

Indiana Civil Rights Commission
AGENCY MONTHLY REPORT
April 2012



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Executive Director

Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Total Number of Inquiries	305	366	381	419									1471
Number of Complaints Drafted	61	69	64	103									297
% of inquiries drafted	20%	19%	17%	25%									20%
Employment	43	54	45	58									200
Real Estate	6	4	3	8									21
Public Accommodation	2	4	4	5									15
Credit	0	0	0	0									0
Education	3	2	3	3									11
Unknown	7	5	9	37									58
Number of Complaints Formalized	85	84	95	73									337
Employment	75	67	73	57									272
Transferred from EEOC*	23	17	7	1									48
Real Estate	4	8	14	6									32
Transferred from HUD**	1	2	1	1									5
Public Accommodation	6	4	5	8									23
Credit	0	0	0	0									0
Education	0	5	3	2									10

*EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

**Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
Total Number of Inquiries by Region	305	366	381	419									1471
Region 1	40	51	38	53									182
Region 2	22	36	38	40									136
Region 3	11	13	22	31									77
Region 4	7	11	12	13									31
Region 5	132	146	156	158									592
Region 6	26	37	35	35									133
Region 7	18	12	18	21									69
Region 8	18	19	19	11									67
Region 9	17	19	16	28									80
Unknown	14	22	27	29									92

Region 1: Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

Region 2: St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

Region 3: LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

Region 4: White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

Region 5: Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

Region 6: Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

Region 7: Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

Region 8: Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

Region 9: Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

Unknown: If the location of the inquiry cannot be identified.

Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
Probable/Reasonable Cause Findings	12	2	4	5									23
Employment	9	2	3	2									16
Real Estate	3	0	1	3									7
Public Accommodation	0	0	0	0									0
Education	0	0	0	0									0
Credit	0	0	0	0									0
Active Cases	45	48	44	49									
Employment	24	28	29	32									
Real Estate	9	9	7	9									
Public Accommodation	6	6	5	5									
Education	6	5	3	3									
Credit	0	0	0	0									
Average Age of Cases since NOF*													

*NOF (Notice of Finding). This includes cases that are now pending in state court.

Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

Stevens v. B & S of Ft. Wayne, Inc. dba ShowGirl is an employment case based on sexual harassment. Complainant alleged that Respondent sexually harassed her.

Brooks v. True Fair Supermarket, LLC dba Super Valu Grocery is an employment case based on sexual harassment. Complainant alleged that she was sexually harassed.

Chambers, D. v. Donna & Richard Smith is a housing case based on race. Complainant alleged that Respondent evicted her and made discriminatory statements.

Chambers, C. v. Donna & Richard Smith is a housing case based on race. Complainant alleged that Respondent evicted him and made discriminatory statements.

Dunnican, v. Karoline Silke is a housing case based on disability. Complainant alleged that Respondent denied her the rental of a dwelling based on the disability of a person who also intended to live in the dwelling.

Final Orders

This section provides information on cases that receive Final Orders by The Commission.

Perez v. Humane Society of NW Indiana is an employment case based on national origin. Complainant alleged that Respondent terminated him based on his national origin.

Niles v. Jimmy John's is an employment case based on race. Complainant alleged that Respondent terminated him based on his race.

VanWinkle v. Flowers by Clara is an employment case based on disability. Complainant alleged that Respondent failed to accommodate her disability and terminated her based on her disability.

Martin v. Law School Admission Council is an education case based on disability. Complainant alleged that Respondent failed to accommodate him.

Legal Updates

This section provides information on legal news, passing or changes in law and other state and local laws affecting The Commission.

Articles of Interest:

Indy to Host Anti-Discrimination Conference (March 29, 2012)

<http://www.insideindianabusiness.com/newsitem.asp?ID=52941>

INDIANAPOLIS—A two-day conference next month will focus on discrimination in housing, education and employment. The Indiana Civil Rights Commission and the Indiana Housing and Community Development Authority will host the event, designed to educate service providers, property owners and others about anti-discrimination policies.

Annual resource fair for entire family (April 2, 2012)

http://www.nwtimes.com/news/local/porter/valparaiso/annual-resouce-fair-for-entire-family/article_75582305-cc5d-5842-9f6a-c20687ddfc3b.html

GARY—Indiana Parenting Institute, Gary South Shore RailCats, National Hook-Up of Black Women, the City of Gary and the Indiana Civil Rights Commission will sponsor Parenting Awareness Month Indiana's sixth annual Parenting Education & Family Resource Fair from 10:00 am-3:00 pm Saturday, April 14th at the Diamond Club at the U.S. Steel Yard.

Local civil-rights agency hires new leader (March 23, 2012)

<http://www.news-sentinel.com/apps/pbcs.dll/article?AID=%2F20120323%2FNEWS%2F120329770%2F1005>

FORT WAYNE—Cathy Serrano, 56, human relations director for Allen County government since last year, will start work April 16th as head of the Metropolitan Human Relations Commission. Serrano said, “One of the things that appeals to me about the job is the opportunity for community outreach and education.”

Gender Identity and sexual orientation measure to take effect April 6 (March 27, 2012)

<http://www.southbendtribune.com/news/sbt-new-hro-measure-to-take-effect-april-6-20120327,0,656205.story>

SOUTH BEND—Groups such as South Bend Equality have been urging city officials since 2004 to pass a law that protects people from discrimination based on gender identity and sexual orientation. They finally had reason to cheer early Tuesday morning, when the South Bend Common Council voted 6-3 to add those protections to the city’s human rights ordinance. The measure, Bill 9-12, took effect on April 6th.

