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BEFORE THE STATE OF INDIANA
CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF MARCH 18, 2005

ORIGINAL

- - -

PROCEEDINGS

in the above-captioned matter, before the
Indiana Civil Rights Commission, Alpha
Blackburn, Chairperson, taken before me, Lindy
L. Meyer, Jr., a Notary Public in and for the
State of Indiana, County of Shelby, at the
Indiana Government Center South, Conference
Center, Room 5, 402 West Washington Street,
Indianapolis, Indiana, on Friday, March 18,
2005 at 2:13 o'clock p.m.

- - -

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

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APPEARANCES:

COMMISSION MEMBERS:

Alpha Blackburn, Chairperson
Aleisha Kropf
David C. Carter
John E. Garcia
Barry Baynard
Chris Gibson

INDIANA CIVIL RIGHTS COMMISSION
By Gregory Kellam Scott, Director/Secretary
& Bruce A. Jefferson, Dep. Director
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, Indiana 46204
On behalf of the Commission.

OTHER COMMISSION STAFF PRESENT:

Joan Essex
Barbara Dobbins
Robert D. Lange

- - -

2:13 o'clock a.m.
March 18, 2005

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CHAIRPERSON BLACKBURN: Good
afternoon. We're in public session of the
Indiana Civil Rights Commission. You have
before you an agenda that -- I think a revised
agenda. Are there any agenda requests?

JUDGE SCOTT: None for this.

CHAIRPERSON BLACKBURN: Hearing
none, you have the January and February minutes
to approve. May I have a motion to approve
those.

COMM. KROPF: So moved.

CHAIRPERSON BLACKBURN: And a
second?

COMM. CARTER: Second.

CHAIRPERSON BLACKBURN: All in
favor?

COMM. KROPF: Aye.

COMM. BAYNARD: Aye.

COMM. GARCIA: Aye.

COMM. CARTER: Aye.

COMM. GIBSON: Aye.

1 CHAIRPERSON BLACKBURN: Thank you
2 very much.

3 There being no new business, we will
4 move to Committee Reports, starting with
5 Personnel.

6 Director Scott.

7 JUDGE SCOTT: Yes. In the
8 personnel reports, there are just three
9 vacancies that are still existing at the
10 Commission's offices, and we are reviewing
11 those positions and will begin to fill those
12 positions, but have not acted on those
13 positions immediately, principally to allow the
14 new Director to become more familiar with the
15 agency.

16 CHAIRPERSON BLACKBURN: Okay.
17 Thank you very much.

18 Financial Report.

19 MS. ESSEX: You should have the
20 Financial Report in your packet, and I will
21 answer any questions that you have. The only
22 thing that I would like to point out is
23 April 1st we'll start our final quarter of this

1 fiscal year, so we will just note that.

2 CHAIRPERSON BLACKBURN: All right.
3 Thank you very much.

4 There are two consent -- well, no. We
5 have -- yes, two consent agreements, Meier,
6 Ruiz versus Parkland, Inc., doing business as
7 Village Green Mobile Home Park and Ralph
8 Pardieck, and I have also listed Meier versus
9 Parkland, Inc., doing business as Village Green
10 Mobile Park -- Mobile Home Park and Ralph
11 Pardieck. Am I saying that correctly? It's
12 P a r d i --

13 MR. LANGE: Right, it's Pardieck.

14 CHAIRPERSON BLACKBURN: -- e c k.

15 May I have a motion to accept those
16 agreements?

17 COMM. CARTER: So moved.

18 COMM. BAYNARD: Second.

19 CHAIRPERSON BLACKBURN: Anyone
20 opposed?

21 (No response.)

22 CHAIRPERSON BLACKBURN: Thank you.

23 And we have for vote and signature

1 findings in the cases of Chesnutt versus
2 Mid-West Pagan Council and Cadwell, Gee and
3 Williams versus Fraternal Order of --

4 MR. LANGE: Cadwell was on there,
5 but that was the case that was to be heard
6 earlier today that was continued --

7 CHAIRPERSON BLACKBURN: Right.

8 MR. LANGE: -- so it really should
9 be -- I'm sorry; I missed that earlier.

10 CHAIRPERSON BLACKBURN: Absolutely
11 right. That's the thick one.

12 MR. LANGE: Yes.

13 CHAIRPERSON BLACKBURN: Okay. No,
14 the case of Cadwell, Gee and Williams versus
15 Fraternal Order of Eagles, and we do have
16 findings in that case. Have they been read and
17 presented?

