

BEFORE THE STATE OF INDIANA
CIVIL RIGHTS COMMISSION

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INDIANA
CIVIL RIGHTS COMMISSION

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PUBLIC MEETING OF MAY 18, 2012

ORIGINAL

PROCEEDINGS

in the above-captioned matter, before the Indiana
Civil Rights Commission, Alpha Blackburn,
Chairperson, taken before me, Lindy L. Meyer,
Jr., a Notary Public in and for the State of
Indiana, County of Shelby, at the Indiana
Government Center South, Conference Center,
Room A, 402 West Washington Street, Indianapolis,
Indiana, on Friday, May 18, 2012 at 11:18 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 Joshua Brewster, Dep. Director
11 Indiana Government Center North
12 100 North Senate Avenue, Room N103
13 Indianapolis, Indiana 46204
14 On behalf of the Commission.

15 OTHER COMMISSION STAFF PRESENT:

16 Robert D. Lange
17 Debbie Rincones-Chavez
18 Camille Harris
19 Abigail Miller
20
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1 11:18 o'clock a.m.
2 May 18, 2012

3 CHAIRPERSON BLACKBURN: Good morning,
4 everyone. The Indiana Civil Rights Commission is
5 now in public session. It's great to see
6 everybody here this morning.

7 The next thing on your agenda is adoption
8 of the minutes.

9 COMM. CARTER: I move we accept the
10 minutes.

11 COMM. BAYNARD: Second.

12 COMM. RAMOS: Second.

13 CHAIRPERSON BLACKBURN: Second? All
14 in favor?

15 COMM. CARTER: Aye.

16 COMM. CRENSHAW: Aye.

17 COMM. RAMOS: Aye.

18 COMM. BAYNARD: Aye.

19 COMM. GARCIA: Aye.

20 CHAIRPERSON BLACKBURN: Anyone
21 opposed?

22 (No response.)

23 CHAIRPERSON BLACKBURN: Thank you.

1 The financial report. Is Pamela here?

2 MR. BREWSTER: Pam is on vacation
3 this week, so you have your report. If you have
4 any questions, you can certainly let me know and
5 I can find the answer, but I don't know very
6 about it, other than that. We have money, we're
7 not broke.

8 CHAIRPERSON BLACKBURN: What Joshua
9 just said is: If you have questions, do not ask
10 them now at this meeting.

11 COMM. CRENSHAW: Just e-mail
12 Ms. Cook.

13 CHAIRPERSON BLACKBURN: E-mail
14 Ms. Cook and she'll get back to you.

15 All right. Thank you.

16 Old Business. Report of Commissioners on
17 appeals.

18 Comm. Crenshaw?

19 COMM. CRENSHAW: On the case of Faye
20 Acord versus The Heart Hospital at Deaconess
21 Gateway, and on the case of Darrin Durnil versus
22 Bartholomew Consolidated School Corporation, I'd
23 like to make a motion that we uphold the Deputy

1 Director's finding of no probable cause.

2 COMM. GARCIA: So moved.

3 COMM. BAYNARD: Second.

4 CHAIRPERSON BLACKBURN: All in favor?

5 COMM. CARTER: Aye.

6 COMM. CRENSHAW: Aye.

7 COMM. RAMOS: Aye.

8 COMM. BAYNARD: Aye.

9 COMM. GARCIA: Aye.

10 CHAIRPERSON BLACKBURN: Anyone

11 opposed?

12 (No response.)

13 CHAIRPERSON BLACKBURN: Thank you.

14 Comm. Carter?

15 COMM. CARTER: Madam Chair, in the
16 case of Timothy L. Raines versus Holland Roofing
17 of Indianapolis, and Juanita Brown-Wilson versus
18 The Colonies of Merrillville, I recommend that we
19 sustain the -- in the case of the first one, the
20 no probable cause finding, and in the case of the
21 second one, the no reasonable cause finding.

