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BEFORE THE STATE OF INDIANA
CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF MAY 25, 2023

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana
Civil Rights Commission, Adrienne L. Slash,
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 North, 100 North Senate Avenue,
Room N300, Indianapolis, Indiana, on Thursday,
May 25, 2023 at 1:02 o'clock p.m.

- - -

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1 APPEARANCES:

2 COMMISSION MEMBERS:

3 Adrienne L. Slash, Chairperson
Alpha Blackburn (via telephone)
4 Steven A. Ramos
James W. Jackson
5 Terry Tolliver

6
7 INDIANA CIVIL RIGHTS COMMISSION
By Gregory Wilson, Director
& David Fleischhacker, Deputy Director
8 Indiana Government Center North
100 North Senate Avenue, Room N300
9 Indianapolis, Indiana 46204
On behalf of the Commission.

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11 OTHER COMMISSION STAFF PRESENT:

12 Michael Lostutter
Liz Duff

13

14 ALSO PRESENT:

15 Phil Zimmerly
Marc Lampert (via telephone)

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1 1:02 o'clock p.m.
May 25, 2023

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3 CHAIRPERSON SLASH: We'll go ahead
4 and call this meeting to order. It is May 25th,
5 2023 at 1:02. It's the earliest start we've had
6 in a long time.

7 MR. LOSTUTTER: That's fine, fine,
8 fine.

9 Please be advised, no party will be
10 allowed to speak directly to the Commission
11 during any Commission meeting except during a
12 previously scheduled oral argument.
13 Commissioners will make their initial
14 determination based on the complaint, the notice
15 of finding, the appeal, and then the final
16 investigative report or the appeal tag. You must
17 not address the Commission members except if you
18 are addressed directly, and if you have any

19 questions about your case, please wait to speak
20 to the Docket Clerk after the Commission meeting.

21 Thank you.

22 CHAIRPERSON SLASH: Thank you.

23 Well, we do have a quorum. We've got four

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1 of us in person and one on the line. We'll go
2 ahead and begin by announcing the agenda.

3 MR. LOSTUTTER: The agenda will be
4 meeting, establishing quorum. We'll approve
5 previous meeting minutes. We have meeting
6 minutes from March and we have the meeting
7 minutes from last month as well. And then we
8 will have the ICRC Director's Report. We will
9 then tend to Old Business, cases that were
10 assigned to Commissioners last month, plus those
11 that were assigned back in March, and then we
12 will have new cases to assign, as well as a
13 motion regarding Laticia Brown versus
14 Richland-Bean Blossom Community School
15 Corporation, review of four ALJ Decisions and
16 Orders, plus one to be read into the record.
17 CHAIRPERSON SLASH: Thank you.

18 At this time, we had an additional person
19 join us on the call. We need to have them
20 introduce themselves. Is that --

21 MR. FLEISCHACKER: The 812 number?

22 CHAIRPERSON SLASH: Yes, the 812

23 number.

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1 Would the person calling in on the 812
2 number introduce themself, please?

3 MR. LAMPERT: Sorry; go ahead.

4 MR. LOSTUTTER: Can you hear us? Is
5 that you, Mr. Lambert [sic], I believe, Marc
6 Lambert?

7 MR. LAMPERT: Yeah, it's me, but
8 you're echoing really bad. Hold on. Can you
9 hear me now?

10 MR. LOSTUTTER: Yes.

11 MR. LAMPERT: But I can barely hear
12 you. Hold on. Can you hear me now, sir?

13 MR. LOSTUTTER: Yes, we can hear you
14 loud and clear.

15 MR. LAMPERT: Okay. You're echoing

16 really bad. Let me turn down my volume.

17 MR. LOSTUTTER: All right.

18 MR. LAMPERT: Okay. Go ahead.

19 MR. LOSTUTTER: Okay. Can you hear

20 us now?

21 MR. LAMPERT: Yeah, it's better.

22 MR. LOSTUTTER: All right.

23 CHAIRPERSON SLASH: Okay. Thank you.

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1 MR. WILSON: Can he state his name?

2 He really didn't --

3 MR. LOSTUTTER: Yeah, for the record,

4 could you please state your name?

5 MR. LAMPERT: Yes. My name's Marc

6 Lampert, M a r c, Lampert, L a m p e r t.

7 CHAIRPERSON SLASH: Did we already

8 have you -- do we have our guest also included on

9 the --

10 THE REPORTER: Yes.

11 CHAIRPERSON SLASH: You have him

12 already? Okay. We're fine. Thank you.

13 MR. LAMPERT: I can't hear what you

14 just said.

15 CHAIRPERSON SLASH: Okay. I was just
16 making sure that we had all of our guests also
17 listed with the court reporter, to make sure that
18 we have all of our procedures covered at the
19 beginning of our meeting today.

20 MR. LAMPERT: Okay.

21 CHAIRPERSON SLASH: Okay. We will go
22 ahead and begin. Is there a motion to approve
23 the March and April meeting minutes of the

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1 Indiana Civil Rights Commission?

2 VICE-CHAIR RAMOS: So moved.

3 CHAIRPERSON SLASH: Is there a
4 second?

5 COMM. TOLLIVER: Second.

6 CHAIRPERSON SLASH: Thank you.

7 MR. LOSTUTTER: We will call the
8 roll.

9 Comm. Blackburn?

10 COMM. BLACKBURN: I'm here, but I'm
11 not sure I have the minutes from the last two
12 meetings to recommend approval for the minutes,

13 so --

14 CHAIRPERSON SLASH: Would you like to

15 abstain?

16 (No response.)

17 CHAIRPERSON SLASH: Okay.

18 Comm. Blackburn, would you like to abstain your

19 vote?

20 MR. LAMPERT: I'm sorry; I didn't --

21 can you repeat that, ma'am?

22 COMM. BLACKBURN: I didn't hear you.

23 MR. LAMPERT: I can't hear what

8

1 you're saying; I'm sorry.

2 COMM. BLACKBURN: I said --

3 CHAIRPERSON SLASH: Okay. We were

4 procedurally clarifying that Comm. Blackburn

5 would like to abstain from voting on the minutes

6 as she did not review them.

