

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)

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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 August
19 26, 2005, commencing at 2:30 p.m., David C. Carter, Vice
20 Chair.

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

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A P P E A R A N C E S

COMMISSIONERS IN ATTENDANCE:

Vice Chair David C. Carter
Commissioner Barry Baynard

FROM INDIANA CIVIL RIGHTS COMMISSION:

Judge Gregory Kellam Scott
Deputy Director Christine Cde Baca
Robert D. Lange
Joan Essex

Lisa M. Hobbs,
Court Reporter.

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August 26, 2005 2:30 p.m.

VICE CHAIR CARTER: Okay. The Indiana Civil Rights Commission session for August will be -- I will call it to order.

Are there any agenda requests?

JUDGE SCOTT: No, there are none.

VICE CHAIR CARTER: Okay. And we do not have a quorum, and therefore although we have minutes for various months, we can't vote on them. So we can't do anything about new business, since there is none. So which takes us to committee reports, and the Director Kellam Scott.

JUDGE SCOTT: Thank you.

With respect to the report, as was mentioned earlier by the deputy director, with respect to personnel matters, we have some regarding vacancies or news or information to share regarding vacancies.

But before going to that, I just wanted to mention that it has been a difficult week for the staff at the Agency. We have suffered the death of two members of the family of two individuals' immediate family, and those individuals have been stalwart in their own service to the Commission and the State. And the members of the agency staff have come together and attempted to provide, if it only becomes a token, recognition of the loss.

Mr. Steven Tilden lost his mother, and also Barbara

1 Dobbins lost her son -- which -- there's always a belief in
2 life that parents don't bury their children.

3 But I wanted to mention that to the members of the
4 Commission so that you are at least aware and certainly as
5 to your -- whatever your personal preference is, so you
6 know that -- who those two individuals are, and -- in case
7 you encounter them in the immediate future.

8 And I was personally very pleased with the response
9 from the staff as they rallied around two colleagues.

10 Also in personnel matters, Robin Clay, the young
11 attorney with the Office who has been seeking employment
12 since before I'd arrived -- and I tell her I -- I'm still
13 going to take it personal since she left after I'd
14 arrived -- but she has left the Agency to accept a larger
15 salary with the City Attorney's Office.

16 Robin was a young attorney, very active in our office,
17 very helpful with the investigators, and was involved in
18 the continuing education of the investigators.

19 And also Atto Coney has left also based on salary
20 needs. He has a young family, as does Robin, which he
21 feels compelled to provide greater resources to.

22 And so those two individuals have left. And I know
23 you must have been wondering when you heard the number of
24 how many vacancies we have that you thought it must have
25 increased from last time because I don't remember it being

1 that large.

2 But with respect to that, the good side of that news
3 is that we are in the later stages of interviewing
4 individuals who will begin filling positions. And as you
5 know, we've already hired one person who has stepped up to
6 the plate and is doing a good job, and -- at least in the
7 eyes of his supervisor.

8 And so -- and the other good news is among those
9 candidates for the position, we have at least three, and we
10 believe four -- and we're checking on that -- who have the
11 good facility or ability with Spanish. And so we will be
12 able to fit that need at the Agency of having several
13 individuals who can assist us in providing services to the
14 members of the Spanish speaking community -- also in with
15 that, we have mentioned that -- the IORHA conference which
16 was attended, and our efforts in that regard.

17 So I think with respect to personnel matters, the only
18 other matter to mention is that we are going to be
19 reviewing our organization chart, and the four executive
20 staff members, the director, the deputy director, and the
21 chief of staff, and the director of administration will be
22 meeting together and just trying to have our organization
23 as an Agency be more reflective of the issues and matters
24 that we are now confronting as the times have changed. So
25 we will be doing that as well.

1 And hopefully we'll have something that we will be
2 able to share with the Commission. And that doesn't mean
3 it won't change again as the Commission takes on other
4 matters, or even different matters, or suggests some areas
5 in terms of its view of the policy that best serves the
6 people of the State of Indiana.

7 And in that, I think that really ends the report that
8 I have regarding personnel.

9 VICE CHAIR CARTER: Thank you, Judge Scott.

10 Joan Essex, do you have anything financial to say to
11 us?

12 MS. ESSEX: I don't have anything financial to say.
13 Do you have any questions concerning the July financial
14 statement that should have been in your packets?

15 VICE CHAIR CARTER: There was one around here
16 somewhere. I don't recall anything.

17 MS. ESSEX: We are on a new year, so things are
18 looking good so far.

19 VICE CHAIR CARTER: Do you have any questions?

20 COMMISSIONER BAYNARD: No, not really. Just -- I just
21 noticed there's a lot of zeroes in the end of the year
22 balance. So you spent the money and spent it well.

23 MS. ESSEX: Yes, yes. We did meet our reversion, and
24 there was not very much money left over. There was about
25 \$5,000 that was on top of that. So we did our best to

1 spend every dime that we were given.

