

BEFORE THE STATE OF INDIANA

CIVIL RIGHTS COMMISSION

FILE DATED

DEC 30 2012

INDIANA STATE
CIVIL RIGHTS COMMISSION

PUBLIC MEETING OF DECEMBER 16, 2011

COPY

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, December 16, 2011 at 11:08
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 John E. Garcia
6 Barry Baynard
7 Tehiji G. Crenshaw
8 Steven A. Ramos

9 INDIANA CIVIL RIGHTS COMMISSION
10 By Jamal Smith, Director/Secretary
11 & Joshua Brewster, Dep. Director
12 Indiana Government Center North
13 100 North Senate Avenue, Room N103
14 Indianapolis, Indiana 46204
15 On behalf of the Commission.

16 OTHER COMMISSION STAFF PRESENT:

17 Robert D. Lange
18 Pamela Cook
19 Christina Catalan
20
21
22
23

1 11:08 o'clock a.m.
2 December 16, 2011

3 - - -

4 CHAIRPERSON BLACKBURN: Good morning.

5 MR. SMITH: Good morning.

6 CHAIRPERSON BLACKBURN: The Indiana
7 Civil Rights Commission is now in public meeting,
8 and we do have indeed a quorum. You have in your
9 packets under Tab A the minutes, actually a
10 transcript of our last meeting. May I have a
11 motion to approve?

12 COMM. CARTER: So moved.

13 COMM. GARCIA: I have a --

14 CHAIRPERSON BLACKBURN: Question?

15 COMM. GARCIA: -- couple of
16 corrections.

17 CHAIRPERSON BLACKBURN: All right.

18 COMM. GARCIA: On page 9, line 25,
19 down at the bottom, it should read B a c h
20 instead of B o c k, John Bach.

21 CHAIRPERSON BLACKBURN: All right.

22 COMM. GARCIA: And also on page --
23 the same mistake on page 12, line 6. And then on
page, the inaudible stuff on page 11, line 23,

1 it's MOU. Memorandum of understanding is the
2 inaudible agreement.

3 CHAIRPERSON BLACKBURN: Okay. Is
4 that it?

5 COMM. GARCIA: That's it.

6 CHAIRPERSON BLACKBURN: Are there any
7 other corrections to the minutes?

8 (No response.)

9 CHAIRPERSON BLACKBURN: Hearing none,
10 may I have approval incorporating those changes?

11 COMM. CARTER: So moved.

12 COMM. GARCIA: Second.

13 CHAIRPERSON BLACKBURN: All in favor?

14 COMM. CARTER: Aye.

15 COMM. BAYNARD: Aye.

16 COMM. RAMOS: Aye.

17 COMM. GARCIA: Aye.

18 CHAIRPERSON BLACKBURN: Anyone

19 opposed?

20 (No response.)

21 CHAIRPERSON BLACKBURN: Thank you.

22 We have a Financial Report, and are there
23 any highlights you'd like to call to our

1 attention?

2 MS. COOK: None at this time. We're
3 closing in currently on the halfway mark of this
4 fiscal year, and we're currently on target. If
5 you have any questions after reviewing the
6 November report, I'd like to take those at this
7 time.

8 CHAIRPERSON BLACKBURN: I have --

9 COMM. BAYNARD: One question.

10 CHAIRPERSON BLACKBURN: Oh, go ahead.

11 COMM. BAYNARD: Go ahead; I'm sorry.

12 CHAIRPERSON BLACKBURN: Not so much a
13 question as a comment. It appears that with the
14 readjustment to the new budget, as a consequence,
15 next year we'll have less money to run the
16 agency.

17 MR. SMITH: More than likely, but
18 that's with a 15 percent --

19 MS. COOK: Last year we reverted 15
20 percent, plus an additional 83,000, I believe.

21 MR. SMITH: Yeah.

22 MS. COOK: For the fiscal year '12
23 and '13, it's set at the same amount.

1 CHAIRPERSON BLACKBURN: So, no good
2 deed goes unpunished.

3 MS. COOK: Of course.

4 MR. SMITH: Yeah, but we made
5 adjustments. We are planning accordingly, so we
6 should be fine. We should be fine.

7 CHAIRPERSON BLACKBURN: Okay.

8 Comm. Baynard?

9 COMM. BAYNARD: Yes, the question I
10 had is sort of same vein.

11 CHAIRPERSON BLACKBURN: Uh-huh.

12 COMM. BAYNARD: 6-2005, it looks as
13 though the personnel costs have either been flat
14 or gone down, so I just wonder, do we have --
15 because of less employees, or are we making up
16 the difference with service contracts, or --

17 MR. SMITH: I'd like to have a
18 pull-out of what's all included in the personnel
19 costs. Is that just salaries?

20 MS. COOK: Yes.

21 MR. SMITH: Well, the only thing to
22 justify that would be fewer employees.

23 COMM. BAYNARD: You have fewer

1 employees, then?

2 MR. SMITH: Then we have -- well,
3 we've had the -- there's been a hold, a freeze,
4 if you will, statewide on hiring, so you have to
5 go through hell and back to get additions, and so
6 we haven't added many new people. We've done
7 some replacements, obviously. When we lose an
8 investigator, we've got to keep pace, and so
9 we've added -- or maintained that, but we haven't
10 had any new. And so, my guess would be -- and
11 I'd have to pull out where we were from a head
12 count in '05 versus where we are now, but if this
13 is a hundred percent salaries, that's the only
14 thing I can think of.

15 CHAIRPERSON BLACKBURN: Uh-huh.

16 COMM. BAYNARD: So, how many
17 employees do we have?

18 MR. SMITH: We are currently at 29?

19 MS. COOK: Yes.

20 MR. SMITH: Twenty-nine employees.
21 And I do know that that is lower than it was at
22 one point, so I just don't know how low -- how
23 much lower than it was in '05, but I can get

1 that -- we can get that information for you.

2 MS. COOK: And through that attrition
3 as well, we've realized some savings because
4 we're -- we've eliminated a few higher class
5 positions --

6 (Comm. Crenshaw arrived.)

7 COMM. BAYNARD: Okay.

8 CHAIRPERSON BLACKBURN: -- as well.

9 MR. SMITH: That's a very good point.
10 So, for example, one of the first things when I
11 came over, we were actually -- the state has
12 centralized HR --

13 COMM. BAYNARD: Uh-huh.

14 MR. SMITH: -- resources, and so SPD
15 basically does HR for the entire -- every agency.
16 Well, when I first came over, we were actually
17 paying someone to do personnel and HR. That
18 person is no longer with us, and that was one of
19 the larger salaries in the agency.

20 We've also centralized with OMB the
21 finances as well, so whereas at one point we had
22 two folks who were doing our financials, we now
23 only have one, so -- and that salary was also one

1 of the larger salaries in the agency as well.
2 So, things like that, to Pam's point, I'm sure
3 contribute to what you see as a difference
4 between '05 and today.

5 COMM. BAYNARD: And I notice our
6 service contracts have gone up as well. I would
7 take that as EEOC contracts as well as HUD
8 contract.