7 COMM. BLACKBURN: That's correct.

8 CHAIRPERSON SLASH: Okay. Thank you.

9 You can continue the roll.

10 MR. LOSTUTTER: All right.

11 Comm. Tolliver?

12 COMM. TOLLIVER: Aye.

13 MR. LOSTUTTER: Comm. Jackson?

14 COMM. JACKSON: Aye.

15 MR. LOSTUTTER: Vice-Chair Ramos?

16 VICE-CHAIR RAMOS: Aye.

17 MR. LOSTUTTER: Chair Slash?

18 CHAIRPERSON SLASH: Aye.

19 We'll now begin with the ICRC Director's
20 Report.

21 MR. WILSON: Good afternoon,
22 everyone. I'm just glad to be here, glad to see
23 everybody.

9

1 So, I'm going to let David get the bulk of
2 it, but what I want to talk about, my focus is on
3 the conference right now, building these
4 partnerships and relationships. It's going to be
5 a great conference. I won't go into a lot of
6 detail because I know you have a busy schedule,
7 but again, it's at the --

8 MR. FLEISCHHACKER: Crowne Plaza
9 Hotel.

10 MR. WILSON: Yeah, I'm sorry. It's
11 been a busy day talking, but Crowne Plaza.
12 Again, the focus for us has been making it
13 accessible. Again, we've partnered with the
14 Governor's Council for People with Disabilities,
15 and we think we've done that -- most of the
16 workshops are interactive. We're going the extra
17 mile to make sure that the whole operation is
18 accessible.

19 And then we have some great workshops. I
20 think you've seen most of them, you've seen most
21 of them, but I love the one that -- the newer
22 ones that -- we deal with AI, and then the other
23 ones that are dealing with criminal history. You

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1 know, there's been a focus on HUD -- by HUD, the
2 fact they're dealing with some of these barriers
3 with the housing needs of those who maybe have a
4 criminal history.

5 And so, we actually even have a testing
6 initiative with a focus on looking at those
7 criminal-history-type possible discrimination
8 cases. So, that testing program's going great.

9 We've actually got three different types of
10 testing programs that we're doing around the
11 state this year, so that's a first.

12 I mean we first kicked off this testing, I
13 think that was early, Chair Slash, when you first
14 came on board, and ever since then, we've been
15 doing it every year and been very successful,
16 especially with the partnership that we have with
17 IACDA, where they help fund some of the testing.
18 And we have a five-year deal, I believe, with
19 them, so that makes it so that we can have a
20 consistency there.

21 But one thing that's been unique since
22 we've started putting out for the conference is
23 these relationships, that we're asking not just

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11

1 for sponsorships but partnerships so that we can
2 do things throughout the year, whether it's
3 training internally with those organizations,
4 like, for instance, one of these -- I won't say
5 the name of it, but one of the organizations
6 wants us to come in and do training -- it's one

7 of the large corporations -- to their team
8 dealing with employment and also dealing with --
9 I think the subject was a lot of times people
10 don't know how to ask for FMLA or these --
11 David -- the additional needs that they might
12 have.

13 And so, I think these types of
14 partnerships are going to help us in the future,
15 but right now, registration's going very well.
16 We hope to have 4500 people there, and the
17 speaker list, as we note, the Deputy Secretary,
18 Demetrius [sic] McCain, she's coming, and she
19 will be speaking at the Dinner, the Civil Rights
20 Dinner. The Governor will be at the Dinner as
21 well.

22 And then we also have Bernie Kline, and
23 like I say, he's bringing his exhibit and it's

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1 going to be very exciting. Everybody's all in,
2 and it's just taking a lot of work. So, that's
3 where our brain's at right now. It's conference,
4 conference, conference. The fact that it -- just
5 for those who haven't heard, like I said, it's

6 Juneteenth. We thought that would be
7 appropriate.

8 And then we have -- we'll be celebrating
9 July the 1st. It is 60 years of Civil Rights
10 here in Indiana, that's the -- our birthday, and
11 we're going to be talking about that a little at
12 the conference, but we'll be kicking that off in
13 July. And then it's also 55 years of furthering
14 fair housing that we're celebrating as well.

15 So, these are exciting times. It's just a
16 lot of work. You know, we don't have a large
17 staff, and so, it's pretty intense, with all of
18 the different things that we have to do for the
19 conference. And I did -- I know Mike sent out
20 and asked you -- Michael asked who was attending,
21 and so we knew who was attending from the
22 Commission.

23 But anyway, that's where our minds are at,

13

1 guys -- I mean Commissioners. It's on
2 conference, conference, conference, and just
3 trying to make it the best conference that we

4 can.

5 David, I don't know if you have something
6 to add to the conference.

7 MR. FLEISCHHACKER: Not really.

8 I think, you know, as Greg mentioned, it's
9 going to be a fantastic three days. You know, it
10 kicks off with a reception on the evening of
11 Juneteenth, and then two full days of workshops
12 on that Tuesday and Wednesday.. So, we have great
13 participation and registration from the re --
14 from even outside of Indiana. A lot of our
15 regional partners are going to be coming in and
16 participating and learning and collaborating.
17 So, it's going to be a great time to advance what
18 we do.

19 MR. WILSON: And I think, Chair
20 Slash, you are giving remarks at the reception.

21 CHAIRPERSON SLASH: Yes.

22 MR. WILSON: Yeah, and actually the
23 Honorable Judge Tanya Pratt will be there, and

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1 we'll have something special for her. So,

2 they'll be coming out, so --

3 CHAIRPERSON SLASH: That's great.

4 MR. WILSON: -- at some point, yeah.
5 So, we're really happy with some of the awardings
6 that we have. As soon as we get these things
7 prepared, you guys will get to see who the
8 awardees are, but we're really excited about this
9 year's awards.

10 CHAIRPERSON SLASH: Very good.

11 MR. FLEISCHHACKER: Yeah. So,
12 obviously we're very focused on the conference.
13 We have a few other things coming up that whole
14 week at the -- with the Indianapolis Indians is a
15 celebration of the Negro Leagues, and that
16 Saturday is going to be our Civil Rights Night at
17 the Indians, so we'll be getting you more
18 information on that particular evening on June --
19 for June 24th. But as part of the conference,
20 we're going to be attending the game on Tuesday
21 night as well. All of the conference attendees
22 will get a ticket to attend.

23 And then as far as some other things

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1 coming up, the second week of July, so starting
2 the week of July 10th, that is the main events
3 that we're involved in for the Indiana Black Expo
4 Summer Celebration, so additional information on
5 those events will be forthcoming soon.

6 As far as some of the projects that we
7 have going on, the Genesys Cloud phone system
8 continues to be a success. In April we had a
9 94-percent answer rate for calls coming in to the
10 Commission, and our goal is to be at 95, so we're
11 just right below that, and given that we had just
12 initiated this at the end of January, I think
13 we're doing really well.

14 Our numbers continue to be up in 2023. We
15 cooled off a little bit in April, but our numbers
16 overall continue to be up, and just for calls for
17 2023 in to our 1-800 and the 2600 lines, we've
18 had over 3100 calls. That was compared to our
19 tracking last year of 833 during that same time
20 period. It's almost fourfold more.