22 CHAIRPERSON BLACKBURN: Thank you
23 very much.

1 Is there a motion to approve that
2 recommendation?

3 COMM. CRENSHAW: So moved.

4 COMM. GARCIA: Second.

5 CHAIRPERSON BLACKBURN: All in favor?

6 COMM. CARTER: Aye.

7 COMM. CRENSHAW: Aye.

8 COMM. RAMOS: Aye.

9 COMM. BAYNARD: Aye.

10 COMM. GARCIA: Aye.

11 CHAIRPERSON BLACKBURN: Thank you.

12 Anyone opposed?

13 (No response.)

14 CHAIRPERSON BLACKBURN: Thank you,
15 Comm. Carter.

16 Comm. Ramos?

17 COMM. RAMOS: In the case of Sevasmia
18 Panagiotides versus Carlos Gallegos, I recommend
19 we uphold the Deputy Director's finding of no
20 probable cause.

21 CHAIRPERSON BLACKBURN: And I would
22 like a motion to --

23 COMM. CARTER: So moved.

1 CHAIRPERSON BLACKBURN: -- accept
2 that, and a second.

3 COMM. CRENSHAW: Second.

4 CHAIRPERSON BLACKBURN: All in favor?

5 COMM. CARTER: Aye.

6 COMM. CRENSHAW: Aye.

7 COMM. RAMOS: Aye.

8 COMM. BAYNARD: Aye.

9 COMM. GARCIA: Aye.

10 CHAIRPERSON BLACKBURN: Anyone
11 opposed?

12 (No response.)

13 CHAIRPERSON BLACKBURN: Thank you.

14 Comm. Gidney?

15 MS. RINCONES-CHAVEZ: I just got a
16 text messages from him. He's running late, but
17 he wants to uphold the no probable cause.

18 CHAIRPERSON BLACKBURN: All right.
19 Thank you.

20 May I have a motion to accept that
21 recommendation?

22 COMM. CRENSHAW: So moved.

23 COMM. BAYNARD: Second.

1 COMM. CARTER: Second.

2 CHAIRPERSON BLACKBURN: All in favor?

3 COMM. CARTER: Aye.

4 COMM. CRENSHAW: Aye.

5 COMM. RAMOS: Aye.

6 COMM. BAYNARD: Aye.

7 COMM. GARCIA: Aye.

8 CHAIRPERSON BLACKBURN: Thank you.

9 MS. RINCONES-CHAVEZ: Thank you.

10 CHAIRPERSON BLACKBURN: The case of
11 Janice Withers versus St. Vincent Hospital, I
12 want to uphold the finding of no probable cause
13 in that case, and would ask for a motion to
14 accept that recommendation.

15 COMM. CARTER: So moved.

16 COMM. RAMOS: Second.

17 CHAIRPERSON BLACKBURN: All in favor?

18 COMM. CARTER: Aye.

19 COMM. CRENSHAW: Aye.

20 COMM. RAMOS: Aye.

21 COMM. BAYNARD: Aye.

22 COMM. GARCIA: Aye.

23 CHAIRPERSON BLACKBURN: Anyone

1 opposed?

2 (No response.)

3 CHAIRPERSON BLACKBURN: Thank you.

4 And in the case of -- which I think was on
5 the docket last time, and should be on this
6 month's docket and --

7 MS. RINCONES-CHAVEZ: Right.

8 CHAIRPERSON BLACKBURN: -- for some
9 reason was missed. It is the case of Steven W.
10 Thompson, Complainant, verses Technicote, Inc.
11 My recommendation is that we uphold the finding
12 of no probable cause, and I'd ask for a motion to
13 accept that.

14 COMM. RAMOS: So moved.

15 COMM. CARTER: Second.

16 CHAIRPERSON BLACKBURN: All in favor?

17 COMM. CARTER: Aye.

18 COMM. CRENSHAW: Aye.

19 COMM. RAMOS: Aye.

20 COMM. BAYNARD: Aye.

21 COMM. GARCIA: Aye.

22 CHAIRPERSON BLACKBURN: Anyone

23 opposed?