9 MR. SMITH: That's --

10 COMM. BAYNARD: Do we have a
11 breakdown of which one is which?

12 MR. SMITH: Yeah, we'd like to pull
13 that out, too, service contracts. Are we looking
14 at intake or output?

15 MS. COOK: We're basically looking
16 at -- for our output, some of our --

17 COMM. BAYNARD: Oh, outputs; okay.

18 MR. SMITH: So, those would probably
19 be -- it looks like we've -- that's gone down as
20 well in 2011. And my guess is that's
21 sponsorship --

22 MS. COOK: Yes.

23 MR. SMITH: -- sponsorships and

1 agreements --

2 MS. COOK: Yes.

3 MR. SMITH: -- we've had, so we've
4 cut a lot of those that weren't giving us much
5 ROI, and then in some cases we've increased those
6 that we felt were giving us some ROI. A lot of
7 frivolous subscriptions we've have, we've cut
8 some of those, and things of that nature.

9 So, one of the things that -- we've been
10 talking to -- and I'll go through a little bit of
11 this, too, when we get to the Strategic Plan, is
12 in the midst of wanting to form community
13 partners, it's not so much that we are just
14 giving in terms of financials.

15 We want to make sure that the agency is
16 getting something in return, that whatever that
17 community partner -- or whoever that community
18 partner is, is doing something in return to help
19 us achieve whatever our goals are, you know,
20 furthering Fair Housing, delivering outreach and
21 education for equal employment, so on and so
22 forth.

23 And so, we really constructed -- or

1 reconstructed a lot of those agreements, and I'm
2 sure that reflects what you're looking at in
3 terms of those numbers.

4 COMM. BAYNARD: Okay. Thank you.

5 MR. SMITH: Yes, sir.

6 CHAIRPERSON BLACKBURN: Any other
7 questions?

8 (No response.)

9 CHAIRPERSON BLACKBURN: Hearing none,
10 may I have a motion to approve the Financial
11 Report as submitted?

12 COMM. CARTER: So moved.

13 COMM. BAYNARD: Second.

14 CHAIRPERSON BLACKBURN: All in favor?

15 COMM. CRENSHAW: Aye.

16 COMM. CARTER: Aye.

17 COMM. BAYNARD: Aye.

18 COMM. RAMOS: Aye.

19 COMM. GARCIA: Aye.

20 CHAIRPERSON BLACKBURN: Anyone
21 opposed?

22 (No response.)

23 MR. SMITH: I'll be sure to try to

1 pull out some of those specifics, as much as we
2 can, so you guys have a better picture of who and
3 what lies within that framework of the service
4 contracts.

5 COMM. BAYNARD: Okay.

6 CHAIRPERSON BLACKBURN: All right.

7 Do I hear any Old Business? Is there any?

8 There's none in our folder.

9 (No response.)

10 CHAIRPERSON BLACKBURN: Any New

11 Business?

12 (No response.)

13 CHAIRPERSON BLACKBURN: Again, none
14 is in our folders. And no consent agreements to
15 consider.

16 Item G in you agenda, Findings of Fact,
17 Conclusions of Law and Order. I hope you've had
18 a chance to peruse those, and would ask for a
19 motion to accept them.

20 COMM. RAMOS: So moved.

21 COMM. CRENSHAW: Second.

22 MR. LANGE: Where are they? Where
23 are they?

1 CHAIRPERSON BLACKBURN: Findings of
2 Fact, under Tab G.

3 COMM. GARCIA: I don't see any.

4 MR. SMITH: We just have notices of
5 findings.

6 CHAIRPERSON BLACKBURN: There are
7 notices of findings and corrected notice --
8 notice of findings. Shall I reword that? May I
9 have an approval for the notice of findings?

10 MS. CATALAN: There shouldn't be any
11 findings --

12 COMM. RAMOS: We have --

13 MS. CATALAN: -- unless it's the
14 appeals on Tab H.

15 COMM. RAMOS: We have several.

16 MR. SMITH: This is a notice.

17 MS. CATALAN: Okay. Those -- oh, the
18 appeals, that should be in Tab H; I'm sorry.

19 That should be in Tab H.

20 CHAIRPERSON BLACKBURN: It says,
21 "Notice of Finding."

22 MR. SMITH: Yeah, I see a notice of
23 finding as well, Brian James.

1 MS. CATALAN: Those are the appeals.
2 Those are appeals that get assigned for the
3 month.

4 COMM. GARCIA: So, those should be in
5 Tab I?

6 MS. CATALAN: Yes, I'm sorry, Tab I.
7 I'm sorry.

8 MR. LANGE: H are, as I understand
9 it, the cases from last month where there was an
10 intention to reverse the finding to probable
11 cause.

12 CHAIRPERSON BLACKBURN: I'm sorry. I
13 can't hear you at all.

14 MR. LANGE: Yeah, I'm sorry. Tab H,
15 as I understand it, is the cases from last month
16 where several different Commissioners had
17 indicated an intention to reverse, and we sent
18 out that notice. The Respondent has 15 days from
19 sending out the notice to file -- to object to
20 actually reversing it, and that 15 days has not
21 yet passed. But that's what H is, is those
22 cases. I is new cases where a finding has been
23 entered and Complainant has appealed, new cases

1 sent last month.

2 CHAIRPERSON BLACKBURN: I'm probably
3 not looking at the right agenda then --

4 MR. LANGE: Possibly.

5 CHAIRPERSON BLACKBURN: -- which
6 shows G, Findings of Fact, Conclusions of Law and
7 Order, which usually in my folder says, "Notice
8 of Findings of Fact."

9 MS. CATALAN: I apologize for that.
10 I had placed the wrong one in every one.

11 CHAIRPERSON BLACKBURN: This was in
12 here.

13 MS. CATALAN: Yeah, that's this one.

14 CHAIRPERSON BLACKBURN: Okay. So, do
15 you want to explain what this is?

16 MS. CATALAN: Tab H on the agenda is
17 the appeals that were assigned last month.
18 Findings of fact, this is what we mailed out once
19 a case is closed, saying it's not a probable
20 cause, so then they have 15 days to file an
21 actual appeal. That's why it says, "Notice of
22 Finding" here. And on your agenda it says -- so,
23 I do -- this is Tab H, the one here. Did you get

1 any G? I'm sorry.

2 CHAIRPERSON BLACKBURN: Oh, okay.

3 So, the reports that you see under Tab H, "Notice
4 of Findings" --

5 MS. CATALAN: Uh-huh.

6 CHAIRPERSON BLACKBURN: -- I'm asking
7 then the Commissioners if you've had a chance to
8 look at those to approve them, or I need to --

9 MR. LANGE: No, I don't think so.
10 Unfortunately in --

11 CHAIRPERSON BLACKBURN: If it's only
12 a notice.

13 MR. LANGE: -- all of the those cases
14 Respondent has --

15 CHAIRPERSON BLACKBURN: -- I don't
16 know that we need to approve it at this time.

17 MR. LANGE: The notice that we send
18 to Respondent --

19 (Discussion off the record.)

20 MR. LANGE: No, H is not it. The
21 notice of the intention to reverse we send out
22 when a Commissioner is thinking about
23 reversing --

1 CHAIRPERSON BLACKBURN: Right, and
2 the time is not --

3 MR. LANGE: Respondent has a certain
4 period of time to object, and that time has not
5 yet passed. It will pass early next week, but --

6 CHAIRPERSON BLACKBURN: So, this is
7 really strictly for the information of the
8 Commission, so --

9 MR. LANGE: Yeah.

10 CHAIRPERSON BLACKBURN: -- it has no
11 action at this time?

12 MR. LANGE: Correct.

13 COMM. CARTER: I think that two
14 directors ago it was explained to us that this is
15 to eliminate some sort of -- one level of
16 notification sending out, that --

17 MR. LANGE: Yes. As cumbersome as
18 this is, it used to be worse.

19 (Laughter.)

