

**In The Matter Of:**

*BEFORE THE STATE OF INDIANA CIVIL RIGHTS COMMISSION*

---

*July 22, 2019*

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*WILLIAM F. DANIELS, D/B/A ACCURATE REPORTING OF INDIANA  
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BEFORE THE STATE OF INDIANA  
CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF JULY 22, 2019

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana  
Civil Rights Commission, Steven A. Ramos,  
Chairman, 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 North, 100 North Senate Avenue, Room N300,  
Indianapolis, Indiana, on Monday, July 22, 2019  
at 1:06 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

1 APPEARANCES:

2 COMMISSION MEMBERS:

3 Steven A. Ramos, Chairman  
4 Alpha Blackburn  
5 Adrienne L. Slash  
6 Holli Harrington (via telephone)  
7 James W. Jackson (via telephone)

8 INDIANA CIVIL RIGHTS COMMISSION  
9 By Doneisha Posey, Deputy Director  
10 Indiana Government Center North  
11 100 North Senate Avenue, Room N300  
12 Indianapolis, Indiana 46204  
13 On behalf of the Commission.

14 OTHER COMMISSION STAFF PRESENT:

15 Caroline Stephens Ryker  
16 Anehita Eromosele

17 ALSO PRESENT:

18 Cody Eckert  
19 Candice McKinney

20 - - -

21  
22  
23

1 1:06 o'clock p.m.  
2 July 22, 2019

3 - - -

4 CHAIRMAN RAMOS: Good afternoon. I  
5 call to order the Indiana Civil Rights Commission  
6 public meeting. It's July 22nd. We have some  
7 good music in the background. Is that Three Dog  
8 Night? And we will begin. So, let's review the  
9 agenda.

10 JUDGE STEPHENS RYKER: Okay. And  
11 just for the sake of the record, we do have a  
12 quorum here. We will start with the approval of  
13 the previous minutes, go through the ICRC  
14 Director's Report. We do have number of appeals  
15 in the Old Business section that can be reported  
16 here today, and then as far as New Business,  
17 again, we have a few appeals to assign, two ALJ  
18 decisions and orders for the Commission's review,  
19 and then finally just a review of the meeting  
20 dates for 2019, a period of announcements, and  
21 public comment as well.

22 CHAIRMAN RAMOS: Are there any  
23 additions or modifications to the agenda?

(No response.)

1                   CHAIRMAN RAMOS: Hearing none, we  
2 will proceed. As you said, we do have a quorum.  
3 Let's get an approval for -- I need a motion to  
4 approve the previous minutes.

5                   COMM. SLASH: So moved.

6                   CHAIRMAN RAMOS: And a second.

7                   COMM. BLACKBURN: Second.

8                   CHAIRMAN RAMOS: All those in favor,  
9 signify by saying aye, and I do have to do this  
10 one by one.

11                  So, Comm. Jackson, I need your approval  
12 for the minutes.

13                  COMM. JACKSON: I approve.

14                  CHAIRMAN RAMOS: Thank you.

15                  Comm. Harrington?

16                  COMM. HARRINGTON: Aye.

17                  CHAIRMAN RAMOS: Comm. Blackburn?

18                  COMM. BLACKBURN: Aye.

19                  CHAIRMAN RAMOS: Comm. Slash?

20                  COMM. SLASH: Aye.

21                  CHAIRMAN RAMOS: Motion carries, aye.

22                  So, the next item you have on the agenda  
23 is the Director's Report.

1 MS. POSEY: Good afternoon,  
2 Commissioners. I am happy to be with you all  
3 today.

4 In front of you, you have the Agency  
5 Monthly Report from last month, June 2019. There  
6 are just a couple of quick things I wanted to  
7 bring to your attention as far as Agency Report  
8 goes. On page four, we can see -- it's our  
9 Intake Unit page -- it shows you how many calls  
10 we received, how many inquiries we received and  
11 all of that.

12 We are down two Intake personnel right  
13 now, so at this moment, we have only two Intake  
14 Specialists, and they are responsible --

15 COMM. SLASH: Oh.

16 MS. POSEY: -- for getting all of the  
17 calls and helping to draft all of the complaints  
18 with our agency. We do have some interns, and we  
19 did just hire a contractor to help also, but we  
20 are down. But as you can see in the one, two,  
21 three -- fourth row down, in "[Percentage] of  
22 Inquiries Drafted," we are still within that  
23 30-percent range, which is what we want them to

1 stay in. So, they have not -- you know, even  
2 with the influx of work that they have to do,  
3 they are still maintaining a good average. So, I  
4 just wanted to bring that to your attention.

5 And then also --

6 CHAIRMAN RAMOS: A quick question  
7 there.

8 MS. POSEY: Yes.

9 CHAIRMAN RAMOS: So, that just means  
10 that you're receiving the calls, but you're  
11 unable to go and get back, so you'll get back to  
12 them at another point in time?