18 MR. LANGE: That should be off.

19 JUDGE SCOTT: And that -- right.
20 That has been reset for oral arguments on
21 April 22nd.

22 CHAIRPERSON BLACKBURN: April 22nd;
23 okay. I have them just to the 1st.

1 JUDGE SCOTT: So, the only one that
2 should be before you is the Chesnutt.

3 CHAIRPERSON BLACKBURN: Chesnutt
4 versus Mid-West Pagan Council. May I have a
5 motion to accept the findings?

6 COMM. KROPF: So moved.

7 CHAIRPERSON BLACKBURN: And a
8 second?

9 COMM. CARTER: Second.

10 CHAIRPERSON BLACKBURN: All in
11 favor?

12 COMM. KROPF: Aye.

13 COMM. BAYNARD: Aye.

14 COMM. CARTER: Aye.

15 COMM. GIBSON: Aye.

16 COMM. GARCIA: Aye.

17 CHAIRPERSON BLACKBURN: Thank you.
18 I'll have them back to Director Scott.

19 Okay. And we have other orders. O'Rea
20 versus Marion County Sheriff's Department,
21 Dugger versus Jimmy John's/CPD Ventures, Inc.,
22 and may I have a motion to accept those orders?

23 COMM. BAYNARD: So moved.

1 COMM. GARCIA: Second.

2 CHAIRPERSON BLACKBURN: All in

3 favor?

4 COMM. KROPF: Aye.

5 COMM. BAYNARD: Aye.

6 COMM. GIBSON: Aye.

7 COMM. CARTER: Aye.

8 COMM. GARCIA: Aye.

9 CHAIRPERSON BLACKBURN: And anyone
10 opposed?

11 (No response.)

12 CHAIRPERSON BLACKBURN: There were
13 23 cases of no probable cause, and they're
14 listed in your agenda. May I have a motion to
15 dismiss those?

16 COMM. CARTER: So moved.

17 COMM. BAYNARD: Second.

18 CHAIRPERSON BLACKBURN: All in

19 favor?

20 COMM. KROPF: Aye.

21 COMM. BAYNARD: Aye.

22 COMM. GIBSON: Aye.

23 COMM. CARTER: Aye.

1 COMM. GARCIA: Aye.

2 CHAIRPERSON BLACKBURN: Anyone
3 opposed?

4 (No response.)

5 CHAIRPERSON BLACKBURN: Thank you.

6 And the failure to locate or to
7 cooperate in four cases. They're listed, too.
8 May I have a motion to dismiss them?

9 COMM. KROPF: So moved.

10 COMM. CARTER: Second.

11 CHAIRPERSON BLACKBURN: All in
12 favor?

13 COMM. KROPF: Aye.

14 COMM. BAYNARD: Aye.

15 COMM. GIBSON: Aye.

16 COMM. CARTER: Aye.

17 COMM. GARCIA: Aye.

18 CHAIRPERSON BLACKBURN: Anyone
19 opposed?

20 (No response.)

21 CHAIRPERSON BLACKBURN: Thank you.

22 The complaint was withdrawn in a number
23 of cases, eight of them, and they're listed.

1 May I have a motion to dismiss them?

2 COMM. GIBSON: So moved.

3 COMM. GARCIA: Second.

4 CHAIRPERSON BLACKBURN: All in
5 favor?

6 COMM. KROPF: Aye.

7 COMM. BAYNARD: Aye.

8 COMM. GIBSON: Aye.

9 COMM. CARTER: Aye.

10 COMM. GARCIA: Aye.

11 CHAIRPERSON BLACKBURN: Anyone
12 opposed?

13 (No response.)