20 CHAIRPERSON BLACKBURN: What did you
21 say?

22 MR. LANGE: As cumbersome as this is,
23 it used to be worse.

1 CHAIRPERSON BLACKBURN: Oh, okay.

2 MR. SMITH: So --

3 CHAIRPERSON BLACKBURN: Well, if
4 there are no further questions, then, about the
5 content behind Tab H --

6 MR. SMITH: Do we need to change --

7 CHAIRPERSON BLACKBURN: -- which is
8 information about those cases yet pending that
9 have not yet been settled, then we'll move on to
10 Tab I, the Assignment of Appeals to
11 Commissioners. And I see some unreadiness over
12 here.

13 Director, do you want -- have something
14 else to say?

15 MR. SMITH: Well, I just want to make
16 sure that there's a comprehensive piece of
17 understanding amongst the Commissioners that we
18 have articulated this in a way that makes sense
19 to you guys, because if we haven't, then it makes
20 no sense, period, and we need to make that
21 adjustment. So, I'm looking at the disposition
22 of the Commission right now, and I just want to
23 make sure that before we just --

1 CHAIRPERSON BLACKBURN: Well, it
2 would have been helpful if it had been stated as
3 Report to Commissioners on Complaint Appeals
4 rather than --

5 MR. SMITH: Okay. Say that one more
6 time.

7 CHAIRPERSON BLACKBURN: -- Report by
8 Commissioners.

9 MR. SMITH: So, Report to
10 Commissioners?

11 Christina, did you get that?

12 MS. CATALAN: (Nodded head yes.)

13 MR. LANGE: Next time.

14 (Discussion off the record.)

15 CHAIRPERSON BLACKBURN: So, we're now
16 at the Assignment of Appeals to Commissioners,
17 and we'll start with b, Commissioner -- I'm
18 sorry; do you have a question?

19 COMM. GARCIA: These are the ones we
20 have to report on. The one under H we have to
21 report on.

22 COMM. CARTER: Assignments. You
23 misspoke.

1 CHAIRPERSON BLACKBURN: No, I really
2 am confused then.

3 COMM. RAMOS: Okay.

4 CHAIRPERSON BLACKBURN: What you just
5 said to me --

6 MR. SMITH: Reporting on I. The ones
7 under H were the --

8 COMM. GARCIA: Ones that were
9 assigned last meeting.

10 MR. SMITH: That you guys
11 requested -- or made the recommendation that they
12 be overturned; right?

13 COMM. GARCIA: No, that's under --

14 MR. LANGE: I think that's incorrect.

15 COMM. GARCIA: That's under G.

16 MR. LANGE: Sorry about that.

17 COMM. GARCIA: Yeah, it's under G.

18 CHAIRPERSON BLACKBURN: Isn't that
19 what you just told me?

20 MR. LANGE: It is what I just told
21 you, and I was incorrect.

22 MR. SMITH: Okay. So that we have
23 some understanding, because this is a little bit

1 much, under H, what are those? What are we
2 looking at under H?

3 MR. LANGE: Those in fact are cases
4 they were assigned last month and can report on.

5 MR. SMITH: Okay.

6 MR. BREWSTER: If I may suggest for
7 the future, the cases that you were referring to
8 where someone -- when a Commissioner had
9 recommended reversal, that those be put under Old
10 Business --

11 MR. LANGE: Okay.

12 MR. BREWSTER: -- because they're not
13 reflected on this --

14 MR. LANGE: They're not in here at
15 all.

16 MR. BREWSTER: -- because the 15 days
17 have not passed, so we're not talking about them
18 today. Those will be addressed at next month's
19 meeting, but it might be good to have that in
20 this agenda so we don't forget about it, under
21 Old Business, and it could just be tabled then.

22 MR. SMITH: Okay.

23 CHAIRPERSON BLACKBURN: That would

1 make it clearer.

2 MR. BREWSTER: Right.

3 COMM. CARTER: Well, the no probable
4 cause findings that started all of the confusion
5 aren't on the agenda. They're in the loose leaf
6 notebook there, but they aren't on the agenda.

7 MR. BREWSTER: Yeah, those are new
8 ones. That's under H.

9 COMM. CARTER: Yeah.

10 MR. BREWSTER: Yeah, those are ones
11 that were assigned to you last month.

12 COMM. CARTER: Yeah.

13 MR. BREWSTER: The ones that we're
14 talking about that were recommended for reversal,
15 those were assigned two months ago.

16 COMM. CARTER: Right.

17 CHAIRPERSON BLACKBURN: Two months
18 ago.

19 MR. BREWSTER: Right, and then they
20 were recommended for reversal last month.

21 MR. SMITH: Last month.

22 MR. BREWSTER: And then they appear
23 to object, and will be voted on next month.

1 MR. SMITH: And those are --

2 MR. BREWSTER: That whole process
3 takes three months.

4 MR. SMITH: And those are not in here
5 at all right now?

6 MR. BREWSTER: No, they're not.

7 MR. SMITH: Okay. So, moving past
8 that piece because those aren't in here, so what
9 is under H? What's H?

10 MS. CATALAN: H is the appeals
11 assigned last month, so this month they're
12 reported -- either it's going to be upheld,
13 reversed or remanded. That's what H is.

14 MR. SMITH: So, we have moving back
15 to H, then. So, from an understanding --

16 CHAIRPERSON BLACKBURN: So, the
17 wording is "Report by Commissioners" --

18 MR. SMITH: By the Commissioners.

19 CHAIRPERSON BLACKBURN: -- as you've
20 written, and they're not --

21 MR. LANGE: My bad.

22 CHAIRPERSON BLACKBURN: Your bad,
23 right.

1 (Laughter.)

2 CHAIRPERSON BLACKBURN: All right.

3 Comm. Baynard?

4 COMM. BAYNARD: Yes, Madam Chair. In
5 the case of Clint Cowles versus Superior Small
6 Engines, I would recommend to the Commission that
7 we uphold the Deputy Director's finding of no
8 probable cause.

9 CHAIRPERSON BLACKBURN: May I have a
10 motion to accept that recommendation?

11 COMM. CARTER: So moved.

12 COMM. CRENSHAW: Second.

13 CHAIRPERSON BLACKBURN: All in favor?

14 COMM. CRENSHAW: Aye.

15 COMM. CARTER: Aye.

16 COMM. BAYNARD: Aye.

17 COMM. RAMOS: Aye.

18 COMM. GARCIA: Aye.

19 CHAIRPERSON BLACKBURN: Anyone
20 opposed?

21 (No response.)

22 CHAIRPERSON BLACKBURN: Thank you.

23 And Comm. Carter?

1 COMM. CARTER: Madam Chair, I
2 recommend that we uphold the administrative
3 dismissal as found by the Director or Deputy
4 Director, whichever it was.