13 MS. POSEY: Right.

14 CHAIRMAN RAMOS: Okay.

15 MS. POSEY: Let me see. Page 11, I  
16 also wanted to bring to your attention, on top of  
17 that page, those are the probable cause findings  
18 for the month of June. So, in the month of June,  
19 we had three probable cause cases, all three of  
20 which were housing-related cases. So, I just  
21 wanted to kind of bring that to your attention so  
22 you can see the new cases that we'll be dealing  
23 with in terms of possible litigation or

1 settlement, so -- and you can also review the  
2 facts of those cases.

3           And then page 13, the ADR Unit, at the  
4 bottom we have an ADR Spotlight. We've been  
5 spotlighting some cases that have settled within  
6 our ADR Unit each month, and I thought this one  
7 was a good one to highlight. There was a  
8 disability claim in a public accommodation, which  
9 was mediated by our agency.

10           The parties reached an agreement resulting  
11 in a reasonable accommodation being granted to  
12 allow the complainant to communicate in writing  
13 in order to take and pass a required eye exam at  
14 the local BMV. So, I mean to me, that's a win.  
15 That necessarily didn't have any monetary damages  
16 involved in that, but still, the complainant was  
17 able to take her BMV exam with a reasonable  
18 accommodation.

19           So, I like to highlight those things,  
20 because that's what we're here to do, to make  
21 sure that the parties, you know, receive that  
22 equal opportunity that they are -- that they have  
23 the right to have. So, I mean that's important

1 to me, and I know it is important to you all as  
2 well.

3 CHAIRMAN RAMOS: A question on that.

4 MS. POSEY: Yes, uh-huh.

5 CHAIRMAN RAMOS: So, I mean the --  
6 having a driver's license is a major form of  
7 identification recognized throughout our country.  
8 So, if the person is visually impaired, I mean  
9 that's a -- how are they handling it? Because  
10 they don't need a driver's license, obviously.

11 MS. POSEY: Possibly. I mean I don't  
12 know all of the details of that case, and we  
13 don't know what the disability was, either.

14 CHAIRMAN RAMOS: Right.

15 MS. POSEY: So, I don't know if that  
16 was visually impaired or -- I don't know what it  
17 was, but, yeah.

18 CHAIRMAN RAMOS: Okay.

19 MS. POSEY: And page 16 talks about  
20 our Outreach Events, the things that we did in  
21 June. As you know, June was our big Civil Rights  
22 Conference and Awards Dinner, which was amazing.  
23 It was great. We --

1                   COMM. SLASH: I need to write a  
2 check.

3                   MS. POSEY: You need to write a  
4 check?

5                   COMM. SLASH: I do.

6                   MS. POSEY: That's on the record.

7                   COMM. SLASH: Okay.

8                                   (Laughter.)

9                   MS. POSEY: And I wanted to bring to  
10 your attention, in the month of June, at the --  
11 where it says, "Total Reach/Attendance," we had,  
12 based off of our events, 2,570 people that we  
13 reached in some capacity, whether that was  
14 through our conference, through our remote intake  
15 event, through any of our events that we had in  
16 the month of June.

17                   So, I'm very proud of the fact that we are  
18 really being intentional about getting in the  
19 community and making sure we are meeting people  
20 where they are, and that's reflective in those  
21 numbers.

22                   Any questions for me?

23                   CHAIRMAN RAMOS: I have a couple of

1 questions. First a comment. I thought the  
2 breakfast with the Mayor was done exceptionally  
3 well last week, and --

4 MS. POSEY: Oh.

5 CHAIRMAN RAMOS: -- that the Civil  
6 Rights Commission was very much involved in the  
7 Black Expo. Do you want to comment on that?

8 MS. POSEY: Yeah. I'm sorry; I  
9 didn't even bring that up. It's one week behind  
10 me, and I'm totally forgetting about it already.

11 So, last week was the Indiana Black Expo.  
12 All of the events that the Black Expo held,  
13 Indiana Civil Rights Commission was a sponsor of  
14 the Education Conference, which was held on this  
15 past Thursday. We had two different sessions.  
16 One session I presented on education  
17 discrimination issues, and then we had our  
18 Cultural Commissions present on cultural -- or  
19 implicit bias and cultural differences in  
20 education.

21 Both of the panels were really well  
22 attended, well received. The Education  
23 Conference, in and of itself, had thousands of

1 educators from across the state come and  
2 participate, so we were very happy with being a  
3 sponsor of that event, and we also had the  
4 Mayor's Breakfast on Monday.

5           The Governor's reception was on Tuesday.  
6 At that event, we gave out several awards, but  
7 the newest award that we gave out, and I think  
8 one of the more special awards that we gave out,  
9 was the Harold O. Hatcher Award, and Harold O.  
10 Hatcher was first Executive Director of the  
11 Indiana Civil Rights Commission back in 1961,  
12 maybe.