14 CHAIRPERSON BLACKBURN: Thank you.

15 And we lacked jurisdiction in one case.

16 It's listed. May I have a motion to dismiss
17 it?

18 COMM. CARTER: So moved.

19 COMM. KROPF: Second.

20 CHAIRPERSON BLACKBURN: All in
21 favor?

22 COMM. KROPF: Aye.

23 COMM. BAYNARD: Aye.

1 COMM. GIBSON: Aye.

2 COMM. CARTER: Aye.

3 COMM. GARCIA: Aye.

4 CHAIRPERSON BLACKBURN: Anyone
5 opposed?

6 (No response.)

7 CHAIRPERSON BLACKBURN: Thank you.

8 I'd like to move now to report on
9 appeals reviewed by Commissioners and hear
10 their recommendations, starting with
11 Commissioner Baynard.

12 COMM. BAYNARD: Yes, Madam Chair.
13 In the case -- I have two cases. The case of
14 Freeling versus Transitional Service,
15 Incorporated, and Addison versus West --
16 Southwest Health Center, I would recommend to
17 the full Commission that we uphold the
18 Director's finding of no probable cause.

19 CHAIRPERSON BLACKBURN: May I have
20 a motion to accept the recommendation?

21 COMM. CARTER: So moved.

22 CHAIRPERSON BLACKBURN: And a
23 second?

1 COMM. KROPF: Second.

2 CHAIRPERSON BLACKBURN: All in
3 favor?

4 COMM. KROPF: Aye.

5 CHAIRPERSON BLACKBURN: All in
6 favor?

7 COMM. KROPF: Aye.

8 COMM. BAYNARD: Aye.

9 COMM. GIBSON: Aye.

10 COMM. CARTER: Aye.

11 COMM. GARCIA: Aye.

12 CHAIRPERSON BLACKBURN: Anyone
13 opposed?

14 (No response.)

15 CHAIRPERSON BLACKBURN: Thank you.

16 Comm. Carter.

17 COMM. CARTER: Madam Chair, in the
18 cases of Noble versus Tower Automotive and
19 Jones versus National City Bank, I recommend
20 that the Commission uphold the Director's no
21 probable cause finding.

22 CHAIRPERSON BLACKBURN: May I have
23 a motion to accept that recommendation?

1 COMM. KROPF: So moved.

2 COMM. BAYNARD: Second.

3 CHAIRPERSON BLACKBURN: All in
4 favor?

5 COMM. KROPF: Aye.

6 COMM. BAYNARD: Aye.

7 COMM. GIBSON: Aye.

8 COMM. CARTER: Aye.

9 COMM. GARCIA: Aye.

10 CHAIRPERSON BLACKBURN: Anyone
11 opposed?

12 (No response.)

13 CHAIRPERSON BLACKBURN: Thank you.
14 Comm. Garcia?

15 COMM. GARCIA: And in both cases --
16 but that's not Garcia. The name there is
17 Hoffman, Hoffman versus Meijer's, and
18 Poindexter versus Pike Family Dentistry, I
19 recommend that we uphold the Commissioner's
20 finding of no probable cause.

21 CHAIRPERSON BLACKBURN: May I have
22 a motion to accept that recommendation?

23 COMM. BAYNARD: So moved.

1 COMM. CARTER: Second.

2 CHAIRPERSON BLACKBURN: All in
3 favor?

4 COMM. KROPF: Aye.

5 COMM. BAYNARD: Aye.

6 COMM. GIBSON: Aye.

7 COMM. CARTER: Aye.

8 COMM. GARCIA: Aye.

9 CHAIRPERSON BLACKBURN: Anyone
10 opposed?

11 (No response.)

12 JUDGE SCOTT: I just have a
13 question, just for clarification.

14 CHAIRPERSON BLACKBURN: Yes.

15 JUDGE SCOTT: Was it a Director's
16 finding of no probable cause, or a
17 Commissioner?

18 COMM. GARCIA: Director's finding.

19 JUDGE SCOTT: Okay.

20 CHAIRPERSON BLACKBURN: And that
21 was both cases?

22 COMM. GARCIA: Yes.

23 CHAIRPERSON BLACKBURN: Okay.

1 In the cases of Dillon versus Wabash
2 National Corp. and Cortez versus Dr. Richard
3 Herd, DDS, I recommend that we uphold the
4 Director's finding of no probable cause in both
5 cases. May I have a motion to accept the
6 recommendation?