5 CHAIRPERSON BLACKBURN: May I have a
6 motion to accept that recommendation?

7 COMM. CRENSHAW: So moved.

8 COMM. BAYNARD: So moved.

9 COMM. RAMOS: Second.

10 CHAIRPERSON BLACKBURN: All in favor?

11 COMM. CRENSHAW: Aye.

12 COMM. CARTER: Aye.

13 COMM. BAYNARD: Aye.

14 COMM. RAMOS: Aye.

15 COMM. GARCIA: Aye.

16 CHAIRPERSON BLACKBURN: Thank you.

17 Comm. Crenshaw?

18 COMM. CRENSHAW: Madam Chair, in the
19 case of Jacky Haskins versus Wal-Mart Stores
20 East LP, I make a recommendation to uphold the
21 Deputy Director's finding of no probable cause.

22 CHAIRPERSON BLACKBURN: May I have a
23 motion to accept --

1 COMM. RAMOS: So moved.

2 CHAIRPERSON BLACKBURN: -- Comm. --

3 COMM. CARTER: Second.

4 CHAIRPERSON BLACKBURN: -- Crenshaw's

5 recommendation? You must have someplace to go.

6 Thank you very much.

7 All in favor?

8 COMM. CRENSHAW: Aye.

9 COMM. CARTER: Aye.

10 COMM. BAYNARD: Aye.

11 COMM. RAMOS: Aye.

12 COMM. GARCIA: Aye.

13 CHAIRPERSON BLACKBURN: Anyone

14 opposed?

15 (No response.)

16 CHAIRPERSON BLACKBURN: Thank you.

17 Comm. Garcia?

18 COMM. GARCIA: I hate to bring this

19 up now, but Henry Davis -- in the case of Henry

20 Davis versus the Indiana Gaming Commission, I

21 reported on that one last month. That's

22 reflected in the minutes.

23 MS. CATALAN: Oh, I'm sorry.

1 made a recommendation for the Henry Davis versus
2 Gaming Commission case last month?

3 COMM. GARCIA: Right.

4 MR. SMITH: And was that to uphold
5 whatever the finding was, or was that one of the
6 reverse cases?

7 COMM. GARCIA: Yeah, we -- yeah, I
8 wanted to uphold the --

9 MR. SMITH: Uphold that one?

10 COMM. GARCIA: -- Deputy Director's
11 finding. I think it's on page -- page 7, line 5.

12 MR. SMITH: Yeah. Okay. I see that
13 in there, and so that shouldn't be in here at
14 all. Okay.

15 CHAIRPERSON BLACKBURN: Okay. The
16 Assignment of Appeals to Commissioners.
17 Comm. Baynard, Ben Bambo, Sr. --

18 (Laughter.)

19 COMM. CRENSHAW: I thought she was
20 making a joke.

21 CHAIRPERSON BLACKBURN: -- versus --
22 I thought it was something else, but it isn't.
23 That's correct, I presume -- National College;

1 Comm. Carter, Paula George versus Affiliated
2 Computer Systems; Comm. Crenshaw, Samantha
3 Kennedy versus The Original Spaghetti & Sub
4 House; Comm. Garcia, Phillip Britt versus The
5 Clubs doing business as Club Indianapolis; and
6 Comm. Ramos, Jeffery White versus School City of
7 East Chicago; and I'll take the remaining cases.

8 Thank you very much. We will move on next
9 to the exciting Administrative Update and combine
10 that with the Executive Director's Report.

11 MR. SMITH: Okay. Thank you, Madam
12 Chair.

13 We'll move first to the Executive
14 Director's Report. Not much to report in there.
15 We have a list of a lot of the outreach and
16 education initiatives that we have going on.

17 I think the most important one to note is
18 the MLK event that is coming up in January, so
19 what we propose is, in conjunction with the MLK
20 Commission, which we always do, where we hand out
21 the awards and we do the piece, we have the event
22 for the young people over at the museum, and
23 we've got over 400 kids signed up for that, so it

1 looks to be an exciting piece.

2 And this year we're going to move all of
3 the kids, after they do the museum, over to the
4 Statehouse so that they can take part in the
5 event over at the Statehouse, and so that should
6 be a good piece. The Governor will be in
7 attendance there to help facilitate that, as he
8 always is, and so -- and that's kind the pomp and
9 circumstance. That's what we always do.

10 What we've also decided to add, though,
11 that following day, which is Friday the 13th, is
12 a day of service in light of Dr. King. Instead
13 of just handing out the awards, actually do
14 something where we give back to the community.
15 And as an agency, we issue kind of a statewide
16 challenge to other human relations commissions,
17 other community organizations throughout the
18 state, to do something similar within their own
19 communities as a statewide day of service.

20 And so, we're going to set up shop on MLK
21 Street, which is not too far from here. Watkins
22 Park is located right there between Fall Creek
23 and, I want to say, 28th or 29th Street or

1 something like that, to be kind of the home base.
2 We've talk to the city. They've agreed to
3 partner with us and give us all of the materials,
4 bags, volunteers, gloves, things like that that
5 we need.

6 And we'll do a cleanup of the
7 neighborhood. We'll clean the park, if need be
8 we'll shovel some sidewalks. You know, if we've
9 got some elderly people that live, you know,
10 we'll clear out their sidewalks and driveways,
11 and just give back to the community that day, and
12 we've issued an invite, kind of a challenge, to
13 the other community organizations.

14 IBE, the Indiana Black Expo, has agreed to
15 partner with us in that effort and volunteer a
16 lot of their stuff to come and help take part,
17 and so anybody else throughout the community we
18 have encouraged them to come out and take part as
19 well. So, that will be kind of a two-day thing.

20 COMM. CRENSHAW: Have you talked to
21 IHEDA?

22 MR. SMITH: Yeah --

23 COMM. CRENSHAW: Are they willing?

1 MR. SMITH: -- we actually have. We
2 sent out to all of the other state agencies, so
3 IHEDA, DOE. We haven't gotten much of a
4 response, but to be honest, I'm not sure if I was
5 expecting much of one.

6 But, you know, we do -- there's a piece
7 that is -- because it is on a Friday, it is on a
8 workday, and the state does grant -- I forget
9 what the term is for -- Mr. Brewster has taken
10 advantage of it before, but you can vol -- the
11 state will pay kind of a leave, if you will, for
12 you to volunteer. I forget what that's called.

13 But there's some -- there's a caveat to
14 it. You have to have volunteered for that
15 specific organization before in the past and so
16 on and so forth. So, if someone who works here
17 is going to participate, they actually have to
18 take their own personal time that day to come out
19 and do it, and that may be asking a lot. If they
20 do, we welcome them. Like I said, we sent out
21 the invite, but, you know, we certainly get it if
22 they can't.

23 The point for us was to do something a

1 little altruistic and give back to the community
2 in the spirit of Dr. King and not just hand out
3 awards like we always do. I mean that part is
4 great, it's well that we recognize people that
5 have done some things throughout the year, but we
6 as an agency wanted to do something as well,
7 so -- so, yeah.

8 So, that's prob -- that's the big event to
9 report on, and that will be January 12th and
10 the 13th, that Thursday and Friday.

11 CHAIRPERSON BLACKBURN: Whatever
12 happened to the anniversary celebration?

13 MR. SMITH: What anniversary
14 celebration?

15 CHAIRPERSON BLACKBURN: Our
16 anniversary as an agency.

17 MR. SMITH: Oh, yeah. So, the
18 agency's 50 year goes from -- it started July 1
19 this year through June 30th of the following
20 year, and so we're still in the midst of planning
21 it. We're working with IBE as a partner and
22 their video institute to put together kind of a
23 50th year anniversary tribute video that kind of

1 dates back.