21 We've had 865 inquiries so far, compared
22 to 593 at this time last year; 389 formalized
23 complaints that have been filed, compared to 221

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1 through April of last year. And through our
2 mediation program, in -- through April of 2022,
3 around 186,000 or so have been recovered as far
4 as relief for complainants. So far through the
5 end of April in 2023, it's over \$438,000 that has
6 been recovered for complainants in those
7 negotiated settlements.

8 So, doing a lot work right now. So, you
9 know, we've got a lot of work going on with the
10 conference, but we're also doing -- continuing
11 the work that we do with complaints and moving
12 cases along, both on the investigatory side, but
13 then also on the litigation side, bringing cases
14 to resolution. So, a lot of good work, you know,
15 trying to pay the other bills, getting the HUD
16 and the EEOC funds, to get those in. So, that's
17 where we're at.

18 MR. WILSON: And I know you probably
19 saw the annual report, so we're very proud of it,
20 and it'll be able to kind of gauge some of the
21 things that David mentioned as far as how we're
22 moving forward and moving the ball, and then it
23 also shows some of our community service.

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1 That's been a focus of ours. We're just
2 not about doing the business here in the office,
3 but whether it's remote intake, which we're doing
4 that, already started that again, going to the
5 libraries and community organizations within the
6 city, somewhere that has to be accessible. We
7 want to make sure they won't have to come
8 downtown and do this. We are, again, very proud
9 of the portal that we have. We've seen that
10 be -- being successful with the Google Translate,
11 over a hundred-some languages.

12 But if you just look at our books, you can
13 see that staff, they do -- this team does great
14 work, and I'm very proud to be a part of this and
15 what they've been doing. And some of you've been
16 here, Chair -- Vice-Chair Ramos, you've been here
17 a long time. You've seen from when I first came
18 and kind of the transition. And then Chair
19 Slash, and others now, since you've been here for
20 a while, we have really moved this ball forward.
21 And so, I'm very proud of this team.

22 VICE-CHAIR RAMOS: Excellent.

CHAIRPERSON SLASH: Yes.

1 VICE-CHAIR RAMOS: It really is
2 excellent.

3 CHAIRPERSON SLASH: It is excellent,
4 and I'm just so intrigued by the growth and what
5 we're able to track with the new phone system,
6 too, and I have no doubt that the conference is
7 going to be fantastic. So, thank you for such
8 incredible work, and even having the time to pull
9 it all together.

10 MR. WILSON: Yeah. Well, trust me --

11 CHAIRPERSON SLASH: You're doing a
12 lot with a little, and we appreciate you for it.

13 MR. WILSON: Well, thank you.

14 CHAIRPERSON SLASH: Does anyone have
15 any questions or any other comments or concerns?

16 COMM. JACKSON: It's really great.

17 MR. WILSON: Thank you.

18 CHAIRPERSON SLASH: Okay. With that,
19 we will move to Old Business, and we have two
20 cases, and we'll -- we do not. Do we have a
21 recommendation from Comm. Silberberg, since she's

22 not present?

23 MR. LOSTUTTER: No, we do not.

19

1 CHAIRPERSON SLASH: Okay. All right.
2 So, I'll make a note here. Okay. So, the first
3 case is Sandra Brown versus Indiana University,
4 Inc., Case EMra22110687. The case was assigned
5 to Comm. Jackson.

6 Do you have a recommendation?

7 COMM. JACKSON: Uphold the Director's
8 finding of no probable cause.

9 CHAIRPERSON SLASH: Is there a
10 motion?

11 VICE-CHAIR RAMOS: So moved.

12 CHAIRPERSON SLASH: Is there a
13 second?

14 COMM. TOLLIVER: Second.

15 CHAIRPERSON SLASH: Okay.

16 MR. LOSTUTTER: We will call the
17 roll.

18 Comm. Blackburn?

19 COMM. BLACKBURN: Blackburn, yes.

20 MR. LOSTUTTER: Comm. Jackson?
21 COMM. JACKSON: Yes -- or aye.
22 MR. LOSTUTTER: Comm. Tolliver?
23 COMM. TOLLIVER: Aye.

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1 MR. LOSTUTTER: Vice-Chair Ramos?
2 VICE-CHAIR RAMOS: Aye.
3 MR. LOSTUTTER: Chair Slash?
4 CHAIRPERSON SLASH: Aye.
5 MR. LOSTUTTER: It is upheld.
6 CHAIRPERSON SLASH: Thank you.

7 The next case, Pamela Schmucker versus
8 Pedcor Management Company d/b/a Ashton Point,
9 HOha22110641. That case was assigned to
10 Comm. Silberberg. I'd like to continue it to the
11 June meeting.

12 The next case, Ajahnique Evans versus
13 Pedcor Affordable Investments, LLC,
14 Case H0ra22100558. That case was assigned to
15 Vice-Chair Ramos.

16 Do you have a recommendation?

17 VICE-CHAIR RAMOS: Yes. Madam Chair,
18 I recommend that we uphold the Executive

19 Director's findings. There were two. One is a
20 no-reasonable-cause finding under the Indiana
21 Fair Housing Act, and a no-probable-cause claim
22 under the Indiana Civil Rights Act.

23 CHAIRPERSON SLASH: Thank you.

21

1 Is there a motion? And remember, the
2 motion should include both findings.

3 COMM. TOLLIVER: So moved.

4 COMM. BLACKBURN: So moved,
5 Blackburn.

6 COMM. TOLLIVER: I'll second.

7 CHAIRPERSON SLASH: Thank you.

8 MR. LOSTUTTER: We will call the
9 roll.

10 Comm. Blackburn?

11 COMM. BLACKBURN: Blackburn, aye.

12 MR. LOSTUTTER: Comm. Jackson?

13 COMM. JACKSON: Aye.

14 MR. LOSTUTTER: Comm. Tolliver?

15 COMM. TOLLIVER: Aye.

16 MR. LOSTUTTER: Vice-Chair Ramos?

17 VICE-CHAIR RAMOS: Aye.

18 MR. LOSTUTTER: Chair Slash?

19 CHAIRPERSON SLASH: Aye.

20 MR. LOSTUTTER: It is upheld.

21 CHAIRPERSON SLASH: Thank you.

22 The next case is Case Shantana Maxwell
23 versus Greystone Property Management Corporation,

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1 Case H0ha22110651. The case was assigned to
2 Comm. Tolliver.

3 COMM. TOLLIVER: Thank you. There
4 were three issues, and I move that the Commission
5 uphold -- or that we uphold the Commission's
6 finding of no probable cause under the Indiana
7 Civil Rights Law for issue one. For the second
8 issue, a no-reasonable-cause finding under the
9 Indiana Fair Housing Act, and a no-probable-cause
10 claim under the Indiana Civil Rights Law. And on
11 the third issue, that there is a
12 no-reasonable-cause finding under the Indiana
13 Fair Housing Act and a no-probable-cause claim
14 under the Indiana Civil Rights Law.

