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INDIANA CIVIL RIGHTS COMMISSION

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BEFORE THE STATE OF INDIANA
CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF JUNE 27, 2014

ORIGINAL

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana
Civil Rights Commission, Alpha Blackburn,
Chairperson, taken before me, Lindy L. Meyer,
Jr., a Notary Public in and for the State of
Indiana, County of Shelby, at the Indiana
Government Center South, Conference Center,
Room A, 402 West Washington Street, Indianapolis,
Indiana, on Friday, June 27, 2014 at
11:12 o'clock a.m.

- - -

William F. Daniels, RPR/CP CM d/b/a
ACCURATE REPORTING OF INDIANA
12922 Brighton Avenue
Carmel, Indiana 46032
(317) 848-0088

1 APPEARANCES :

2 COMMISSION MEMBERS :

3 Alpha Blackburn, Chairperson
4 David C. Carter
5 Barry Baynard
6 Charles D. Gidney

7 INDIANA CIVIL RIGHTS COMMISSION
8 By Jamal Smith, Director/Secretary
9 & Akia Haynes, Deputy Director
10 Indiana Government Center North
11 100 North Senate Avenue, Room N103
12 Indianapolis, Indiana 46204
13 On behalf of the Commission.

14 OTHER COMMISSION STAFF PRESENT :

15 Pamela Cook
16 Debbie Rincones-Chavez

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1 11:12 o'clock a.m.
2 June 27, 2014

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4 CHAIRPERSON BLACKBURN: Good morning.
5 The Indiana Civil Rights Commission is now in
6 public session. We do indeed have a quorum. I
7 would ask for approval of the minutes.

8 COMM. CARTER: So moved.

9 COMM. GIDNEY: Second.

10 CHAIRPERSON BLACKBURN: All in favor?

11 COMM. CARTER: Aye.

12 COMM. BAYNARD: Aye.

13 COMM. GIDNEY: Aye.

14 CHAIRPERSON BLACKBURN: Aye.

15 Anyone opposed?

16 (No response.)

17 CHAIRPERSON BLACKBURN: Thank you.

18 And next on your agenda is the Financial Report.

19 Ms. Cook.

20 MS. COOK: Good morning.

21 COMM. CARTER: Good morning.

22 COMM. BAYNARD: Good morning.

23 COMM. GIDNEY: Good morning.

MS. COOK: Hopefully you've had a

1 chance to review the May Financial Report that's
2 located in your packet, and we're still currently
3 on target to have a successful completion of this
4 fiscal year's end. If you have any questions
5 regarding the Financial Report, I'd like to go
6 ahead and take those at this time.

7 CHAIRPERSON BLACKBURN: No questions?

8 MS. COOK: No questions? Okay.

9 Effective July 1st, there has been a
10 change for the stipend payments for all Board and
11 Commission members. Those will now be treated as
12 wages, taxed as earnings, and paid through the
13 Auditor of State's payroll process. This will
14 also be reported on a W-2 at fiscal year's end.

15 I do have forms that need to be completed.
16 I will pass those out at the end of the meeting
17 today. We'll need a new W-9 form for taxpayer
18 identification, and W-4's for both state and
19 federal withholdings, a new direct deposit form,
20 and I'll also need a copy of your Social Security
21 cards to get you enrolled in our payroll system
22 as employees for those payments.

23 All right. Thank you.

1 CHAIRPERSON BLACKBURN: I may be the
2 only one, but I don't have a Social --

3 COMM. CARTER: No.

4 CHAIRPERSON BLACKBURN: -- Security
5 card on me.

6 MS. COOK: That's fine. That's fine.
7 You can mail it to me.

8 COMM. CARTER: It says on the card
9 not to carry it.

10 MS. COOK: Right. Right. So, I was
11 just noting --

12 COMM. CARTER: So, this is all part
13 of the Paperwork Reduction Act.

14 (Laughter.)

15 MS. COOK: This is an IRS federal
16 requirement, that they found that the stipend
17 payments need to go through the reportable
18 system. Your travels -- your travel payments
19 will remain the same. Okay.

20 COMM. CARTER: Just don't send it
21 through the e-mail --

22 CHAIRPERSON BLACKBURN: Okay.

23 COMM. CARTER: -- because they'll

1 lose them.

2 MS. COOK: Thank you.

3 CHAIRPERSON BLACKBURN: We will go
4 now to our Report by the Commissioners on the
5 Complaint Appeals. In the cases, all three of
6 them, of Jonathan E. Williams, I recommend that
7 we uphold the finding of no probable cause. May
8 I have a motion to accept?

9 COMM. GIDNEY: So moved.

10 COMM. CARTER: Second.

11 CHAIRPERSON BLACKBURN: All in favor?

12 COMM. CARTER: Aye.

13 COMM. BAYNARD: Aye.

14 COMM. GIDNEY: Aye.

15 CHAIRPERSON BLACKBURN: Aye.

16 Anyone opposed?

17 (No response.)

18 CHAIRPERSON BLACKBURN: Thank you.

19 Comm. Carter?

20 COMM. CARTER: Madam Chair, in the
21 case of Jacqueline Buford versus Krieg DeVault,
22 LLP, I recommend we sustain the no probable cause
23 finding.

1 CHAIRPERSON BLACKBURN: May I have a
2 motion to accept?

3 COMM. GIDNEY: So moved.

4 COMM. BAYNARD: Second.

5 CHAIRPERSON BLACKBURN: All in favor?

6 COMM. CARTER: Aye.

7 COMM. BAYNARD: Aye.

8 COMM. GIDNEY: Aye.

9 CHAIRPERSON BLACKBURN: Aye.

10 Anyone opposed?

11 (No response.)

12 CHAIRPERSON BLACKBURN: Hearing none,
13 thank you.

14 Comm. Baynard?

15 COMM. BAYNARD: Yes, Madam Chair. In
16 the case of Judy Phillips versus World Wide
17 Motors, I recommend to the Commission that we
18 uphold the Deputy Director's findings of no
19 probable cause.

20 CHAIRPERSON BLACKBURN: May I have a
21 motion to accept --

22 COMM. CARTER: So moved.

23 CHAIRPERSON BLACKBURN: -- that

1 recommendation?

2 COMM. CARTER: So moved.

3 COMM. GIDNEY: Second.

4 CHAIRPERSON BLACKBURN: All in favor?

5 COMM. CARTER: Aye.

6 COMM. BAYNARD: Aye.

7 COMM. GIDNEY: Aye.

8 CHAIRPERSON BLACKBURN: Aye.

9 Anyone opposed?

10 (No response.)

11 CHAIRPERSON BLACKBURN: Thank you.

12 Comm. Gidney?

13 COMM. GIDNEY: Okay. In the case of
14 Rana Khonsari versus Lange Apartments doing
15 business as HCI Property Development, my
16 recommendation is to uphold the Deputy Director's
17 finding of no probable cause.

18 CHAIRPERSON BLACKBURN: May I have a
19 motion to accept?

20 COMM. CARTER: So moved.

21 COMM. BAYNARD: Second.

22 CHAIRPERSON BLACKBURN: All in favor?

23 COMM. CARTER: Aye.

1 COMM. BAYNARD: Aye.

2 COMM. GIDNEY: Aye.

3 CHAIRPERSON BLACKBURN: Aye.

4 Anyone opposed?

5 (No response.)

6 CHAIRPERSON BLACKBURN: Thank you.

7 We have a report from Comm. Ramos.

8 MS. RINCONES-CHAVEZ: Crenshaw will
9 wait until next month; I'm sorry. I didn't have
10 it on.

11 CHAIRPERSON BLACKBURN: I'm sorry?

12 MS. RINCONES-CHAVEZ: We'll just do
13 Ramos, because I don't have Crenshaw on the
14 agenda. I apologize.

15 CHAIRPERSON BLACKBURN: Oh, okay.

16 MS. RINCONES-CHAVEZ: It might have
17 been a month ago when she was absent.

18 CHAIRPERSON BLACKBURN: The case
19 assigned to Comm. Ramos --

20 MS. RINCONES-CHAVEZ: Uh-huh.

21 CHAIRPERSON BLACKBURN: -- his
22 recommendation is to uphold the Deputy Director's
23 decision of no probable cause, and may I have a

1 motion to accept his recommendation?

2 COMM. GIDNEY: So moved.

3 COMM. CARTER: Second.

4 CHAIRPERSON BLACKBURN: All in favor?

5 COMM. CARTER: Aye.

6 COMM. BAYNARD: Aye.

7 COMM. GIDNEY: Aye.

8 CHAIRPERSON BLACKBURN: Aye.

9 Anyone opposed?

10 (No response.)

11 CHAIRPERSON BLACKBURN: Thank you.

12 Do we have someone here now for public
13 comment?

14 MS. RINCONES-CHAVEZ: Have not
15 arrived yet.

16 CHAIRPERSON BLACKBURN: All right.

17 Then we'll move to the Assignment of New
18 Appeals. The case of Janada Garner versus Gene
19 Glick Company, Comm. Carter, please, if you would
20 review that. Larry Pasco versus The Marion
21 County Health Department, if you would review
22 that, please, Comm. Gidney. And I will do Andrew
23 Jackson versus the City of Whiting.