2 VICE CHAIR CARTER: Not to mention the King
3 Commission, \$5.27.

4 MS. ESSEX: I do my best.

5 JUDGE SCOTT: And she does a good job with financial
6 matters.

7 VICE CHAIR CARTER: Okay. Well, we can't vote on
8 consent agreements and so on. Moving right through here.
9 We don't really need to report on appeals. Although we can
10 turn them in and vote on them next month.

11 As far as assignment of appeals to commissioners,
12 there are only two. I will take Tunnercliffe v. Notre Dame
13 University.

14 And, Commissioner Baynard, if you will, take Malone,
15 Hyte Community Center Board v. City of Terre
16 Haute/Department of Parks and Rec.

17 Okay. And that leaves administrative update, and back
18 to the director, please.

19 JUDGE SCOTT: Well, as you know, we are, with respect
20 to our efforts in terms of our own regulations, we are
21 looking to the bars and lack of access that is available to
22 individuals who have disabilities. And there is a new
23 study, which we will be sending to each of the
24 commissioners so you have an opportunity to examine that
25 study, coming from HUD.

1 And we will be looking forward to any comments that
2 you have, not necessary to hold them until a commission
3 meeting. If you want to share them with the deputy
4 director or me, please give us a call. And then once you
5 have that information, hopefully you can shed some light on
6 it to us, and even raising questions would shed some light.
7 We're still in the regulatory process of those.

8 VICE CHAIR CARTER: This is specifically to people who
9 apply to rent something?

10 JUDGE SCOTT: Yes.

11 VICE CHAIR CARTER: As opposed to the ignorance that
12 abounds as to what the requirements are about construction.

13 JUDGE SCOTT: Correct.

14 VICE CHAIR CARTER: Which is another problem.

15 Okay. Deputy director, Ms. De Baca.

16 MS. CDE BACA: We as of our July monthly production
17 report, we have 452 pending cases. During the month of
18 July we had four probable cause findings. In June, 2005,
19 we had 438 cases. We had 47 new cases during the monthly
20 of July. We disposed of 33 cases. And that then leaves
21 452 pending cases as of July 31st.

22 With regard to ADR, we had -- during the month of
23 July, seven cases had successful settlements. The cases --
24 the monetary benefits from those cases were \$9,117. And
25 during the year of 2 -- or so far in 2005, 47 complaints

1 have been settled through mediation. And the year to date
2 monetary benefits to complainants is \$231,691.

3 That's it.

4 VICE CHAIR CARTER: Okay.

5 JUDGE SCOTT: And then if I could just add, in terms
6 of the HUD cases, as you know we're going through a period
7 of time where we review our aged cases. And we have been
8 devoting some effort to that. And in speaking with
9 Henrietta Poindexter, who is our supervisor with respect to
10 housing cases, she is very comfortable with where we stand
11 right now. We go going to put forth a little bit more
12 effort to try to gain some ground, but we're feeling very
13 good about that issue.

14 But we have received a request from HUD as to a plan
15 to address those cases, and we have prepared at least in
16 draft form a response, and that will be going to HUD on
17 Monday.

18 With respect to EEOC cases, all the cases that were
19 filed in 2004 --

20 MS. CDE BACA: Uh-huh.

21 JUDGE SCOTT: -- have been completed, and we are
22 looking to certainly address more of the cases that were
23 filed in 2005, as we will over the course of time. And we
24 are taking some steps with respect to organization,
25 including training of staff and working towards greater

1 efficiency in terms of responding more rapidly to those
2 cases.

3 But those are cases with which we have an impact
4 financially because of the contracts that we have. And in
5 one of the areas in the EEOC, the contract was modified.
6 We have an amended contract, and we still feel very
7 comfortable with our progress in that area.

8 VICE CHAIR CARTER: Thank you.

9 Which, I guess, brings us to announcements. Does
10 anyone have announcements?

11 (No response.)

12 VICE CHAIR CARTER: Would you like to announc3
13 anything?

14 (Laughter.)

15 VICE CHAIR CARTER: And in that case, I guess we can
16 adjourn. But since we can't vote on it adjournment, we're
17 stuck here forever.

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25 (The meeting concluded at 2:44 p.m., August 26, 2005.)

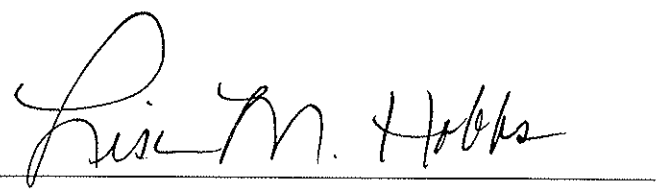
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STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

I, Lisa M. Hobbs a Notary Public and Shorthand Reporter in and for the County of Johnson, State of Indiana, do hereby certify that on the 26th day of August, 2005, at the Indiana Civil Rights Commission, I took down in stenograph notes and recorded the foregoing proceedings.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by notarial seal this 9th day of September, 2005.



Lisa M. Hobbs
Notary Public
Residing in Johnson County

My Commission Expires:
April 27, 2008