2 We're going to -- you guys will be
3 contacted to be interviewed. We'll do kind of
4 some face-to-face interviews with you guys about,
5 you know, the progression of ICRC throughout the
6 years and what it's meant to the state and the
7 plight of civil rights throughout the last 50
8 years and so on and so forth.

9 We're going to try to reach back to all of
10 the former Executive Directors as well as some of
11 the people who have been heavily involved with
12 the agency in the previous years and put together
13 this compilation.

14 And the tentative idea is to present it at
15 an event that we're having in April as a part of
16 Fair Housing Month here, and we're going to look
17 to make it a pretty big event, with all of the
18 housing agencies as well as some employment
19 pieces and some education components here in the
20 Government Center in April.

21 Part of it was it was tough to do anything
22 between January and February because the Super
23 Bowl has got this thing completely locked down,

1 so we had to look a little past February. But
2 we're still working on it, to answer your
3 question. The video, we think, would be a great
4 tribute to it, and we look forward to actually
5 including all of you guys in it as well as some
6 of the former employees and directors as well.

7 Any other questions on that piece?

8 CHAIRPERSON BLACKBURN: It would be
9 significant to note that one of our former
10 directors is now the --

11 MR. SMITH: Mayor --

12 CHAIRPERSON BLACKBURN: -- Mayor --

13 MR. SMITH: -- of Gary.

14 CHAIRPERSON BLACKBURN: -- of Gary --

15 MR. SMITH: Uh-huh, Ms. Karen --

16 CHAIRPERSON BLACKBURN: -- Karen

17 Freeman-Wilson.

18 MR. SMITH: -- Freeman-Wilson. For
19 those who didn't know, she won the election and
20 replaced Mayor Rudy Clay in Gary, and I've
21 actually gone up to meet with her once already,
22 and a sweet lady. That was my first -- actually
23 she said we had met before, but the first time we

1 had a good personal conversation, so it was
2 great.

3 CHAIRPERSON BLACKBURN: All right.

4 MR. SMITH: Anything else on that
5 front?

6 CHAIRPERSON BLACKBURN: No.

7 MR. SMITH: Okay. Well, moving
8 forward, because I don't want to keep you guys
9 too long, we actually have -- and in your
10 possession you should have a couple of things.
11 One is the Strategic Plan -- proposed Strategic
12 Plan -- for the agency here, as well as kind of a
13 PowerPoint, which is what I'll use to go through
14 the Strategic Plan here.

15 You'll see on the front of this the date
16 has 2010 to 2013. The reason being for that is
17 coming in, there was no Strategic Plan for the
18 agency, and we wanted to put that together, but
19 we also needed kind of a baseline to do so, so I
20 came in in mid-2010, right, and we wanted to put
21 out a survey to survey the state, to get a feel
22 for and a baseline metric to justify the things
23 that we were doing and give some direction to

1 some of things that we wanted to.

2 And so, we've taken this past year to
3 accumulate those results of the survey as well as
4 some of the feedback from a lot of the outreach
5 and things that we've been doing, and that's
6 given birth to the Strategic Plan that we have
7 here now.

8 We put -- we've actually put -- last year
9 we put together kind of a tentative one, to give
10 us some direction as we went through, but this is
11 one that we wanted to do. And then furthermore,
12 we wanted to get the approval, obviously, of the
13 Commission, or if nothing else, the buy-in of the
14 Commission, as we make this thing the formal
15 Strategic Plan for the Indiana Civil Rights
16 Commission.

17 So, just to move forward, some of the
18 highlights. Obviously, the mission is what it
19 has been for a while, and the overall objective,
20 just in a nutshell, is that the Indiana Civil
21 Rights Commission ultimately fights to improve
22 the state of civil rights throughout Indiana.

23 The Vision Statement is something that we

1 put together, and, you know, we want the ICRC to
2 be an important societal influence, working to
3 identify and address the civil rights issues of
4 the 21st Century, and so everything that we do in
5 terms of how we get out, how we do our outreach,
6 our communications plans.

7 Oh, that's right; you came in. I
8 apologize for that. I do have some extra ones.
9 Actually, you can steal Josh's, because I gave
10 Josh that. Josh, if you wouldn't mind sharing
11 that with Comm. Crenshaw. I apologize. And
12 here's the actual Strategic Plan for you.

13 COMM. CRENSHAW: Thank you.

14 MR. SMITH: Yes, ma'am.

15 So, that's the Vision Statement. I'll hit
16 fast-forward here. Our focus areas, equal
17 employment, obviously, affirmatively furthering
18 fair housing, and then equal access to a quality
19 education, although those aren't the only five
20 areas that we cover.

21 Obviously, public accommodation and credit
22 are along those lines as well, but you could
23 argue that these are our primary three focus

1 areas, two of which are tied up in our work-share
2 agreements with EEOC and HUD, and the other you
3 could argue is probably the most pressing issue
4 that not just us, but other public agencies are
5 dealing with and community organizations are
6 dealing with now as -- you know, in the way of
7 education. So those are our primary focus areas.

8 Kind of the background for it, as I
9 mentioned before, was the survey that we took,
10 and what came out of that was some really
11 interesting findings. We asked some really basic
12 questions, you know, "Have you faced
13 discrimination in your lifetime?"

14 Fifty-eight percent of those we
15 surveyed -- and we surveyed a little over 900
16 folks, and I'll get to that here in a second --
17 58 percent of those said that they have been
18 discriminated against in their lifetime. And
19 then 90 percent of everyone that we surveyed said
20 that they felt that discrimination was still an
21 issue here in the State of Indiana, which was
22 telling to us as well.

23 And then one of the most alarming things

1 to me was the fact that less than 15 percent of
2 the people we surveyed said they had a good
3 understanding of what we did and who we were,
4 which is alarming when you consider us to be the
5 civil rights agency for the state.

6 Oh, and then, you know, considering who
7 what you would consider our target demo would be,
8 what would you guys guess the majority of -- what
9 would the demographic or the makeup of the 900
10 people we surveyed would be?

11 CHAIRPERSON BLACKBURN: I would guess
12 that it would be young, somewhere in the
13 neighborhood of, you know, 18 to 25.

14 MR. SMITH: In all actuality, they
15 were the -- and we need to make some adjustments
16 to our sample, but of this 900, over 60 to 70
17 percent of those were middle -- they were our
18 stakeholders. They were the landowners, and they
19 were -- and 60 to 65 percent were white.

20 CHAIRPERSON BLACKBURN: No kidding?

21 MR. SMITH: So, for that demographic,
22 90 percent of them to say that they still felt
23 that discrimination is an issue in the State of

1 Indiana, right, and for 60 percent of that to say
2 that they felt, you know, that they had been
3 discriminated against in their lifetime, you
4 know, says quite a bit, especially considering,
5 you know, the pool of folks.

6 And obviously when we go -- and we'll do
7 it again as a follow-up this year, and we want to
8 make sure that we put together a more grass-roots
9 approach so that we have a little bit more
10 diversity.

