

20
23



ANNUAL REPORT

Indiana Civil Rights Commission

"Make a career of humanity. Commit yourself to the noble struggle for equal rights. You will make a better person of yourself, a greater nation of your country, and a finer world to live in."

Dr. Martin Luther King, Jr.

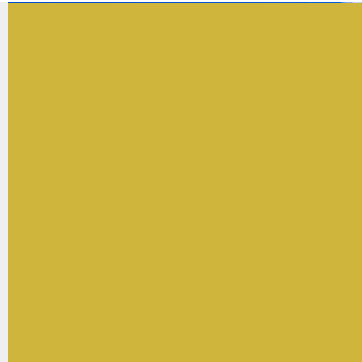


Table of

CONTENTS

1	Mission, Vision, & Values	14-15	ADR and Compliance Division
2	About the Commission	16	Legal Division
3	Agency History	17-18	Commission Activities
4	Letter from the Governor	19-20	External Affairs Division
5	Letter from the Executive Director	21	2023 Special Projects
6-7	Agency Functions	22	2023 Indiana Civil Rights Commission Annual Conference
8	ICRC Organizational Chart	23-24	Cultural Commissions
9-10	Agency by the Numbers	25-29	Photo Gallery
11	Intake Division	30-31	Vocabulary
12-13	Investigations Division		

MISSION

The Indiana Civil Rights Commission enforces the Indiana civil rights laws and provides education and services to the public in an effort to ensure equal opportunity for all Hoosiers and visitors to the State of Indiana.

VISION

The Indiana Civil Rights Commission will be an important societal influence working to eliminate illegal discrimination in Indiana.



VALUES

We value resolving cases and responding to inquiries in a time frame that provides the people we serve with meaningful results.

We value actions that are fair, consistent, and unbiased.

We value knowledgeable employees to best serve the public's interest.

We value and respect the dignity of each individual and the differences among all people.

We value the ability to treat others the way they want to be treated.

We believe that by embracing these values we will provide the highest quality service to the public.

ABOUT THE COMMISSION

The Indiana Civil Rights Commission ("Commission"), comprised of seven members appointed by the Governor, is the ultimate authority and final decision maker for the Indiana Civil Rights Commission. Meeting monthly, the Commission hears appeals of no cause findings, reviews consent agreements, hears appeals of Administrative Law Judge ("ALJ") issued Proposed Final Orders, and makes determinations on all pre-cause motions. The entire Commission may take action on its own, or the Commission may appoint an ALJ to assist with the Commission's adjudicatory duties. Each Commissioner may serve as an ALJ as needed.

ICRC COMMISSIONERS



Steven Ramos
Vice Chair



Holli Harrington
Commissioner



Adrienne Slash
Chair



Alpha Blackburn
Commissioner



Terry Tolliver
Commissioner



James Jackson
Commissioner



Sue Silberberg
Commissioner

AGENCY HISTORY

Indiana's first Constitution, written in 1816, stated: "WE declare, That all men are born equally free and independent and have certain natural, inherent, and unalienable rights; among which are the enjoying and defending life and liberty, and of acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety."

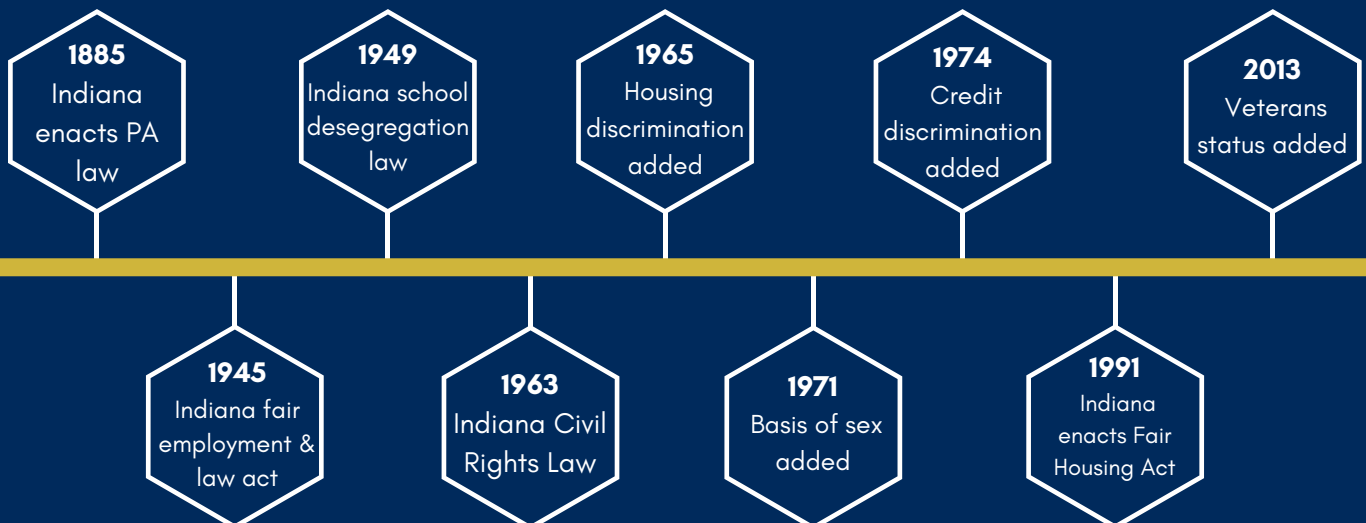
Indiana enacted a public accommodations law in 1885 that stated all persons are "entitled to the full and equal enjoyments of the accommodations, advantages, facilities, and privileges of inns, restaurants, eating houses, barber shops, public conveyances on land and water, theaters, and all other places of public accommodations and amusement, subject only to the conditions and limitations established by law and applicable alike to all citizens."

In 1945, the Indiana General Assembly passed the Fair Employment and Labor Act that empowered the Division of Labor to: "remov[e] discrimination with respect to employment because of race, creed, color, national origin, or ancestry."

In 1949, Indiana passed the Indiana School Desegregation Law that "prohibits racial or creed segregation, separation, or discrimination in public schools. . ."

In 1961, Indiana passed the Fair Employment Practices Act, establishing the Fair Employment Practices Commission that had power to "receive and initiate and investigate the charges of discriminatory practices." The agency was initially created to encourage employers to hire minority employees, but lacked enforcement authority. However, in 1963, the agency was renamed the Indiana Civil Rights Commission ("ICRC"), and it gained enforcement powers in the areas of employment, education, and public accommodation.

In 1965, the Indiana Civil Rights Law was amended to prohibit discrimination in housing, both rental and sale, on the basis of race—preceding the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) by three years. The Civil Rights Law was amended several times in the following years including in 1971 when discrimination on the basis of sex was made unlawful. In 1974, the General Assembly added protections in the provision of credit on the basis of race, religion, color, sex, national origin, or ancestry and also granted the Commission authority to appoint an ALJ to preside over administrative hearings. The following year, ICRC was granted enforcement powers to address discrimination on the basis of disability, fifteen years prior to enactment of the Americans with Disabilities Act. In 1991, the General Assembly promulgated the Indiana Fair Housing Act, an act substantially equivalent to Title VIII which is enforced by the United States Department of Housing & Urban Development ("HUD"). The following year, the Assembly passed the "Hoosiers with Disabilities Act," a law providing substantially equivalent protection to federal law in the area of employment of people with disabilities. In 2013, limited circumstances applied to Veterans were added.



LETTER FROM THE GOVERNOR



Greetings,

The Indiana Civil Rights Commission is an integral part of our state, ensuring good government service to every Hoosier. In 2023, they provided valuable education and resources to the people who live, work, and visit the great State of Indiana.

As a part of our Next Level Agenda, we are making lasting investments in our health, education, and workforce for all Hoosiers. We are strategically prioritizing these areas as well as economic and community development to elevate Indiana to the Next Level.

