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BEFORE THE STATE OF INDIANA

CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF AUGUST 25, 2006

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 C, 402 West Washington Street,
Indianapolis, Indiana, on Friday, August 25,
2006 at 3:09 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
David C. Carter
John E. Garcia
Barry Baynard
Steven A. Ramos
Tehiji Crenshaw

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

OTHER COMMISSION STAFF PRESENT:

Robert D. Lange
Tawanda Sharp

- - -

1 3:09 o'clock a.m.
2 August 25, 2006

3 - - -

4 CHAIRPERSON BLACKBURN: Good
5 afternoon. The Indiana Civil Rights Commission
6 is now in public meeting. We have in your
7 packets the minutes from the May 19th and
8 July 21st meetings. May I have a motion to
9 accept those?

10 COMM. GARCIA: I move we accept
11 them.

12 COMM. BAYNARD: Second.

13 CHAIRPERSON BLACKBURN: All in
14 favor?

15 COMM. CARTER: Aye.

16 COMM. GARCIA: Aye.

17 COMM. BAYNARD: Aye.

18 COMM. RAMOS: Aye.

19 COMM. CRENSHAW: Aye.

20 CHAIRPERSON BLACKBURN: Anyone
21 opposed?

22 (No response.)

23 CHAIRPERSON BLACKBURN: Thank you.

And you have a financial report. Are



VOUCHER ABSTRACT - FORM A-3

State Form 22933 (R3/1-96)

Approved by the State Board of Accounts, 1996.

AGENCY NOTICE:

Use this as a covering transmittal for vouchers chargeable.
Send two copies to the Auditor of State of Indiana.

DOCUMENT NUMBERS	
Starting Number	C25800001149
Ending Number	C25800001149
Date (Month, Day, Year)	12/17/2007

SIGNATURES FOR APPROVAL	
Civil Rights Commission Signature	
Date Received (Mo., Day, Yr.)	Date Approved (Mo., Day, Yr.)
Budget Agency Signature	
Date Received (Mo., Day, Yr.)	Date Approved (Mo., Day, Yr.)

AGENCY FILL IN	
Fund / Object / Center	1000/555400/102580
Agency Name	Civil Rights Commission
Agency Number	258
AGENCY LEAVE BLANK	
Control Group Number	

PAYEE (Double Space, use reverse side if necessary)		AMOUNT
ROBIN DEGNER <u>555400</u>	0000054956 199.99	199.99
		199.99



CLAIM - VOUCHER

State Form 11294 (R4/1-96)
Approved by the State Board of Accounts, 1996.

Name of Agency personnel who prepared this claim.	
Name: Robin A. Degner	Phone: 317/234-4587

INSTRUCTIONS: This agency is requesting disclosure of your Social Security Number in accordance with I.C. 4

VENDOR INFORMATION		AGENCY INFORMATION	
Document Number C25800001149	Date (Month, Day, Year) 12/17/2007	Agency Name Civil Rights Commission	
Vendor Name ROBIN DEGNER		Agency Number 258	
Address (Number, Street) 3138 E COUNTY ROAD 550 N		Social Security Number or	1000 Code
Address (P.O. Box Number)		Federal I.D. Number 305786249-EE	1000 Code
City, State and Zip Code NEW CASTLE, IN 47362		Vendor Number	

AREA BELOW TO BE COMPLETED BY AGENCY

DATE	AMOUNT	FUND	OBJECT	CENTER	LOAN / INV / NBR	QTY.	UNIT	DESCRIPTION	NO
12/17/07	\$199.99	1000	555400	102580	DRAGONSoftware			12/10/07 Software for Transcriptions	NO
GROSS AMOUNT: \$ 199.99					Furnished to: (Name of State Agency) Civil Rights Commission				
I certify that this claim is correct and valid and is a proper charge against the State Agency, Fund and Center Indicated.									
Authorized Signature of State Agency <i>Christine D. CdeBaca</i>						Date (Month, Day, Year) 12/17/07			
Pursuant to the provisions and penalties of Indiana Code 5-11-10-1, I certify that the foregoing Fund and Center is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.									
Signature of Vendor						Date (Month, Day, Year)			

WELCOME TO BEST BUY #232
INDIANAPOLIS, IN 46229
(317)897-3941

Keep your receipt!