11 And I wasn't so upset with this, because I
12 think typically the folks that we pull in are
13 minority or are underrepresented populations,
14 et cetera, et cetera, and you would guess that
15 that would be their response, but to get this
16 response from folks outside of that demographic,
17 I think, told a really telling story, so --

18 CHAIRPERSON BLACKBURN: I thought
19 maybe with young people using the Internet --

20 MR. SMITH: Uh-huh.

21 CHAIRPERSON BLACKBURN: -- they would
22 understand and be familiar with Survey Monkey.

23 MR. SMITH: No, but we did Survey

1 Monkey as well as some hard copies, and so what
2 we did was, as we got out, you know -- and this
3 is why the pool was what it was. When we did a
4 lot of our trainings and our educational pieces,
5 we took the hard copies and had them fill them
6 out there prior to the meetings, and that gave us
7 a lot of what we got back, so --

8 COMM. CRENSHAW: Would possibly
9 maybe -- I know what, several -- two or three
10 directors back, we did a -- like a meeting, not
11 every month, but maybe three or four times out of
12 the year we'd go to like a city, so that people
13 could get a -- put an eye on us and get an idea
14 of what we do, who we are. Would that help, to
15 possibly do --

16 MR. SMITH: Well, that's, in a
17 nutshell, what we're doing now.

18 COMM. CRENSHAW: Okay.

19 MR. SMITH: And it's not just one
20 meeting -- one monthly meeting. Over the last --
21 and I can pull up all of the last few months of
22 reports, but we've hit two, three, four cities in
23 a month.

1 COMM. CRENSHAW: Okay.

2 MR. SMITH: And we're trying to get
3 everywhere we possibly can, which is why -- and
4 I'll touch on this in a minute -- why these
5 collaborations with the local folks are so
6 important, because from where we sit, that
7 relationship is vital so that they pull in the
8 audience and they pull in the folks in that
9 community so that we're not just going to talk to
10 ourself.

11 But yeah -- no, to your point, the answer
12 to your question is yes, we've been doing that.
13 We hope to continue doing it, and not just once a
14 month; we look to do it, you know, as often as we
15 possibly can. We have you minimum stake of every
16 other month doing on outreach event with our COE
17 as a baseline, as a minimum. What that's turned
18 into, like I said, is a multitude of events going
19 on and other organizations reaching out and
20 requesting that we come and do some sort of
21 presentation. So, it's been working out well.

22 COMM. CRENSHAW: Because I know,
23 what, two or three years ago we did a Commission

1 meeting in Evansville.

2 COMM. GARCIA: I think she was
3 referring to the Commission meetings.

4 COMM. CRENSHAW: That's what I'm
5 talking about.

6 MR. SMITH: Oh, the Commission
7 meetings?

8 COMM. CRENSHAW: Right. I'm sorry.

9 MR. SMITH: That's you guys' call.
10 We'd be open to it. I don't think it really --

11 COMM. CRENSHAW: Because I don't
12 think we've done one in La Porte, have we, since
13 I've been here?

14 COMM. GARCIA: No. We did --

15 COMM. RAMOS: We did Portage. That
16 was a struggle for some people from Indianapolis.

17 COMM. CRENSHAW: Yeah.

18 MR. SMITH: Yeah. I mean -- and
19 that's a call -- we obviously can't make that
20 call for you guys.

21 COMM. CRENSHAW: Right.

22 MR. SMITH: If you guys decided you
23 wanted to have a Commission meeting in

1 wherever --

2 COMM. RAMOS: We did Richmond, too.

3 COMM. CRENSHAW: Yes, we did

4 Richmond.

5 MR. SMITH: We'd be more than --

6 MR. LANGE: We did Terre Haute.

7 MR. SMITH: We'd be more than willing

8 to --

9 COMM. CRENSHAW: Yeah, that's right,
10 we did Terre Haute, too.

11 COMM. RAMOS: That was a nice welcome
12 pack.

13 COMM. CRENSHAW: Yeah, and a lot of
14 people showed up for that one, because they hear
15 Commission and they run, they say, "Oh, okay.
16 What's --"

17 MR. SMITH: Yeah.

18 MR. LANGE: If I'm not mistaken,
19 Terre Haute was Jamal's first Commission meeting.

20 MR. SMITH: That's right, that was.
21 We did -- my first -- I was like a day on the
22 job. That was like July or June --

23 MR. LANGE: Yeah.

1 MR. SMITH: -- June, July of 2010.
2 Yeah, I remember that. So, yeah, I mean if you
3 guys decided you wanted to do so, I am more than
4 willing to make sure that we make the accom -- I
5 mean obviously make the accommodations to do it,
6 and we can plan something around it and invite
7 the community out to take part. But again, I
8 think the reason why we have it here is it's
9 central, and so --

10 COMM. RAMOS: That's it.

11 MR. SMITH: Yeah, you guys have that
12 fight amongst yourselves.

13 COMM. CRENSHAW: I'll swing by and
14 pick you up, Madam Chair.

15 CHAIRPERSON BLACKBURN: All right.
16 Yeah, why don't we consider maybe hosting a few
17 meetings on the government access channel?

18 COMM. CRENSHAW: Oh.

19 MR. SMITH: We'll have to look into
20 that. Make sure you make a note of that.

21 CHAIRPERSON BLACKBURN: That would
22 reach a whole lot more people.

23 COMM. CRENSHAW: Or maybe doing one

1 like at a college campus.

2 COMM. RAMOS: We probably could do
3 that.

4 CHAIRPERSON BLACKBURN: We could do
5 it by -- yeah, we could do a distance learning
6 network from one of the colleges, maybe providing
7 that.

8 MR. SMITH: That would be beautiful.

9 CHAIRPERSON BLACKBURN: I mean those
10 are ideas that would help people --

11 COMM. RAMOS: Uh-huh.

12 CHAIRPERSON BLACKBURN: -- beyond the
13 12 percent or whatever.

14 MR. SMITH: Yeah, 12 percent.

15 CHAIRPERSON BLACKBURN: Beyond the 12
16 percent to find out --

17 MR. SMITH: I'm game. That's our
18 mission.

19 CHAIRPERSON BLACKBURN: -- what we're
20 doing.

21 MR. SMITH: And we've established a
22 relationship with Ivy Tech. We're actually
23 looking to -- we don't have all of the details,

1 that's why I didn't mention it, but we're looking
2 for do a virtual education conference. The Ivy
3 Tech campuses throughout the state -- we'll use
4 the one here in Indy as the hub, stream it live,
5 invite everybody to their local Ivy Tech campus,
6 and then touch on some issues there free of
7 charge. They just come, and we'll provide some
8 food and snacks and everything.

9 CHAIRPERSON BLACKBURN: But if we did
10 have a meeting in that context, it would be a
11 whole lot more efficient than driving all around
12 the state. I mean --

13 COMM. CARTER: Here, here.

14 MR. SMITH: So, we can work on that.
15 I mean if -- I don't know if you guys want to
16 have some discussion on it and decide that at a
17 later date, but --

18 COMM. GARCIA: Yeah, and I think --

19 MR. SMITH: -- I'm open to it.

20 COMM. GARCIA: -- we'd just have to
21 advertise it right, I think when we went up to
22 Portage, somebody came up from Wanatah and had a
23 complaint, but that was more of a political

1 strong-arming thing in town, and --

2 MR. SMITH: Yeah.

3 COMM. GARCIA: -- they didn't care
4 who they -- this family didn't care. They were
5 just political strong-arming, and they took up
6 quite a bit of our time. I mean we felt bad for
7 the person, but it's really not within our
8 jurisdiction.