15 CHAIRPERSON SLASH: Okay. That was a

16 big one.

17 Do we have a -- do we have a motion?

18 COMM. JACKSON: So moved.

19 VICE-CHAIR RAMOS: Second.

20 CHAIRPERSON SLASH: Okay.

21 MR. LOSTUTTER: We'll call the roll.

22 Comm. Blackburn?

23 COMM. BLACKBURN: Blackburn, aye.

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1 MR. LOSTUTTER: Comm. Jackson?

2 COMM. JACKSON: Aye.

3 MR. LOSTUTTER: Comm. Tolliver?

4 COMM. TOLLIVER: Aye.

5 MR. LOSTUTTER: Vice-Chair Ramos?

6 VICE-CHAIR RAMOS: Aye.

7 MR. LOSTUTTER: Chair Slash?

8 CHAIRPERSON SLASH: Aye.

9 MR. LOSTUTTER: It is upheld.

10 CHAIRPERSON SLASH: Okay.

11 The next case is Scheree Robinson versus
12 Heart of Cardon, LLC, Case EMra22090502, and that
13 case was assigned to Comm. Blackburn.

14 Do you have a recommendation?

15 COMM. BLACKBURN: I move we accept
16 the recommendation.

17 CHAIRPERSON SLASH: Thank you.

18 Is there a motion?

19 VICE-CHAIR RAMOS: So moved.

20 CHAIRPERSON SLASH: Can you clarify
21 the recommendation? I apologize; I want to make
22 sure we have the record clear. Comm. Blackburn,
23 can you -- can you clarify? You would like to

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1 uphold the recommendation. Can you clarify what
2 the recommendation was?

3 COMM. BLACKBURN: No, I don't have it
4 in front of me.

5 CHAIRPERSON SLASH: Okay.

6 Procedurally --

7 COMM. TOLLIVER: Can we just review
8 the -- can we just review it, and then just ask
9 if that's what the recommendation --

10 MR. FLEISCHHACKER: Her
11 recommendation was to accept the --

12 MR. LOSTUTTER: Yeah, she recom -- as

13 I understood, Comm. Blackburn, were you
14 recommending to uphold the finding, the notice of
15 no finding -- or not notice of no finding --
16 notice of no probable cause?

17 COMM. BLACKBURN: That's -- that's
18 what I had in my notes.

19 CHAIRPERSON SLASH: Okay.

20 MR. LOSTUTTER: All right.

21 CHAIRPERSON SLASH: Thank you. I
22 just wanted to make sure we had a full account --

23 MR. LOSTUTTER: I understand.

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1 CHAIRPERSON SLASH: -- on the record.
2 Okay. Now, I believe we had a motion, and we're
3 waiting on a second.

4 COMM. TOLLIVER: I'll second.

5 CHAIRPERSON SLASH: Thank you.

6 MR. LOSTUTTER: Okay. We will call
7 the roll.

8 Comm. Blackburn?

9 COMM. BLACKBURN: Blackburn, aye.

10 MR. LOSTUTTER: Comm. Jackson?

11 COMM. JACKSON: Aye.
12 MR. LOSTUTTER: Comm. Tolliver?
13 COMM. TOLLIVER: Aye.
14 MR. LOSTUTTER: Vice-Chair Ramos?
15 VICE-CHAIR RAMOS: Aye.
16 MR. LOSTUTTER: Chair Slash?
17 CHAIRPERSON SLASH: Aye.
18 MR. LOSTUTTER: It is upheld.
19 CHAIRPERSON SLASH: Okay.

20 The next case is Marc Lampert versus
21 Southwest Dubois County School Corporation, that
22 is Case EMha22110671. This case had two issues.
23 My recommendation is that we uphold the Deputy

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1 Director's finding of no probable cause under the
2 Indiana Civil Rights Law for both the first and
3 the second issue of this case.

4 Is there a motion?

5 COMM. JACKSON: So moved.

6 CHAIRPERSON SLASH: Thank you.

7 Is there a second?

8 COMM. TOLLIVER: Second.

9 CHAIRPERSON SLASH: Thank you.

10 MR. LOSTUTTER: We will call the
11 roll.
12 Comm. Blackburn?
13 COMM. BLACKBURN: Blackburn, aye.
14 MR. LOSTUTTER: Comm. Jackson?
15 COMM. JACKSON: Aye.
16 MR. LOSTUTTER: Comm. Tolliver?
17 COMM. TOLLIVER: Aye.
18 MR. LOSTUTTER: Vice-Chair Ramos?
19 VICE-CHAIR RAMOS: Aye.
20 MR. LOSTUTTER: Chair Slash?
21 CHAIRPERSON SLASH: Aye.
22 MR. LOSTUTTER: It is upheld.
23 CHAIRPERSON SLASH: Okay. Thank you.

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1 The next case -- well, we have New
2 Business to assign at this time. The case of
3 Kesia Woods versus Keystone RV Company,
4 Case EMse22070341, I'll assign to Vice-Chair
5 Ramos. The case of Tonya Campbell versus
6 Santiago Bautista, Case H0se22120727, I'll assign
7 to myself. The case of Christina Clanin versus

8 City of Whiting, or Whiting, I'm not sure,
9 Case EMse23010018, assign to Comm. Jackson. And
10 the case of Earlene Johnson versus Pleasant View
11 Apartments, LLC and Maco Management Company,
12 Inc., Case H0ra2302192 [sic], that case I'll
13 assign to Comm. Tolliver.

14 Okay. Now moving to Motions and Other
15 Filings, we have the case of Laticia Brown on
16 behalf of A.T. Jr. Versus Richland-Bean Blossom
17 Community School Corporation (Edgewood
18 Intermediate School), Case EDra23020144.

19 Respondents, by counsel, have filed a
20 Motion to Dismiss the Complainant's Amended
21 Complaint filed on behalf of the Complainant's
22 minor child, due to their failure to comply with
23 the Claims Against Public Schools Act, Indiana

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1 Code Section 34-13-3-5 et seq. before filing
2 Complaint, to wit, they failed to satisfy
3 certain notice requirements, specifically failing
4 to submit a written notice to the public school
5 and the governing body or the equivalent
6 authority for a charter school that notifies them

7 of an alleged violation of law and indicates a
8 proposed remedy.

9 This motion was filed with the Commission
10 on March 29th, 2023, and so, the motion is
11 essentially asking us to dismiss this case before
12 the Commission has finished looking into the
13 investigation, due to the procedural question of
14 if we could or couldn't look into it. And so, I
15 do believe there's a request to speak on behalf
16 of the why.