1 And next on the agenda, we have Christina
2 Blackburn versus the Lebanon Moose Lodge,
3 findings, and I ask for your approval of the
4 findings, acceptance of the findings.

5 COMM. CARTER: So moved.

6 COMM. GIDNEY: Second.

7 CHAIRPERSON BLACKBURN: All in favor?

8 COMM. CARTER: Aye.

9 COMM. BAYNARD: Aye.

10 COMM. GIDNEY: Aye.

11 CHAIRPERSON BLACKBURN: Aye. Thank
12 you.

13 And having no Consent Agreements or Oral
14 Arguments today, we'll move forward to our
15 Executive Director's Report.

16 Good morning.

17 MR. SMITH: Good morning.

18 COMM. GIDNEY: Good morning.

19 COMM. CARTER: Good morning.

20 MR. SMITH: How are you guys doing
21 this morning?

22 CHAIRPERSON BLACKBURN: Wonderful.

23 MR. SMITH: So, there is list of

1 activity for which the Commission has undergone,
2 and I won't go over that. I'll give you guys the
3 opportunity to look that over. I will say that
4 the Commission, as always, has been extremely
5 active.

6 But I do want to take this time because
7 it's going to take a couple of minutes to go
8 through the Strategic Plan, so I trust that
9 everyone received the Strategic Plan and had an
10 opportunity to review, at least scan it, if
11 nothing else, and what I'll do is kind of run
12 through fairly quickly the Plan in its entirety,
13 just so we have it, and allow you guys to vote
14 for approval or amendment or trash it, whatever
15 you want to do, so we'll move on.

16 MR. MEADOWS: I think you have to
17 flip it on, Jamal.

18 MR. SMITH: What do I have to do?

19 MR. MEADOWS: On the side there's an
20 "On" button. You have to flip it on.

21 MR. SMITH: Oh, I'm on, then.

22 Awesome. Perfect.

23 So, do you guys have the copy of the

1 presentation as well?

2 COMM. GIDNEY: Uh-huh.

3 MR. SMITH: Okay.

4 CHAIRPERSON BLACKBURN: Yes.

5 MR. SMITH: So, we'll breeze through
6 here. It starts out going through some of the
7 basic stuff, which is obviously our mission,
8 which hasn't changed, and then it jumps right
9 into the evaluation of the previous Strategic
10 Plan. If you guys remember, when we came in in
11 2010, we started fiscal year, 2011 through 2014
12 was the first Strategic Plan we put together.

13 The focal point at the time were twofold.
14 One was development of community partnerships.
15 We wanted to branch outside the 465 loop, get
16 outside of Indianapolis. Also, we understood
17 that we were a particularly small agency with a
18 statewide initiative, so we felt that one of the
19 best ways to do so was to collaborate with
20 community partners and organizations throughout
21 the state to do so, so we measured ourself by
22 that.

23 The other piece was to increase the

1 agency's -- well, we talked about statewide
2 recognition by way of increased marketing promos,
3 outreach and education, so on and so forth, and
4 then make sure that we adequately measure the
5 efficiency of the especially the internal process
6 by way of customer service for the agency.

7 So, measuring or previewing the first
8 piece of that, which was the community
9 partnerships, what we did was we set -- we broke
10 the state up into the nine Congressional regions
11 and said to ourselves we wanted to establish the
12 minimum of two partners within each region,
13 hopefully more, moving forward. We've
14 successfully established that and then some.
15 We've got quite a few, in fact, there are very
16 few regions, I think, that we have less than
17 three. We have quite a few partnerships. So,
18 we've obviously achieved that metric.

19 Here's a list of the partnerships that
20 we've established throughout the state, some of
21 which, if you remember -- recall when we first
22 started, our focal point were the Human Relations
23 Commissions. We felt that was an easy entrance

1 into the world of civil rights and we wouldn't
2 have to sell it as much. Boy, were we wrong in
3 terms of the idea of partnering. The missions
4 were similar, the objectives were similar, but
5 the idea of partnering, minimizing resources,
6 moneys, manpower, et cetera, we oftentimes didn't
7 share the same vision.

8 So, we opened that partnership idea up to
9 obviously other community partners, the
10 faith-based communities, and so, you'll see --
11 and other nonprofits -- so, you see, for example,
12 the Parenting Institute, which at first glance
13 you wouldn't think would have any tie-in to what
14 we do, but as we broke down our three main focus
15 areas as employment, housing and education, the
16 Parenting Institute, you know, their novel idea
17 of coaching and teaching folks how to parent
18 effectively fit seamlessly into what our overall
19 mission was. So they became a great partner.

20 Same thing with the Heroes Camp. It's a
21 faith-based organization that deals in the
22 community or works specifically in the community
23 to help promote a lot of the social woes that the

1 South Bend community face, and they have been
2 extremely important to our efforts in that
3 northern, northeastern, north central,
4 northeastern part of the state, considering that
5 one of the main responsibilities we put on our
6 partners locally is the recruitment of the
7 community itself, because we're not there; right?
8 We don't know oftentimes what the heartbeat of
9 that local community is, but these partners do.
10 And people like the Heroes Camp have been vital.

11 And then you have, obviously, some of the
12 Human Rights Commissions -- make sure I get them
13 all on there -- and the housing authorities, the
14 various black expos, La Voz, the Latino
15 organization, IHADA, so you have state, including
16 our EEOC and HUD partnerships as well. So, we're
17 excited about that, and these are just a few of
18 the partnerships that we've established.

19 Any questions so far?

20 CHAIRPERSON BLACKBURN: I do have a
21 question.

22 MR. SMITH: Yes, ma'am.

23 CHAIRPERSON BLACKBURN: Would you

1 elaborate a little bit --

2 MR. SMITH: Uh-huh.

3 CHAIRPERSON BLACKBURN: -- on the
4 ideas, resources, information and programs that
5 we bring to each of these partnerships, or does
6 it vary depending on the partner?

7 MR. SMITH: It varies. It varies.
8 They all tend -- well, they all focus on one of
9 our initiatives, so they are grounded in the
10 arena of equal employment, fair housing, or equal
11 access to a quality education. But from that
12 vantage point, the kind of program completely
13 differs. Some of them have engaged in helping us
14 with our CLE series that we do throughout the
15 state.

16 Others, for example, Heroes Camp, what we
17 do with them in partnership is put on what we
18 call a Resource Fair, and we tackle all of the
19 areas within that piece. In fact, we partner
20 with other state agencies and have them come in
21 and kind of help provide resources to that
22 respective community as well.

23 But in it we speak about and promote our

1 objectives for equitable employment, we talk
2 about and teach and train about fair housing and
3 fair housing woes, teaching folks about their
4 rights and responsibilities, and then we bring in
5 other educational related organizations to help
6 talk about some of the disparities that exist in
7 education.

8 So, up in South Bend the last time, we had
9 the Resource Fair. Special education was a big
10 component, so we brought in all of the experts
11 from the state as well as some of the local
12 partners there, and we'd talk about the
13 disparities in education, and teach and educate
14 that local community about that piece.

15 So, the Heroes Camp, that partnership, for
16 example, was crucial, because it wasn't that they
17 helped facilitate the program; they helped
18 provide the facility and helped recruit the
19 community to come out. You know, our stance has
20 been we can have all of the resources and
21 policies that we want, but if the people don't
22 know about them, then it's all for naught; right?

23 So, that's why their partnership, and many

1 like those, are important. Others, like the
2 Burmese Advocacy Center, theirs is obvious.
3 Indiana has the largest population of Burmese
4 folks outside of the country of Myanmar, where
5 they come from. There was obviously a breaking
6 in cultural communication between their community
7 and the American community as a whole.

8 So, we had some upticks and some
9 discriminatory activity that went on, and so we
10 went -- and it was a two-way street. We wanted
11 to educate that community, the Burmese community,
12 about what their rights and responsibilities
13 were, right, but we wanted to make sure we
14 educated, for example, the housing community that
15 they lived in and the employment community that
16 they lived in about what was going on.

17 And a lot of that was some diversity
18 training as well as some civil rights training as
19 well. The Burmese Advocacy Center, that
20 partnership, for example, allowed us an in into
21 that community. What we found is -- and we have
22 to be sensitive to various communities that
23 culturally things are different.

1 Where they come from, when they hear, "The
2 government is coming," completely different
3 onset; right? In fact, their government is the
4 reason why they are here. So, you know, we
5 couldn't just say, "Hey, we're the government.
6 We're putting on this program. Come see us."
7 That wasn't going to happen.

8 So, people at the Burmese Advocacy Center
9 helped give us an in into that community so that
10 we can go and deliver that information to them.

11 Back Home in Indiana Alliance helped us
12 deal with the -- our disabled community and
13 helped provide some information from a housing
14 standpoint to them.

