 I will from time to time bring you a few more
16 until you have something to put up, other than
17 wanted posters and whatever.

18 MR. BAYNARD: Does it say, "On loan from
19 Alphareta Blackburn" on there?

20 It's recorded in the minutes of this meeting
21 that I'm loaning this.

22 MR. CARTER: I thought you were going to say
23 you would drop by from time to time to make sure
24 they hadn't sold it.

25 CHAIRPERSON BLACKBURN: With that, this

1 meeting is adjourned. Thank you.

2
3 (WHEREUPON, at 11:22 a.m., April 23rd, 2010,
4 this hearing concluded for the day.)
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1 STATE OF INDIANA)
) SS:
2 COUNTY OF HAMILTON)

3

4 I, Deborah J. Pearce, a Notary Public in
and for the County of Hamilton, State of Indiana at
5 large, do hereby certify:

6

7 That I reported to the best of my ability
in machine shorthand all of the words spoken by all
parties in attendance during the course of the
8 hearing;

9

10 That I later reduced my shorthand notes
into the foregoing typewritten transcript form, which
typewritten transcript is a true record to the best of
11 my ability of the hearing;

12

13 That I am a disinterested person in this
cause of action; that I am not a relative or attorney
of either party, or otherwise interested in the event
14 of this action, and I am not financially interested in
this action.

15

16 IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal this 29th day of
17 November, 2010.

18

19


NOTARY PUBLIC

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22

23 My Commission Expires:
September 7, 2017
24 County of Residence:
Hamilton

25