17 At the same time, I also believe that the
18 Commission's role is to represent the people's
19 interest for the State of Indiana and their
20 goals, and so, I would actually like to dismiss
21 this request for -- for dismissal -- or decline
22 this request for dismissal by way of allowing the
23 Commission time to continue to look into this.

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1 Is there any concern by other
2 Commissioners?

3 COMM. JACKSON: I would agree.

4 CHAIRPERSON SLASH: Okay.

5 MR. FLEISCHHACKER: Ultimately,
6 procedurally, it's the Chair's --

7 CHAIRPERSON SLASH: It's my --

8 MR. FLEISCHHACKER: -- decision to
9 deny or accept or approve the motion.

10 CHAIRPERSON SLASH: Yes. So, I would
11 like to make that -- I just like to look at my
12 colleagues to the left and right of me before I
13 make decisions like that.

14 I appreciate you for coming in today, but
15 I would prefer that the Commission has a chance
16 to continue looking, and if, in the event that
17 there is discussion down the road, then that's
18 when the discussion occurs.

19 MR. ZIMMERLY: May I be heard as with
20 regard to our motion?

21 CHAIRPERSON SLASH: If you all are
22 okay with it.

23 COMM. TOLLIVER: I don't have any

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1 problem.

2 CHAIRPERSON SLASH: Okay.

3 VICE-CHAIR RAMOS: Neither do I.

4 CHAIRPERSON SLASH: Can we set a
5 five-minute time limit?

6 MR. ZIMMERLY: Oh, I'm not going to
7 take more than five minutes.

8 CHAIRPERSON SLASH: Okay.

9 MR. ZIMMERLY: Good afternoon,
10 everyone. My name is Phil Zimmerly. I'm an
11 attorney at Bose, McKinney & Evans. We represent
12 the Richland-Bean Blossom School Corporation,
13 which is the recipient of this complaint that was
14 filed by Ms. Brown.

15 The motion we filed to dismiss is under
16 CAPSA, the Complaints Against Public Schools Act,
17 and it's one that applies to public schools
18 throughout Indiana, and my understanding as to
19 why the Indiana legislature passed that law is to
20 allow school corporations to receive notice of a
21 charge that's been made against them,
22 including -- and the notice requires certain
23 things with regard to what's alleged -- what the

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1 alleged violation of the law is, as well as

2 requests for a particular kind of relief, so that
3 the school can address that and then respond to
4 that. It's a unique law, and it's addressed
5 specifically to public schools.

6 So, the law specifically states, under the
7 Indiana Code Section 34-13-3.5-4, that an
8 individual or an entity may not initiate a civil
9 action or an administrative proceeding against a
10 public school unless the individual or entity
11 submits a written notice to the public school and
12 the governing body that notifies the public
13 school and the governing body of the alleged
14 violation of the law and indicates a proposed
15 remedy.

16 So, in this particular instance, when the
17 complaint was filed, as well as the amended
18 complaint, they didn't comply with those
19 requirements in the law. There wasn't notice
20 provided to the school and the governing body of
21 the school, there wasn't a particular request for
22 relief, and so, those aspects of CAPSA have not
23 been met. And so, our motion to dismiss is based

1 on that statutory provision in the Indiana Code.

2 We appreciate the amicus brief that was
3 filed by General Counsel, and their position, as
4 I understand it -- and I appreciate it, because
5 it sort of vets our position with regard to
6 CAPSA, and the position that's been taken by
7 General Counsel, as I understand it, is that
8 somehow the investigative side of this is not an
9 administrative proceeding because it's exempt
10 from the -- from AOPA, the Administrative
11 Operation and Procedures Act.

12 It's our view, as we've laid out in the
13 response to that amicus brief, that that position
14 is wrong for three reasons. The first is that
15 the -- there are a number of administrative
16 proceedings that are not subject to AOPA. It
17 doesn't mean that they're not suddenly then
18 administrative proceedings.

19 And we've pointed out three different
20 bodies, for example, here in the state agencies
21 that are exempt from AOPA, and yet those are
22 still administrative actions. That's the
23 Department of Workforce Development, for example,

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1 the Indiana Utility Regulatory Commission, as
2 well as the Workers' Compensation Board. So,
3 just because we're not subject to AOPA doesn't
4 mean that it's not an administrative proceeding.

5 The other -- the second reason why that's
6 not a correct position is that the Indiana
7 legislature, when it enacted CAPSA, they had two
8 exceptions to CAPSA. One was with regard to --
9 well, both of them had to do with unfair practice
10 proceedings with regard to teachers unions and
11 school corporations.

12 And you can understand why, with regard to
13 a public school, that wouldn't be required, and
14 specifically, the Indiana legislature carved
15 those out. And from a statutory interpretive
16 standpoint, because the Indiana legislature
17 carved those two things out but didn't carve out
18 proceedings before ICRC, there was a recognition,
19 then, implicitly, that these proceedings before
20 the ICRC are still subject to CAPSA.

21 And the final reason why we believe that
22 position from amicus is not correct,
23 respectfully, is because every aspect of this is



1 what you'd expect in an administrative
2 proceeding. This is all included in our response
3 of what the Indiana legislature -- or the Indiana
4 Supreme Court has referred to as the Duck Test:
5 If it looks like a duck and it quacks like a
6 duck, it's a duck.

7 And here we've got a complaint that's been
8 filed, and we're required to file an answer to
9 that or we risk being found in default, and we
10 have to comply with these procedures, even the
11 fact that, you know, as I was sitting here today
12 hearing, you know, these findings of probable
13 cause and the Board voted on those, it is -- it
14 is -- has all of the aspects for an
15 administrative proceeding. So, we believe that
16 it should be determined that way.

17 And I'm not trying to make this argument
18 based on a technicality. Ultimately, I think
19 that there is a really good reason for public
20 schools, particularly in a case like this, why
21 CAPSA should be followed, and that is that these
22 allegations have to do with: A student's in a

23 third grade setting, in a third-grade classroom,

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1 and we don't know what the requested relief is.
2 That's not something that's been provided as a
3 part of the charge. And so, we haven't had an
4 opportunity to sort of fix whatever problems are
5 alleged to have -- you know, to have occurred.

6 COMM. JACKSON: Hold on just a
7 second.

8 MR. ZIMMERLY: Yeah.

9 COMM. JACKSON: Madam Chair, the
10 gentleman's time has expired. Would you like to
11 extend him more time?

12 CHAIRPERSON SLASH: Can you -- do you
13 want to wrap up for us?

14 MR. ZIMMERLY: Yes, I can. I
15 appreciate that. I don't want to burden your
16 time.

17 So, I think that going through that
18 process in terms of CAPSA, of having an
19 opportunity to know what would allegedly fix
20 this, would really further the ends of the public

21 schools, because if ultimately this is a
22 situation where it's a dispute between two
23 students, for example, it might be remedied in

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1 such a way in terms of changing seats between the
2 students or something like that, something that
3 is much more -- it cuts to the chase, as opposed
4 to putting the school corporation through an
5 entire investigation, where we're dealing with
6 subpoenas, dealing with interviews and all of
7 that, where it becomes much more expensive. So,
8 there is a reason here on a practical level to
9 comply with CAPSA.