15 IHCD is an example of one of the state
16 partners, and obviously they have -- and we deal
17 with the civil rights arena of housing, but as
18 they deal with Section 8, vouchers and block
19 grants, and things of that nature, there's some
20 synergy there, so we work hand in hand with them,
21 they help offset some expenses that we can't
22 afford to do, and we work in tandem to do some
23 fair housing or housing initiatives with them.

1 La Voz is more of a communications and
2 media outlet for us that helps us reach the
3 Hispanic community throughout the state. There's
4 a number of other ones that we've -- La Plaza's
5 another one, for example, that we've tapped into,
6 in addition to the state's Hispanic Commission,
7 to help us reach that specific community, so
8 that's an example of a targeted specific
9 education and outreach partnership that we've
10 established -- or partnerships that we've
11 established.

12 The Expos, it's kind of a branch-off of
13 our state sponsorship that we have with the
14 Indiana Expo. One of the things that we
15 changed -- because the agency had historically
16 sponsored IBE, but when I came in, I kind of
17 changed what -- I think what we did was we gave
18 them a big chunk of cash, and then they gave us a
19 table at a luncheon and a booth to hand out
20 trinkets.

21 And so, we revised that idea and -- you
22 know, we weren't turning down the table and the
23 tickets -- all of that's for fun -- but if it

1 didn't fit within the initiative and the
2 objectives of what we wanted to accomplish, it
3 was a waste of money, in my opinion.

4 So, what we did was in the money that we
5 gave -- we actually agreed, after negotiations,
6 to give a little more, but we became the
7 presenting sponsor of the Education Conference.
8 That falls directly in line with a large chunk of
9 our Strategic Plan, which made sense both
10 financially and common -- for us moving forward.

11 But with that, what we also told them was
12 as we do outreach throughout the state, we wanted
13 to give them the responsibility to make sure that
14 they helped us with that outreach. How do they
15 do so? Well, they have local branches of IBE,
16 and so our mandate to them was for them to
17 facilitate a relationship between our agency and
18 the local branches to help promote our
19 initiatives, to help recruit community buy-in,
20 and coincidentally help us kind of educate that
21 community or those respective communities as a
22 whole.

23 The housing authorities, obviously --

1 obvious tie-in there. As fair housing is one of
2 our larger initiatives, one of the easiest ways
3 to tap into the provider side of that piece is
4 with the housing authorities. They have a
5 membership-based component that helps us reach
6 out to what, in essence, becomes a large part of
7 our respondents that we deal with.

8 And so, we walk that fine line. We want
9 to make sure that we protect the citizens of
10 Indiana, but we want to make sure that the
11 provider side of our process doesn't get caught
12 up in frivolous litigation, too, so the housing
13 authorities help us to do that as well.

14 And so, everyone has kind of a unique
15 niche in how they fit within our need to partner
16 with them. Again, the overarching idea here was
17 to mention that we establish as many partnerships
18 as we could. Some of them have no financial
19 strengths whatsoever. It's just, you know, an
20 MOU, if you will, that says, "Here's what we're
21 trying to accomplish statewide. Here's what you
22 need locally. Let's see what we can, you know,
23 both do to help each other achieve those

1 objectives, so --

2 CHAIRPERSON BLACKBURN: Okay. Thank
3 you.

4 MR. SMITH: Yes, ma'am.

5 Any other questions on that piece?

6 (No response.)

7 MR. SMITH: Awesome.

8 So, increasing the agency's statewide
9 brand recognition. What we wanted to do was --
10 you know, at the time, it was a lot of "We're not
11 really sure who you are and what you do," you
12 know, for those who didn't necessarily work in
13 the arena of civil rights, so just having random
14 conversation with folks who, you know, lived,
15 worked and played here.

16 So, you know, "Have you ever heard of the
17 Indiana Civil Rights Commission?" Most would say
18 either, "I have absolutely no idea what you're
19 talking about," or "Yeah, I think I kind of
20 heard, you know, something about them. I have no
21 idea what you guys do." So, we wanted to
22 increase that visibility and that knowledge by
23 what we measured. It was 60 percent overall.

1 The result of our efforts over that
2 three-year stint was that 76-plus percent of
3 individuals surveyed had heard, and more -- and
4 close to 60 percent had at least a basic
5 understanding of what the ICRC did, and prior to
6 three years that we came in, those numbers were
7 somewhere in the neighborhood of 40 percent and
8 25 percent respectively. So, obviously we
9 achieved that as well.

10 Any questions on that one?

11 (No response.)

12 MR. SMITH: I'm breezing through this
13 first piece, because this is kind of the look
14 back.

15 CHAIRPERSON BLACKBURN: Yes.

16 MR. SMITH: And then we've got to get
17 to the look forward, so I don't want to -- but
18 what I do -- if you guys have questions, I want
19 to make sure that we cover those pieces.

20 Another part of the brand recognition
21 was -- was the messaging and branding, and as you
22 guys know, we did a complete kind of overhaul
23 with the piece, logo change, Web site update. We

1 also increased the ways in which we reached out,
2 so the agency has established a Facebook page; we
3 have a Twitter page; the newsletter, which I'm
4 hoping everyone still receives.

5 We have a YouTube channel that has an
6 actual embedded piece in the newsletter, where we
7 have a video that goes out monthly where we talk
8 about the prevailing issues of the day, right, as
9 well as a TV station, One Indiana, that we put
10 together.

11 So, all of those things also went along
12 the lines of kind of building the brand of the
13 ICRC, so -- and still looking to do more in that
14 area, as you'll see when we move into the next
15 Strategic Plan. So, consider that a win in the
16 rebranding category as well.

17 And then Measure 3 of the brand
18 recognition was just the outreach and activities
19 component of it, and we wanted to measure the
20 amount of activity that we had, how much were we
21 out, activities, events and outreach? So, in the
22 past three years we've developed two major
23 training programs. As most of you guys are aware

1 of -- or you guys all should be aware of -- the
2 continuing legal education program, our CLE
3 program, which is very well attended, I think for
4 a few reasons.

5 One is -- and obviously I think the topics
6 are relevant and the attorneys around the state
7 get a lot out of them, but I think a large part
8 of it is because our CLE's are either free of
9 charge or very, very, very, very, very reasonably
10 priced, and so the attorneys look forward to
11 coming.

12 So, we have a very well attended
13 component, and what that does is incidentally
14 allow us to promote not only what the agency has
15 going on by way of activity, but speak about
16 diversity inclusion, civil rights issues, fair
17 housing issues, equal employment, education --
18 education-related issues, so on and so forth,
19 which, again, fits within the framework of what
20 we're trying to accomplish strategically. So, we
21 chalk that up as a win as well. Oh, with that is
22 also the Power of Diversity series, which kind of
23 encompasses all of the other outreach activities

1 that we do.

2 The next piece with the brand recognition
3 was determining the ROI through our
4 post-strategic analysis. So, you know, each item
5 outlined in our Marketing and Communication Plan
6 was scrutinized to ensure effective and efficient
7 usage of the funds.

8 And what we wanted to really measure was
9 the amount of money we were spending per touch,
10 so taking the -- taking what we spent, how
11 much -- how many people were we actually
12 touching? How many people were getting the
13 message? And I don't have -- Brad, you gave me
14 the report yesterday.

15 What I will talk about is, for example,
16 with the Web site, when we first started, there
17 was -- we would have roughly 24,000 hits on our
18 Web site. With all of the activity that we've
19 done, 25,000 jumps to somewhere in the
20 neighborhood of sixty-five, seventy thousand
21 touches. And that, you know, obviously includes
22 the YouTube channel, the Facebook page and so on
23 and so forth.

1 So, just using that as a measurement alone
2 goes to show how much the activity has increased
3 and how much we -- or how many additional people
4 we've been able to deliver our message to
5 throughout the State of Indiana. So, we're
6 excited about that component.

7 Yes, ma'am.

8 CHAIRPERSON BLACKBURN: Do we take
9 complaints via the electronic media?

10 MR. SMITH: Great question. So, that
11 has been a work in progress. We are to the point
12 now where we actually have an on-line complaint
13 form. Unfortunately the Feds have not agreed to
14 let folks sign it electronically. Go figure, in
15 2014.

16 CHAIRPERSON BLACKBURN: Hmm.

17 MR. SMITH: So, you know, we've
18 gotten to the point where the complaint form is
19 on-line, folks can go on and fill it out, and, of
20 course, our intake folks can monitor and make
21 sure things are done correctly, and then we just
22 have to get that form to the complainant so they
23 can sign it and make it official.

1 So, that's the only glitch right now is --
2 and we're still in negotiation with the Feds, and
3 hopefully we can get somewhere with that, to have
4 them agree to allow folks to sign it
5 electronically, because that would be the last
6 nail in the coffin, and that would really
7 streamline the process.