13           And so, we gave out that award for an  
14 outstanding and exceptional ICRC staff member,  
15 and that award went to Melissa Deering, who is  
16 the Director -- Program Director for our REPACE  
17 Unit. So, we were happy to do that. That was a  
18 great event as well.

19           And we ended with the Corporate Luncheon  
20 on Friday. Many of you were there, and I think  
21 the Black Expo, that entire week with the Expo  
22 booth and all of that, was really helpful in our  
23 marketing and making sure that folks know to come

1 to the Civil Rights Commission when there's  
2 issues of discrimination.

3 CHAIRMAN RAMOS: How many people  
4 attended the Black Expo this year?

5 MS. POSEY: I don't know if they have  
6 the numbers yet, but --

7 COMM. SLASH: I haven't seen a number  
8 yet.

9 MS. POSEY: Yeah. I don't even want  
10 to guess because I'm not good with that, because  
11 I would say like a hundred thousand people, and I  
12 don't know if that's even close to being  
13 accurate.

14 CHAIRMAN RAMOS: I know it was a  
15 great event.

16 MS. POSEY: Yes.

17 CHAIRMAN RAMOS: They do a gerat job.

18 MS. POSEY: Yes.

19 CHAIRMAN RAMOS: Well,  
20 congratulations on that.

21 MS. POSEY: Thank you.

22 CHAIRMAN RAMOS: Great stuff.

23 A couple of questions I have in regards to

1 on the Director's side, we chatted about this a  
2 couple of times, and I know that I share this  
3 with the Commissioners, because I know one thing  
4 is we want to see a budget, see what the numbers  
5 are. We're heading into the new year, so I'd  
6 just like to be able to see that. So, if we can  
7 just get that from Pam.

8 MS. POSEY: Yeah. So, this past  
9 month, June 30th, was the end of the fiscal year  
10 budget, so she is working very, very hard on --  
11 working on our new budget for this year, but we  
12 do have the numbers from the legislative  
13 appropriation that we received, so I can get that  
14 to you all before you leave today so that you  
15 know what's our new appropriation. It did go up  
16 just a tiny bit.

17 CHAIRMAN RAMOS: Okay. Well, that's  
18 good. I know there was a nice surplus of  
19 money -- so we can plan on what to do with it --  
20 from Governor Holcomb's plan, but that's all  
21 good. At least we got a surplus, so that's a  
22 good place to be --

23 MS. POSEY: Yes.

1                   CHAIRMAN RAMOS:  -- compared to many  
2 of the states around us; right?

3                   Another question has to do -- and I know  
4 we're heading into the new year, and we chatted  
5 about this a little bit, but that's just  
6 developing a strategic plan, kind of a three-,  
7 four-, five-year plan.  Where are we at on that?  
8 I think it's in the process, but can we just get  
9 an update?

10                  MS. POSEY:  Yes.  We are in the  
11 process of working on the strategic plan, but  
12 then also, something else that has come up this  
13 year that -- that has kind of thrown a curve ball  
14 at us is our Indiana Civil Rights regulations are  
15 expiring at the end of this year.  So, a part of  
16 our Code is we need to totally revamp a lot of  
17 that, and if you're familiar at all with  
18 government regulations and proposed rules and all  
19 of that, it is a very lengthy process, so that's  
20 kind of taken precedent in front of a lot of  
21 things --

22                  CHAIRMAN RAMOS:  Sure.

23                  MS. POSEY:  -- when it comes to any

1 of our liti -- or I'm sorry -- our regulations  
2 and our laws. That's kind of at the forefront of  
3 all of our minds right now, getting that done.

4 CHAIRMAN RAMOS: So, that'd show up  
5 as an amendment, an addendum? How does that  
6 work?

7 MS. POSEY: So, the Administrative --  
8 or -- yeah, the Administrative Rules pretty much  
9 tell us how to -- how to move procedurally with  
10 all of our cases. So, we've -- and part of it,  
11 in one of our cases that went up to the Court of  
12 Appeals, the Court of Appeals said that this is  
13 not in compliance with Federal ADA, so we need to  
14 just totally erase all of that and start all  
15 over --

16 CHAIRMAN RAMOS: Oh.

17 MS. POSEY: -- when it comes to some  
18 disability issues within our regulations. So, we  
19 have three Administrative Codes that we are  
20 looking at right now that needs to be revamped  
21 and kind of go through the procedures in getting  
22 all of that solidified, so that's going to take  
23 months.

1                   CHAIRMAN RAMOS: And that has to be  
2 reviewed with legislation and approved?

3                   MS. POSEY: So, not through  
4 legislation, but through the rulemaking process.  
5 So, the rulemaking process is we -- in a nutshell  
6 is we tell the public that we are going to be  
7 working on our rules. They have an opportunity  
8 to give us comments on things that we should  
9 change, things that we should add. We go through  
10 that process, we publish it, we wait for more  
11 comments. It's just a -- it's like a 30-step  
12 process in order to do this.