10 So, I appreciate your time. Thank you for
11 letting me be here.

12 CHAIRPERSON SLASH: Thank you.

13 VICE-CHAIR RAMOS: And Madam Chair, I
14 recommend that we uphold your recommendation.

15 And though you don't need our approval to do so,
16 I agree with your original decision.

17 CHAIRPERSON SLASH: Okay.

18 Would you still like to speak?

19 MR. FLEISCHHACKER: If I could, just

20 to get it on the record.

21 CHAIRPERSON SLASH: Okay. Uh-huh.

22 MR. FLEISCHHACKER: Thank you, Chair

23 Slash, for permitting me some time on this

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1 matter.

2 COMM. JACKSON: How much time are we
3 extending him?

4 CHAIRPERSON SLASH: We'll give him
5 five as well.

6 MR. FLEISCHHACKER: I will try to
7 keep my comments brief, because I think this is a
8 fairly clear-cut consideration, but before I
9 proceed, I do want to let the Chair and the
10 Commission know that I have instructed our staff
11 to research whether CAPSA applies to our probable
12 cause decisions that would be heard before an
13 administrative law judge should such a finding be
14 made after an investigation has concluded.
15 However, this is the first time that I'm aware
16 that any school has referred to CAPSA in relation
17 to any Commission matter, whether it's been an

18 investigation or a post-cause administrative
19 matter.

20 I believe the law in the case. CAPSA does
21 not apply to ICRC's investigation of a complaint
22 of discrimination. As mentioned in the amicus
23 brief, AOPA clearly exempts IRC -- ICRC

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1 determination of probable cause, which speaks
2 volumes, as all ICRC post-probable-cause
3 proceedings are conducted pursuant to AOPA before
4 an administrative law judge.

5 It is evident the legislature intended to
6 remove the investigatory process from the
7 administrative proceedings process. This makes
8 sense, as there is no need for an administrative
9 law judge or formal proceedings, as an
10 investigation is just that, an investigation.

11 Now, Respondent raised three items in
12 their response to the amicus brief. First, you
13 know, that not all administrative proceedings are
14 covered by AOPA, and that's true. However, ICRC,
15 as I mentioned, has administrative proceedings
16 that are covered by AOPA, and AOPA specifically

17 exempts our investigatory process from those
18 considerations.

19 Further, the proceedings Respondent refers
20 to as examples of non-AOPA administrative
21 proceedings all involved administrative law
22 judges and hearings, not investigations.
23 Additionally, two of the cases cited are

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1 unpublished and noncitable opinions in their
2 brief.

3 Second, they discuss the legislature
4 intending ICRC's matters to be included because
5 they were not specifically exempted. I think
6 this argument only holds true if, and makes the
7 assumption of, the legislature considering ICRC
8 investigations to be administrative proceedings.

9 The opposite argument and assumption could
10 be made as well. The legislature did not have to
11 exempt ICRC investigations, as it does not
12 consider them to be administrative proceedings.
13 This position is supported by the legislature
14 explicitly exempting ICRC determinations of

15 probable cause from AOPA.

16 And finally, I'll refer to the Duck Test,
17 how Respondent argues that this is a prototypical
18 administrative proceeding, and allowing this
19 claim to proceed would frustrate and contradict
20 legislative intent. I think the opposite is
21 true. Not permitting ICRC to investigate claims
22 of discrimination would frustrate and contradict
23 public policy and legislative intent under the

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1 Indiana Civil Rights Law.

2 Finally, a complaint merely initiates an
3 investigation, not a civil action or an
4 administrative proceeding. The only reason we're
5 here before the Commission is because Respondent
6 filed a motion to dismiss. Doing so prompted the
7 amicus brief to be filed. Respondent now argues
8 that this demonstrates an administrative
9 proceeding. However, you can't take duck
10 feathers and put it on a goose and then call that
11 goose a duck.

12 The motion boils down to a determination
13 of whether ICRC's investigation of a complaint of

14 discrimination is an administrative proceeding.
15 ICRC's statute and rules, as well as AOPA,
16 indicate an intent by the legislature to
17 differentiate between those actual administrative
18 proceedings before the Commission and the
19 investigatory process used in making a
20 determination of cause.

21 This motion should be denied, and
22 Respondent should cooperate with the ICRC
23 investigator to permit the investigation to run

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1 its course until such a determination is made.

2 Thank you.

3 CHAIRPERSON SLASH: Thank you, and
4 thank you both. I'd like to return back to my
5 original decision to deny the motion. But thank
6 you for your time and for being here.

7 MR. ZIMMERLY: I appreciate you
8 allowing me to speak. Thank you.

9 CHAIRPERSON SLASH: Uh-huh.

10 Next, we --

11 MR. WILSON: Excuse me, Commissioner.

12 I'm sorry. I have to go to an ICHLA meeting.

13 CHAIRPERSON SLASH: Okay.

14 MR. WILSON: Excuse me. Thank you.

15 CHAIRPERSON SLASH: We will now do a
16 review of ALJ Decisions and Orders. We will
17 require votes to uphold if there are findings,
18 just as a heads-up.

19 So, the first one, ICRC/Ginger Lenihos on
20 behalf of M.L. versus Midtown Realty, LLC,
21 Mitchell Fisher, Hui Lee, S & L Enterprises I,
22 LLC, Acacia Creek Community Association, Lenora
23 Hatfield, and L.I.F.E. Inc., that is

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1 Case HOha22090558. This case was submitted to
2 the Commission on April 5th, 2023.

3 The Administrative Law Judge granted in
4 part and denied in part a Notice of Election
5 filed by the Respondent S & L Enterprises I,
6 LLC's attorney on April 5th, 2023. While the
7 Complaint of Discrimination against the
8 Respondent S & L Enterprises I, LLC is dismissed,
9 the Notice is not effective in moving the entire
10 complaint out of the administrative forum. The

11 deadlines set for March 30th, 2023 Initial
12 Prehearing Conference Order still applies to that
13 claim. The objection period to this matter has
14 closed.

15 Is there a motion to accept, reject or
16 remand? Right?

17 VICE-CHAIR RAMOS: So moved.

18 COMM. JACKSON: Motion to approve.

19 CHAIRPERSON SLASH: What are we
20 moving?

21 VICE-CHAIR RAMOS: We're moving to
22 accept the decision that was recommended.

23 CHAIRPERSON SLASH: Thank you.

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1 COMM. JACKSON: Second.