8 So, the answer to the question is yes, but
9 not as electronic as we would like it to be.

10 CHAIRPERSON BLACKBURN: Great.

11 MR. SMITH: So, you know, we continue
12 to move in that direction. So, we chalk that up
13 as a win as well.

14 Any questions? Comm. Carter, anything
15 you'd like to add?

16 COMM. CARTER: (Shook head no.)

17 MR. SMITH: Good.

18 Moving on to 3, or Strategic Objective 3,
19 the agency's efficiency and customer service.
20 So, one of the things that we wanted to measure
21 at the time was -- well, two things. One that I
22 think spoke specifically to customer service was
23 the amount of time that a case took to be

1 investigated, right, how long it took to get
2 through the process.

3 And so, we consider the aged case
4 percentage, as you guys are aware. We wanted at
5 the time to mention that that stayed at or below
6 15 percent, which meant 15 percent of the cases
7 that came into the agency would be investigated
8 from -- you know, the life of that case, 15
9 percent of those would leave out before their
10 expiration date of 100 days, or 180 days,
11 depending on whether it was housing or not.

12 Then the other piece was to make sure, in
13 measuring how effective the outreach was, was how
14 many of the inquiries that came in actually
15 turned into a complaint. So, that was kind of a
16 measure of how -- you know, how much of our time
17 was being wasted, for lack of a better phrase.

18 And so, at the time, we said 25 percent,
19 which is a little more than two out of every ten
20 calls should turn into an actual complaint. It
21 sounds -- when you put it that way, it sounds
22 crazy; right? You'd be surprised that -- well,
23 some of the calls that come in, you know, people

1 are asking for Medicaid or -- you know, "Can we
2 sign up for Medicaid?" -- or they need some
3 health-related assistance, and some of it just is
4 completely not in our purview.

5 So, we put the onus back on the outreach
6 team to say, "Hey, we need to educate, do a
7 better job of educating the general public about
8 what it is that we do," so that we minimize the
9 amount of frivolous phone calls that come in.

10 That number -- the measurement was 25. At
11 the time, we were get -- it was 14 percent, which
12 meant one -- a little more than one out of every
13 ten calls was a legitimate phone call, and so we
14 said, "Well, we want to make sure that that gets
15 to 25 percent over that three-year stint." Yeah,
16 I know it sounds crazy.

17 Yes, sir.

18 COMM. CARTER: You said the outreach
19 team, but wouldn't that be the province of the
20 intake people?

21 MR. SMITH: It goes hand in hand.

22 COMM. CARTER: All right.

23 MR. SMITH: So, I mean you'd think

1 that --

2 COMM. CARTER: It would be the
3 filter?

4 MR. SMITH: Yeah. I mean the intake
5 does that, they take it in; right? They have no
6 control over the initiation of the phone call or
7 how much that person knows before they call. All
8 they can do is kind of filter through what they
9 get.

10 COMM. CARTER: Yeah.

11 MR. SMITH: So, it's -- you know, and
12 like I say all of the time, I tell the staff,
13 "We're a domino agency. Every domino affects the
14 next one behind you, so if one falls out of
15 socket, you mess up everything else behind you."
16 So, the external ops team became, especially for
17 this metric, vitally important to how much time
18 our Intake Unit was wasting.

19 COMM. CARTER: Okay.

20 MR. SMITH: Think about it. One out
21 of every ten calls that was coming in was a
22 legitimate complain, which meant they were
23 fielded stuff like, you know -- I don't know --

1 COMM. CARTER: ICLU.

2 MR. SMITH: -- fish dinner orders. I
3 don't know what they were fielding, but they
4 weren't legitimate calls. And so, we want to
5 make sure that everyone -- I mean everyone's time
6 is precious; right? So, we wanted to make sure
7 they weren't wasting their time up front.

8 So, we set the initial metric 25 percent
9 and said, "We want to make sure that 25 percent
10 of the phone calls --" and I hate saying two out
11 of ten because it sounds crazy, so I'll just say
12 one out of four; right? So, a quarter of the
13 calls that come in sounds better. But, you know,
14 fast forward to -- well, the end of this fiscal
15 year, the end of this Strategic Plan, and we did
16 some internal ops and changed around some things,
17 and we jumped up to 30 -- a little over 32
18 percent.

19 So, we're excited about the movement. We
20 went from less than 15 percent and doubled that
21 amount of efficiency, and we're still getting
22 better. So, you know, in terms of where we set
23 our goal, obviously we achieved that, and we want

1 to go higher, but for that, we achieved. I
2 thought that was up there; I apologize.

3 So, any questions?

4 Yes, ma'am.

5 CHAIRPERSON BLACKBURN: I'm just
6 curious to know if a portion of those calls which
7 are not relative to our mission --

8 MR. SMITH: Uh-huh.

9 CHAIRPERSON BLACKBURN: -- couldn't
10 be weeded out with a prerecorded message on the
11 phone before they have to -- before someone live
12 from the staff speaks to them.

13 MR. SMITH: Excellent. Very good
14 point. I'm not sure how -- I mean we can look
15 into that. I'm not sure how much an automated --
16 that kind of an automated system would cost.
17 There has been some conversation in the office
18 about redoing all of the phones in the office.
19 The price tag that originally came back was
20 rather healthy, and so we tabled it, but that
21 could be a way to help curb some of that, too;
22 you're absolutely correct. So, we'll continue to
23 look into that, to kind of filter --

1 CHAIRPERSON BLACKBURN: Right.

2 MR. SMITH: -- in addition to what's
3 being taught, you know, what comes in after that
4 piece; you know, "Press 1 if you do -- or you
5 need X, Y and Z" kind of a thing. I'm assuming
6 that's what you mean.

7 CHAIRPERSON BLACKBURN: (Nodded yes.)

8 MR. SMITH: Yeah. So, we'll look
9 into that. I have no idea how much that'll cost
10 to do it, and it would be nice if we just had
11 free reign to just buy whatever we wanted, but we
12 don't, so --

13 COMM. CARTER: It could also be very
14 annoying. I mean I know when I want to call some
15 place and ask a question, either ask a question
16 about something --

17 MR. SMITH: You want to talk to a
18 live person.

19 COMM. CARTER: -- or say, "Why hasn't
20 such-and-so been done? There's been an error
21 here," there's almost never, in the treaty of
22 answers, possible anticipated things you might
23 want to talk about, is "We made a mistake."

1 MR. SMITH: Yeah.

2 COMM. CARTER: You know, that's --
3 "If we made an error, press 7." Well, no, you
4 never hear that.

5 (Laughter.)

6 COMM. CARTER: You never hear that.

7 MR. SMITH: No, that is something to
8 consider. You know, I, for one, have never
9 really been a big fan of all of the -- I think
10 they've gotten -- some companies have gone a
11 little overboard in all of the automated pieces.

12 But admittedly, it could serve to assist
13 us, and that's something that we'll continue to
14 look at. It remains one of the metrics that we
15 have moving forward. In fact, it's -- you know,
16 it's an even more aggressive metric in this
17 year's -- or this -- the new Strategic Plan going
18 forward.

19 CHAIRPERSON BLACKBURN: Thank you.

20 MR. SMITH: Yes, ma'am.

21 So, we achieved that, and so, you know, by
22 and large, everything we set forth in the
23 previous Strategic Plan we were able to

1 accomplish. Because there was none in place when
2 I got here, all of this was kind of baseline;
3 right? So, it was, "What are going to do from
4 here?" So, that was all basement movement,
5 moving forward.

6 And, so -- but since we've done that,
7 we've been able to really get a real -- you know,
8 a clearer picture of what the agency should be
9 measured by and then what direction we should
10 take moving forward.

11 So, that leads us to this year's Strategic
12 Plan, fiscal year 2015, which begins next week,
13 July 1, and we go in three-year increments, just
14 like the previous one, and we'll finish in fiscal
15 year '18, obviously.

16 So, jumping right into that, our key focus
17 areas have not changed. We -- obviously, we'll
18 still be dealing with equitable employment, fair
19 housing, and then equal access to a quality
20 education. So, those would be the focal points
21 of everything that we do.

22 Our objectives. Effectively educate
23 Hoosiers on civil rights issues, provide

1 efficient service to Indiana residents, and a
2 better understanding of civil rights issues
3 statewide. And I'd add to that kind of the civil
4 rights issues of the 21st Century, which, for me,
5 kind of embodies the whole idea of this equitable
6 education component. And so, those are pretty
7 similar to the previous Strategic Plan's
8 objectives as well.

9 As we look to educating Hoosiers on civil
10 rights issues, going -- moving back to that last
11 metric that we talked about from last year's
12 Strategic Plan was the amount of complaints that
13 turn -- or inquiries that actually turned into
14 complaints. So, what we'd like to do is move in
15 four years to a number that represents close to
16 half of the calls that come in being a legitimate
17 complaint.

18 So far right now, like I said, we're at
19 32 percent. Remember when I started in the
20 previous Strategic Plan, beginning that fiscal
21 year in 2010 going to 2011, we were at 10
22 percent, 11 percent -- 10, 11, 13 percent,
23 something like that. We've -- you know, through

1 some tweaking, some come-to-Jesus moments, some
2 conversations, we're up to 32 percent.