7 COMM. CARTER: So moved.

8 COMM. KROPF: Second.

9 CHAIRPERSON BLACKBURN: All in
10 favor?

11 COMM. KROPF: Aye.

12 COMM. BAYNARD: Aye.

13 COMM. GIBSON: Aye.

14 COMM. CARTER: Aye.

15 COMM. GARCIA: Aye.

16 CHAIRPERSON BLACKBURN: Anyone
17 opposed?

18 (No response.)

19 CHAIRPERSON BLACKBURN: Thank you.

20 Comm. Gibson?

21 COMM. GIBSON: In the case of
22 Roberson verses Fort Wayne State Developmental
23 Center, I recommend that we uphold the Deputy

1 Director's finding of no probable cause.

2 CHAIRPERSON BLACKBURN: May I have
3 a motion to accept that recommendation?

4 COMM. CARTER: So moved.

5 COMM. GARCIA: So moved. Second.

6 CHAIRPERSON BLACKBURN: And all in
7 favor, please say aye.

8 COMM. KROPF: Aye.

9 COMM. BAYNARD: Aye.

10 COMM. GIBSON: Aye.

11 COMM. CARTER: Aye.

12 COMM. GARCIA: Aye.

13 CHAIRPERSON BLACKBURN: Anyone
14 opposed?

15 (No response.)

16 CHAIRPERSON BLACKBURN: Thank you.

17 And Comm. Kropf.

18 COMM. KROPF: Is the case of -- is
19 Rainer? Rainier? -- versus Ferguson &
20 Ferguson, Inc. and LaRosa versus Asplundh Tree
21 Expert, I recommend that we uphold the
22 Director's finding of no probable cause.

23 CHAIRPERSON BLACKBURN: May I have

1 a motion to accept that recommendation?

2 COMM. CARTER: So moved.

3 COMM. BAYNARD: Second.

4 CHAIRPERSON BLACKBURN: All in

5 favor?

6 COMM. KROPF: Aye.

7 COMM. BAYNARD: Aye.

8 COMM. GIBSON: Aye.

9 COMM. CARTER: Aye.

10 COMM. GARCIA: Aye.

11 CHAIRPERSON BLACKBURN: Anyone

12 opposed?

13 (No response.)

14 CHAIRPERSON BLACKBURN: Thank you.

15 I'd like to assign Commissioners to
16 review the following cases: Comm. Carter,
17 Herendeen versus Starcraft RV -- there are two
18 cases -- and Pryner versus IUPUI;
19 Comm. Baynard, Burke versus Richards Hair
20 Country, Inc., Walker versus William Wilson
21 Boys & Girls Club; Comm. Garcia, Al-Abed versus
22 Redcats USA; Comm. Kropf, Castillo versus
23 Victoria's Secret -- Beauty Secret;

1 Comm. Gibson, Gibbs versus Pharos Tribune,
2 Buggs versus Scherville Police Department, and
3 Buggs versus Kerasotes Theater-Showplace 16;
4 and I'll review the remainder.

5 Thank you very much.

6 (Discussion off the record.)

7 CHAIRPERSON BLACKBURN: The -- have
8 you got those two -- there are two consent
9 agreements that were not listed?

10 MS. DOBBINS: No, the reason why
11 they weren't on the agenda for today is because
12 they have been pulled, but they were sent to
13 you to read --

14 CHAIRPERSON BLACKBURN: To review
15 and --

16 MS. DOBBINS: -- and review, but
17 they were pulled today because we didn't have
18 the proper signatures, so just disregard them.