13                   CHAIRMAN RAMOS: Wow.

14                   MS. POSEY: Yeah.

15                   COMM. SLASH: Is there a place where  
16 we can help with anything, in any way, shape or  
17 profession?

18                   MS. POSEY: Let me think about that.

19                   COMM. SLASH: My guess would be  
20 around getting public comment, and so that people  
21 who wanted to --

22                   MS. POSEY: Now, that part, yes.

23                   COMM. SLASH: -- make a comment --

1 MS. POSEY: So, something that I was  
2 thinking of is doing some sort of like -- not  
3 listening session in the way that the Cultural  
4 Commissions are doing, but some sort of session  
5 in which we can bring the public all of this  
6 information, yes. So, in that regard, yes,  
7 trying to come up with what that looks like, of  
8 course.

9 COMM. SLASH: Okay.

10 CHAIRMAN RAMOS: Yeah. So, the  
11 process in communicating that is through a social  
12 event, through --

13 MS. POSEY: Definitely like our  
14 social media, any type of marketing, and working  
15 with our community partners as well --

16 CHAIRMAN RAMOS: Sure.

17 MS. POSEY: -- is how we would get  
18 the word out on that.

19 CHAIRMAN RAMOS: I mean we cover the  
20 central area really well, but obviously our  
21 breadth is greater --

22 MS. POSEY: Right.

23 CHAIRMAN RAMOS: -- than that, so --

1 MS. POSEY: Right. So, it might be  
2 more beneficial for us to do something in the  
3 north, in the central, and the south.

4 COMM. SLASH: Uh-huh.

5 MS. POSEY: But we're not even at  
6 that point yet, but just something I wanted to  
7 put on you guys' radar as Commissioners. You  
8 know, once those do go into effect, you would --  
9 and do they have it in their binders, the  
10 Administrative --

11 JUDGE STEPHENS RYKER: I'm not sure  
12 if you have it in your binders, but I can send an  
13 e-mail PDF version out, so you can see which ones  
14 we're talking about.

15 MS. POSEY: Yeah, so you know what  
16 I'm referring to.

17 CHAIRMAN RAMOS: Okay.

18 MS. POSEY: In total, it's about a  
19 hundred fifty, two hundred pages' worth of Code  
20 that needs to be --

21 CHAIRMAN RAMOS: Updated.

22 MS. POSEY: -- updated.

23 CHAIRMAN RAMOS: Yeah.

1                   COMM. BLACKBURN:  When is the last  
2 time that was done?

3                   MS. POSEY:  So, it's supposed to be  
4 done every seven years.  I'm not sure when the  
5 last time anything actually changed.  Never?

6                   JUDGE STEPHENS RYKER:  I want to  
7 say 1990.

8                   MS. POSEY:  1990.

9                   CHAIRMAN RAMOS:  So, it can kind of  
10 be rolled over?

11                   MS. POSEY:  It can, or -- well, you  
12 have to tell them like, "We're not going to  
13 change it," but we are changing it this year --

14                   COMM. SLASH:  I was going to say,  
15 there's quite a bit --

16                   MS. POSEY:  -- definitely.

17                   COMM. SLASH:  -- of change in the  
18 world since 1990.

19                   MS. POSEY:  Yeah.  And then the Court  
20 of Appeals told us, "You must change this."

21                   COMM. SLASH:  Okay.  So, there would  
22 be a great reason to at least let the public know  
23 that there could be a place to listen, to

1 learn --

2 MS. POSEY: For sure.

3 COMM. SLASH: -- and to add comment?

4 Okay. So, it's not a procedural step, it's  
5 something that actually would make some  
6 difference and some change, and it'd be good to  
7 get people around it.

8 MS. POSEY: Yes.

9 COMM. SLASH: Okay.

10 MS. POSEY: But it's procedural, too.

11 It's both.

12 COMM. SLASH: Okay.

13 MS. POSEY: Yes.

14 COMM. SLASH: Got it. I think I  
15 understand.

16 MS. POSEY: I'm sorry; I don't think  
17 I explained that very well, but --

18 COMM. SLASH: That's okay.

19 MS. POSEY: -- yeah. I mean have you  
20 ever looked at the comments in like the Federal  
21 Register, when people make public comments on  
22 different proposed rules and regulations at the  
23 federal level?

1                   COMM. SLASH: (Shook head no.)

2                   MS. POSEY: No? Okay. I'm just a  
3 nerdy lawyer. That's what I do.

4                                   (Laughter.)

5                   JUDGE STEPHENS RYKER: I can put that  
6 in an e-mail so you can see what that process  
7 looks like, for those of you who are curious.