I commend ICRC and the accomplishments listed in this report that emphasize building relationships, celebrating important historical milestones, and furthering our reach statewide. By implementing more streamlined processes, working to spread awareness, and offering resources, the Indiana Civil Rights Commission is one of many state agencies helping take us to a Next Level Indiana.

Sincerely,

A handwritten signature in black ink that reads "Eric Holcomb".

Governor Eric J. Holcomb

LETTER FROM THE EXECUTIVE DIRECTOR



Dear Friends,

As the ICRC Executive Director, I am pleased to acknowledge this report and the work of the Commission members. This year, 2023, marks 60 years since the agency's inception, and I am incredibly proud of the progress ICRC has made. ICRC holds as its highest priority a commitment to continuous improvement in order to provide high-quality customer service to Hoosiers and visitors to the State of Indiana. ICRC continues to implement streamlined processes and onboard new talent to uphold that commitment as well as exceed our annual goals.

ICRC's 2023 Annual Report acknowledges our agency's accomplishments. This report reflects our productive partnerships with state and federal agencies, service providers, and community organizations. Together, we were able to provide better awareness, education, and protection under Indiana Civil Rights Laws to Hoosiers and visitors to Indiana.

At ICRC, we are committed to putting humanity at the forefront of our efforts. Dr. Martin Luther King, Jr. once said, "Make a career of humanity. Commit yourselves to the noble struggle for equal rights. You will make a better person of yourself, a better nation of our country, and a finer world to live in." As Dr. King did, ICRC puts humanity first. ICRC is committed to the continuation of Dr. King's legacy through our service to Hoosiers and visitors to Indiana.

ICRC's enforcement and education efforts build community relationships and provide invaluable resources to the public. We have improved and expanded our outreach in an effort to educate Hoosiers about their rights and assist those who have experienced discrimination. I continue to be proud of the accomplishments of the ICRC staff, Commissioners, and partners. I look forward to increasing ICRC's impact and advancing its mission.

Sincerely,

A handwritten signature in black ink that reads "Gregory L. Wilson Sr." The signature is written in a cursive, flowing style.

Gregory L. Wilson, Sr.

AGENCY FUNCTIONS

EXECUTIVE DIRECTOR

The Executive Director is appointed by the Governor to serve as Secretary of the Commission and Chief Administrative Officer of the agency (see IC 22-9-1-8). The Executive Director is responsible for the administration of the Indiana Civil Rights Law and Fair Housing Act and the overall plans and priorities of the agency. The Executive Director is the Appointing Authority of the agency and is, therefore, responsible for all staffing and budgetary decisions. The Executive Director may sign off on Notices of Finding following the investigation of complaints and may initiate a complaint "in order to vindicate the policy of the state" (see 910 IAC 1-2-3(b)). If reasonable cause is found to believe a respondent has violated the Indiana Fair Housing Act, the Executive Director must issue a notice of such finding and a charge.

DEPUTY DIRECTOR AND GENERAL COUNSEL

The Deputy Director and General Counsel acts as Director of Operations and Chief Legal Counsel, and is responsible for the case processing operations of the agency from intake to litigation. The Deputy Director manages the interactions between the Intake, Alternate Dispute Resolution ("ADR"), Investigation, and Legal Divisions, and directly supervises the Division Directors and staff attorneys. The Deputy Director is also involved in various public outreach and education activities, and serves as the Legislative Liaison for ICRC.

CHIEF FINANCIAL OFFICER

The Chief Financial Officer ("CFO") establishes and monitors the agency's budget, maintains the financial accounts, manages contracts with federal agencies and other entities, coordinates payments to vendors, assists in payroll management, and manages office equipment and supplies. The CFO is also responsible for occasional grant writing and for ensuring compliance/fulfillment of grants and other contractual obligations.

DEPUTY DIRECTOR OF INTERNAL/EXTERNAL PROGRAMMING

The Deputy Director of Internal/External Programming ("DDIEP") oversees the External Affairs Division, the Cultural Commissions, and Special Projects. The DDIEP manages ICRC's outreach and education initiatives and special projects, such as ICRC's fair housing testing project and ICRC's case management system project. The DDIEP is also responsible for developing and maintaining partnerships with other Civil Rights and Human Rights organizations throughout the country.

EXTERNAL AFFAIRS DIVISION

The External Affairs ("EA") Division carries out all external relations functions of the agency. The EA Division develops and implements ICRC's advertising efforts, maintains the website and online presence, responds to media inquiries, coordinates training seminars conducted by agency staff, and fosters relationships with state and local government agencies, non-profit organizations, employers, housing providers, and other constituents. The EA Division ensures the public is aware of the rights and responsibilities described in the Indiana Civil Rights Law and Fair Housing Act and is further aware of the functions of ICRC in promoting equal access and opportunity as well as enforcing the law.

CULTURAL COMMISSIONS

There are five State of Indiana Cultural Commissions: Indiana Commission on the Social Status of Black Males, Indiana Commission for Women, Indiana Commission on Hispanic/Latino Affairs, Indiana Native American Indian Affairs Commission, and the Dr. Martin Luther King, Jr. Indiana Holiday Commission. ICRC provides administrative support to these Commissions to help them provide education, resources, and initiatives for their respective constituency groups.

AGENCY FUNCTIONS

INTAKE DIVISION

The Intake Division serves two functions. First, the division is the “first responder”, receiving initial inquiries from the public regarding possible complaints of discrimination. This involves interviewing possible Complainants to determine if the individual has stated a claim within the purview of the Indiana Civil Rights Law or Fair Housing Act. If not, the individual is referred to the appropriate government agency, non-profit organization, or other resource. If such a claim can be made, Intake staff assist the individual in drafting and formalizing a complaint. After the investigation concludes, the Intake Division is then responsible for closing those cases. Other Intake functions involve the docketing of complaints (including data entry into appropriate databases), the creation and maintenance of complaint files, the handling of correspondence, the issuance of notices, and the execution of other administrative duties necessary for the efficient processing of complaints.

INVESTIGATIONS DIVISION

The Investigations Division is divided into two areas—Employment and REPACE (Real Estate, Public Accommodations, Credit, and Education). Each area conducts similar investigative functions but focuses on particular areas of enforcement. Employment staff investigate complaints involving allegations of workplace discrimination, while REPACE investigates all other complaints filed with ICRC. Investigators identify the issues presented in a complaint and the relevant information to be collected in order to establish whether a violation of the Indiana Civil Rights Law or Fair Housing Act may have occurred. The investigators are neutral fact-finders who conduct interviews of the parties and any witnesses, request documents, make on-site observations if necessary, and accurately compile the evidence in a Notice of Finding for consideration of the Executive or Deputy Director.