9 MR. SMITH: Well, why don't we look
10 into that, then? I'm assuming that's unanimous.
11 I don't see any shakes of no from the Commission,
12 so we'll look at maybe the streaming live from an
13 Ivy Tech campus, or to the Comm. Crenshaw's
14 suggestion, look at maybe having a Commission
15 meeting we'll call off-site --

16 CHAIRPERSON BLACKBURN: Okay.

17 MR. SMITH: -- and do it that way.

18 COMM. CRENSHAW: But we -- if we do
19 one in Evansville again, I'll have to work with
20 U of E --

21 MR. SMITH: Okay.

22 COMM. CRENSHAW: -- to get some
23 space.

1 MR. SMITH: Cool. All right.

2 So, let's get moving this piece along.
3 So, yeah, a lot of the results from the survey
4 were really telling and, to me, gave kind of a
5 baseline as to why we're doing what we're doing
6 and some incentive to keep it up.

7 So, our objectives that came out of this,
8 and so, how do we fix the issues? One is we
9 wanted to again establish those working
10 relationships. I remember when a first started
11 the conversations, the focal point were the human
12 rights commissions as a part of the consortium.
13 Well, that was a dud. Not all of them were on
14 our page. Some of them had some personal issues
15 to keeping their own --

16 COMM. CRENSHAW: Turf.

17 MR. SMITH: -- turf, yeah. But, you
18 know, and they didn't want the State Commission
19 to come into their neighborhood, and, you know,
20 my response to that was to let them know that we
21 are the State's Commission and we have kind of a
22 mission to get out throughout the state. We
23 would love to work with them, but, you know, the

1 only alternative is to jump over them in the
2 process, so either work with us or against us.

3 So, we kind of came back to the table and
4 had some conversations, so we'll -- you know,
5 maybe there's no sense to just focus on them.
6 You know, we'll focus on all of the community-,
7 civil-, human-, community-rights-related
8 organizations throughout state, and whoever was
9 willing or had a tie to that respective
10 community, it made sense for us to at least
11 explore the conversation, and so that's what
12 we've done.

13 The second piece was, you know, in light
14 of the fact that less than 15 percent of the
15 folks actually knew what we do, we want to
16 increase our -- or the agency's brand as well as
17 our state presence and make sure that we get out
18 and do that education and outreach throughout the
19 state, in every corner, nook and cranny that we
20 can possibly get to, and we've started some
21 efforts there.

22 And then third was, in light of all of
23 this, obviously if we do a good job, we expect

1 there to be an increase in activity, not only in
2 terms of inquiries, but, you know, intake of
3 complaints, and we want to make sure that we
4 maintain a level of efficiency and customer
5 service that is -- that would make us all proud.

6 So, those are the strategic objectives,
7 and just to breeze through how we achieve those
8 or, you know, what we're looking to do, Objective
9 No. 1 in terms of developing these partnerships,
10 we looked at -- we broke the state into a pie of
11 ten pieces, very similar to like the
12 Congressional map; right?

13 And within those ten segments of the
14 state, we wanted to establish relationships with
15 a minimum of two community-based organizations
16 within that minimum of two, so it could be more,
17 obviously, but a minimum of two within each of
18 those ten sites.

19 And again, these organizations could be,
20 you know, the human relations commissions, it
21 could be for profits, the chambers of commerce,
22 et cetera, et cetera, and you can see some of
23 that on the next slide. Oh, no, the next piece

1 we talk about -- and I say here the changes can
2 only be lasting if ownership of such reform
3 belongs to and is driven by each community
4 itself.

5 And the Civil Rights Commission sees
6 itself as the facilitator and broker, encouraging
7 coalitions and sparking the kinds of
8 collaborative dialogues that are not currently
9 taking place in Indiana. And what I mean by that
10 is, what we didn't want to do is like drive up to
11 Elkhart, hold a presentation, and then we're
12 gone; right?

13 And so, the people there, they heard some
14 good stuff perhaps, but then, you know, three
15 weeks later something actually happens and
16 there's no recourse for them. You know, and
17 they're hours away from Indianapolis, they can't
18 get down to us.

19 And so, what we wanted to do, as we go
20 throughout these communities -- and that's why
21 it's important the establish these relationships,
22 so that, you know, our emphasis to the people in
23 the community will be "These folks are, you know,

1 an extension of us. You know, we have worked out
2 whatever the --" and the agreements can look
3 completely different from community to community.

4 But, you know, these folks are working
5 through us to make sure that we can provide and
6 be an extension from Indianapolis up to wherever
7 your community is. Feel free to go there, and
8 we'll make sure all of that information is at
9 wherever that organization is, and that the
10 community has access to it.

11 Obviously we have toll-free numbers and
12 the Internet and all of that stuff, but, you
13 know, not everybody -- we've learned not
14 everybody we deal with has a computer, not
15 everybody has easy access to a phone, and some
16 people just like to come and have some
17 face-to-face contact. So, that was a piece.

18 And then the next slide talks about, you
19 know, who are some of those folks? The Housing
20 Authorities, Black Expo, Latin media, the Burmese
21 Advocacy Center, the Chambers of Commerce, Back
22 Home in Indiana Alliance, and then we also have
23 some of the -- you know, not to push them all

1 off -- some of the human relations commissions
2 were actually very, very, very helpful, and we're
3 working with them as well.

4 The second piece, increasing our state
5 brand and awareness, we're looking to improve by
6 at least 60 percent the overall brand
7 recognition. We figure less than 15 percent,
8 that's pretty low to the basement, so all we can
9 do is go up, so we're looking forward to doing
10 that, and the surveys will tell us and give us a
11 picture of where we are on that piece.

12 CHAIRPERSON BLACKBURN: I would
13 recommend that you put a time line on your
14 objectives so that the measurement can have some
15 validity.

16 MR. SMITH: They do. Octo -- well,
17 we're running it from -- just like we took that
18 survey, from November to October, and so we're
19 looking from now basically until next
20 October 31st is when we'll do a recap, so that's
21 our time line to basically --

22 CHAIRPERSON BLACKBURN: Okay.

23 MR. SMITH: -- survey what this is,

1 and we'll -- and it'll give us a depiction. Our
2 objective is between now and then to make that 60
3 percent increase, and, you know, take a good look
4 at how effective what we've been doing has been,
5 and if we need to go back to the drawing board,
6 then we will, and if it's working, then -- if
7 it's not broke, we won't fix it.

8 COMM. RAMOS: Is your --

9 MR. SMITH: But we do have that
10 annual -- annual time line that's going down.

11 COMM. RAMOS: Is your survey
12 done externally? Is it handled -- have you
13 outsourced this survey?

14 MR. SMITH: No, we do it internally.

15 COMM. RAMOS: Internally.

16 MR. SMITH: We do it internally. We
17 utilize every leverage we can. That's why we're
18 using Survey Monkey, and we take -- and what we
19 try to do is leverage when we're out, so we're
20 already out, and we have crowds of people there
21 is to hand the survey out, and sometimes we have
22 to explain it and things of that nature.