8                   CHAIRMAN RAMOS: Okay.

9                   COMM. SLASH: Uh-huh.

10                  CHAIRMAN RAMOS: Are there any other  
11 questions for the Deputy Director?

12                                   (No response.)

13                  MS. POSEY: Thank you.

14                  CHAIRMAN RAMOS: Thank you.

15                  Moving on to Old Businesses, we have  
16 Commissioners appointed appeals, and if we would,  
17 we'd get the results or the recommendations and  
18 motions for each of these.

19                  I have the first two cases of Jason Wineke  
20 versus Barry's Pizza and Jason Wineke versus  
21 Trans-plants Inc., and in both of those appeals,  
22 my recommendation is to uphold the Director's  
23 finding of no probable cause. So, I need a

1 motion to approve.

2 COMM. SLASH: So moved.

3 CHAIRMAN RAMOS: I need a second.

4 COMM. HARRINGTON: Second.

5 CHAIRMAN RAMOS: All those in favor,  
6 and I will call you one on one.

7 Comm. Blackburn?

8 COMM. BLACKBURN: Aye.

9 CHAIRMAN RAMOS: Comm. Slash?

10 COMM. SLASH: Aye.

11 CHAIRMAN RAMOS: Comm. Harrington?

12 COMM. HARRINGTON: Aye.

13 CHAIRMAN RAMOS: Comm. Jackson?

14 COMM. JACKSON: Aye.

15 CHAIRMAN RAMOS: And aye as well.

16 The motion passes.

17 The next case is Mona Whitfield versus  
18 American Legion, and Comm. Harrington?

19 COMM. HARRINGTON: Yes. I recommend  
20 that we uphold the no-probable-cause finding.

21 CHAIRMAN RAMOS: I need a motion to  
22 approve.

23 COMM. SLASH: So moved.

1 CHAIRMAN RAMOS: I need a second.

2 COMM. BLACKBURN: Second.

3 CHAIRMAN RAMOS: And those in  
4 approvement -- or in agreement, signify by saying  
5 aye.

6 Comm. Blackburn?

7 COMM. BLACKBURN: Aye.

8 CHAIRMAN RAMOS: Comm. Slash?

9 COMM. SLASH: Aye.

10 CHAIRMAN RAMOS: Comm. Harrington?

11 COMM. HARRINGTON: Aye.

12 CHAIRMAN RAMOS: Comm. Jackson?

13 COMM. JACKSON: Aye.

14 CHAIRMAN RAMOS: And aye as well.

15 In the case of Robin Waltz versus Great  
16 Clips, Comm. Jackson?

17 COMM. JACKSON: I uphold the  
18 Director's finding in the case of Robin Waltz and  
19 Great Clips.

20 CHAIRMAN RAMOS: I need a motion to  
21 approve.

22 COMM. SLASH: So moved.

23 CHAIRMAN RAMOS: A second, I need a

1 second.

2 COMM. BLACKBURN: Second.

3 CHAIRMAN RAMOS: Blackburn. Those in  
4 favor signify by saying aye.

5 Comm. Blackburn?

6 COMM. BLACKBURN: Aye.

7 CHAIRMAN RAMOS: Comm. Slash?

8 COMM. SLASH: Aye.

9 CHAIRMAN RAMOS: Comm. Harrington?

10 COMM. HARRINGTON: Aye.

11 CHAIRMAN RAMOS: Comm. Jackson?

12 COMM. JACKSON: Aye.

13 CHAIRMAN RAMOS: Aye as well.

14 The last one is Travis Story versus FCA US  
15 LLC, Comm. Slash.

16 COMM. SLASH: I move to uphold the  
17 probable cause -- I'm sorry -- uphold the finding  
18 of no probable cause.

19 CHAIRMAN RAMOS: I need a motion to  
20 approve.

21 COMM. HARRINGTON: So moved.

22 CHAIRMAN RAMOS: I need a second.

23 COMM. JACKSON: Second.

1                   CHAIRMAN RAMOS: Those in favor  
2 signify by saying aye.

3                   Comm. Blackburn?

4                   COMM. BLACKBURN: Aye.

5                   CHAIRMAN RAMOS: Comm. Slash?

6                   COMM. SLASH: Aye.

7                   CHAIRMAN RAMOS: Comm. Harrington?

8                   COMM. HARRINGTON: Aye.

9                   CHAIRMAN RAMOS: Comm. Jackson?

10                  COMM. JACKSON: Aye.

11                  CHAIRMAN RAMOS: And aye as well.

12                  That takes us to our New Business and the  
13 appointment of the different appeals. The first  
14 one that we have on the list is Charles Cooper  
15 versus Quail Run Apartments, and I will take that  
16 case. Comm. Blackburn, would you please take the  
17 next one, which is Michael Coello versus Crown  
18 Point Police. Will you take that,  
19 Comm. Blackburn?