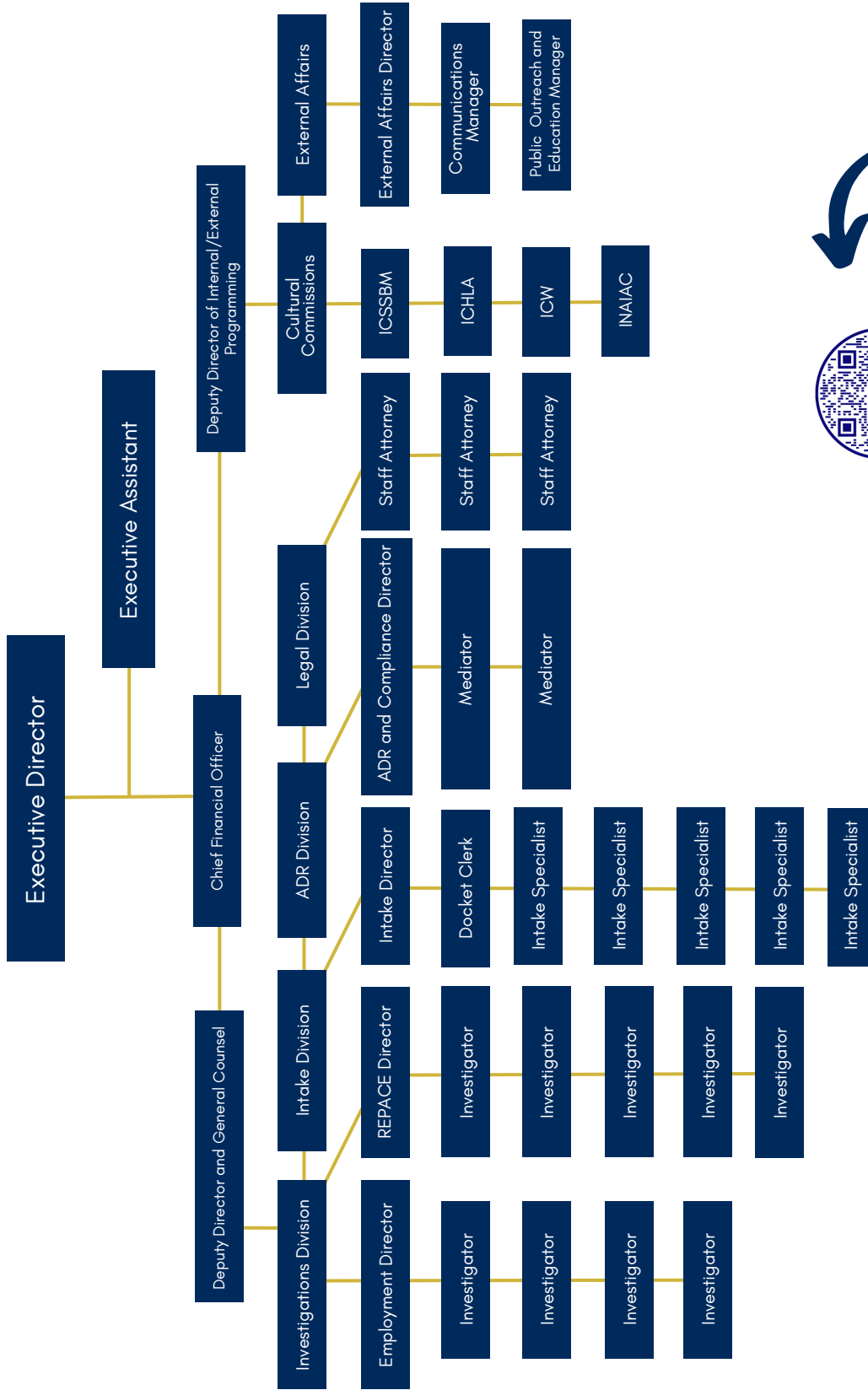
LEGAL DIVISION

The Legal Division effectuates and enforces Indiana’s Civil Rights Law and Fair Housing Act. After a complaint has been investigated and a cause finding is issued, attorneys in ICRC’s Legal Division litigate the complaint. These cases are routinely heard by an ALJ, but they may also be heard in a local circuit or superior court. In either forum, the General Counsel and ICRC staff attorneys advocate on behalf of the public interest to provide relief to the Complainant, achieve the state’s public policy objectives, and prevent future discrimination through mandatory training, public postings of citizens’ rights, and other affirmative relief. In this way, the Legal Division serves a critical role in working to achieve Indiana’s stated public policy to provide all Hoosiers and visitors to Indiana with equal opportunity for education, employment, access to public accommodations, credit, and housing.

ADR AND COMPLIANCE DIVISION

The ADR and Compliance Division is responsible for attempting and facilitating the voluntary resolution of complaints. The mediators are trained in appropriate ADR techniques and serve as neutral, third-party settlement facilitators. If both parties are interested in ADR, the mediator arranges either in-person or telephonic settlement conferences. The mediator facilitates the settlement discussions and, if a voluntary settlement is reached, assists in drafting the settlement agreement. The ADR and Compliance Division coordinates efforts with the Investigations and Legal Divisions to facilitate settlement discussions throughout the investigation process and into litigation. It also monitors compliance of settlement agreements and judicial decisions to ensure parties comply with the terms and conditions.

ICRC ORGANIZATIONAL CHART



SCAN THE QR CODE TO VISIT
OUR STAFF DIRECTORY TODAY!

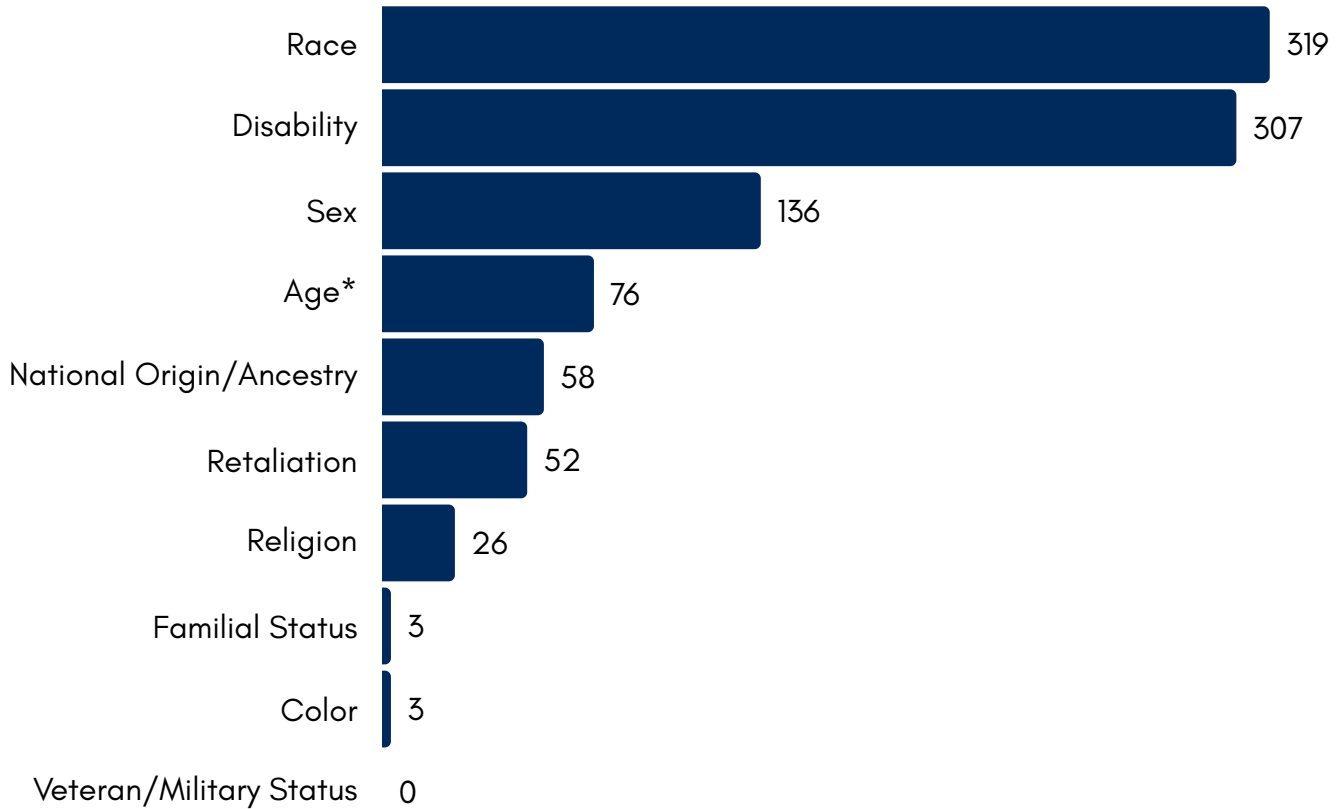
YOUR RIGHTS, OUR MISSION.