3 And I'd argue that not only is the
4 external ops working fairly well, but the Intake
5 Division is working pretty well as well, and
6 therefore that percentage is increasing. I'd
7 argue, though, that there -- you know, we have
8 room for continued improvement, and hopefully by
9 2018 we're looking at about 45 percent of those
10 cases -- or those inquiries turning into cases.
11 Fairly aggressive, and -- but I think we can do
12 it. If not, we'll have a great time trying.

13 Any questions about that?

14 (No response.)

15 MR. SMITH: Effectively educating
16 Hoosiers on the civil rights issues. A large
17 part of this will be measured but our involvement
18 with our CLE program, as well as our Power of
19 Diversity series, which really kind of
20 encompasses all that we do from an outreach and
21 education standpoint.

22 You see here the numbers in terms of the
23 increased amount of touches and activity that we

1 have. As we ended up this year, a little over
2 1300 people that we've touched, just this year
3 alone -- or this fiscal year alone. So, we're
4 looking to jump up, and hopefully by 2018, we'll
5 be averaging a little over 2,000 people that we
6 touch by way of the CLE series.

7 CHAIRPERSON BLACKBURN: Does that
8 number represent people whom you have directly
9 interacted, or --

10 MR. SMITH: No, that's not total.
11 You'll see that coming up.

12 CHAIRPERSON BLACKBURN: Oh.

13 MR. SMITH: I know where you're going
14 with that.

15 CHAIRPERSON BLACKBURN: Okay.

16 MR. SMITH: So, hold that thought,
17 table that thought.

18 CHAIRPERSON BLACKBURN: All right.
19 Thank you.

20 MR. SMITH: These are just the
21 specific -- more on the provider side of the
22 trainings that we do. So, the CLE's would be the
23 attorneys, and the Power of Diversity series

1 would be, you know, the housing trainings that we
2 do for the housing authorities and folks of that
3 nature. But the general community-based
4 programming does -- is not reflected in that
5 number.

6 CHAIRPERSON BLACKBURN: Okay.

7 MR. SMITH: With that, though, as we
8 move forward we want to make sure that -- from a
9 customer service standpoint and the quality of
10 the programming that we put on, we want to make
11 sure that we measure that as well, so we've
12 been -- you know, everything that we do, we hand
13 out surveys and ask for the input.

14 And one out of five is the scale, five
15 being, "You are the best thing since sliced
16 bread," one or zero being, "You suck and we wish
17 you would never come back"; right? So, we've
18 averaged somewhere a little over four, almost
19 four and a half in terms of our rating, which is
20 pretty good on that scale, and so we're excited
21 about that.

22 But as you see, for the end of that fiscal
23 year, we want to make sure that we continue to

1 progress as close to that bit of perfection as we
2 can, so we'll continue to change. There's a
3 quote that I love that I'm starting to adapt. It
4 says -- what is it? "To improve is to change, to
5 perfect is to change often."

6 So, we've kind of embodied that piece, and
7 we will continue to adapt and mold and change to
8 the needs of not only the Commission on civil
9 rights issues, but the communities in which we
10 serve, and then the metrics should and will
11 reflect that as we move forward.

12 So, any questions for that?

13 (No response.)

14 MR. SMITH: Still with the educating
15 Hoosiers component, media placements. And we've
16 gotten fairly active in terms of media
17 placements. These are the interviews that myself
18 or Brad and the Communications Department will
19 do. It could be, as you guys have probably seen
20 in your neighborhoods, advertisements,
21 billboards, bus ads, things of that nature.

22 So, we want to move to the point where
23 we're close to 900 placements a year, you know,

1 that we'll see. It could be an ad in a magazine
2 or in a newspaper or things of that nature.
3 Currently, at the end of this year we're hovering
4 close to 700, so we want to continue to push that
5 envelope.

6 A piece of that will be -- well, the
7 tricky part to that will be trying to make sure
8 that we don't spend much more than we do now in
9 negotiating ways with media outlets to get as
10 much earned media as we can. And maybe some
11 partnerships will allow us to do a little bit
12 more of that as well. So, a bit aggressive, but
13 we want to make sure that we continue to mold and
14 change and adapt and improve that area as well.

15 Thoughts or questions?

16 CHAIRPERSON BLACKBURN: This may not
17 be immediately relevant to what you've just said,
18 but --

19 MR. SMITH: Uh-huh.

20 CHAIRPERSON BLACKBURN: -- in terms
21 of the partnerships that we have with Indiana
22 Black Expo --

23 MR. SMITH: Uh-huh.

1 CHAIRPERSON BLACKBURN: -- will the
2 partnership that we have with them be a part of
3 their report to the community, so that our story
4 is told through their annual report and their
5 branding and media?

6 MR. SMITH: The answer to that
7 question is loosely yes. The problem is, I don't
8 really know how much of an annual report they
9 actually do, and we don't have much control over
10 that, to be -- I'm trying to be as honest as I
11 can without throwing them completely under the
12 bus.

13 They do the SOBY Report. That's become an
14 annual report that basically outlines -- well,
15 it's literally called the State of Our Black
16 Youth Report, and it covers health and education
17 and crime and things of that nature, but in terms
18 of the outlook of IBE itself by way of a report,
19 I don't know if I've seen one, and I don't know
20 if they do one.

21 Now, I will say that because of our
22 partnership, for example, one of the things that
23 we did was put together a video, and we did so

1 in 2011, I think it was, when we celebrated our
2 50th, and we want to look to do another one, and
3 we used their Youth Institute to get that done,
4 and spoke about all of the things that we had
5 going on, and we pushed and promoted that video
6 as much as we could. You starred in that video,
7 and we were excited that you did, and we get rave
8 reviews about that piece.

9 And so, it speaks to the collaboration
10 between us and Expo, but it really talks about
11 the history of civil rights in the State of
12 Indiana, the movement that we've had over the
13 last 50-plus years, and then what the ICRC is
14 doing to continue that push to eliminate
15 discrimination in our state specifically.

16 So, I wish we had more control over what
17 they do, but we don't. All -- you know, we
18 encourage them to continue to push and promote
19 what we do, because we think it helps their brand
20 as well, and then we --

21 CHAIRPERSON BLACKBURN: I would
22 think.

23 MR. SMITH: -- strategically -- yeah,

1 I agree, too -- and we strategically -- and I use
2 that word on purpose -- we strategically use that
3 partnership on our behalf to promote what we do
4 as well.

5 CHAIRPERSON BLACKBURN: Okay.

6 MR. SMITH: So --

7 CHAIRPERSON BLACKBURN: Thank you.

8 MR. SMITH: Yes, ma'am. So, we want
9 to be aggressive in that area moving forward.

10 Web-based and traditional ways of
11 communication, our views, if you will. Here's
12 where we'd like to end up. Just to give you,
13 again, some perspective, when we came in, we
14 hovered around twenty, twenty-four thousand
15 views, so we'd like to be somewhere around
16 85,000.

17 So, in 2010, we were at twenty,
18 twenty-four; 2014, we jumped up to close to
19 sixty-five thousand; and we'd like to continue to
20 push hopefully and get around eighty, eighty-five
21 thousand views. We'll do so, again, by
22 continuing to revamp our Web site, making sure
23 that is as fresh and relevant as it can be.

1 The use of social media, as our YouTube
2 page, Facebook, Twitter, so on and so forth, and
3 then making sure that all of the information that
4 we put on there is as relevant as we can make it,
5 right, talk about the issues, the woes of the
6 disabled community and the cultural communities
7 as we go forward.

8 And there's a lot of growing diversity in
9 the State of Indiana, and we think that we can
10 leverage that from an education and outreach
11 standpoint from our media views and hits.

12 CHAIRPERSON BLACKBURN: Do we design
13 or craft the Web page in-house?

14 MR. SMITH: No. Unfortunately, we're
15 kind of restricted to how much creativity we can
16 have with the Web page. IOT, the state's IT
17 agency, there's kind of a uniform -- if you ever
18 went to look, all of the in.gov sites have a
19 similar look to them, and we can't vary too much
20 outside of that look.

21 The content we control, the links and
22 things we control, which is why the Facebook page
23 turned out to be a fairly useful tool, as well as

1 the Twitter page, the YouTube channel, because
2 then what happens is that those direct people to
3 our Web site for additional information.

4 But yeah, unfortunately we don't have
5 complete autonomy when it comes to the look and
6 feel of the Web site, although I will say that I
7 think our Web site, even within those confines,
8 is a little bit more cool than the rest of the
9 state's Web sites, so -- but I'm a little biased.

10 Any other questions on that piece?

11 (No response.)

12 MR. SMITH: Now, here are the
13 touches. We mentioned that before. Before, when
14 I started in 2010 -- '11, you know, some of the
15 things that we did -- obviously we did the booths
16 at IBE, and we'd stand around and hand out -- we
17 had like rulers and Slinkies and pens and stuff
18 that we would hand out.

19 But number one, there was no account of
20 how many people we touched. We did a ballpark
21 figure and we guessed somewhere around, you know,
22 1500 people, maybe, throughout the year that we
23 touched. We think -- from what we gather, the

1 main outreach piece was Expo, and that was pretty
2 much all we did, so a thousand might be
3 aggressive in terms of people we actually got in
4 touch with at that time.