20                  COMM. BLACKBURN: (Nodded head yes.)

21                  CHAIRMAN RAMOS: Okay. She confirms  
22 that.

23                  Comm. Slash, if you would please take Myra

1 Hatfield versus Complete Property Care LLC.

2 COMM. SLASH: Okay.

3 CHAIRMAN RAMOS: And the next one,  
4 Comm. Jackson, can you please take Dorothy Morgan  
5 versus Armani Development Incorporation?

6 COMM. JACKSON: If you can send that  
7 to me, please.

8 CHAIRMAN RAMOS: Will do.

9 And Comm. Harrington, Candice McKinney  
10 versus Andrew Arbuckle.

11 COMM. HARRINGTON: I accept.

12 CHAIRMAN RAMOS: Thank you.

13 Next on the agenda is a review of the ALJ  
14 Decisions and Orders.

15 JUDGE STEPHENS RYKER: So, the first  
16 one, this is a repeat from the last agenda. This  
17 is He versus Belterra Casino, and at this point,  
18 the Commission does already have the record in  
19 that case. Recently there was an extension  
20 requested by both of the attorneys for another 30  
21 days for the briefing, and then an additional  
22 extension on the oral arguments for moving those  
23 to September 20th, and that's the September

1 Commission meeting. The commission generally  
2 granted that, but if we can just confirm that on  
3 the record here today again.

4 CHAIRMAN RAMOS: Okay. So, we need a  
5 motion to approve the 30-day extension.

6 COMM. SLASH: So moved.

7 CHAIRMAN RAMOS: And a second.

8 COMM. BLACKBURN: I'm confused.

9 COMM. HARRINGTON: Second.

10 CHAIRMAN RAMOS: You need clarity?

11 COMM. BLACKBURN: You say both have  
12 filed objections --

13 JUDGE STEPHENS RYKER: Yes.

14 COMM. BLACKBURN: -- both parties?

15 JUDGE STEPHENS RYKER: Both parties  
16 did file objections.

17 MS. POSEY: But both parties also  
18 filed an extension for more time.

19 JUDGE STEPHENS RYKER: Because of the  
20 number of objections.

21 COMM. BLACKBURN: Gotcha. Thank you.

22 CHAIRMAN RAMOS: Any other questions  
23 on that?

1                   COMM. BLACKBURN: None.

2                   CHAIRMAN RAMOS: All right. So, I  
3 have a motion and a second. Those in approval of  
4 this or in agreement, please --

5                   COMM. BLACKBURN: Aye.

6                   CHAIRMAN RAMOS: -- signify by saying  
7 aye. Blackburn is aye.

8                   Slash?

9                   COMM. SLASH: Aye.

10                  CHAIRMAN RAMOS: Harrington?

11                  COMM. HARRINGTON: Aye.

12                  CHAIRMAN RAMOS: Jackson?

13                                 (No response.)

14                  CHAIRMAN RAMOS: Comm. Jackson?

15                  COMM. JACKSON: Aye.

16                  CHAIRMAN RAMOS: And aye as well.

17                  The next case?

18                  JUDGE STEPHENS RYKER: Thank you very  
19 much. The next one is ICRC versus Columns of  
20 Castleton. This was a case where both the  
21 Complainant and Respondent have jointly moved to  
22 dismiss this case after having reached a  
23 settlement.

1                   CHAIRMAN RAMOS: Good. All right.

2 Do we need to do anything with that one?

3                   JUDGE STEPHENS RYKER: So, the

4 Commission has to accept the withdrawal.

5                   CHAIRMAN RAMOS: Okay.

6                   JUDGE STEPHENS RYKER: And this is --

7 it's a little bit differently positioned. There  
8 wasn't a hearing date set, so they don't  
9 technically need a request of withdrawal to be  
10 granted by the Commission, but they want an  
11 order, which is why it's before you here today.

12                   CHAIRMAN RAMOS: So, I need a motion  
13 to approve the motion to dismiss.

14                   COMM. BLACKBURN: So moved.

15                   CHAIRMAN RAMOS: Okay. I need a  
16 second.

17                   COMM. SLASH: Second.

18                   CHAIRMAN RAMOS: Those in favor  
19 signify by saying aye.

20                   Comm. Blackburn?

21                   COMM. BLACKBURN: Aye.

22                   CHAIRMAN RAMOS: Comm. Slash?

23                   COMM. SLASH: Aye.

1                   CHAIRMAN RAMOS:   Comm. Harrington?

2                   COMM. HARRINGTON:   Aye.

3                   CHAIRMAN RAMOS:   Comm. Jackson?

4                   COMM. JACKSON:    Aye.

5                   CHAIRMAN RAMOS:   And aye as well.

6                   COMM. BLACKBURN:   Do you have any  
7 details about the settlement?

8                   JUDGE STEPHENS RYKER:   It is a  
9 housing case, so those do have public settlement  
10 agreements.  It's not something that I believe I  
11 have with me, but I could ask that that be  
12 brought before the end of the Commission meeting.