1 (No response.)

2 CHAIRPERSON BLACKBURN: Thank you.

3 Comm. Baynard?

4 COMM. BAYNARD: Yes. Is the case of
5 Carter versus Houchens Food Group and Dabner
6 versus North Oaks of Broad Ripple Lakes, I
7 recommend that we uphold the Deputy Director's
8 finding of no probable cause.

9 COMM. GARCIA: So moved.

10 COMM. CRENSHAW: Second.

11 CHAIRPERSON BLACKBURN: All in favor?

12 COMM. CARTER: Aye.

13 COMM. CRENSHAW: Aye.

14 COMM. RAMOS: Aye.

15 COMM. BAYNARD: Aye.

16 COMM. GARCIA: Aye.

17 CHAIRPERSON BLACKBURN: Anyone

18 opposed?

19 (No response.)

20 CHAIRPERSON BLACKBURN: Thank you.

21 New Business. Assignment of New Appeals.

22 Comm. Crenshaw, James Scales versus boys & Girls

23 Club of America; Comm. Baynard, Dorian Anderson

1 versus Charleston East Apartments; Comm. Garcia,
2 Corena Swain versus Edgewater Woods; and
3 Comm. Ramos, Karey Coleman versus CVS Pharmacy;
4 Comm. Carter, Michael Adkins versus Nick's
5 Junction; and I'll take what's left.

6 Thank you.

7 MS. RINCONES-CHAVEZ: Now, for
8 Comm. Gidney there's not -- would anyone
9 volunteer to take --

10 CHAIRPERSON BLACKBURN: Yes, I'll
11 take his case and my case.

12 MS. RINCONES-CHAVEZ: Okay.

13 CHAIRPERSON BLACKBURN: Does that
14 cover it all?

15 MS. RINCONES-CHAVEZ: Uh-huh.

16 CHAIRPERSON BLACKBURN: Okay.

17 MS. RINCONES-CHAVEZ: Thank you.

18 CHAIRPERSON BLACKBURN: Ignore the
19 Consent Agreement. That was a case of premature
20 optimism, and we'll move to the Administrative
21 Update.

22 MR. LANGE: You missed a Finding of
23 Fact.

1 COMM. CRENSHAW: Right.

2 CHAIRPERSON BLACKBURN: Oh, I'm
3 sorry. Findings of Fact, Conclusions of Law and
4 Order, the case listed here is Lindsay A. Murphy
5 versus Frank and Mary, Incorporated, and you do
6 have a finding in your packet. May I have a
7 motion to accept it?

8 COMM. CARTER: So moved.

9 COMM. CRENSHAW: Second.

10 CHAIRPERSON BLACKBURN: All in favor?

11 COMM. CARTER: Aye.

12 COMM. CRENSHAW: Aye.

13 COMM. RAMOS: Aye.

14 COMM. BAYNARD: Aye.

15 COMM. GARCIA: Aye.

16 CHAIRPERSON BLACKBURN: Anyone
17 opposed?

18 (No response.)

19 CHAIRPERSON BLACKBURN: Thank you.

20 And now, the Administrative Update with
21 our Deputy Director, Joshua Brewster.

22 MR. BREWSTER: Yes. Jamal is taking
23 a well-deserved day off today in anticipation of

1 his birthday tomorrow.

2 COMM. CARTER: Ooh.

3 MR. BREWSTER: And I suppose taking
4 care of his young daughter as well. So, I bring
5 the Administrative Update, very briefly. A
6 couple of -- well, one PC finding we did have
7 that got some attention from the news media,
8 which was -- involved a termination due to
9 pregnancy at a restaurant-bar in Kokomo, Indiana,
10 so that will be scheduled for a hearing unless it
11 is settled in the meantime.