5 But if you fast forward to the time we
6 came, we're looking at 4,000 people that we
7 touched, and we'd like to continue to grow that
8 to more than 6,000, and we think that's not only
9 a doable number, but we hope to blow that out of
10 the water, to be honest.

11 And that's -- now, that number is the
12 number of people who we know we've actually had
13 some dialogue with by way of surveys, by way of
14 head count, things of that nature. We could have
15 some indirect touch by where, you know, we're set
16 up in a spot.

17 For example, we do the Civil Rights Game
18 with -- you know, in conjunction with the
19 Indians. There's 12,000 people in that stadium
20 alone; correct? But those are indirect; not all
21 of those people actually engage in dialogue. So,
22 we want to count the actual people that we're
23 able to educate in the way of our mission and our

1 objectives.

2 So, there's some indirect there, too, that
3 we can't tandemly measure. If so, that number
4 would be through the roof, because we start
5 adding things like the 12,000 people that are in
6 the stadium for the game that we partner with the
7 Indians on. So, just to give you a little bit of
8 perspective on that.

9 CHAIRPERSON BLACKBURN: And while
10 that may not be an educational experience, the
11 game, but --

12 MR. SMITH: Uh-huh. Well, it is to
13 some degree. It varies.

14 CHAIRPERSON BLACKBURN: To some
15 extent.

16 MR. SMITH: Yes.

17 CHAIRPERSON BLACKBURN: I do think,
18 however, that your podcasts and broadcasts, those
19 things are educational in nature and do reach the
20 audience of whatever that specific media claim.

21 MR. SMITH: Uh-huh.

22 CHAIRPERSON BLACKBURN: And that
23 would be a way of capturing and enhancing the

1 number of people that you actually reach with an
2 educational message.

3 MR. SMITH: That's a good point. So,
4 we could add -- we could do that radio piece
5 during the game as well as the -- so, whatever
6 their --

7 CHAIRPERSON BLACKBURN: Right.

8 MR. SMITH: -- their touch is, we
9 could indirectly add that piece to that. Yeah,
10 we could do that. I think that's a good idea. I
11 would like to separate it from that number,
12 though, just to keep those things in perspective
13 and have two different ones. But I think you
14 make a very, very good point, so we'll make that
15 amendment moving forward.

16 And then that number jumps through the
17 roof, because we've got Radio One, we've got all
18 of -- the partnership with Radio One, the local
19 public access channel, so on and so forth. So,
20 that's a good point, and I think that goes a long
21 way to sell all that we're doing.

22 CHAIRPERSON BLACKBURN: All right.

23 MR. SMITH: Good point.

1 resolved through mediation, it's a flat 25
2 percent. Obviously we walk that fine line,
3 again, protect the citizens of Indiana, but we
4 also protect the providers as well from frivolous
5 litigation.

6 Mediation is an opportunity to avoid that,
7 but it's a fine line. We've got a good group,
8 and we just want to make sure that we make
9 every -- every effort to resolve cases before
10 they get to the litigation point, so that's the
11 metric there.

12 Questions?

13 CHAIRPERSON BLACKBURN: I think it's
14 an important measure --

15 MR. SMITH: Uh-huh.

16 CHAIRPERSON BLACKBURN: -- because
17 it's the justification for having an
18 administrative agency --

19 MR. SMITH: Uh-huh.

20 CHAIRPERSON BLACKBURN: -- to handle
21 those things.

22 MR. SMITH: Yes, ma'am. So, we're
23 looking at that. That's where we are now, close

1 to 18 percent of the cases get mediated before
2 they make it that far, so, again, continuing to
3 change, thinking we can do better.

4 Appeals overturned by you lovely gentlemen
5 and lady. We're at five percent in terms of
6 where we'd like to stay, which means, you know,
7 we want to make sure that our unit and
8 investigative process is thorough enough so that
9 you guys don't think or find the need to overturn
10 or remand.

11 Five is a little wiggle room, because
12 currently we barely get one percent of the cases
13 that come back, so we're excited about that. And
14 at one point it was actually zero, but if I'm
15 holding the staff, you know, responsible for, you
16 know, zero, there's no room for any error
17 whatsoever, and that was a little unfair.

18 So, five percent is what it is, but I
19 don't expect to move much further than where we
20 are now, which is a half of a percent. So,
21 pretty straightforward there.

22 Any thoughts or questions?

23 (No response.)

1 MR. SMITH: The next couple of slides
2 are kind of some basic measures. Obviously we
3 have our accounts with HUD and EEOC. We want to
4 make sure that we fulfill those contracts. It's
5 pretty straightforward.

6 The reason it's TBD is, you know, we
7 negotiate the number of cases or what that
8 contract looks like on an annual basis, the point
9 being is that this slide is whatever that number
10 that's negotiated, the goal was to make sure that
11 we as an agency hit that mark. So, that's the
12 one for housing contracts, and then you'll see
13 the next one is the same deal for our EEOC
14 contract.

15 CHAIRPERSON BLACKBURN: Do you
16 know -- happen to know how many cases we handle
17 for each or either of those?

18 MR. SMITH: Yes. So, the contract
19 with HUD is -- right now it's at a hundred, so a
20 hundred cases. Anything above a hundred is icing
21 on the cake, and we get paid for the additional
22 cases as well. We've had no issues with that.
23 That contract ends with our fiscal year,

1 June 30th -- no, is it June -- yeah, June 30th --
2 and we're done with that one. We're moving on.

3 The EEOC case -- or contract is 338, 338
4 cases. We were done with the 338, I think, last
5 month, so we're ahead, and that contract doesn't
6 end until September 30th. The difference between
7 the two is, although the HUD contract is 100,
8 they pay us, whether we negotiate additional or
9 not, for anything above and beyond that 100.

10 CHAIRPERSON BLACKBURN: Is that
11 automatic, that they could just send you
12 additional cases, or do we have to request?

13 MR. SMITH: No, they don't send them;
14 we get them.

15 CHAIRPERSON BLACKBURN: Oh, okay.

16 MR. SMITH: They come in through
17 constituents filing, you know, with us or, you
18 know, by way of our outreach and edu -- or, as
19 I'll talk about here in a minute, we're engaging
20 in testing now, as you guys know. So, by way of
21 those things, those housing cases come in.

22 The agreement with HUD is just that, you
23 know, in their engagement and attempt to

1 affirmatively further fair housing, they contract
2 us out to make sure that we continue to do the
3 outreach for fair housing and investigate any
4 cases that come in along with that, and the
5 benchmark for them is 100 cases. And, you know,
6 like I said, we're fulfilling that, and they pay
7 us above and beyond.

8 EEOC, on the other hand, although their
9 contract's 338, if we do 339, they don't care,
10 unless -- what we do is towards the end of the
11 contract, they'll ask for an upward modification,
12 which allows us to increase the amount in that
13 contract.

14 And since I've been here, we have asked
15 for an upward mod and have received it in most
16 cases, and sometimes, you know, we'll ask for,
17 let's say, an additional 100, and they say,
18 "Well, we can't give you an additional 100.
19 We'll give you an additional 50," for example,
20 and we'll say, "Great," and then we just kind of
21 pocket the ones that we have and apply those to
22 the next contract to keep it going.

23 So, no issues there so far. In fact, you

1 know, I want to publicly applaud the team,
2 because they do a fantastic job of making sure
3 that both of those contracts are not only met,
4 but we exceed any of the expectations from either
5 of our federal partners.

6 Any other questions or thoughts behind
7 that piece?

8 (No response.)

9 MR. SMITH: So, 3, understanding the
10 civil rights issues. One thing that we want to
11 do is surveying. You know, when we first started
12 out, we -- I don't know if you guys recall, we
13 did kind of baseline survey, and we wanted to get
14 it -- do it throughout the state as we traveled.
15 You know, who's facing discrimination? How many
16 people are facing discrimination? You know, do
17 you think discrimination is an issue in the State
18 of Indiana?

19 And those numbers that came back were
20 pretty telling. In fact, when we sent it out as
21 a press release, I think we got -- some of our
22 biggest amount of activity from the media came
23 from when we released that survey, and we think

1 that gives us some -- some synergy or some
2 backing behind what we do; right?

3 You will hear people -- and I've had
4 interviews, both TV and radio, with people who
5 would say to me, "Well, we've got a black
6 President. Isn't that evidence that
7 discrimination doesn't exist anymore." And, you
8 know, so without throwing my personal thoughts
9 into it, you know, I can always refer back and
10 say, "Well, the survey just in Indiana alone says
11 discrimination is still an issue."

12 And it's bigger than a black-and-white
13 issue. You know, the disabled community is being
14 discriminated against, and it's not just black
15 and white. We have -- you know, the demographics
16 of Indiana are changing drastically every day.
17 You know, we have gender discrimination and so on
18 and so forth.