13                   MS. POSEY:   Do you want details about  
14 the case?  I can tell you.

15                   COMM. BLACKBURN:   No, I was curious  
16 about the settlement agreement.

17                   MS. POSEY:   Do you want to know what  
18 it was?

19                   COMM. BLACKBURN:   Uh-huh.

20                   MS. POSEY:   Three thousand dollars  
21 was the agreement for the aggrieved person, and  
22 then the affirmative relief, we've also had them  
23 change their policies when it comes to fair

1 housing, and they're also required to do training  
2 that is -- needs to be approved by the Civil  
3 Rights Commission prior to them taking that  
4 training.

5 COMM. BLACKBURN: Great.

6 MS. POSEY: And everyone who works in  
7 the leasing office is required to do that  
8 training.

9 COMM. SLASH: Congratulations to the  
10 staff that worked on this.

11 MS. POSEY: Thank you.

12 CHAIRMAN RAMOS: Anything else,  
13 Judge?

14 JUDGE STEPHENS RYKER: That is it for  
15 this month.

16 CHAIRMAN RAMOS: All right.

17 So, we do have meetings that are coming  
18 up. The next one is scheduled for Friday,  
19 August 16th, and then we move to September. Do  
20 we have any concerns or any issues on the dates  
21 that we have coming up, Commissioners?

22 COMM. SLASH: I would just have a  
23 question on this Friday, September 20th, during

1 the Coaches Luncheon during the Circle City  
2 Classic.

3 MS. POSEY: Have they solidified a  
4 date for that yet?

5 COMM. SLASH: I'm not sure, but we  
6 should probably just keep an eye on it, because  
7 it tends to cause the same issues that the  
8 Corporate Luncheon during Black Expo causes. So,  
9 if it is, we'll just kind of keep looking until  
10 they give us a date.

11 MS. POSEY: Uh-huh.

12 CHAIRMAN RAMOS: Okay.

13 COMM. SLASH: It just seemed to work  
14 out this one Friday.

15 CHAIRMAN RAMOS: Yeah, it did.

16 MS. POSEY: Yeah.

17 CHAIRMAN RAMOS: We'd like to have  
18 everybody participate, so absolutely.

19 COMM. SLASH: Uh-huh.

20 CHAIRMAN RAMOS: The next item is --  
21 are there any other announcements to review or  
22 discuss at this time?

23 COMM. SLASH: I'll take the moment.

1 The National Urban League Conference is back in  
2 the Great State of Indiana for the first time in  
3 a quarter century. There will be things all  
4 throughout the week. If you see something that  
5 you're interested in, other than the presidential  
6 candidates, because I cannot get you into one of  
7 those, I may be able to pull a string or three.

8 But we are glad, as the Indianapolis Urban  
9 League, to be hosting the Conference for the  
10 first time in 25 years, and look to ask the state  
11 to make a massive impact on the movement, and  
12 hope to be able to have them back here a lot  
13 sooner the next time.

14 CHAIRMAN RAMOS: When is that?

15 COMM. SLASH: It's this entire week.  
16 It officially opens on Wednesday, but quite a few  
17 members of the movement have already started  
18 arriving. Downtown has fully decorated itself,  
19 and we are really looking forward to an  
20 action-packed week, and about 20,000 folks to  
21 interact with the Conference through its end on  
22 Sunday.

23 CHAIRMAN RAMOS: Wow.

1 MS. POSEY: And the Civil Rights  
2 Commission will be in the building. I will be  
3 presenting in one of the forums, discussing  
4 workplace culture in the social justice era, and  
5 Vice-Chair Slash will also be presenting.

6 COMM. SLASH: Yes. This Friday  
7 at 11:30 I'll be talking about becoming a  
8 balanced leader in the -- on the career fair  
9 side, for people who are not only working  
10 professional jobs, but also serving physically as  
11 well.

12 COMM. HARRINGTON: This is Holli. If  
13 the two of you can send the details of your  
14 workshop in the event any of us are registered,  
15 so we can support you, that would be helpful.

16 COMM. SLASH: Will do.

17 CHAIRMAN RAMOS: And do we have a  
18 simplified agenda that we can send out?

19 MS. POSEY: There is no simplified --

20 COMM. SLASH: There's no --

21 MS. POSEY: -- agenda.

22 COMM. SLASH: -- simplified agenda.

23 CHAIRMAN RAMOS: That was the

1 operative word; is that it?

2 COMM. SLASH: I'm going to send mine  
3 to Deputy Director Posey so that she can add it  
4 to hers and then send it back out.