Val #: 1078-5653-7949-4051

0232 004 6650 08/10/07 12:07 0689483

SALE

8231282	ICDP520	59.99
	SONY ICD-P520 PC LINK DIG VOI	
7964303	2202393	199.99
<hr/>		
	DRAGON NATURALLY SPEAKING PRE	
5426639	RZ CARD	0.00
	REWARD ZONE CARD	
	SERIAL # 0317795361	

	SUBTOTAL	259.98
	SALES TAX 6.00 %	15.60
	=====	
	TOTAL	275.58

XXXXXXXXXXXX5598	DEBIT	275.58
<u>ROBIN A DEGNER</u>		
APPROVAL 661907		
REFERENCE NUMBER: 023200404732		

ROBIN,
THANKS FOR SHOPPING AT BEST BUY TODAY!
YOUR REWARD ZONE BALANCE AS OF 08/06/07
POSTED POINTS: 42
PENDING POINTS: 0
GO TO WWW.MYREWARDZONE.COM FOR MORE INFO

YOUR CUSTOMER SERVICE PIN IS:
0232 004 6650 081007

<<<< CUSTOMER COPY >>>>

PS VID
000054956
Robin A Degner
305-78-5246
Payee

Reimburse
Employee
Robin Degner
For Software
to transcribe
meeting record
minutes.
12-10-07
RW

1 backlog of cases pending before the current
2 administrative law judge;

3 And whereas, the Indiana Civil Rights
4 Commission has a statutory duty and desire to
5 resolve cases pending before it;

6 Whereas, the Director of the Indiana
7 Civil Rights Commission acknowledged the need
8 to promote efficient and timely decisions and
9 dispositions of cases.

10 Now therefore, be it resolved that the
11 Indiana Civil Rights Commission hereby creates
12 an internal committee to be composed of at
13 least two Commissioners appointed by the Chair
14 and Director of the Indiana Civil Rights
15 Commission. The ALJ Committee is charged with
16 the responsibility of monitoring, supervising
17 and managing the work of the agency's
18 administrative law judge.

19 In addition, the ALJ Committee, after
20 reviewing the current case docket and other
21 work assignments, shall report to the
22 Commission and make necessary recommendations
23 to the Commission. The first report shall be

1 made on or before December 15th, 2006.
2 Thereafter, the ALJ Committee shall make --
3 thereafter, the ALJ Committee shall make
4 written reports to the Commission no less than
5 every six months.

6 CHAIRPERSON BLACKBURN: And may I
7 have a motion to accept the resolution?

8 COMM. CARTER: So moved.

9 COMM. GARCIA: Second.

10 CHAIRPERSON BLACKBURN: All in
11 favor?

12 COMM. CARTER: Aye.

13 COMM. BAYNARD: Aye.

14 COMM. RAMOS: Aye.

15 COMM. CRENSHAW: Aye.

16 COMM. GARCIA: Aye.

17 CHAIRPERSON BLACKBURN: Anyone
18 opposed?

19 (No response.)

20 CHAIRPERSON BLACKBURN: Thank you.

21 There being no old business and no
22 consent agreements, we'll move to Findings of
23 Fact, Conclusions of Law and Order.

1 CHAIRPERSON BLACKBURN: All in
2 favor?

3 COMM. CARTER: Aye.

4 COMM. BAYNARD: Aye.

5 COMM. RAMOS: Aye.

6 COMM. CRENSHAW: Aye.

7 COMM. GARCIA: Aye.

8 CHAIRPERSON BLACKBURN: Aye.

9 Anyone opposed?

10 (No response.)

11 CHAIRPERSON BLACKBURN: Thank you.

12 They're listed in your minutes -- I mean in
13 your agendas for today.

14 Reports from the Commissioners on
15 complaint appeals.

16 Comm. Baynard?

17 COMM. BAYNARD: Yes, Madam Chair.

18 I have one case, the case of Castille versus
19 Circle City Produce. I would recommend to the
20 Commission that we uphold the Director's
21 finding of no probable cause.

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

1 COMM. GARCIA: I'll move we accept
2 Comm. Baynard's recommendation.

3 CHAIRPERSON BLACKBURN: Second?

4 COMM. CARTER: Second.

5 CHAIRPERSON BLACKBURN: All in
6 favor, please?

7 COMM. CARTER: Aye.

8 COMM. BAYNARD: Aye.

9 COMM. RAMOS: Aye.

10 COMM. CRENSHAW: 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: Yes, Madam Chair. I
18 am looking for my third copy of the agenda --

19 (Laughter.)

20 COMM. CARTER: -- on which I noted
21 one of my cases, which was omitted from said
22 agenda, but then I started working with a
23 different copy of the agenda.

1 I have four cases. The one that is
2 omitted is Malley, M a l l e y, versus Peru
3 Housing Authority; and then there's Williams
4 versus Anthony Wayne Rehab Center for
5 Handicapped ND Blind, Inc., I think -- maybe
6 that's and Blind, probably; it's written
7 Haplin, but it is really Halpin, H a l p i n,
8 versus Michigan City Housing Authority; and
9 Moore, that's Moore with an "o" and an "e" --
10 two "o's" and an "e" -- versus The Orchard
11 Apartments, doing business as Arcon. And in
12 all three case -- all four cases, I recommend
13 that the Commission uphold the
14 no-probable-cause finding.