19 CHAIRPERSON BLACKBURN: Okay.

20 MS. DOBBINS: They'll probably be
21 on next month's.

22 JUDGE SCOTT: Correct. And let me
23 mention that we spoke with counsel regarding

1 those --

2 CHAIRPERSON BLACKBURN: Both of
3 them?

4 JUDGE SCOTT: -- last week as well
5 as this morning, and for whatever reason they
6 did not arrive, and therefore we pulled them
7 from the agenda.

8 COMM. KROPF: Okay. So, they'll be
9 next month.

10 MS. DOBBINS: That's what it says.

11 COMM. KROPF: Do we keep these?

12 MS. DOBBINS: Well, I'll just send
13 them to you again, so you can just toss them.

14 MR. LANGE: We'll recycle them.

15 MS. DOBBINS: Yes.

16 CHAIRPERSON BLACKBURN: We're
17 excellent at recycling.

18 MS. DOBBINS: Yes, ma'am.

19 CHAIRPERSON BLACKBURN: Okay.

20 Thank you very much.

21 The Deputy Director's report is next.

22 MR. JEFFERSON: Thank you. I have
23 distributed -- or Barb has distributed the

1 monthly production report. If you have
2 questions on that, I will take them. I would
3 point out just that we took in 69 cases and we
4 disposed of, through either finding or
5 conciliation, 57 cases last month. We are
6 slightly down for this year, the first two
7 months of this year, but that shouldn't cause
8 us too much problem. We were up last month.

9 I just thought I would highlight one
10 area of the statistical report, just to kind of
11 remind all of us, and myself included, what
12 kind of cases we typically get in a month, and
13 the -- for the month of February, the majority
14 or the most cases we had filed were race cases,
15 followed by sex discrimination cases, followed
16 by disability cases, followed by national
17 origin cases, and that is the majority every
18 month of the cases that we get. Those four
19 areas are the majority. As a subset of the sex
20 is the sex discrimination case -- or sex
21 harassment cases.

22 If there aren't any questions on the
23 monthly statistics, I would like to point out

1 that the ADR unit successfully resolved five
2 cases through conciliation last month and were
3 able to give monetary benefits to complainants
4 in excess of \$20,000, and for the year, the
5 Alternative Dispute Resolution Unit has
6 resolved -- or received monetary compensation
7 of over \$75,000 for complainants who have filed
8 charges at the Commission.

9 CHAIRPERSON BLACKBURN: How much
10 did you say?

11 MR. JEFFERSON: Seventy-five
12 thousand dollars for the year, and that's two
13 months, January and February. And when Steve
14 puts these figure together, he includes
15 returns -- he puts a monetary figure and
16 returns to job for one year, so sometimes that
17 will impact that number, but we count it
18 because it's a real benefit. And his report is
19 included in your package of materials.

20 Lastly, I see on the agenda,
21 "Legislation/Legislature," and I had spoken
22 briefly about bills last month, and I'll
23 continue that update. We had talked about

1 House Bill 1188, which was a moratorium bill on
2 boards and commissions. I pulled the most
3 recent printing of it, and it has -- in fact,
4 the language has been changed to make it a bill
5 that re-establishes the Government Efficiency
6 Commission, with a charge to take evidence and
7 information on efficiency of commissions and
8 boards and report out by October, I believe,
9 2005 to the Governor how commissions and boards
10 can operate more efficiently and with less
11 cost.

12 So -- and that has not been -- it has
13 not been signed into law yet, but I think this
14 is one of those bills that was -- they're
15 trying to resurrect after the sort of slowdown
16 in the House, so that's -- when that does
17 become law, that's what -- it will look like it
18 looks now.

19 I also talked a little bit about Senate
20 Joint Resolution 7, which is the proposed
21 amendment to the State Constitution that
22 defines marriage in Indiana as a union between
23 one man and one woman. That bill, or that

1 resolution, was passed out of the Senate. It
2 is now in the House. And my understanding --
3 and I pulled up an action list on it yesterday
4 or the day before -- it has come out of the
5 Judiciary Commission, and I believe it is now
6 going to the floor of the House for a House
7 vote.

8 And my understanding of the joint
9 resolutions is once the House approves it, if
10 they do approve it, then it will have to be
11 passed in the same process again next year, two
12 sessions in a row, if I'm not mistaken, Chris.

