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BEFORE THE STATE OF INDIANA
CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF FEBRUARY 26, 2016

- - -

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,
Rooms 1 & 2, 402 West Washington Street,
Indianapolis, Indiana, on Friday, February 26,
2016 at 1:21 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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1 APPEARANCES:

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2 COMMISSION MEMBERS:

- 3 Alpha Blackburn, Chairperson
- 4 Sheryl Edwards
- 5 Steven A. Ramos
- 6 Michelle McKeown
- 7 Ahmed Young

8 INDIANA CIVIL RIGHTS COMMISSION
 9 By Noell Allen, Director
 10 Indiana Government Center North
 11 100 North Senate Avenue, Room N103
 12 Indianapolis, Indiana 46204
 13 On behalf of the Commission.

14 OTHER COMMISSION STAFF PRESENT:

- 15 Angela Blackwell
- 16 Christine Meyer
- 17 Debbie Rincones-Chavez

18 ALSO PRESENT:

- 19 Donnita Rushton
- 20 Kerri Laubenstein
- 21 Johnny Snyder
- 22 Arinter Snyder
- 23 Stephanie Wang

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1 1:21 o'clock a.m.
 2 February 26, 2016

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4 CHAIRPERSON BLACKBURN: Good morning,
 5 and welcome. The Indiana Civil Rights Commission
 6 is now in session. We have before us the
 7 minutes, and we have a quorum. I would ask for a

7 motion to approve the minutes.
8 COMM. RAMOS: So moved.
9 COMM. MCKEOWN: Second.
10 CHAIRPERSON BLACKBURN: All in favor?
11 COMM. EDWARDS: Aye.
12 COMM. YOUNG: Aye.
13 COMM. MCKEOWN: Aye.
14 COMM. RAMOS: Aye.
15 CHAIRPERSON BLACKBURN: Aye.
16 Is there anyone opposed?
17 (No response.)
18 CHAIRPERSON BLACKBURN: Thank you.
19 On our agenda next is the Executive
20 Director Report, and I suspect that our interim
21 Executive Director will make that report.
22 Good morning, Ms. Allen.
23 MS. ALLEN: Well, good afternoon to

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1 you all.
2 CHAIRPERSON BLACKBURN: That's right,
3 it is indeed afternoon.
4 MS. ALLEN: That is right. We are
5 not going to backtrack this party. We are going
6 to push forward with this day. And yes, as the
7 interim Executive Director, I will present the
8 report to you.
9 As you know from last month, Jamal
10 Smith -- actually, he left in January, and two
11 weeks later, Akia Haynes left, and then on

12 the 22nd, you all removed the appointment of my
13 ALJ seat so that I may serve as the interim
14 Executive Director.

15 Fast forward, the Governor's Office has
16 just released a statement appointing former Chief
17 of IMPD, Rick Hite, as the new Executive Director
18 for the Indiana Civil Rights Commission, which
19 will take effect on Monday, so we're really
20 excited to welcome the new addition to the ICRC
21 team. I believe that he will bring in years of
22 experience to the agency.

23 So, with that being said, over the last

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1 month it's been an amazing opportunity to serve
2 in this capacity as the interim Executive
3 Director, and under my leadership and with the
4 help of the team at the Commission, we were able
5 to push out a lot of cases, so that may come your
6 way.

7 As you all know, we are a domino agency,
8 so as we push out cases, whether it's probable
9 cause or no probable cause, the parties to those
10 cases will receive the decision, giving them the
11 opportunity to appeal any adverse decision. So,
12 we may see a spike in appeals, so I just want to
13 make sure that you are aware so that you may plan
14 accordingly.

15 As relates to our outreach efforts, and in
16 the room with us is Christine Meyer, our Deputy

17 Director of External Affairs. Her department and
18 the rest of the ICRC team has done an amazing job
19 planning and preparing for our Fair Housing
20 Conference that will take place on April 13th
21 and 14th here in the Government Center.

22 Please put that on your calendar. If you
23 have not received the Save the Date, we will send

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1 that out to you again, but if you can make it
2 out, we would really appreciate your attendance.

