



INDIANA CIVIL RIGHTS COMMISSION

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AGENCY OVERVIEW

Agency: 258 Civil Rights Commission

Please find the 2012-2013 Agency Overview - Indiana Civil Rights Commission.

Agency Functions:

The Indiana Civil Rights Commission (ICRC) enforces the civil rights laws and provides quality education and services to the public in an effort to ensure equal opportunity for all Hoosiers and visitors to the State of Indiana. The civil rights statutes, I.C. 22-9-1 et. seq. and I.C. 22-9-5-1 et. seq., prohibit discrimination in the areas of employment, real estate (commercial property and residential housing), education, public accommodations and credit on the basis of race, religion, color, sex, disability, national origin, ancestry and, with regard to housing, familial status.

The ICRC's enforcement activities include the investigation of civil rights complaints, the mediation and conciliation of civil rights complaints and the prosecution of violations of civil rights laws before administrative and judicial tribunals.

In fulfilling its mission, the ICRC is required to protect respondents from meritless charges of discrimination. In performing its adjudication functions, the ICRC proceedings are governed by the Indiana Administrative Orders and Procedures Act, I.C. 4-21.5-1 et. seq. When adopting its Indiana Administrative Rules and Procedures which are set forth at 910 IAC 1-1-1 et. seq. and 910 IAC 2-1-1 et. seq., the Rules and Regulations Concerning Practice and Procedure before the ICRC must comply with I.C. 4-22-1-1 et. seq.

Agency Programs:

The Indiana Civil Rights Commission is charged with enforcing the civil rights laws in the State of Indiana and providing education and services to the public to prevent discrimination and pledge equal opportunity for all Hoosiers in the State of Indiana. The agency is comprised of Legal, Alternative Dispute Resolution Unit, Intake Case Management, the Employment and Housing Case Management teams, Administration, which includes Fiscal Management and Information Technology, and the External Affairs Divisions.

The ICRC Executive Director is designated as a member of the Indiana Commission for the Social Status of Black Males, the Commission on Hispanic/Latino Affairs and the Board for the Coordination of Programs Serving Vulnerable Individuals.

The Indiana Commission for the Social Status of Black Males (ICSSBM) was established in 1993 by I.C. 12-13-12-1 et. seq. The Commission was established to identify and recommend ways to increase, broaden and improve the economic, educational, social and professional status of black males in Indiana.

The Executive Director is also required by I.C. 12-13-12-1 et. seq. to participate as a member on the Indiana Commission on Hispanic and Latino Affairs. The Commission was established to identify and research issues affecting Hispanic/Latino communities, such as sustaining cultural diversity while improving race and ethnic relations.

The Board for the Coordination of Programs Serving Vulnerable Individuals was established in 2009 by I.C. 4-23-30.2 et. seq. The Board was created to foster coordination of services and programs for vulnerable individuals in Indiana.

The Martin Luther King Jr. Indiana Holiday Commission (MLKJ Commission), established in 1992, promotes public awareness of contributions made by Dr. King in the areas of Civil Rights and Social Justice. The King Commission plans programs year round, including an annual Dr. Martin Luther King Jr. State Employee Holiday Celebration, a statewide Day of Service in commemoration of Dr. King's birthday and other activities targeting youth to demonstrate the current relevancy of Dr. King's legacy.

The ICRC is required to provide administrative support to the King Commission. On the third Monday of January, Americans celebrate the birthday honoring the life and work of Dr. Martin Luther King, Jr., by committing this day to do service in their communities and to encourage Indiana students to become more aware of the struggles and sacrifices made by individuals during America's Civil Rights Movement. On this holiday, the MLKJ Holiday Commission and the ICRC host a junior/middle school and high school King Educational Youth Summit. Students from various schools throughout the state are gathered together to share what it really means to serve their communities. They learn of the struggles and sacrifices that were made and a keynote speaker(s) is brought in to inspire and motivate the students.

We are anticipating reaching out to 800 - 1000 statewide middle/junior/high school students this upcoming January and hopefully gaining participation from new schools not in attendance at the summit in past years. We hope to be able to have participation from schools further from Indianapolis than before, since outreach and education are at the heart of what we are after.

By statute, ICRC investigates allegations of discrimination throughout the state. In some cases, these investigations are processed in conjunction with work share agreements with U.S. Departments of Housing and Urban Development (HUD) and the Equal Employment Opportunity Commission (EEOC). These contracts generate additional revenue to the state.