13 COMM. GIBSON: There has to be an
14 election, and it won't be next session; it'll
15 be the 2007 session, because by -- the process
16 by which we adopt Constitutional amendments in
17 Indiana, there has to be two separate General
18 Assemblies that review the legislation, so
19 there has to be an election in between. There
20 won't be an election in November of '05 for
21 either the Senate or the House, so it will be
22 reconsidered by the 2007 legislature.

23 MR. JEFFERSON: So, it's a two-year

1 policy.

2 MR. LANGE: Does it then --

3 COMM. GIBSON: Then it will have to
4 go to the --

5 MR. LANGE: Then do the voters vote
6 on it?

7 COMM. GIBSON: Then it -- it's my
8 understanding -- I'm not as confident about
9 this, but it's my understanding the next
10 statewide ballot will be 2008, because I
11 believe -- there's one year of the four-year
12 cycle that doesn't have a statewide, and I
13 believe it's 2007, so 2008 will be the -- would
14 be the first time that it could be on a ballot
15 for referendum.

16 MR. JEFFERSON: Thank you.

17 CHAIRPERSON BLACKBURN: Okay.

18 MR. JEFFERSON: That's --

19 CHAIRPERSON BLACKBURN: Is that
20 called a ratification process, the public has
21 to ratify --

22 COMM. GIBSON: Correct.

23 CHAIRPERSON BLACKBURN: -- the

1 resolution?

2 COMM. GIBSON: Correct.

3 CHAIRPERSON BLACKBURN: And that
4 could not occur until '08?

5 COMM. GIBSON: That's my
6 understanding.

7 MS. DOBBINS: Generally.

8 COMM. GIBSON: I haven't been
9 tracking that legislation, but that's --

10 CHAIRPERSON BLACKBURN: Yes. This
11 question is probably ill placed, but who
12 knows -- if the public rejects instead of
13 supports the legislation as it's drafted,
14 assuming it were also accepted by the next set
15 of legislators, what then happens?

16 COMM. KROPF: If the public rejects
17 it?

18 CHAIRPERSON BLACKBURN: If the
19 public says, "You guys may think you represent
20 us, but our attitude is otherwise" --

21 JUDGE SCOTT: It would not --

22 CHAIRPERSON BLACKBURN: -- and they
23 reject it --

1 JUDGE SCOTT: It would not become
2 law.

3 CHAIRPERSON BLACKBURN: -- then
4 what happens?

5 JUDGE SCOTT: It would not become
6 law.

7 CHAIRPERSON BLACKBURN: It would
8 not become law?

9 COMM. GIBSON: It would not be
10 incorporated into the Indiana Constitution.

11 MR. JEFFERSON: Right.

12 COMM. GIBSON: But I'm not sure --
13 I'm not sure as to whether another attempt
14 would have to go through the exact same process
15 or if they could put it on the ballot again.
16 I'm not --

17 MR. LANGE: If I remember
18 correctly, that's --

19 COMM. GIBSON: I just don't --

20 MR. LANGE: -- the process that
21 happened with the ERA. It went through several
22 attempts to get it through the legislature, and
23 I think --

1 CHAIRPERSON BLACKBURN: And did
2 they have to start all over at the beginning --

3 MR. LANGE: Yeah, I don't think it
4 ever got through the legislature.

5 CHAIRPERSON BLACKBURN: -- to be
6 proposed all over again?

7 MR. LANGE: I think it has to be --
8 when it passes the legislature, it has to be
9 two consecutive --

10 CHAIRPERSON BLACKBURN: Right.

11 MR. LANGE: -- terms.

12 COMM. GIBSON: Correct.

13 CHAIRPERSON BLACKBURN: We've got
14 that part.

15 MR. LANGE: But it won't do to do
16 it in '04 and fail in '06 and try again in '08.
17 That's not two consecutive. It has to be two
18 in a row.