19 So, I'm able to point to those things and
20 talk about that. So, we want to continue to do
21 that. We think that gives us a good
22 understanding of what the prevailing issues in
23 the state are, and use that as a baseline for our

1 outreach and education.

2 COMM. CARTER: Is there any way -- I
3 have this Devil's-advocate voice in the back of
4 my head --

5 MR. SMITH: Uh-huh.

6 COMM. CARTER: -- that's asking this.
7 Is there any way to determine, of the people who
8 believe they have faced discrimination in their
9 lives, for instance, how many of them are not
10 members of a protected class? I mean I'm
11 thinking of all of those sorts of cases that --

12 MR. SMITH: How many are white men?

13 COMM. CARTER: -- were reverse --

14 MR. SMITH: Reverse racism occurred?

15 COMM. CARTER: Yeah, the affirmative
16 action -- the antithesis of affirmative action,
17 who say, "I was denied law school because I'm
18 white," that kind of thing.

19 MR. SMITH: Well, there could be a
20 way, I guess, to do a survey for that. My only
21 hesitancy there would be, I mean keeping in mind
22 that, you know, we're only -- we're governed by
23 the Indiana Civil Rights Law, so if it's not a

1 protected class, there's really not much we can
2 do about it anyway.

3 COMM. CARTER: Right.

4 MR. SMITH: We do have some that come
5 in about age. Unfortunately age, as a state,
6 it's not covered under the statute, as well as,
7 currently, sexual orientation --

8 COMM. CARTER: Sure.

9 MR. SMITH: -- which is kind of the
10 hot topic right now, if you will. But again,
11 outside of our jurisdiction. There's not much we
12 can do, so --

13 COMM. CARTER: There are lots of
14 people who think they have disability, but they
15 don't, according to --

16 MR. SMITH: Yeah.

17 COMM. CARTER: -- the legal
18 definition.

19 MR. SMITH: Yeah. So, you know, my
20 only hesitancy in spending the time and resource
21 to add that to -- and document it -- is, "Okay.
22 So, then what?" You know, what do we do with it;
23 right? So, you know, I'm definitely open to have

1 some off-the-record conversation about it. If
2 you've got some good ideas about if we gather
3 that information, what would we do with it, that
4 would be useful. We can definitely have that.

5 Akia, you want to add something?

6 MS. HAYNES: Yes, and one important
7 thing to note, it's pretty much everyone is a
8 member of a protected class. For instance, on
9 race, it's not just if you are a, quote/unquote,
10 minority group, however that's defined.

11 COMM. CARTER: If race is a factor.

12 MS. HAYNES: Right. Caucasians are a
13 protected class, or someone who, you know, is
14 male or female, it doesn't matter which, you're a
15 member of a protected class. So, in short, this
16 evidence would document all of that, because
17 everyone fits into some protected class.

18 MR. SMITH: Yeah. In fact, that was
19 one of the misconceptions that we had coming in
20 in 2010-11, was that we were the African-American
21 Civil Rights Commission; right? So, we had to
22 kind of overcome that to an extent, and that
23 did -- I ran into some of those questions. I

1 didn't know that, you know, if I was white, I was
2 protected.

3 But just to point out some of the
4 complaints that we get in that we don't cover, I
5 would say, if I had to guess right now, just
6 anecdotally, age and then sexual orientation are
7 probably two of the more predominant ones. And
8 again, not much we can do, legally anyway.

9 But again -- well, let me say this,
10 though: What we can do, as we go out and do
11 outreach, is we talk about, you know, again, what
12 our limitations are legally and what our
13 jurisdictions hold. And then, too, some of the
14 things that, you know, folks, if they are dealing
15 with discrimination in those areas, you know,
16 some alternatives that they could have -- that
17 they have.

18 COMM. CARTER: Get the law changed.

19 CHAIRPERSON BLACKBURN: Right.

20 MR. SMITH: Well, yeah. I mean
21 that's -- you know, that's the long-term, but
22 there are some immediate -- there are some
23 immediate things. EEOC deals with age, and we

1 don't. So, you know, things of that nature.

2 Any other thoughts or questions on that?

3 CHAIRPERSON BLACKBURN: Is it --
4 well, we can discuss it off-line, but it would
5 appear that if there were an effort to expand the
6 powers of the powers of the Commission,
7 documentation --

8 MR. SMITH: Uh-huh.

9 CHAIRPERSON BLACKBURN: -- of just
10 the kind of information that Comm. Carter
11 suggested --

12 COMM. CARTER: Would be useful.

13 CHAIRPERSON BLACKBURN: -- would be
14 essential to form a foundation for marshaling
15 such an effort.

16 MR. SMITH: Good point. So, we'll
17 look into that.

18 COMM. CARTER: I know the Bloomington
19 Commission always -- when they do their annual
20 report, they always have cases of sexual
21 orientation as one of the areas, because their
22 ordinance --

23 MR. SMITH: Uh-huh.

1 COMM. CARTER: -- protects, although
2 they can't enforce it, because it's not a state
3 law.

4 MR. SMITH: Yeah, there's a couple --
5 like Evansville does the same thing; they have an
6 ordinance that does it as well. So, we'll look
7 at at least capturing some of that data and see
8 what we can do about it, but that's a good point.
9 That's a good point.

10 That leads me to the other -- the next
11 piece, which is in the area of housing, our
12 testing program. And I'll just say as we move
13 forward -- I'll try not to keep us much longer --
14 that we are moving fast, or full steam ahead,
15 with this piece. We have finished the second
16 quarter testing. We're moving into quarters 3
17 and 4.

18 By the end of the year, we look to have
19 completed testing throughout the entire State of
20 Indiana, and then at next year's Fair Housing
21 Conference, which is always in April, we look to
22 unveil the findings of the previous year's
23 report.

1 So, we're excited, and I say this:
2 Everyone affiliated or associated with the
3 Commission should really, really be excited,
4 because this does not exist anywhere. There is
5 not an agency, state, local or otherwise, that
6 does statewide testing in any other state in the
7 entire country of the United States of America.
8 We are the first, so that's a big thing. So, you
9 know, we've taken our time with it, wanted to
10 make sure that we rolled it out as carefully as
11 we could.

12 Yeah, it's a little puzzling; right?

13 CHAIRPERSON BLACKBURN: Yeah. Well,
14 you mean at this time?

15 MR. SMITH: To -- we have not been
16 able to find -- and so, let me -- let me put a
17 disclaimer. We have not been able to find any --

18 CHAIRPERSON BLACKBURN: But of --

19 MR. SMITH: -- at any time --

20 CHAIRPERSON BLACKBURN: -- this
21 agency even having done testing before?

22 MR. SMITH: There have been agencies
23 that have done like local testing, and they'll do

1 testing on their city, or maybe their town or
2 their community, but the entire state of any
3 state, it has never been done, that we've been
4 able to find.

5 CHAIRPERSON BLACKBURN: Hmm.

6 MR. SMITH: And what's funny -- and I
7 say that only -- and I say it often, because we
8 haven't been able to find it at all. I'm hoping
9 that -- and one of the reasons it's been
10 irritating is because, you know, obviously, when
11 you roll something like this out, you want to be
12 able to look at people who have been there, done
13 that before, because if someone's bumped head,
14 the last thing I want to do is bump my head on
15 the same corner.

16 So, we went to look at best practices, and
17 there are none. So, we've had to piece some of
18 the local testing things together and pick the
19 brains of folks that have done it in their local
20 towns, and they're like the FHIP agencies, they
21 have FHIP agencies in different cities and towns,
22 and they do it for that.

23 Like Indianapolis, you know, the Fair

1 Housing Center does it in Indianapolis, and they
2 have one that does it in a city in Ohio, and
3 there's some done in like L.A. in California.
4 But the entire -- there's no organization that's
5 been responsible for half of the State of
6 California, let alone the entire State of
7 California, or any other state, for that matter.
8 We will be the first.

9 And I hope somebody comes out and says,
10 "That's not true. We did it," so we could say,
11 "Great. Let's talk." But we've put it out
12 there. No one has come back to say that "We've
13 done it," and, you know, so we're kind of the
14 pioneers of this thing, and excited about it.

15 CHAIRPERSON BLACKBURN: Good.

16 MR. SMITH: We're excited about it.

17 So, next year, Fair Housing Month, we'll
18 be unveiling the results from this year, and like
19 I said, by the end of the year, we will have and
20 look to have covered the entire state.

21 CHAIRPERSON BLACKBURN: Good.

22 MR. SMITH: Any other thoughts on
23 that?

1 Comm. Baynard, you look like you've got a
2 couple.

3 COMM. BAYNARD: No, no.

4 MR. SMITH: You're good?

5 COMM. BAYNARD: Uh-huh.

6 MR. SMITH: All right. And I hope to
7 have all of you guys at the next Fair Housing
8 piece, because that will be an awesome one to
9 attend.

10 The issue of statewide, understanding what
11 they are; right? Access to educational
12 resources, you know, this metric talks more about
13 the variety of different things we use to reach
14 out to folks and make sure that they have access.