AGENCY BY THE NUMBERS

HIGHLIGHTS

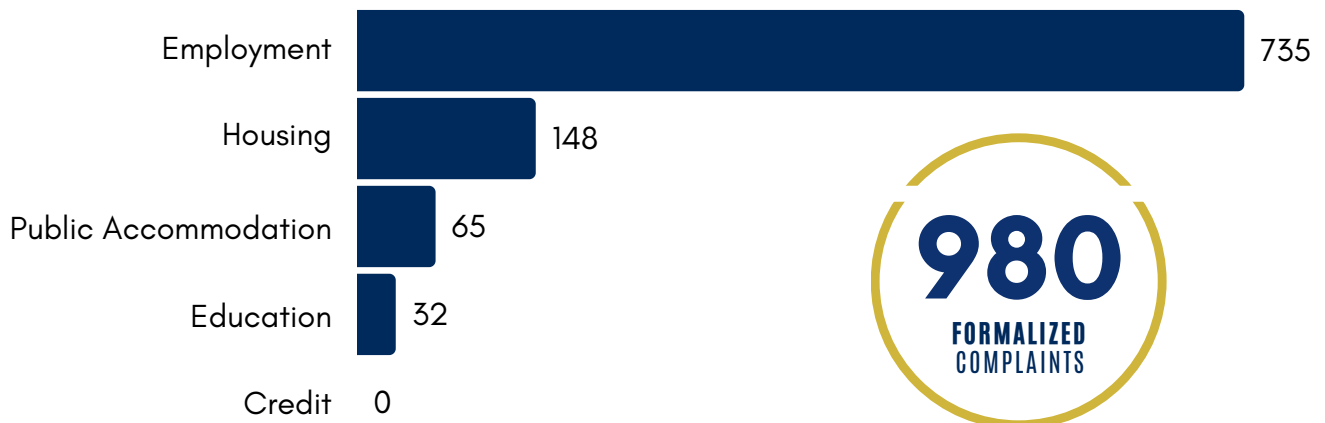
ICRC saw a significant increase in inquiries in 2023. ICRC staff worked diligently to provide resources to those who alleged discrimination, and it shows in the inquiry and complaint traffic. In 2023, ICRC received 10,002 calls, 2,722 of which were inquiries, and 980 of those inquiries became formalized complaints.

FORMALIZED COMPLAINTS BY PROTECTED CLASS IN 2023



*Investigated by the IN Department of Labor or the U.S. Equal Employment Opportunity Commission ("EEOC")

FORMALIZED COMPLAINTS BY ENFORCEMENT AREA IN 2023



AGENCY BY THE NUMBERS



\$832,000+

**TOTAL RELIEF OBTAINED THROUGH
ALTERNATIVE DISPUTE RESOLUTION**



INTAKE DIVISION

The Intake Division serves as a gatekeeper for ICRC. When an individual feels they have been subjected to illegal discrimination, they may contact ICRC to file a complaint. All services are free of charge and complaints may be filed via the Civil Rights Online Portal, telephone, in person, mail, email, or fax. Intake staff are dedicated to answering and processing all inquiries. Intake staff answer questions, make referrals, and draft new complaints. The Intake Division is also responsible for creating investigation case files and entering data into ICRC's case management system. The Intake Division ensures all case closure documents are submitted to ICRC's federal partners, the EEOC, and HUD. In 2023, Intake staff responded to **2,722** new inquiries and drafted **980** new complaints.



An individual calls, fills out an online complaint form, speaks to an Intake Specialist at a C.O.R.E. location, or visits our Indianapolis office.



An Intake Specialist assists with the filing of the complaint at no cost.



After the complaint is formalized, it then moves to the Investigations Division.



SCAN THE QR CODE TO VISIT OUR PORTAL TODAY!



Welcome to the Civil Rights Portal

Create Complaint

Contact Us



"Your Rights, Our Mission"

INVESTIGATIONS DIVISION

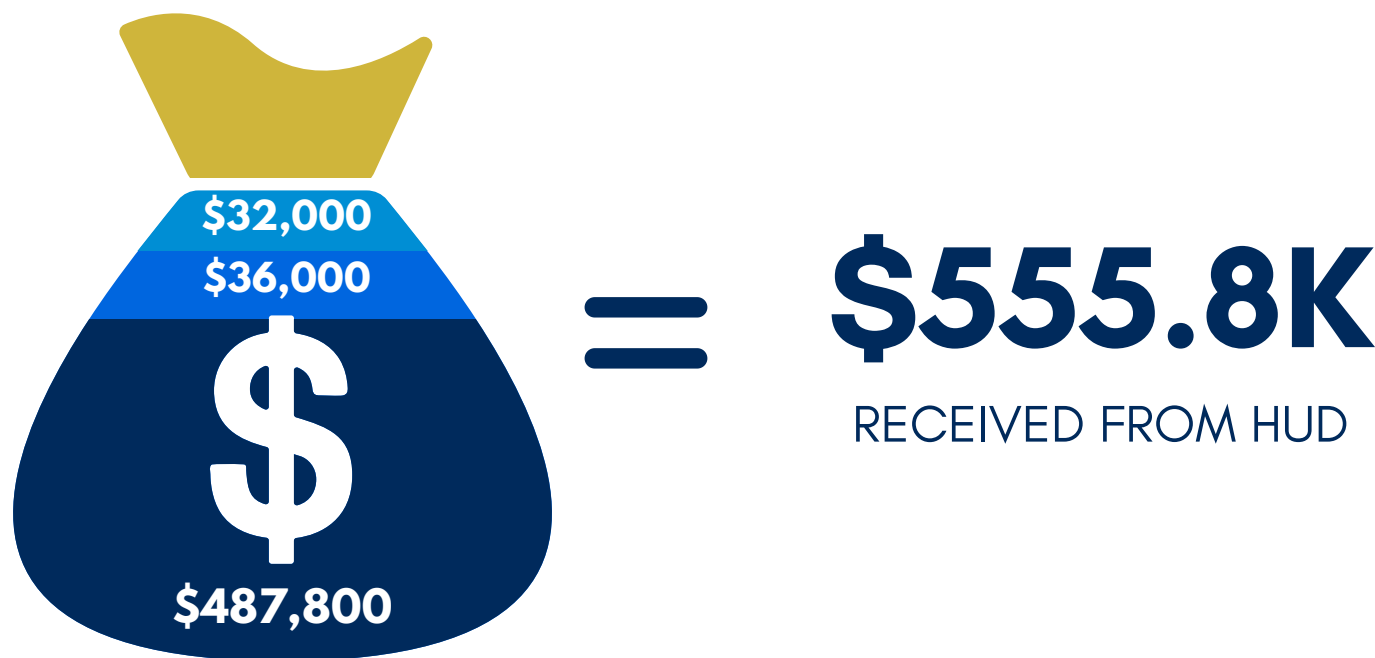
The Investigations Division is divided into two areas—Employment and REPACE (Real Estate, Public Accommodations, Credit, and Education). Each area carries on similar investigative functions while also focusing on particular areas of enforcement. Employment staff investigate complaints in the area of employment, while REPACE investigates all other complaints filed with ICRC. Employment staff are responsible for meeting the terms of ICRC's workshare agreement with the EEOC. REPACE is responsible for meeting the terms of ICRC's Memorandum of Understanding ("MOU") with HUD.

REPACE

The REPACE Investigation Division is responsible for investigating real estate, public accommodation, credit, and education discrimination complaints on the basis of Indiana's protected classes. ICRC has an MOU with HUD to process complaints of housing discrimination related to the sale, lease, advertisement, and/or financing of residential property in the State of Indiana. This partnership allows federal and state agencies to coordinate investigations and avoid duplication of efforts.

In 2023, the REPACE Investigation Division exceeded its Fair Housing Assistance Program MOU with HUD by submitting 164 dual filed housing cases. This resulted in **\$487,800** in case processing funds. Additionally, ICRC received **\$32,000** in partnership funds and **\$36,000** in special enforcement effort funds totaling over \$555,800 in revenue received from HUD in 2023.