19 COMM. GIBSON: Yeah, but the
20 question is --

21 CHAIRPERSON BLACKBURN: That wasn't
22 the question. The question is: At the end of
23 the process, after the public has voted, if the

1 public does not substantiate or validate or --

2 MR. LANGE: Right.

3 JUDGE SCOTT: It does not become
4 law.

5 CHAIRPERSON BLACKBURN: -- ratify,
6 then do they have to start all over again?

7 COMM. GIBSON: Yeah. The
8 question --

9 CHAIRPERSON BLACKBURN: It has to
10 be proposed anew and start through the process
11 all over again?

12 JUDGE SCOTT: That's my
13 understanding, but I --

14 COMM. GIBSON: Would it go to the
15 ballot again in 2009 for a second try at that?
16 I don't know. Or does it have to be ratified
17 by two consecutive General Assemblies again? I
18 don't know the answer to that. I have a
19 feeling if this gets to the ballot, though,
20 it's a question we won't have to answer.

21 MR. LANGE: I think you're right.

22 COMM. GIBSON: I mean the polling
23 unfortunately is overwhelmingly in support,

1 so --

2 MS. DOBBINS: To amend the
3 Constitution --

4 COMM. GIBSON: Depending -- it is a
5 potential -- it could be a potential question
6 that would have to be answered if civil unions
7 are also barred, which the current SJR 7, I
8 believe, bars civil unions as well, so -- but
9 in all likelihood, it would, I think, pass on a
10 ballot, unfortunately.

11 CHAIRPERSON BLACKBURN: So, it will
12 be one of the things that we can talk about
13 more at our retreat.

14 COMM. GIBSON: That would be an
15 appropriate --

16 CHAIRPERSON BLACKBURN: Certainly
17 it falls under the category of future
18 challenges or questions.

19 JUDGE SCOTT: Yes, I think it
20 really does.

21 COMM. GIBSON: Including sexual
22 orientation and nondiscrimination.

23 CHAIRPERSON BLACKBURN: Exactly.

1 JUDGE SCOTT: And that's what I
2 understood the Chair to be saying.

3 CHAIRPERSON BLACKBURN: And age.

4 JUDGE SCOTT: Especially as we get
5 older.

6 CHAIRPERSON BLACKBURN: I'm sorry
7 about that. Okay.

8 Yes, you have a question?

9 COMM. KROPF: Were you also
10 following the adoption?

11 MR. JEFFERSON: Actually I hadn't
12 followed it, but -- I had looked at it once,
13 but I hadn't seen what the status of that is.
14 That was a Senate bill, wasn't it?

15 COMM. KROPF: Yes, yes, it was.

16 MR. JEFFERSON: Actually I can pull
17 that and get the status on it for next time, or
18 just give you an update.

19 COMM. KROPF: Okay. Thanks.

20 CHAIRPERSON BLACKBURN: Okay.

21 Thank you very much.

22 Anything in administration on the
23 grants and programs, Ms. Essex?

1 MS. ESSEX: I have just a few
2 things. Just to give you an update on the
3 grants. With regard to EEOC case processing
4 contract, we have received and signed the EEOC
5 case processing contract for Federal Fiscal
6 Year October 1, 2004 through September 30th,
7 2006. Our contract is to process 506 cases at
8 \$500 each.

9 Right now we are at the end of their
10 first quarter, so we are in the process of
11 making our first drawdown. As the contract
12 stipulates that that first drawdown, we can
13 draw half of the cases down whether we have
14 done half the cases or not, and that's what we
15 are doing.

16 As far as the mediation, that proposal
17 has been submitted and we are still waiting to
18 hear if our proposal has been accepted and we
19 have gotten another mediation contract for this
20 year.

21 With regard to the PHAP contract, HUD
22 has received the 2002-2003 final report. We're
23 waiting on an official response from them.

1 They've had a little bit of trouble finding it,
2 so we sent them another copy.

3 And the 2003-2004 final report will be
4 sent to HUD once all of the invoices have been
5 paid. We want to make sure that we get one out
6 of the way and then let's work on another one
7 and not have two or three in the mix over
8 there, for their ease and for ours as well.

9 The 2004-2005 reporting documentation
10 will be mailed to the partners, which are
11 Indiana Coalition on Housing and Homeless
12 Issues and the Indiana Institute on Disability
13 and Community, next week.