HUD Announces ‘Maternity Discrimination Settlements,’ Kicks off Fair Housing Month (April 5, 2012)

<http://www.realestaterama.com/2012/04/05/hud-announces-%E2%80%98maternity-discrimination-settlements%E2%80%99-kicks-off-fair-housing-month-ID014989.html>

WASHINGTON, D.C.—The U.S. Department of Housing and Urban Development (HUD) announced that it has reached settlement agreements with two lenders who denied mortgage loans to women because they were pregnant and temporarily on maternity leave. HUD is announcing the discrimination settlement as part of its annual Fair Housing Month commemoration kick-off.

Indianapolis ceremony recalls Dr. Martin Luther King, Jr. assassination 44 years ago (April 5, 2012)

<http://www.indystar.com/article/20120405/NEWS/120404047/Indy-ceremony-recalls-Rev-Martin-Luther-King-s-assassination-44-years-ago-Robert-Kennedy-s-speech?odyssey=tab%7Ctopnews%7Ctext%7CIndyStar.com>

INDIANAPOLIS—More than 250 people gathered for the annual “Making the Dream a Reality” program in the 14-acre city park now named the Dr. Martin Luther King, Jr. Park in Indianapolis. The program was organized by a commemoration planning committee, Indy Parks and other organizations.

EEOC Issues Final Rule on “Reasonable Factors Other than Age” Under the ADEA (March 29, 2012)

<http://www.eeoc.gov/eeoc/newsroom/release/3-29-12.cfm>

WASHINGTON, D.C.—The U.S. Equal Employment Opportunity Commission (EEOC) today issued the “Final Regulation on Disparate Impact and Reasonable Factors Other than Age” (RFOA) under the Age Discrimination in Employment Act of 1967 (ADEA). The final rule clarifies that the ADEA prohibits policies and practices that have the effect of harming older individuals more than younger individuals, unless the employer can show that the policy or practice is based on a reasonable factor other than age.

Hatcher's Civil Rights Hall of Fame wins BZA nod (April 10, 2012)

<http://posttrib.suntimes.com/news/lake/11817359-418/hatchers-civil-rights-hall-of-fame-wins-bza-nod.html>

GARY—Former mayor Richard G. Hatcher's dream of a Civil Rights Hall of Fame came a step closer to reality Tuesday as the Board of Zoning Appeals approved his variance request sent to the City Council for final action.

[Ruby Bridges Talks to Amos About Explaining Civil Rights Era To Today's Youth](#) (April 24, 2012)

In 1960 Ruby Bridges became the first African-American to desegregate a public elementary school. Her trials in New Orleans became, through a Norman Rockwell painting, a national symbol of the civil rights era. *Afternoons with Amos* sat down with Ruby Bridges Hall (her name today) at the Children's Museum exhibit *The Power of Children* that depicts her story (along with those of Anne Frank and Ryan White). Amos talked with Ruby about her efforts today to help young people understand the significance of civil rights and fighting bigotry.

[Researchers mull reasons behind Indiana's gender wage gap](#) (April 23, 2012)

Why Indiana managed to fall so far down on the list is a complicated—and controversial—question that could encompass as many as a dozen factors, from the types of jobs women hold to the job mix in the state to whether women are staying in the workforce or taking breaks to have children.

[EEOC Asks for Teen Advice to Solve the Wage Gap](#) (April 23, 2012)

“The EEOC believes that teenagers between the ages of 14 and 18 represent an unbiased group that may have the ability to solve a problem that has plagued generations,” said Denver EEOC Field Director Nancy Sienko. “We want to hear what they have to say.”

[Indiana voucher supporters say opponents want government to measure schools' religion](#) (April 19, 2012)

Opponents led by the Indiana State Teachers Association want the Indiana Supreme Court to overturn the voucher law, which has been upheld by a lower court. Indiana's voucher program is the largest in the nation, with nearly 4,000 students participating. Opponents claim the program violates a state constitutional ban on government support of churches because it compels taxpayers to pay for schools that teach religion. The Indiana attorney general's office and other groups defending the law argue in court briefs filed last week that nobody is being compelled because parents are free to send their children to any school they want — public, private or parochial.

[Man sues Brunswick Leisure Boat Company, alleges racial discrimination](#) (April 18, 2012)

On Oct. 13, Chapman filed a charge of discrimination with the Equal Employment Opportunity Commission, EEOC, and the **Indiana Civil Rights Commission**, ICRC. Both the EEOC and the ICRC issued a notice of right to sue on Jan. 12.

[Online diversity survey draws concerns, complaints](#) (March 31, 2012)

A survey done a year ago of residents' thoughts on diversity issues showed diverse opinions from the almost 250 respondents. The survey done using the Zoomerang online poll software was done before the Diversity Summit held last April at Valparaiso University. Members of the city's Human Relations Council received a copy of the results at their March 20 meeting. Asked to state what they thought were the three challenges diverse people face living in the city, respondents listed racism, hate crimes and harassment toward any group, including gays and ethnic populations; limited social inclusion or welcoming efforts from the community; a history of insensitivity and "subtle fears and anxieties generated out of the unfortunate racial history and climate of Northwest Indiana."