HUD CONTRACT ASSESSMENT



EMPLOYMENT

The Employment Investigation Division is responsible for investigating employment discrimination complaints on the basis of ancestry, color, disability, national origin, race, religion, sex, and veteran’s status. ICRC has a workshare agreement with the EEOC to investigate claims of employment discrimination against entities subject to its laws, including employers with 15 or greater employees, labor unions, and employment agencies. This partnership allows federal and state agencies to coordinate investigations and avoid duplication of efforts, while also allowing for collaboration on education, training, and outreach efforts.

In 2023, the Employment Investigation Division met its workshare agreement with the EEOC by completing intake and investigative services, which resulted in approximately **\$306,000** in revenue. In addition, the Division has stayed current regarding changes to various employment law, including topics such as pregnancy and workplace lactation, workplace harassment, Americans with Disability Act, and Pregnant Workers Fairness Act claims, by attending numerous virtual trainings. Additionally, investigators broadly embraced the institution of new workplace technologies, including a cloud-based phone system and a robust case management system. Furthermore, investigators continue to find success engaging in investigatory duties via a hybrid remote work model, which has allowed for greater flexibility in performing work outside an office setting, while meeting or exceeding investigation requirements.

EEOC CONTRACT ASSESSMENT



EMPLOYMENT END OF YEAR STATS

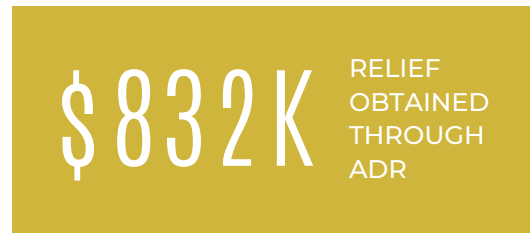
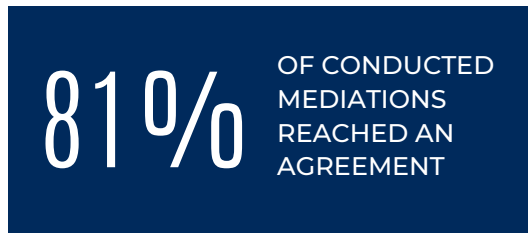
Open Cases at End of Year	2021	2022	2023
	118	289	385
Cases Closed During Calendar Year	2021	2022	2023
	350*	326	472

* The 2021 number used in prior Annual Reports (315 cases) was updated upon review.

ADR AND COMPLIANCE DIVISION

ICRC's ADR and Compliance Division provides neutral dispute resolution services, without charge, to assist parties to voluntarily settle unlawful discrimination complaints and/or charges. Cases in litigation can also be ordered to mediation by an ALJ or judge. Conciliation and/or mediation provides an alternative dispute resolution process to investigation and litigation. Conciliations and mediations are conducted by informal negotiations, and by telephonic, video, and in-person conferences. These conferences enable parties to settle disputes in an abbreviated time frame, generally closing out the unlawful discrimination complaint(s) and/or charge(s) filed.

Affirmative, or public interest, relief is often included as a part of the settlement agreement to assist ICRC in enforcing the public policy of the State of Indiana to provide equal opportunity for education and employment, and equal access to public accommodation, credit, and housing. Examples of affirmative relief a respondent can agree to include staff training, policy changes, and verification of legal posting, all in compliance with the Indiana Civil Rights Laws and Fair Housing Act.



For the year 2023, the ADR and Compliance Division, along with staff attorneys, conducted over 132 formal conciliation and settlement conferences and informal negotiations to resolve unlawful discrimination complaints and/or charges. Employment cases remain the highest number of cases settled within the division, with fair housing cases second. Approximately 81% of cases referred to ADR and Compliance in 2023 were resolved by agreement of the parties. Settlement amounts varied depending on the facts and circumstances of the case. In total, the ADR and Compliance Division facilitated over eight hundred and thirty-two thousand dollars (\$832,000.00) in monetary relief, plus affirmative relief.

ICRC's mediators receive training in all aspects of mediation law as well as in the laws governing ICRC's legal enforcement areas. ICRC's mediators work diligently to protect the parties' expectations of confidentiality and neutrality. In addition to dispute resolution services, the ADR and Compliance Division works with the Office of the Indiana Attorney General to provide compliance services and assistance with enforcement to ensure parties comply with their agreements and with decisions rendered by judges or ALJs.

ADR SETTLEMENTS OF INTEREST

Rahim Safi v. Stratford Apartments/Cyclone Investment Group (HOno22100559):

Aggrieved Person alleged Respondent failed to provide an equal opportunity for housing based on national origin. Aggrieved Person alleged his electronic application for housing was accepted until he was required to physically come into the property to submit paperwork, and, at that point, his application for denied and he was waitlisted; he again attempted to apply using another email address and alleged he was again denied once his national origin was revealed. The parties engaged in a conciliation conference and agreed to resolve the dispute with Respondent providing affirmative relief in the public's interest of verification of lawful advertising and posting under the Indiana Fair Housing Act. Respondent also agreed to fair housing training, and to submit their fair housing policies to the ADR and Compliance division for review of compliance with state law. Respondent additionally agreed to a settlement amount of seven thousand five hundred dollars (\$7,500.00) to the Aggrieved Person for their emotional distress and other compensatory damages.

Kevin Thomas v. Odin Management (HOha23010055):

Aggrieved Person alleged Respondent applied discriminatory terms, conditions, and privileges in housing and additionally denied and made housing unavailable due to the Aggrieved Person's disability. The Aggrieved Person alleged Respondent made housing unavailable when they found out Aggrieved Person was an individual with a disability who attempted to utilize accommodations. The parties engaged in conciliation and agreed to resolve the dispute with Respondent providing affirmative relief in the public's interest of verification of lawful advertising and posting under the Indiana Fair Housing Act; and Respondent agreed to fair housing training. Respondent additionally agreed to a settlement amount of four thousand dollars (\$4,000.00) to the Aggrieved Person for their emotional distress and other compensatory damages.

Gregory L. Wilson, Sr., in his official capacity as Executive Director of the Indiana Civil Rights Commission, v. Becovic Management Group of Indiana, et al. – The Notch at Nora Apartments (HOra23060544):

Complainant, in his official capacity as the Executive Director of the Indiana Civil Rights Commission, filed a director-initiated complaint against Respondent alleging discrimination based on race. Complainant alleged ICRC conducted testing to evaluate Respondent's compliance with the Indiana Fair Housing Act. Similarly situated individuals of different races asked Respondent about the availability of housing. It was determined the African American tester was subjected to less favorable terms and conditions compared to the Caucasian tester. The parties engaged in conciliation to resolve the complaint. Respondent agreed to immediately cease and desist from all discriminatory behavior, to verify advertising and posting according to the Indiana Fair Housing Act, to training, to review of their fair housing policies for compliance with the Indiana Fair Housing Act, and to develop and to submit to ICRC uniform and non-discriminatory standards. Respondent additionally agreed to pay administrative costs of two-thousand dollars (\$2,000.00) to ICRC for the state's expenditure of resources.