23 And so, we leverage the fact that we need

1 to go do these, you know, fair housing
2 presentations or these equal employment
3 presentations anyway, and we have some staff
4 there. We might as well utilize the fact that we
5 have these people in a room or, you know, in one
6 setting, and let's get the surveys out to them.

7 As well as when we send out our press
8 releases and things of that nature, we make sure
9 that we put the Survey Monkey piece and all of
10 those on there for those who do have access to
11 the Internet, and they can leverage it there.

12 But that's a long-winded way of saying no,
13 it's internal, and we'll keep a close eye on it,
14 assuming that if there's any issues, obviously
15 we'd hate to have to incur the expense of
16 contracting somebody out to do it. If we can
17 continue to do it in-house and get some good
18 results from it, we'll do that. If not, then
19 we'll definitely look at --

20 COMM. RAMOS: Well, I think it's good
21 to have the survey. I think it's real important,
22 so I commend you for that, but I would put a
23 footnote that it is internal.

1 MR. SMITH: All right.

2 COMM. RAMOS: There's obviously some
3 bias to it, so -- but I still think any data that
4 you get from it is incredibly important, so I --
5 it's great to do.

6 MR. SMITH: Yeah, we'll definitely
7 make note of that.

8 Just recapping 2, baseline survey,
9 developing agency message. You know, we did a
10 lot of the messaging piece, the rebrand logo, the
11 look of the materials and things that we sent
12 out, the brochures. All of that stuff is
13 already -- to your point, Madam Chair, is in the
14 works.

15 CHAIRPERSON BLACKBURN: Okay.

16 MR. SMITH: And come October 31st
17 would be that cutoff, just like it was this year,
18 and we pulled in the survey results and we said,
19 "Hey, what do we look like? How good have we
20 been doing, or how sucky have we been?" And then
21 we'll look at making some adjustments at that
22 point.

23 And then last but not least, like I said,

1 the efficiency of the agency, you know, when it's
2 all said and done, we still have to run in an
3 efficient manner, and so, you know, customer
4 service is also -- we're placing an emphasis on
5 that as well. We'll have the managers and the
6 supervisors keeping a close eye on how we take
7 our calls, how courteous we are.

8 We want to make sure that we're to the
9 point, but keeping in mind that when folks
10 typically call the agency, they're not calling
11 because they had a great day, they're calling
12 because there's an issue, and their attitude may
13 reflect that, so we need to be understanding of
14 that piece while at the same time getting our
15 points across, and so we want to make sure that
16 that objective is achieved as well.

17 COMM. CARTER: Well, ask them about
18 customer service before the no probable cause
19 finding.

20 MR. SMITH: Well, what we did was in
21 that survey -- and to Comm. Ramos' point, we
22 consulted with a lot of the universities about
23 how to put the survey together, and we made sure

1 that none of the questions were connected to
2 whether or not we ruled in your favor. It's more
3 so on the lines the time that -- you know, the
4 timeliness we got back to you, how thorough was
5 the information that you received, those types of
6 information.

7 And keep in mind, there's obviously going
8 to be a disclaimer in there if somebody's ticked
9 off because it didn't go their way, they could
10 just intentionally give some of that bad
11 feedback, but we wanted to make sure that the
12 questioning wasn't associated with whether or not
13 it was -- you know, your case was in your favor
14 or not -- or ruled in your favor or not.

15 So, yeah, so that's -- in a nutshell,
16 closing remarks, you know, obviously we want to
17 build a better state presence; increase our brand
18 awareness -- less than 15 percent was quite
19 alarming -- provide quantifiable results. We've
20 got the deadline, like I said, and the survey
21 gives us a snapshot of how effective what we've
22 been doing has been.

23 And then create some real impacts in

1 communities statewide, establish those
2 connections so that even when we're gone, they
3 last past us being there; and improve customer
4 satisfaction.

5 So, that's our presentation or proposed
6 Strategic Plan to you guys as Commissioners. We
7 hope that you agree with it and that we can move
8 forward with the plan. That's it.

9 CHAIRPERSON BLACKBURN: I would
10 entertain a motion to that effect, based on the
11 reactions during your presentation.

12 COMM. RAMOS: So moved. I'll move.

13 COMM. CARTER: I'd like to make a
14 motion of approval of the --

15 COMM. RAMOS: Oh, so moved -- second.

16 COMM. CARTER: -- Strategic Plan.

17 CHAIRPERSON BLACKBURN: All in favor?

18 COMM. CRENSHAW: Aye.

19 COMM. CARTER: Aye.

20 COMM. BAYNARD: Aye.

21 COMM. RAMOS: Aye.

22 COMM. GARCIA: Aye.

23 CHAIRPERSON BLACKBURN: Anyone

1 opposed?

2 (No response.)

3 CHAIRPERSON BLACKBURN: Thank you
4 very much. Congratulations.

5 MR. SMITH: Yes, ma'am.

6 CHAIRPERSON BLACKBURN: Good work.
7 Good work.

8 Are there any announcements?

9 (No response.)

10 CHAIRPERSON BLACKBURN: In your
11 packet, last page, are the meeting dates for
12 2012, and in closing, I want to ask when the
13 Christmas party is.

14 MR. SMITH: After we finish here.

15 (Laughter.)

16 CHAIRPERSON BLACKBURN: I'm only
17 teasing. What I want to say really is Merry
18 Christmas to everybody --

19 COMM. CRENSHAW: Same to you.

20 CHAIRPERSON BLACKBURN: -- and Happy
21 New Year.

22 COMM. RAMOS: Same to you.

23 MR. SMITH: We do have -- and hope

1 that you guys can join us -- we do have our
2 retreat. We're going to go over the Strategic
3 Plan with the staff and kind of give them what
4 our outlook and our goals are for the year, but
5 we have food and -- tons of food, and the staff
6 has decorated the office, and --

7 CHAIRPERSON BLACKBURN: Good.

8 MR. SMITH: -- I think we even have
9 some caroling and some things like that going on,
10 so in the spirit of the season, we certainly
11 invite all of you Commissioners to join us in the
12 office.

13 COMM. RAMOS: Good. Thank you.

14 CHAIRPERSON BLACKBURN: Thank you.

15 MR. SMITH: Yes, ma'am.

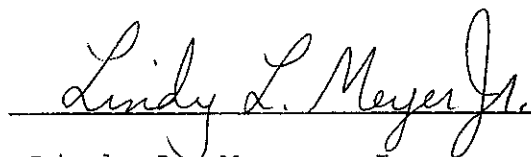
16 (Discussion off the record.)

17 CHAIRPERSON BLACKBURN: The Indiana
18 Civil Rights Commission meeting is adjourned.

19 - - -
20 Thereupon, the proceedings of
21 December 16, 2011 were concluded
22 at 12:00 o'clock p.m.
23 - - -

1 CERTIFICATE

2 I, Lindy L. Meyer, Jr., the undersigned
3 Court Reporter and Notary Public residing in the
4 City of Shelbyville, Shelby County, Indiana, do
5 hereby certify that the foregoing is a true and
6 correct transcript of the proceedings taken by me
7 on Friday, December 16, 2011 in this matter and
8 transcribed by me.

9
10 

11 Lindy L. Meyer, Jr.,

12 Notary Public in and
13 for the State of Indiana.

14
15 My Commission expires October 27, 2016.
16
17
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