15 CHAIRPERSON BLACKBURN: May I have
16 a motion to accept that recommendation?

17 COMM. RAMOS: So moved.

18 COMM. GARCIA: Second.

19 CHAIRPERSON BLACKBURN: All in
20 favor?

21 COMM. CARTER: Aye.

22 COMM. BAYNARD: Aye.

23 COMM. RAMOS: Aye.

1 COMM. CRENSHAW: Aye.

2 COMM. GARCIA: Aye.

3 CHAIRPERSON BLACKBURN: Anyone
4 opposed?

5 (No response.)

6 CHAIRPERSON BLACKBURN: Thank you.
7 And Comm. Garcia?

8 COMM. GARCIA: In the case of Diane
9 Bell versus W. Hare & Son, Inc., I'm
10 recommending that we remand the case back to
11 the investigator to review additional
12 Claimant's journal evidence. And there's two
13 cases, Hensley versus the Kroger Company, I
14 recommend we uphold the Executive Director's
15 determination of no probable cause; and in
16 Gonzales versus M.R. Partnerships, doing
17 business as McDonald's, I also recommend that
18 we uphold the Executive Directors'
19 determination of no probable cause.

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

22 COMM. CARTER: So moved.

23 COMM. BAYNARD: So moved.

1 COMM. CARTER: Second.

2 CHAIRPERSON BLACKBURN: All in
3 favor?

4 COMM. CARTER: Aye.

5 COMM. BAYNARD: Aye.

6 COMM. RAMOS: Aye.

7 COMM. CRENSHAW: Aye.

8 COMM. GARCIA: Aye.

9 CHAIRPERSON BLACKBURN: Anyone
10 opposed?

11 (No response.)

12 CHAIRPERSON BLACKBURN: Thank you.

13 I want to recommend, in the case of
14 Hoffman versus Delaware County Historical
15 Society and the case of Lisa Maple versus Savis
16 Family Dining that we uphold the Director's
17 finding of no probable cause in both cases.

18 May I have a motion to accept those
19 recommendations?

20 COMM. CARTER: So moved.

21 COMM. BAYNARD: Second.

22 CHAIRPERSON BLACKBURN: All in
23 favor?

1 COMM. CARTER: Aye.

2 COMM. BAYNARD: Aye.

3 COMM. RAMOS: Aye.

4 COMM. CRENSHAW: Aye.

5 COMM. GARCIA: Aye.

6 CHAIRPERSON BLACKBURN: Anyone

7 opposed?

8 (No response.)

9 CHAIRPERSON BLACKBURN: Thank you.

10 Comm. Ramos?

11 COMM. RAMOS: I reviewed the case
12 of Armstead versus American Cold Storage, and I
13 recommend, Madam Chair, that we uphold the
14 Executive Director's findings of no probable
15 cause.

16 CHAIRPERSON BLACKBURN: May I have
17 a motion to accept that recommendation?

18 COMM. BAYNARD: So moved.

19 COMM. CARTER: Second.

20 CHAIRPERSON BLACKBURN: And all in
21 favor?

22 COMM. CARTER: Aye.

23 COMM. BAYNARD: Aye.

1 COMM. RAMOS: Aye.

2 COMM. CRENSHAW: Aye.

3 COMM. GARCIA: Aye.

4 CHAIRPERSON BLACKBURN: Anyone

5 opposed?

6 CHAIRPERSON BLACKBURN: Thank you.

7 Now to assign to Commissioners to
8 review these appeals: Carter, if you would
9 please review Spencer versus MJM
10 Investigations, Inc.; Ms. Crenshaw, McGhee
11 versus Diamond Chain; Garcia, Davidson versus
12 Double A Ford Rent-A-Car; Ramos, Ojleska versus
13 Accusil, Inc.; Baynard, Young versus J.P.
14 Morgan Chase, doing business as Bank One; and I
15 will review Graves verses Indianapolis Public
16 Transportation Corp.

17 And we will move to an Administrative
18 Update by our Director.

19 MR. SCOTT: Yes. The first matter
20 will be actually the -- I'd like to make note
21 of the fact that in Wisconsin, there is a
22 school that is going to be dedicated and named
23 after Arthur K. Fletcher.

1 CHAIRPERSON BLACKBURN: Hmm.

2 MR. SCOTT: And the Director's been
3 invited, along with Dr. Fletcher's family, to
4 the ceremony, which will occur on
5 September 15th.