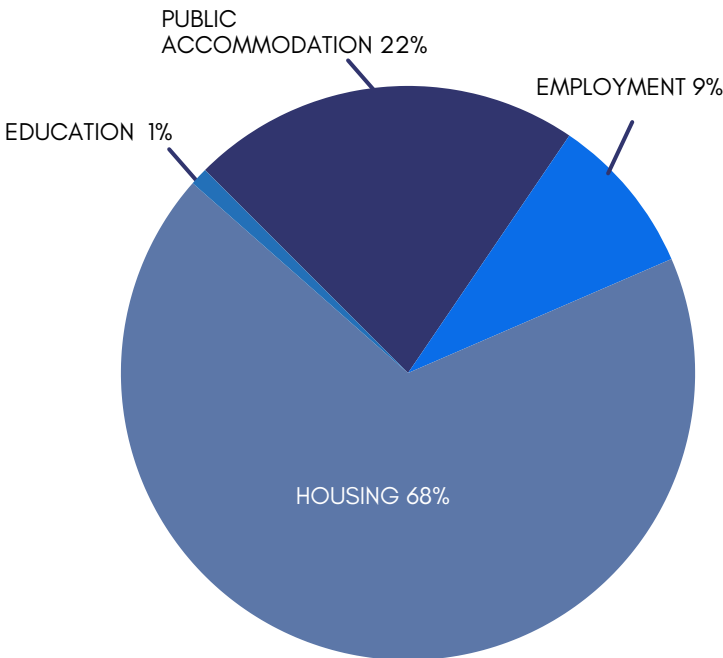
LEGAL DIVISION

ICRC’s Legal Division serves a critical role in effectuating Indiana’s public policy goal of providing every individual in the State of Indiana equal access to housing, education, employment, public accommodation, and credit. The Legal Division consists of a General Counsel, staff attorneys, and legal externs/interns. The legal staff provide legal services throughout the complaint process to enforce Indiana’s Civil Rights Law and Fair Housing Act.

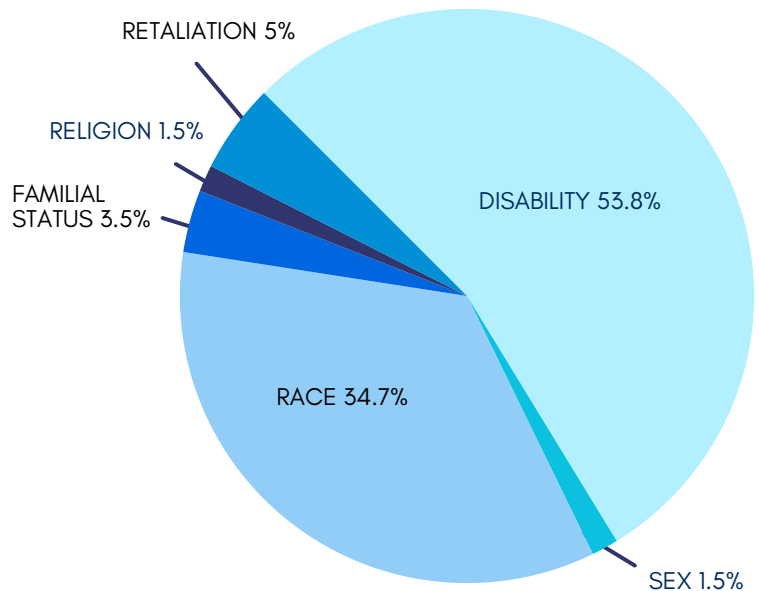
The Legal Division provides ongoing advice to ICRC’s Intake Specialists and Investigators, who are responsible for processing complaints of unlawful discrimination filed with ICRC. If an investigation results in a cause finding, the case moves to the staff attorneys who present cases on behalf of Complainants and prosecute cases initiated by the Executive Director. The Legal Division litigates cases in administrative and judicial forums across the State. Regardless of the forum, the ICRC’s legal team advocates on behalf of the public interest to provide relief to those aggrieved by discriminatory acts and to prevent future discrimination through injunctive and affirmative relief.

In addition to its day-to-day functions, the Legal Division performs advisory and educational duties, including providing training to the public and ensuring public records requests received by the agency are processed according to applicable Indiana state laws regarding agency transparency, privacy, and confidentiality. In 2023, ICRC received **99** public records requests.

OPEN LITIGATION CASES*



Enforcement Area



Protected Class**









*As of December 31, 2023, there were 58 total open litigation cases

**Does not equal 100% due to rounding

INDIANA CIVIL RIGHTS COMMISSION ACTIVITIES

The Commission is statutorily tasked with adjudicating claims of discrimination after a finding of cause has been made by the Executive or Deputy Director based on the evidence collected during the neutral investigation. Adjudication before the Commission is completed in two stages. First, the parties appear before the assigned Office of Administrative Law Proceedings (“OALP”) ALJ, who manages motions practice, conducts the hearing, and issues an initial decision. Second, the Commission, who is the ultimate decision-maker for the agency, conducts a review of the ALJ’s initial decision and determines whether to affirm, modify, dissolve, or remand it.

During 2023, 47 new cases were opened and assigned to an ALJ; there were 47 cases closed over the year. As of December 31, 2023, 43 cases remained open with OALP, and another 15 cases had been moved to State court by a notice of election. At the close of the year, ICRC’s docket with OALP was comprised of 5 employment cases, 24 housing cases, 2 education cases, and 12 public accommodation cases; all 15 cases pending before State court are housing cases. Approximately 26 final orders were issued by ICRC in 2023.

	2023 Docket with OALP
	47 New Cases
	47 Cases Closed
Cases Moved to Federal/State Court	
	15 Housing
Cases Open at End of Year	
	24 Housing
	12 Public Accommodation
	5 Employment
	2 Education

FINAL DECISIONS BY THE COMMISSION

Sanders v. Keene Urquhart and Urquhart Group, LLC (HOha21010042):

Complainant alleged Respondents discriminated against him on the basis of disability when he was evicted from Respondents' property. After a public evidentiary hearing, the ALJ determined Complainant had not met his burden of proof to establish he was discriminated against and dismissed the matter.

Gregory L. Wilson, Sr., in his official capacity as Executive Director of the Indiana Civil Rights Commission, v. John Johnson (HOha23010061):

Aggrieved Person alleged Respondent discriminated against him on the basis of disability by making discriminatory statements, denying a reasonable accommodation related to a service animal, and terminating his tenancy. Respondent defaulted and the ALJ conducted a hearing, accepted Complainant's allegation as true, and found Respondent had engaged in discriminatory conduct. The ALJ awarded the Aggrieved Person a total of \$27,855.34 in damages for actual damages and emotional distress. The ALJ also required Respondent to post non-discrimination notices in conspicuous places at the property and engage in training. The Commission modified the ALJ's decision by increasing the damages total to \$42,855.34 and issuing a \$10,000 civil penalty against Respondent.

Gregory L. Wilson, Sr., in his official capacity as Executive Director of the Indiana Civil Rights Commission, v. Fike Investments, LLC, Jim Fike, and Kim Fike (HOha15070510 and HOrt15090649):

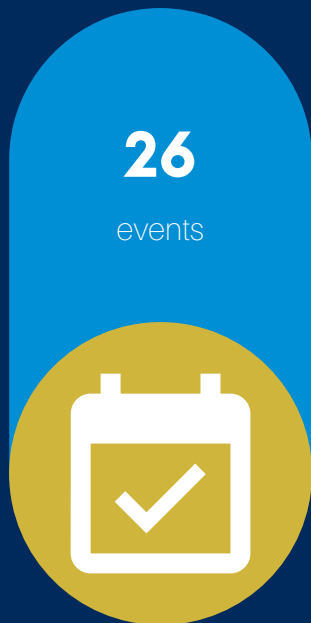
Aggrieved Person alleged Respondents discriminated against him on the basis of disability by making discriminatory statements, denying a reasonable accommodation, and held him to different terms and conditions; it was further alleged Respondent evicted the Aggrieved Person in retaliation for filing a complaint. The parties briefed two Motions for Summary Judgment and the ALJ found Respondents engaged in discriminatory conduct. After conducting a damages hearing, the ALJ awarded Aggrieved Person a total of \$26,617.11 in damages for actual damages and emotional distress. The ALJ also required Respondent to post non-discrimination notices in conspicuous places at the property and engage in training. The Commission modified the ALJ's decision by correcting the damages total to \$26,716.17 and issuing a \$10,000 civil penalty against Respondent. This matter has been appealed by Respondents to the Indiana Court of Appeals.