12 We are today holding our third CLE of the
13 year in Columbus as we speak. Mike Healy is down
14 there representing the Commission. We have
15 another CLE next month. We'll be in Valparaiso,
16 which is a town we haven't been in a while, so
17 we're trying to reach out there and working with
18 the County Bar Association and also the -- they
19 have -- they don't have a local Commission by
20 ordinance, but the Mayor's Office has a kind of a
21 human relations council, so we're working with
22 them.

23 And we have a pretty busy May, a lot of

1 education outreach things. The same goes for
2 June, a lot of Fair Housing training, and let's
3 see. Other news in the office, a couple of our
4 summer interns are down here with us, and if you
5 want to introduce yourself, I haven't quite
6 learned your names yet. They just started this
7 week, so --

8 MS. HARRIS: I'm Camille Harris.

9 CHAIRPERSON BLACKBURN: What was that
10 again?

11 MS. HARRIS: Camille Harris.

12 CHAIRPERSON BLACKBURN: Camille,
13 welcome.

14 MS. MILLER: I'm Abigail Miller.

15 CHAIRPERSON BLACKBURN: Thank you.
16 Welcome to you both.

17 MR. BREWSTER: They'll be here with
18 us through, I suppose, July or somewhere around
19 there --

20 MS. HARRIS: (Nodded head yes.)

21 MR. BREWSTER: -- helping out with
22 investigations, intake, and also a little bit
23 with our attorneys, so -- and I think we are --

1 we have hired a replacement for one of our
2 investigators that left last month. I don't know
3 when she starts, but probably in the next week or
4 so. So, we have now a full complement of
5 investigators, ten investigators.

6 So, that's about all I have to share. Any
7 questions?

8 (No response.)

9 MR. BREWSTER: All right.

10 CHAIRPERSON BLACKBURN: All right.
11 Everything going all right, then, huh?

12 MR. BREWSTER: Yeah, going okay.

13 CHAIRPERSON BLACKBURN: Okay. Well,
14 you have on the last page of your agenda the
15 listing of the meeting dates through to the end
16 of the year.

17 Are there any announcements?

18 (No response.)

19 CHAIRPERSON BLACKBURN: Hearing
20 none -- oh, I want to share something. Since we
21 last met, I was invited to attend the
22 announcement of the winners of the Architectural
23 and Landscape Architectural Teams, who will be

1 awarded -- who will be awarded contracts to
2 redesign three major sites on the National Mall.

3 They've not been upgraded or renovated for
4 60 years, and at the luncheon on the mall, 1200
5 people were assembled, along with the Secretary
6 of the Interior, and the keynote speaker was --
7 who was the speaker -- Laura Bush.

8 (Laughter.)

9 CHAIRPERSON BLACKBURN: I didn't want
10 to say, "what's her name?" It was Laura Bush.

11 So, don't put that down.

12 COMM. RAMOS: Republican's version.

13 CHAIRPERSON BLACKBURN: All right.

14 So, it was quite a wonderful occasion, auspicious
15 and historic occasion. I was delighted to have
16 been on the panel of eight judges to decide who
17 would win. I just wanted you guys to know that.
18 That's all I have.

19 Anything else?

20 (No response.)

21 CHAIRPERSON BLACKBURN: All right.

22 Then our meeting is adjourned. We will have some
23 signings.

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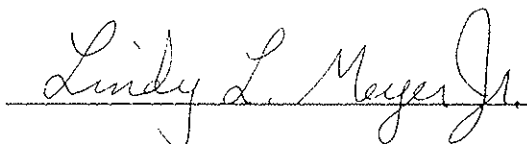
Thank you.

- - -
Thereupon, the proceedings of
May 18, 2012 were concluded
at 11:30 o'clock a.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 Friday, May 18, 2012 in this matter and transcribed by me.



Lindy L. Meyer, Jr.,

Notary Public in and
for the State of Indiana.

My Commission expires October 27, 2016.

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