6 It's a wonderful occasion to
7 acknowledge Dr. Fletcher for his work, which
8 began in raising funds for Brown versus Board
9 of Education, and continued as a member of
10 President Nixon's cabinet in providing
11 enforcement to affirmative action, and
12 continued on as his service as an alternate
13 delegate to the United Nations, and before --
14 he was then later appointed Chairman of the
15 United States Commission on Civil Rights during
16 President George Herbert Walker Bush's
17 administration.

18 If you'll recall, Dr. Fletcher had
19 accepted the invitation of the Director to meet
20 with the Commission and have an opportunity to
21 speak with them regarding some of his insights
22 and certainly his concerns. Unfortunately, you
23 may remember, he passed before being able to

1 attend our power meeting, but it is, I think,
2 just a wonderful acknowledgment that has
3 occurred.

4 And I've had the opportunity to speak
5 with his wife Renice, with Dr. Cornelius, Sam
6 Cornelius, whom you've met, and others, and so
7 it's really going to be a fitting and wonderful
8 occasion. Dr. Fletcher was very much dedicated
9 to the education of children.

10 Also, within that, I wanted to make the
11 Commission aware of the work that is being
12 taken on in accord with the Commission's
13 initiative, education initiative, and remind
14 the Commission and those present that on
15 September 12th, there will be the first meeting
16 of the Indiana Civil Rights Commission
17 Education Steering Committee.

18 And that committee, which is comprised
19 of quite a large number, but a good number, of
20 citizens of Indiana, as well as one person who
21 is actually a resident of a neighboring
22 jurisdiction, who will come together to begin
23 the work regarding disparate discipline.

1 And also I see that I neglected to pass
2 out for the Commissioners, but I wanted to
3 share with you, in addition to the documents
4 you've already been provided, a copy of new
5 legislation in Indiana regarding cultural
6 competence of educators, and that is certainly
7 one of the areas of issue which will be
8 addressed on September 12th.

9 And I'd invite all of the Commissioners
10 to attend, and we're very pleased with the
11 makeup of the committee, and based on the
12 attendance at that meeting, we intend to have
13 additional names to provide to the Chair to
14 appoint to that committee.

15 And I just want to also acknowledge the
16 work of Kathryn Lee and Christine Cde Baca and
17 their efforts in this regard. I think the
18 Commission is causing the State of Indiana to
19 take a major step and a very important step,
20 and assuming we are able to meet our
21 objectives, or even a portion of the
22 objectives, I think Indiana will become a model
23 for many states in this nation regarding

1 education. And so, I wanted to make you aware
2 of that upcoming event as well.

3 And then we have the case processing
4 and statistical report, which I am just going
5 to hold for the next meeting, and then turn to,
6 on the agenda, the ADR unit update, and we have
7 two reports from Mr. Tilden. Steven Tilden is
8 our ADR Director, who does a wonderful job in
9 helping resolve cases that would otherwise
10 require full adjudication, and some of the work
11 that has been done is indicated on the reports
12 that were provided, one dated August 7, the
13 other dated July 24, and if there are any
14 questions regarding those reports, I would
15 certainly be able to respond.

16 COMM. GARCIA: I'd like to make a
17 comment. I think we had this discussion last
18 meeting. Since a lot of the -- like on the
19 memorandum there from Steve Tilden, it says ADR
20 Director.

21 MR. SCOTT: Yes.

22 COMM. GARCIA: Can we actually put
23 "Alternative Dispute Resolution" there, with

1 "ADR" in parentheses for the benefit --

2 MR. SCOTT: Okay. Yes.

3 COMM. GARCIA: -- of new
4 Commissioners on a lot of the acronyms, so that
5 they can familiarize with it? I think a lot of
6 that stuff will become part of the boilerplate
7 stuff on the memorandums and reports and things
8 like that with all of the --

9 MR. SCOTT: That's a very good
10 point, and we will act on that this time. I
11 hear what you're saying, Commissioner, and it
12 certainly would be helpful.

13 CHAIRPERSON BLACKBURN: Is that it?

14 MR. SCOTT: That's the end of my
15 report.

16 CHAIRPERSON BLACKBURN: All right.
17 Thank you very much.

18 Are there additional announcements?

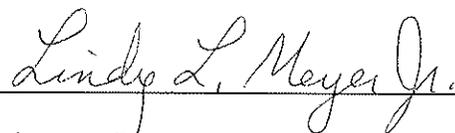
19 (No response.)

20 CHAIRPERSON BLACKBURN: I do want
21 to announce the appointments to the ALJ
22 Committee. They are Scott, Blackburn, Baynard
23 and Carter. Carter will chair that committee.

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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, August 25, 2006 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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