3 On the same line --

4 CHAIRPERSON BLACKBURN: Excuse me --

5 MS. ALLEN: Sure.

6 CHAIRPERSON BLACKBURN: -- for
7 interrupting. Where?

8 MS. ALLEN: Here in the Conference
9 Center. So, we will take up space in the
10 Auditorium as well as -- I believe it's
11 Conference Room A for the lunch. We'll have a
12 keynote speaker, Jeannine Bell. She's a
13 professor at the IU Maurer School of Law.

14 I'm really excited to hear what she has to
15 say. She published an article, "Hate Thy
16 Neighbor," so it's a little controversial. At
17 the same time, I think the audience will
18 appreciate what she has to offer.

19 We also have Professor Sing, who will come
20 from Chicago, and he is also one of our keynote
21 speakers, and we will have the testing results

22 from our statewide testing initiative. So, I'm
23 excited to present that information.

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1 Again, please put that on your calendar to
2 save the date, April 13th and 14th. April 13th
3 we will have a reception, and then on the 14th we
4 will have a day-long series of seminars. We will
5 offer CLE's, and also continuing education for
6 professionals.

7 And on the same line, we will host in
8 Indianapolis the Region V HUD Conference. We are
9 in the planning stages of that particular
10 conference, but we have the entire region:
11 Minnesota, Wisconsin, Michigan, Illinois,
12 Indiana, Ohio. All of the fair housing agencies,
13 whether it's a FHIP or a PHAP, will be a part of
14 this agency -- or this seminar, so that we
15 provide training.

16 It is going to be a massive event, and
17 that will be in May, the week of May 17th --
18 excuse me -- May 16th through the 20th, with the
19 conference dates on the 17th, 18th, and 19th.
20 The 16th and the 20th are travel days for HUD, so
21 we will have sessions on the 17th through
22 the 19th.

23 This coming weekend the ICRC will

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1 participate in the United Negro College Fund,
2 UNCF, 12th Annual Bowl-a-Thon. For those of you
3 who were with us last year, the ICRC had a team,
4 and we'll have a team again this year, and a few
5 of you even donated dollars to the cause.

6 UNCF has a mission of sending kids to
7 college, to and through, with as little debt as
8 possible, and so the ICRC, we have an ongoing
9 partnership with UNCF. So, if you are able to
10 come out this weekend to Woodland Bowl, please
11 come out and support the ICRC team.

12 And also, this coming Monday the
13 Commission for the Social Status of Black Males
14 will have their day at the Statehouse, "Young
15 Black Males Matter." This is a great opportunity
16 to expose the youth here in Indianapolis to the
17 Statehouse; right?

18 There's a -- there is an opportunity for
19 them to be a part of the legislative process, see
20 what that looks like, meet legislators, if
21 necessary, but just to have them inside of the
22 Statehouse is just so empowering, so we're really
23 happy to see that as an event for the Social

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1 status of Black Males.

2 COMM. RAMOS: Is that high school
3 students?

4 MS. ALLEN: I'm not sure of the age
5 range, but I would imagine both middle and high

6 school.

7 I will not bore you by going through all
8 of the events listed here on the Events Calendar,
9 but you have that in front of you. Again, it's
10 been a pleasure to serve in the interim capacity.
11 If you will go down your agenda today, hopefully
12 you will sign the order appointing me back as the
13 ALJ; otherwise, I don't have a job.

14 (Laughter.)

15 MS. ALLEN: Any questions?

16 COMM. RAMOS: I think cookies or
17 something would be in order.

18 MS. ALLEN: Any questions for me?

19 (No response.)

20 MS. ALLEN: Thank you so much.

21 CHAIRPERSON BLACKBURN: Thank you
22 very much, Ms. Allen.

23 Next on our agenda, Old Business, and I'm

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1 proposing that we, in light of the fact that I
2 have kept our guests speakers waiting to speak
3 before the Commissioners, that we move that item
4 on the agenda to now, in that we have no oral
5 argument.

6 So, if someone will perform the duty of
7 introducing each of our speakers, please proceed.

8 MS. RINCONES-CHAVEZ: Good afternoon,
9 Ms. Chairperson. I have Ms. Donnita Rushton, and
10 she is here to express her views and points of

11 her case against King Image.