14 With regard to the FHIP contract, or
15 grant, I should say, that will compose -- that
16 grant is a literature distribution program,
17 which we're already on -- hitting the ground
18 running with. Judy Kochanczyk in our office
19 has made several trips a week down to the mail
20 room to mail out packets and boxes, and that is
21 getting off to a fine start.

22 The media campaign will start in April,
23 and since April is Fair Housing Month, we'll

1 have a big push in April, and then we will have
2 another big push in September, and the Home
3 Grant, the submitted closeout documentation for
4 that has being sent and the grant is officially
5 closed.

6 Other things that are happening,
7 May 5th in the Statehouse Rotunda we will have
8 the annual Holocaust observance. This year's
9 program will focus on the children of the
10 survivors. We do not have speakers as of yet,
11 but by next time we should, and I can share
12 that information, and hopefully the program,
13 with you.

14 And we are going to be assisting in the
15 planning of a summit with the Commission on
16 Hispanic and Latino Affairs, and that summit is
17 upcoming, and as we have more information, I'll
18 pass that along to you as we have it.

19 CHAIRPERSON BLACKBURN: Okay.

20 JUDGE SCOTT: And I'll just add
21 that we're pretty excited about partnering with
22 the Commission on Hispanic and Latino Affairs.
23 I think it's going to be a good opportunity,

1 and they specifically actually asked us to
2 participate in light of the success that we've
3 had in the past with the programs that we have
4 sponsored.

5 And I've already had a couple of
6 meetings with the executive director and the
7 chair and some of the members of the
8 Commission, individually, separate meetings,
9 and I think that's going to be a good event for
10 us.

11 CHAIRPERSON BLACKBURN: Okay. Very
12 good. Thank you.

13 Are there any announcements?

14 COMM. CARTER: Yes, Madam Chair.
15 On April 14th, I will be at the Terre Haute
16 Human Rights Day, an all-day thing. They're
17 going to have speeches, and then they have
18 breakout sessions and things, and I will be
19 representing the Commission in the area of
20 disability. The theme is children, human
21 rights and children, and they assigned me the
22 theme human rights and children of disability,
23 which are essentially the same rights as

1 everyone else, either with or without
2 disability, but that's what I'll be addressing.

3 CHAIRPERSON BLACKBURN: Excellent.

4 JUDGE SCOTT: I would like to
5 mention also, I will be joining --

6 COMM. CARTER: Oh, good.

7 JUDGE SCOTT: -- Commissioner
8 Carter, and have been asked to give opening
9 remarks at that event, and also would like to
10 mention that, if you remember, the last
11 Commission meeting I had to leave a little bit
12 early, and that was because I was traveling to
13 Annapolis because I was invited to be the
14 keystone [sic] speaker at the Naval Academy
15 observance of African-American History Month.

16 And it was a wonderful event, and it
17 was something I enjoyed immensely, and it's
18 quite a remarkable group of young men and women
19 who we have at our Naval Academy, and I'm sure
20 it applies for the other academies as well.

21 CHAIRPERSON BLACKBURN: Excellent.

22 Any other announcements?

23 (No response.)

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CHAIRPERSON BLACKBURN: Hearing
none, I'll entertain a motion to adjourn.

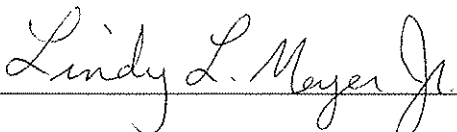
COMM. CARTER: So moved.

CHAIRPERSON BLACKBURN: Thank you
very much.

- - -
Thereupon, the proceedings of
March 18, 2005 were concluded
at 2:37 o'clock p.m.
- - -

CERTIFICATE

I, Lindy L. Meyer, Jr., the undersigned Court Reporter and Notary Public residing in the City of Shelbyville, Shelby County, Indiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me on Friday, March 18, 2005 in this matter and transcribed by me.



Lindy L. Meyer, Jr.,

Notary Public in and
for the State of Indiana.

My Commission expires October 27, 2008.

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