2 CHAIRPERSON SLASH: I just like to
3 make sure that we're clear.

4 So, we can call roll.

5 MR. LOSTUTTER: I didn't hear a
6 second.

7 CHAIRPERSON SLASH: The second was
8 Comm. Jackson.

9 MR. LOSTUTTER: Oh, okay. I didn't
10 hear that; sorry. We'll call the roll.
11 Comm. Blackburn?
12 COMM. BLACKBURN: Aye.
13 MR. LOSTUTTER: I believe that was an
14 "aye" there.
15 CHAIRPERSON SLASH: Uh-huh.
16 MR. LOSTUTTER: Comm. Jackson?
17 COMM. JACKSON: Aye.
18 MR. LOSTUTTER: Comm. Tolliver?
19 COMM. TOLLIVER: Aye.
20 MR. LOSTUTTER: Vice-Chair Ramos?
21 VICE-CHAIR RAMOS: Aye.
22 MR. LOSTUTTER: And Chair Slash?
23 CHAIRPERSON SLASH: Aye.

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1 The next case, Aaron Abadi versus Apple,
2 Inc., Case PAha21090390, submitted to the
3 Commission May 4th, 2023. The Administrative Law
4 Judge in this matter granted Respondent's Motion
5 for Summary Judgment as the issues brought up in
6 the complaint by the Complainant are no longer
7 relevant but moot. The complaint is dismissed

8 with prejudice. The objection period in this
9 case -- or in this matter has closed.

10 Is there a motion to affirm this finding?

11 COMM. TOLLIVER: So moved.

12 CHAIRPERSON SLASH: Thank you.

13 COMM. JACKSON: Second.

14 CHAIRPERSON SLASH: Thank you.

15 MR. LOSTUTTER: We'll call the roll.

16 Comm. Blackburn?

17 COMM. BLACKBURN: Blackburn, Aye.

18 MR. LOSTUTTER: Comm. Jackson?

19 COMM. JACKSON: Aye.

20 MR. LOSTUTTER: Comm. Tolliver?

21 COMM. TOLLIVER: Aye.

22 MR. LOSTUTTER: Vice-Chair Ramos?

23 VICE-CHAIR RAMOS: Aye.

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1 MR. LOSTUTTER: Chair Slash?

2 CHAIRPERSON SLASH: Aye.

3 MR. LOSTUTTER: It is upheld.

4 CHAIRPERSON SLASH: Thank you.

5 The next case, ICRC/Teresa Sparrow versus

6 Advantix Property Management, Case HOha23010064.
7 The Administrative Law Judge in this matter
8 dismissed with prejudice the Complaint of
9 Discrimination under the IFHA against the
10 Respondent, but did not move the Complaint of
11 Discrimination under the ICRL out of the
12 administrative forum. The objection period in
13 this matter has not yet closed, so no action's
14 required on this one.

15 The next one, Case of Jennifer Marcum
16 (Haler) versus Wayzata Home Products, LLC,
17 Case EMha200020083. The Administrative Law Judge
18 in this matter dismissed with prejudice the
19 Complainant's Complaint by using [sic] a Default
20 Order on July 7th, 2022. The objection period in
21 this matter has closed.

22 Is there a motion to affirm?

23 COMM. TOLLIVER: So moved.

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1 CHAIRPERSON SLASH: Thank you.

2 COMM. JACKSON: Second.

3 CHAIRPERSON SLASH: Thank you.

4 You got them?

5 MR. LOSTUTTER: (Nodded head yes.)
6 CHAIRPERSON SLASH: Okay.
7 MR. LOSTUTTER: We'll call the roll.
8 Comm. Blackburn?
9 COMM. BLACKBURN: Blackburn, aye.
10 MR. LOSTUTTER: Comm. Jackson?
11 COMM. JACKSON: Aye.
12 MR. LOSTUTTER: Comm. Tolliver?
13 COMM. TOLLIVER: Aye.
14 MR. LOSTUTTER: Vice-Chair Ramos?
15 VICE-CHAIR RAMOS: Aye.
16 MR. LOSTUTTER: Chair Slash?
17 CHAIRPERSON SLASH: Aye.
18 MR. LOSTUTTER: It is upheld.
19 CHAIRPERSON SLASH: Okay. And last,
20 we have our ALJ Decisions that were Automatically
21 Confirmed. I'm merely reading this into the
22 record. The Case ICRC/Coty Clifton and Lawrencia
23 Booth versus Tri Properties, LLC,

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1 Case H0ra22090557. That case was submitted to
2 the Commission on April 25th, 2023, and it was

3 automatically adopted and approved.

4 So, next we have our meeting dates for the
5 year. June 16th is just prior to conference, and
6 as long as staff is okay with it, do -- are any
7 of us concerned about the ability to participate
8 on June 16th?

9 COMM. JACKSON: Not yet.

10 CHAIRPERSON SLASH: Not yet?

11 (Laughter.)

12 CHAIRPERSON SLASH: Okay. I don't
13 have an issue with it yet either. Hope that we
14 create a master for the year. As always, we'll
15 send information out about two weeks in advance
16 to make sure that we're all on target and using
17 the time appropriately.

18 This would be a good time to consider the
19 July 21st meeting, though, and if it does need to
20 have a different date or location or timing.

21 VICE-CHAIR RAMOS: I have no issues
22 with the 21st.

23 CHAIRPERSON SLASH: Okay. Just

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1 generally, because it's Black Expo Friday, which

2 is right in or around that lunchtime. This
3 Thursday time seemed to feel very good for us.

4 COMM. JACKSON: Yeah.

5 CHAIRPERSON SLASH: We seemed to be
6 able to make it work, so we might maybe revisit
7 next month and just double-check.

8 MR. LOSTUTTER: Sure.

9 MR. FLEISCHHACKER: The corporate
10 luncheon is on the 14th, not the 21st.

11 CHAIRPERSON SLASH: Oh, so we're
12 good.

13 MR. FLEISCHHACKER: Yeah.

14 CHAIRPERSON SLASH: Okay.

15 MR. FLEISCHHACKER: I think the 21st
16 we'll be closed for the Summer Celebration.

17 CHAIRPERSON SLASH: Fantastic. We
18 should be great, then.

19 MR. LOSTUTTER: I was thinking that
20 actually somewhere earlier they had noticed that
21 and they just went ahead and moved it a while
22 back to the 21st --

23 CHAIRPERSON SLASH: Perfect.

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1 MR. LOSTUTTER: -- with that in mind.