15 You've heard me -- I know the staff's
16 heard me say it a million times. One of my
17 issues, prevailing issues, with state government
18 in general is -- because there's tons of
19 resources and things out there, but we tend to
20 pass policy and create resources and set them up
21 at 30,000 feet and tell people, "There they are,
22 go get them." And very rarely do we, as public
23 servants, come down from our 30,000-foot perch

1 and actually march into the communities for which
2 they were designed to serve.

3 And so, one of the directives that I've
4 given the agency is to make sure that we devise
5 ways to insert ourselves tangibly into the
6 communities. So, if there was ever an agency
7 that should be connected from a grass-roots
8 standpoint, it's this one. So, I want to make
9 sure that we do so, and that's what this metric
10 speaks to.

11 Any thoughts or comments or questions
12 about that?

13 (No response.)

14 MR. SMITH: By way of doing so, when
15 we talk about education, specifically in its
16 traditional sense, right, K-through-12 education,
17 one of the things that we talked about -- now,
18 remember, we have adopted this in the original
19 Strategic Plan, kind of as an offshoot, because
20 we're not DOE, we don't set core curriculum; nor
21 OMB, we don't do funding formulas.

22 But we do limit the area of disparities,
23 and so it's taken us a few years to really figure

1 out where our niche was within the whole
2 conversation about education, and as we talked
3 about the whole disparities piece, that's where
4 we existed. As we get to go out -- or start to
5 get out and assert ourselves -- excuse me -- not
6 only into the communities, but in the
7 conversation, you know, we'll measure ourselves
8 by how frequently we do so, one.

9 Two, you know, our focus -- for example,
10 Indiana has gone through more education reform,
11 or as much, if not more, than any other state in
12 the country. So, like it, love it, hate it, or
13 indifferent, the fact of the matter is most of
14 that stuff is law and policy.

15 The problem that we find is twofold. One
16 is that the policies tend to, whether positively
17 or negatively, impact the underrepresented. The
18 prevailing issue with that is: Most of the
19 underrepresented have no idea what those policies
20 say, mean or do.

21 So, because those disparities exist,
22 specifically in the area of education, we see our
23 responsibility as an agency as it relates to

1 equal access to a quality education being a civil
2 rights issue, to make sure that the
3 underrepresented and the general public at large
4 is as educated as they can be about what these
5 policies are and this ed reform means.

6 And so, we want to make sure that we do at
7 least one major outreach event specifically
8 related to this a quarter, and continue doing so.
9 We've started it already. We had the Education
10 Weekend, which I mentioned before, in May, of
11 course, that we sponsor.

12 And so, starting this -- the beginning of
13 this fiscal year, first quarter, if you will, the
14 first one that we'll engage in will be in
15 partnership with IBE and the Education
16 Conference, so we'll be talking about that.
17 We've partnered with the Great Lakes Equity
18 Center, which is embedded in IUPUI, and we're
19 looking to put on a conference in September or
20 Octoberish. We're still working out the details
21 there. And then we'll look to do something at
22 the beginning of the year as well.

23 So, every quarter, we want to make sure

1 that we do something significant in the way of
2 K-through-12 education, equal access to a quality
3 education, and some outreach in education to the
4 people that are involved. So, that will be that
5 metric.

6 Any thoughts or questions on that moving
7 forward?

8 (No response.)

9 MR. SMITH: Almost done here.

10 And so, then you have the cultural
11 Commissions. As you guys know, they're all --
12 they live in -- within the confines or the
13 umbrella -- underneath the umbrella of the
14 Indiana Civil Rights Commission. They all have
15 their respective objectives, and without diving
16 too much into them, you know, our goal is to make
17 sure that there's some synergy in between all of
18 them.

19 All of the Commissions, the Cultural
20 Commissions, have very similar objectives. For
21 example, the disparities is an undertone to it,
22 and so education is a big component, regardless
23 of which of these commissions are having that

1 conversation. And so, the idea is to -- as one
2 goes out, we all kind of go out collectively and
3 preach that message about equitable education, or
4 access to an equitable education.

5 So, that's just kind of a briefing of the
6 Cultural Commissions, and we'll continue to push
7 them to make sure that they get out as well and
8 be as involved in the communities as they can be.

9 So, any questions on that?

10 (No response.)

11 MR. SMITH: All right. So, I'll
12 breeze through these. This just talks about --
13 this is the Social Status of Black Males, and it
14 goes through talking about -- you know, if you
15 want to at some point, go through here. It talks
16 about their focus areas and what they do, what
17 their missions are. Of course, there's
18 education, social factors, employment, health,
19 criminal justice.

20 Some of their challenges in the social
21 factors, I won't spend too much time on this.
22 I'll let you guys look through this piece. The
23 idea behind this is there's a lot of, like I

1 said, synergy behind what it is that they have as
2 a mission and then what the ICRC has, and its
3 strategic objectives as well.

4 The same concept with -- if I can get
5 there fast enough -- with the Women's Commission.
6 It talks about their mission, some of their
7 challenges and objectives. Employment is
8 obviously a big one for them. Education, health,
9 things of that nature.

10 The only thing I think is important to
11 note here is that the three sat, our Social
12 Status of Black Males, Women's Commission, and
13 then the Hispanic Commission, for which we've
14 just hired a new director -- she is looking to
15 start in two weeks -- then the MLK Commission,
16 which we kind of have facilitated a lot of that
17 through the ICRC, will continue do what it is
18 that they've always done. So, we're excited
19 about that.

20 What we're looking to have sat, we get
21 word that the Native American Commission should
22 be sat within the next couple of months, and so
23 that will be in addition to the ICRC, as well

1 as -- yeah, yeah. So, the Native American
2 Commission will be in addition, because, as you
3 guys recall, that Commission has not been active
4 for quite some time.

5 Have I breezed through it? Yeah, I'm
6 still on ICW. So, breezing through this piece,
7 that pretty much concludes the proposal. Any
8 questions about the Strategic Plan at all -- any
9 additional, because you guys had some pretty good
10 suggestions and thoughts.

11 (No response.)

12 MR. SMITH: There we go. Hearing
13 none, I just ask that you guys vote to approve
14 it, and -- or amend it, or trash it, so that we
15 can get to work.

16 CHAIRPERSON BLACKBURN: May I have a
17 motion to approve the Strategic Plan for the next
18 four years?

19 COMM. GIDNEY: So moved.

20 COMM. CARTER: Second.

21 CHAIRPERSON BLACKBURN: All in favor?

22 COMM. CARTER: Aye.

23 COMM. BAYNARD: Aye.

1 COMM. GIDNEY: Aye.

2 CHAIRPERSON BLACKBURN: Aye.

3 Anyone opposed?

4 (No response.)

5 CHAIRPERSON BLACKBURN: Well done.

6 MR. SMITH: Thank you, ma'am. Thank
7 you for your time, and I know this was -- took me
8 a lot longer that I'm normally up here, so I
9 appreciate the attention. That concludes my
10 report unless there are any other words of
11 wisdom.

12 (No response.)

13 MR. SMITH: Thank you, guys.

14 (Applause.)

15 CHAIRPERSON BLACKBURN: That was
16 general applause. They just were visiting.

17 (Laughter.)

18 CHAIRPERSON BLACKBURN: All right.

19 Are there any announcements?

20 MS. HAYNES: There is one, and this
21 is simply for purposes of the record. Although
22 we received correspondence this morning at
23 7:00 a.m. indicating that Ms. Janada Garner was

1 interested in speaking, just to give a bit of
2 background on that, June 18th our agency e-mailed
3 the complaint and informed her about the time,
4 date and location of the meeting.

5 Similarly, on June 25th, another e-mail
6 was sent out, giving pertinent details about this
7 meeting, including the location, date and time.
8 And so, again, to reiterate, as of now, which is
9 slightly after 12 o'clock on the date of the
10 meeting, Ms. Garner elected not to show up to the
11 Commission meeting, as is her right.

12 CHAIRPERSON BLACKBURN: Thank you for
13 that.

14 Are there any other announcements?

15 COMM. CARTER: I would just repeat
16 the one from last month, and that is that next
17 month's meeting is the day before the 24th, I
18 believe it is, anniversary of the ADA, and it's
19 in Conference Room 4-5, it's not here. So, just
20 a reminder of that.

21 CHAIRPERSON BLACKBURN: Thank you
22 very much.

23 Hearing no other announcements and having

1 no further business, the Commission meeting is
2 concluded.

3 Thank you.

4 - - -
5 Thereupon, the proceedings of
6 June 27, 2014 were concluded
7 at 12:26 o'clock p.m.
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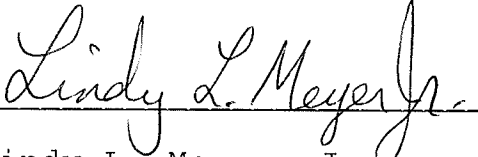
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CERTIFICATE

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, June 27, 2014 in this matter and transcribed by me.



Lindy L. Meyer, Jr.,

Notary Public in and
for the State of Indiana.

My Commission expires October 27, 2016.

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