Gregory L. Wilson, Sr., in his official capacity as Executive Director of the Indiana Civil Rights Commission, v. Jeff Welborn (HOse22090487):

Aggrieved Person alleged Respondent discriminated against him on the basis of sex when she was evicted from Respondent's property. Respondent defaulted and the ALJ conducted a hearing, accepted Complainant's allegation as true, and found Respondent had engaged in discriminatory conduct. The ALJ awarded the Aggrieved Person a total of \$32,026.13 in damages for actual damages and emotional distress. The ALJ also required Respondent to post non-discrimination notices in conspicuous places at the property and engage in training. The ALJ further issued a \$10,000 civil penalty against Respondent.

EXTERNAL AFFAIRS DIVISION

The EA Division develops and implements all external functions of the agency. EA staff manage awareness campaigns, web and social media content, media and public relations, and the coordination of training seminars. To maintain a quality community presence, the EA staff foster relationships with state and local agencies, non-profit organizations, employers, housing providers, and other constituents. In 2023, the EA Division aimed to reach more people through media appearances, events, and hosting the 2023 Indiana Civil Rights Commission Annual Conference. This allowed ICRC to spread awareness and education beyond our previous audience to reach more Hoosiers and visitors to the State of Indiana.



GIRL SCOUTS CIVIL RIGHTS PATCH PROGRAM

ICRC, in partnership with the Girl Scouts of Central Indiana, created the Civil Rights Patch Program. The program is filled with lessons on kindness, inclusion, and friendship. As girls journey through the Patch Program they read a story of a young girl like them. They will learn about civil rights leader, Dr. Martin Luther King, Jr., and have the opportunity to express their creativity through a hands-on activity.

To learn more information about the Civil Rights Patch Program, visit our website at <https://www.in.gov/icrc> and click the "Civil Rights Patch Program" button on our homepage.



2023 EVENTS AND OUTREACH

In 2023, ICRC partnered with organizations across the state to host and attend a variety of virtual and in-person events and programs, connecting with thousands of Hoosiers and visitors to the state. Below are some highlights of the events and outreach from 2023.

32nd Annual Dr. Martin Luther King, Jr. Indiana Holiday Celebration and Wreath Placing Ceremony

The Dr. Martin Luther King, Jr. Indiana Holiday Commission, Indiana Black Expo, Inc., AFSCME Local 725, and ICRC hosted two events honoring Dr. Martin Luther King, Jr. On Jan. 12, 2023, the 32nd Annual Dr. Martin Luther King, Jr. Indiana Holiday Celebration was held at the Indiana State House. The day's events consisted of Gov. Holcomb and other elected officials in attendance to honor Dr. King's legacy, along with an awards ceremony recognizing five individuals for their tireless contributions to the state of Indiana. On Jan. 11, 2023, the Wreath-Placing Ceremony was held at the Indiana War Memorial Soldiers and Sailors Monument. ICRC, in partnership with Downtown Indy and Innovative, also debuted an illuminating light show.

C.O.R.E: Community Outreach Resource and Education

In 2023, ICRC took C.O.R.E. to new levels. During the summer and fall months, various branches of the Indianapolis Public Library served as ICRC satellite locations for Hoosiers and visitors to Indiana. With an Intake Specialist onsite, ICRC was able to assist patrons with filing discrimination complaints, gathering educational resources, and getting answers to their questions about protection from discrimination.

IBE Summer Celebration: Governor's Reception

ICRC partnered with Indiana Black Expo, Inc., IDOA: Division for Supplier Diversity, and FSSA to host the Annual IBE Summer Celebration Governor's Reception. On July 11, 2023, ICRC hosted this event to acknowledge the outstanding achievement of African Americans throughout the State of Indiana. The awards were presented by the Governor and recognized some of the community's unsung heroes who work tirelessly for the advancement of all Hoosiers.

MLK Days of Service

On September 19 and 20, 2023, ICRC hosted its Annual Days of Service along Martin Luther King Jr. St. in the Northwest Landing Neighborhood in Indianapolis, Indiana. ICRC expanded its Annual Day of Service to two days to coincide with Indiana Governor Eric J. Holcomb's Executive Order that increased State employees' available community service leave to two days. ICRC collaborated with members of the community, the Northwest Landing Association, Frank Young Park, and the City of Indianapolis to complete a variety of beautification projects to improve the neighborhood's quality of life.

Girl Scouts Day at the State House

On March 9, 2023, Girl Scouts from across the state gathered at the Indiana State House to talk about their own Girl Agenda and complete their Civil Rights Patch. During this time 50+ Girl Scouts received their Civil Rights Patch.

2023 SPECIAL PROJECTS

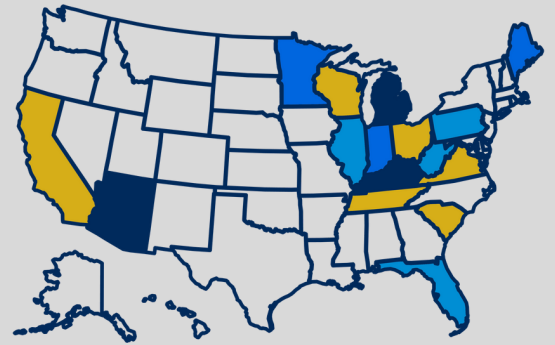
CMS Project

ICRC continued to enhance its Case Management System (“CMS”) making it more reliable and user-friendly. CMS utilizes Microsoft Dynamics 365 to better serve Hoosiers and visitors through process automation and optimization to streamline customer service, maintain records, and collect quality data. In 2023, ICRC’s CMS received the “Best Application Serving an Agency’s Business Needs” award presented by the Indiana Office of Technology.



Regional Partnership Project

ICRC’s Regional Partnerships Project focuses on developing and maintaining partnerships with other state and regional Civil Rights and Human Rights agencies across the regional and country. In 2023, ICRC expanded the partnership to 15 states. These partnerships foster agency collaboration and sharing of best practices.



Testing Project

In an effort to affirmatively further fair housing and ensure compliance with fair housing laws, and in partnership with HUD and the Indiana Housing & Community Development Authority, ICRC carried out three fair housing testing projects in 2023. ICRC conducted a total of 203 matched-paired fair housing tests across Indiana in the areas of race, disability, familial status, and national origin. Of the 203 rental tests, 48 properties showed a significant difference in treatment between the control tester and the protected tester. As a result, ICRC is conducting mandatory remedial fair housing training for the 48 property managers and owners to provide education on Fair Housing Law and discriminatory practices.



HUMANITY



INDIANA CIVIL RIGHTS COMMISSION ANNUAL CONFERENCE 2023

The 2023 Indiana Civil Rights Commission Annual Conference brought together individuals, community leaders, state and federal agencies, lenders, housing professionals, policymakers, educators, lawyers, and social service professionals to learn about best practices, emerging issues, and relevant case law that furthers equal opportunity, civil rights, fair housing, and diversity and inclusion for all.

The conference included keynote speakers, breakout sessions, and hundreds of attendees from surrounding cities and states. This year's theme was Humanity, with tracks focused on Enforcement and Training, Law and Policy, Diversity, Inclusion, and Equity, and Civil and Human Rights.

ICRC, in partnership with the Indiana Governor's Council for People with Disabilities, hosted the conference in-person and virtually through an interactive hybrid experience to foster accessibility and inclusion for all participants.

10

States Represented*

*accounts for virtual participants and in-person participants.

72

Indiana Cities Represented**

**accounts for virtual participants and in-person participants.

232

In-Person Registrants

2193

Total Livestream Views

CULTURAL COMMISSIONS

INDIANA COMMISSION ON THE SOCIAL STATUS OF BLACK MALES



The purpose of the Indiana Commission on the Social Status of Black Males ("ICSSBM") is to study the social conditions and status of the state's black male population. ICSSBM's goal is to develop strategies to remedy serious adversities and make appropriate recommendations to improve the educational, social, economic, employment, health, and other material conditions and circumstances for Indiana Black males. ICSSBM receives suggestions or comments pertinent to the issues it studies from members of the general assembly, governmental agencies, public and private organizations, and private citizens.