2 CHAIRPERSON SLASH: Thank you.

3 So, we had an election matter to handle in
4 April. It is now May, and we need to do so. We
5 are smaller and short, but I believe we had
6 received interest in things via e-mail. Would
7 you like to --

8 MR. LOSTUTTER: We --

9 CHAIRPERSON SLASH: -- update us?

10 MR. LOSTUTTER: -- had received a
11 nomination for Chair, and it was for Chair Slash
12 to continue, and we received at least two --

13 COMM. BLACKBURN: Yes.

14 MR. LOSTUTTER: -- Commissioner -- I
15 know Comm. Blackburn was one of those, and I --
16 for the life of me, I'm trying to think -- I'm
17 not sure -- I know we got a second one there. I
18 believe it may have been Comm. Silberberg.

19 COMM. BLACKBURN: Do I need to read
20 into the record --

21 CHAIRPERSON SLASH: I think that the
22 e-mail version is good enough for the record.

23 Do we need a nomination for Vice-Chair?



1 MR. LOSTUTTER: We do need a
2 nomination for Vice-Chair, yes.

3 COMM. JACKSON: I would nominate
4 Vice-Chair current, Ramos, to continue, if he
5 desires.

6 VICE-CHAIR RAMOS: Yes, I desire.

7 COMM. BLACKBURN: I nominate
8 Comm. Harrington.

9 CHAIRPERSON SLASH: Okay. We would
10 need to confirm -- are we allowed to do one
11 election and not two at the same time?

12 MR. LOSTUTTER: It would seem to me,
13 in reading the rules, that you can put forward
14 the nominations and then proceed to vote.

15 CHAIRPERSON SLASH: Okay. So, we
16 don't have to have her accept a nomination before
17 we --

18 MR. FLEISCHHACKER: I think she would
19 need to accept a nomination --

20 MR. LOSTUTTER: I think you're right.

21 MR. FLEISCHHACKER: -- prior to
22 voting on that.

23 CHAIRPERSON SLASH: Can we table our

1 election one more month?

2 MR. LOSTUTTER: I -- I guess I do not
3 have a problem. I mean as far as --

4 MR. FLEISCHHACKER: Well, the statute
5 says that you vote in the April meeting, and
6 we're already now at the May meeting, so I -- by
7 statute, I think we need to vote today --

8 CHAIRPERSON SLASH: Okay.

9 MR. FLEISCHHACKER: -- given that
10 there are nominations on the table.

11 CHAIRPERSON SLASH: Okay. I like to
12 clarify things.

13 MR. LOSTUTTER: This is my first --

14 COMM. JACKSON: Has Comm. Blackburn
15 talked to her?

16 CHAIRPERSON SLASH: Comm. Blackburn,
17 have you spoken with Comm. Harrington? Are you
18 aware if she would accept a nomination?

19 COMM. BLACKBURN: No, I have not. I
20 have found that sometimes it's easier for the
21 person to not be there, like you would find it's

22 easier to -- for someone to agree.

23 CHAIRPERSON SLASH: I appreciate your

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1 sentiments there. Okay.

2 COMM. BLACKBURN: I've not talked to
3 her.

4 CHAIRPERSON SLASH: You are our
5 guidance.

6 MR. FLEISCHHACKER: I think with
7 Comm. Harrington not present to accept or deny a
8 nomination, then it would not be before the
9 Commission. So, currently, nominations are Chair
10 Slash for Chair and Vice-Chair Ramos for
11 Vice-Chair.

12 CHAIRPERSON SLASH: Thank you.
13 How would you like to proceed with the
14 vote?

15 MR. LOSTUTTER: We will do the Chair
16 first, so we will call the roll on the nomination
17 of Chair Slash to remain the Chair of the
18 Commission for the upcoming year.

19 Comm. Blackburn?

20 COMM. BLACKBURN: Aye.

21 MR. LOSTUTTER: Comm. Jackson?
22 COMM. JACKSON: Aye.
23 MR. LOSTUTTER: Comm. Tolliver?

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1 COMM. TOLLIVER: Aye.
2 MR. LOSTUTTER: Vice-Chair Ramos?
3 VICE-CHAIR RAMOS: Aye.
4 MR. LOSTUTTER: Chair Slash?
5 CHAIRPERSON SLASH: Aye. I did put
6 it in the e-mail.
7 MR. LOSTUTTER: I wasn't sure whether
8 you would abstain or not, or if you would vote.
9 CHAIRPERSON SLASH: No, I would --
10 that's okay.
11 MR. LOSTUTTER: Okay. Well, it's
12 unanimous. You are re-elected Chair. And we
13 will now vote on Vice-Chair Ramos.
14 Comm. Blackburn?
15 COMM. BLACKBURN: I couldn't hear
16 you.
17 MR. LOSTUTTER: I said we're taking a
18 vote now on the Vice-Chair, and the person who is

19 up because he was here to accept the nomination
20 is Vice-Chair Ramos, so now we are taking the
21 vote, and how do you vote regarding the
22 Vice-Chair, Vice-Chair Ramos, returning?

23 COMM. BLACKBURN: Aye.

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1 MR. LOSTUTTER: Comm. Jackson?

2 COMM. JACKSON: Aye.

3 MR. LOSTUTTER: Comm. Tolliver?

4 COMM. TOLLIVER: Aye.

5 MR. LOSTUTTER: Chair Slash?

6 CHAIRPERSON SLASH: Aye.

7 MR. LOSTUTTER: Vice-Chair Ramos?

8 VICE-CHAIR RAMOS: Aye.

9 MR. LOSTUTTER: It's unanimous.

10 Welcome back.

11 CHAIRPERSON SLASH: I just want to
12 say thank you, Commissioners, for your votes of
13 confidence and for the continued support of the
14 staff. I do agree with the sentiments of
15 Executive Director Wilson earlier, the
16 Commission's come a really long way, and I
17 continue to be thankful to serve with such a

18 great team, great staff, and great group of
19 Commissioners.

20 VICE-CHAIR RAMOS: And I echo all of
21 those points, and it's an honor, too.

22 CHAIRPERSON SLASH: Okay. Do we have
23 any announcements?

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1 (No response.)

2 CHAIRPERSON SLASH: Okay.

3 MR. LOSTUTTER: I don't believe so.

4 CHAIRPERSON SLASH: And anyone here
5 for public comment?

6 (No response.)

7 CHAIRPERSON SLASH: Okay. With that
8 being said, it is 1:48 p.m. I call this meeting
9 of the Indiana Civil Rights Commission adjourned.

10 - - -
11 Thereupon, the proceedings of
12 May 25, 2023 were concluded
13 at 1:48 o'clock p.m.
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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 Thursday, May 25, 2023 in this matter and
transcribed by me.

Lindy L. Meyer, Jr.,
Notary Public in and
for the State of Indiana.

15 My Commission expires August 26, 2024.

16 Commission No. NP0690003

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