5 MS. POSEY: Okay.

6 CHAIRMAN RAMOS: Okay.

7 MS. POSEY: Yes.

8 CHAIRMAN RAMOS: Are there any other  
9 announcements?

10 JUDGE STEPHENS RYKER: I'll just  
11 throw out there, since we talked a little bit  
12 about the September 20th date, the first  
13 available date after September 20th is  
14 September 25th, and that's a Wednesday, so I just  
15 wanted to throw that back out there, because we  
16 wouldn't be able to do that Monday after again.

17 COMM. SLASH: Okay.

18 CHAIRMAN RAMOS: Okay. All right.

19 The next item on the agenda is Public  
20 Comment. Is there anyone here for public  
21 comment?

22 MS. MCKINNEY: (Raised hand.)

23 CHAIRMAN RAMOS: Would you please

1 identify yourself?

2 MS. MCKINNEY: Candice McKinney, and  
3 it's Candice McKinney versus Andy Arbuckle.

4 CHAIRMAN RAMOS: Okay.

5 MS. MCKINNEY: The Commissioner that  
6 was appointed to this, I just need to speak to  
7 them, because I have additional evidence, but  
8 it's in an audio tape from Superior Court 5, so I  
9 just kind of need to know how they want to handle  
10 that.

11 CHAIRMAN RAMOS: So, we would work  
12 with the Commission to have that process vetted.

13 (Discussion off the record.)

14 MS. MCKINNEY: I presented one sheet  
15 that shows where Andy testified under oath, and  
16 this is from the judge and the stenographer, that  
17 shows that Andy was aware that I was completely  
18 disabled --

19 MS. POSEY: So --

20 MS. MCKINNEY: -- which they signed  
21 off on.

22 MS. POSEY: So, you did file a com --  
23 I mean I'm sorry -- an appeal?

1 MS. MCKINNEY: Yes.

2 MS. POSEY: And it was timely?

3 MS. MCKINNEY: Yes.

4 MS. POSEY: Within the appeal, you  
5 must include all documents or anything that you  
6 want the Commission to take a look at for your  
7 appeal, so we won't be able to take any  
8 additional thing after the fact, after you've  
9 already filed the appeal with all of the relevant  
10 documentation that you included.

11 MS. MCKINNEY: Uh-huh. Well, I asked  
12 for an extended time on that, which I don't know  
13 which lady I talked to, but she said I had that.  
14 I don't think you need the tape, because we have  
15 the paperwork from the judge stating that Andy  
16 was very aware that I was on complete disability.

17 MS. POSEY: Okay. So, you filed --

18 MS. MCKINNEY: I just wanted --

19 MS. POSEY: -- an appeal --

20 MS. MCKINNEY: -- them to understand  
21 that that's what that was.

22 MS. POSEY: Okay. So, if there are  
23 any questions from the Commissioner who is

1 assigned to your appeal, we will take those  
2 questions and bring them back --

3 MS. MCKINNEY: Okay.

4 MS. POSEY: -- if there are any  
5 questions.

6 MS. MCKINNEY: Because if they want  
7 to hear the whole two-hour tape, which I doubt,  
8 it pertains to a lot of other things, so --

9 MS. POSEY: Sure.

10 MS. MCKINNEY: -- I didn't think you  
11 guys wanted to sit and listen to a two-hour audio  
12 tape.

13 MS. POSEY: Okay.

14 MS. MCKINNEY: And it's like \$500 to  
15 have it transcribed, and I really don't have  
16 \$500.

17 MS. POSEY: Right. Okay. So, as  
18 long as you submitted everything else and we  
19 received your appeal --

20 MS. MCKINNEY: I did.

21 MS. POSEY: -- and received all of  
22 the documentation --

23 MS. MCKINNEY: I did.

1 MS. POSEY: -- then the Commissioner  
2 has everything --

3 MS. MCKINNEY: Okay.

4 MS. POSEY: -- everything that you  
5 submitted plus everything that was already in the  
6 record --

7 MS. MCKINNEY: Yes.

8 MS. POSEY: -- to review. Okay.  
9 Thank you.

10 MS. MCKINNEY: Thank you.

11 CHAIRMAN RAMOS: Are there any other  
12 public comments?

13 (No response.)

14 CHAIRMAN RAMOS: Hearing none, I will  
15 adjourn the meeting.

16 - - -  
17 Thereupon, the proceedings of  
18 July 22, 2019 were concluded  
19 at 1:37 o'clock p.m.  
20 - - -

21

22

23

24

25

## 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 Monday, July 22, 2019 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 August 26, 2024.  
16  
17  
18  
19  
20  
21  
22  
23

	<b>3:16;26:13</b>	<b>36:8;38:11</b>	<b>20;27:8,11,14,21; 28:1,5,7;29:14,20,21; 30:6,15,19;31:5</b>	<b>6:19,20,22;7:2,5; 15:10,11;21:19</b>
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