INDIANA COMMISSION FOR WOMEN



The Indiana Commission for Women ("ICW") is a non-partisan state commission that exists to voice women's needs, concerns, and challenges as well as celebrate their successes and contributions to Indiana. ICW is committed to the full participation of women in all aspects of society in order to make Indiana a better place to live, work, and raise a family.

ICW works to assess the current needs of and to improve the status of women and their families across the state through advocacy and by partnering with other governmental agencies and outside organizations to leverage the ability to make a positive impact on women's lives. ICW represents Indiana's commitment to improving the quality of life for women and their families.

INDIANA NATIVE AMERICAN INDIAN AFFAIRS COMMISSION



The Indiana Native American Indian Affairs Commission ("INAIAC") was created by the Indiana General Assembly in 2003 and codified at IC 4-23-32. The purpose of the INAIAC is to study problems common to Native American Indian residents of Indiana in the areas of employment, education, civil rights, health, and housing. INAIAC makes recommendations to appropriate federal, state, and local government agencies relevant to these areas of focus and develops its initiatives to address the challenges faced by Native American Indians. INAIAC serves as the steward of the Indiana Native American License Plate Trust and is committed to using its resources to enhance cultural awareness and implement data-driven programs and solutions to support the social, community, and economic development of Native American Indians as well as communities throughout Indiana.

CULTURAL COMMISSIONS

INDIANA COMMISSION ON HISPANIC/LATINO AFFAIRS



Mission

The Indiana Commission on Hispanic/Latino Affairs is a non-partisan state commission that works toward social, economic, and educational equity for ALL Hispanics and Latinos in Indiana.

Misión

La Comisión de Asuntos Hispanos y Latinos de Indiana es una comisión estatal independiente de política que trabaja para la equidad educativa, social, y económica para TODOS los hispanos y latinos en Indiana.



DR. MARTIN LUTHER KING, JR. INDIANA HOLIDAY COMMISSION



The Dr. Martin Luther King, Jr. Indiana Holiday Commission's mission is to promote Dr. King's legacy of equality and equal justice and provide educational tools that demonstrate the historical significance and current relevance of Dr. King's life and how it relates to America as a whole. In 1996, the Indiana General Assembly passed legislation for a Dr. Martin Luther King, Jr. Indiana Holiday Commission. The law mandates the commemoration of Dr. Martin Luther King Jr.'s birthday through programs or activities that honor Dr. King's life and works and to reflect Dr. King's philosophy and dream of freedom, justice, and racial equality through nonviolent social change.





INDIANA CIVIL RIGHTS
COMMISSION

EVENTS AND
OUTREACH





INDIANA CIVIL RIGHTS COMMISSION

EVENTS AND OUTREACH



DR. MARTIN LUTHER KING, JR.

DAYS OF
SERVICE





DR. MARTIN LUTHER KING, JR.
CELEBRATION
AND
WREATH
PLACING



2023 INDIANA CIVIL RIGHTS
COMMISSION ANNUAL
CONFERENCE



VOCABULARY

Alternative Dispute Resolution (ADR) – Various methods of settling complaints during or after the commencement of an investigation and determination of cause. ADR can include mediation (a formal conference utilizing a neutral, third-party mediator), conciliation (less formal discussions of the parties' interests and willingness to resolve a complaint), or settlement discussions (the least formal form of ADR whereby the facilitator simply transmits offers and counter-offers between willing parties) and is a favored method for resolving complaints as parties can control outcomes and ICRC can preserve resources.

Comparator – A person who is “similarly-situated” to the Complainant but of another “protected class” (i.e., race, religion, sex). In cases of disparate treatment, a comparator is identified as evidence Respondent has treated persons of a different “class” more favorably than otherwise similarly-situated persons.

Complainant – (1) A term used to describe the party alleging a discriminatory practice; (2) the Executive or Deputy Director of the Commission charging that a discriminatory practice was committed against a person or a class of people, in order to vindicate the public policy of the state. IC 22-9-1-3(n).

Disability – “A physical or mental impairment that substantially limits at least one of the major life activities of the individual.” IC 22-9-5-6(a)(1). The term is defined more broadly under federal law and includes, but is not limited to, an impairment of a major bodily function (i.e., reproductive system, endocrine system).

Disparate Impact – A type of discrimination claim where an otherwise facially neutral policy has a disproportionately adverse effect on a particular protected class relative to individuals who are not members of that protected class.

Disparate Treatment – The most common type of discrimination claim. This type of claim involves one person (e.g., the Complainant) alleging they have been treated less favorably than a similarly-situated person of a different protected class.

Jurisdiction – Term used to describe the subject matter over which ICRC has legal authority. ICRC has legal authority to investigate complaints alleging discrimination on the basis of race, color, national origin, ancestry, sex, disability, religion, veteran status*, active duty in the military*, and familial status* in the areas of employment, real estate, public accommodations, credit, and education. ICRC may also accept complaints alleging retaliation for having previously filed a complaint of discrimination with ICRC. ICRC may only investigate complaints filed within 180 days of the alleged discriminatory act (one year for housing cases). (* in limited circumstances)

No Probable Cause – Under the Indiana Civil Rights Law, a legal determination made by the Executive or Deputy Director finding, based on the totality of the known circumstances, there is not a fair probability an unlawful discriminatory practice occurred. This is the opposite of a Probable Cause finding.

VOCABULARY

No Reasonable Cause - Under the Fair Housing Act, a legal determination made by the Executive or Deputy Director finding there is a lack of facts sufficient for a reasonable person to believe an unlawful discriminatory practice occurred. This is the opposite of a Reasonable Cause finding.

Pretext - A false reason or motive given to hide the actual or real reason for an action.

Probable Cause - Under the Indiana Civil Rights Law, a legal determination made by the Executive or Deputy Director finding, based on the totality of the known circumstances, there is a fair probability an unlawful discriminatory practice occurred. See 910 IAC 1-1.5-14. If such facts are found, a full evidentiary hearing must be held before an ALJ or the Commission to determine whether the Civil Rights Law has been violated.

Protected Class or Protected Status - A class of people who benefit from protection by statute, such as the Indiana Civil Rights Law, which prohibits discrimination on the basis of race, color, national origin, ancestry, religion, sex, veteran status*, active duty in the military*, disability, age (not enforced by ICRC) and familial status (with respect to housing claims under the Indiana Fair Housing Act). (* in limited circumstances)

Public Accommodation - Any establishment that caters or offers its services or facilities or goods to the general public. IC 22-9-1-3(m).

Reasonable Accommodation - Changes necessary to afford a person equal opportunity in employment, housing, education, and public accommodation. The Indiana Civil Rights Law and Fair Housing Act require employers, housing providers, educational institutions, and public accommodations to allow reasonable flexibility in policies when necessary.

Reasonable Cause - Under the Fair Housing Act, a legal determination made by the Executive or Deputy Director finding, based on the totality of the known circumstances, facts exists sufficient for a reasonable person to believe an unlawful discriminatory practice occurred. See 910 IAC 2-6-6(a). If such facts are found, a full evidentiary hearing must be held before an ALJ or the Commission to determine whether the Fair Housing Act has been violated.

Reasonable Modification - A necessary change to the physical structure of a domicile that permits equal access to a person with a disability. Such reasonable changes are required by the Fair Housing Act.

Respondent - Any person against whom a complaint has been filed.

Similarly-Situated - An individual who is in substantially the same position as Complainant for purposes of comparing treatment. In the context of employment, this would mean a coworker who performed substantially the same type of job or committed a similar infraction. Similarly, in the context of housing, this might be a person who has the same qualifications for rental as Complainant (i.e., same income, same rental history, applying for same size unit).



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