The ICRC is dedicated to promoting awareness of civil rights through community

activities that bring people together and inform the public of their rights and responsibilities. In the past, the ICRC has been involved in statewide conferences dealing with issues concerning civil rights enforcement, particularly housing discrimination, hate crimes, and the rights of people with disabilities. The agency also provides technical assistance to sister agencies on civil rights compliance issues.

The Indiana Civil Rights Commission is dedicated to public education and outreach. Accordingly, the Commission coordinates training throughout the state on topics such as disability, fair housing, and sexual harassment, and distributing educational materials at various road shows and community events.

The Commission's Legal Department is the branch that provides the attorneys and legal expertise necessary for the agency to fulfill its duties under the Indiana Civil Rights Laws. The main functions of the department are to provide legal assistance during the investigation of complaints and to prosecute complaints that go to an administrative hearing or trial in State courts.

Accomplishments/Challenges over the last two years:

Fiscal Years 2008 – 2010 presented unique challenges. The agency took an active approach to reduce spending where necessary while continuing to provide core services required by statute.

Overall, the agency was able to reduce the number of cases more than 180 days old from 71% to 41% over an 8-month period from October 2009 through May 2010.

Significant staffing changes were made in the case management area including reassignments in staffing of program directors of the Intake and Employment work units in order to ensure that the agency met contractual obligations.

The ICRC actively sought income-generating grants and contracts through a variety of government sources. The agency was successful in negotiating such a contract with the U.S. Department of Equal Employment Opportunity (EEOC) to mediate complaints as assigned by EEOC. The contract specifies up to 30 cases may be assigned to the agency at a rate of \$800 per case, for a maximum of \$24,000 in revenue.

Objectives for the next biennium:

With the increase of discrimination cases in areas outside of the Indianapolis metropolitan area, it is clear that the agency has an obligation to increase its statewide presence.

Strengthening relationships that already exist and developing new partnerships and relationships on Federal, State and Local levels will help leverage dollars as well as build valuable community ties by offering programs that benefit citizens with the challenges they currently face.

There is also a need to rebrand the agency so that it is relevant to the issues occurring today. There is an up-tick in educational disparities as well as the need to address discriminatory practices against persons with disabilities. The agency looks to take a proactive approach to educating all parties involved as it relates to Federal and Indiana Code.

All of these objectives are meant to increase peoples' awareness of the Agency. These initiatives directly impact our ability to help the citizens of Indiana.

Key Performance Indicators/Program Measures:

The ICRC has two Key Performance Indicators. We currently track the percentage of cases resolved through mediation. Mediation regarding a discrimination suit allows both the complainant and respondent the opportunity to come to a settlement, thus reducing the number of staff hours and time that a case could potentially take through investigation and possibly litigation. This ultimately saves taxpayer dollars. The minimum goal for this metric is 15% with an optimum goal of 25%. Our overall average since 2007 is 18%, above our minimum but short of the optimum goal. Since this is a voluntary service, we continue to look for new and creative ways to move closer to the optimum goal of 25%.

Additionally, we track the percentage of cases on appeal, which are remanded back to our agency for further investigation by our Commission. We measure this statistic to ensure that cases are being thoroughly investigated in a timely fashion. We set this goal at zero tolerance, since remanded cases result in additional tax dollars spent through time and staff hours. We have achieved this goal with only 2 cases being remanded since the first quarter of 2008.

Organizational Chart:

An organizational chart is attached.

Program reduction/changes:

A program change that ICRC will be pursuing is to collaborate with the Indiana Housing and Community Development Administration (IHCDA), in conjunction with our U.S. Department of Housing and Urban Development (HUD) cooperative agreements, to fulfill Fair Housing training and public outreach obligations of both entities. The idea is that by doing so, the ICRC can expand on our statewide presence and help to fulfill both contractual agreements to further fair housing while simultaneously mitigating resources and dollars.

Another initiative for the upcoming biennium will be the opportunity to address disparities in education. Because education has major civil rights implications, the ICRC will adhere to its statutory obligation and look for ways to level the playing field in the area of education. Through collaboration with the Department of Education and

other community partners throughout the State of Indiana, ICRC will look to address socio-economic and cultural disparities that disproportionately affect the right of an individual to have a quality education.

Reallocation of funds:

There are no reallocations of funds requested.