12 MS. RUSHTON: Good afternoon.

13 CHAIRPERSON BLACKBURN: Good
14 afternoon.

15 MS. RUSHTON: Hi. I worked for Kings
16 Image from 2007 until 2014. I was promoted to
17 store manager in 2013, and was -- also started an
18 event facility.

19 Melanie Moran was Steven's significant
20 other, which she was -- would go in and out of
21 the store a lot, but she wrote a fabricated
22 letter about me, posted it on the outside of the
23 door of our work environment, where our prom

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1 employees entered.

2 This was after she showed several
3 employees the letter, during our peak week, our
4 peak season, prom season, because she was upset
5 with me because Steven and I had talked about
6 next year for prom season. I had explained to
7 him that I would be unavailable to work Sundays
8 and I would only be available every other
9 Saturday, so I gave him a year in advance notice
10 of what my change in schedule would be.

11 After he told me that he would be demoting
12 me from store manager and giving it to a girl who
13 had a business degree, who had just gotten out of
14 college, and she was also an employee there --
15 so, Steven and I had already talked about this.

16 This is what happened when he told
17 Melanie. She came in to work the next day and
18 did this. She -- I had made the schedule
19 accordingly, with availability sheets for all of
20 our employees. I trained and worked with each
21 employee. I knew their strengths and their
22 weaknesses. I was having difficulty carrying
23 gowns myself, and I was their top employee and

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1 salesperson, and the gowns get very heavy during
2 our peak season when you're carrying three or
3 four ball gowns, you know.

4 So -- and I had problems with my shoulder
5 and I needed to work half-days instead of full
6 days. It was becoming too difficult for me, but
7 I could still do it, because I had planned and
8 trained all of the employees on how to do it,
9 what to do, and so I had our staff covered. For
10 four months we would have 15 to 20 girls -- a lot
11 of the girls it being their first-time jobs --
12 that came in and worked for us during this time.

13 During spring break I wanted to take a few
14 days off with my son. He was seven at the time,
15 and Steven made Melanie come in to work for me.
16 She retaliated against me. She changed the
17 schedule so I couldn't have consecutive days off
18 with my son. She sent several text messages
19 showing her anger while I was at home with my son
20 during the spring break.

21 And she also told me that -- I have
22 evidence of all of this that I have submitted,
23 the text messages she sent saying if I didn't

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1 come in to work on the schedule that she had
2 rearranged and set up, that I might as well look
3 for another job, and that our friendship would be
4 over.

5 So, I -- she also -- she sent me a text on
6 the 3rd of April saying that I was ashamed, the
7 reason that I was sick, because I had anxiety,
8 and I called in the day that I was supposed to go
9 in back to work after she continued to harass me
10 while I was at home, you know, by text messages.
11 She said I was ashamed.

12 It took everything I had to keep
13 functioning with my son at home and getting him
14 back to school. April 5th, I decided that I
15 couldn't take it anymore. I took a letter of
16 resignation, giving a two weeks' notice to
17 Steven, and Steven, when I handed him the letter,
18 he said that -- he read it, and he said that
19 because of the way Melanie felt toward me, that
20 he couldn't give me the two weeks.

21 She walked over and stood next to me in
22 contempt, as he said, "I need you to redate it,
23 scratch out the date, and sign that I'm letting

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1 you go today, and you can go file for
2 unemployment."

3 I did go file for unemployment. I had to
4 pull myself together to get my son through the
5 rest of the school year at Heritage. She -- I
6 was in such a disarray that when I left there, I
7 had to get -- I was living in one of the rental
8 homes of Steven and Melanie, and I was afraid
9 that she was going to take that from me, because
10 she had already told me that I should find
11 somewhere else to live, too.

12 well, she filed -- I had rent paid for the
13 month of July, and she filed with the court
14 system. I told her I'd found me a place. She
15 filed on the day after June 30th. I had already
16 paid my month rent. She filed in the court
17 system a false eviction notice, saying that I had
18 signed a contract and that I had overstayed my
19 limits at her house, so I couldn't get another
20 apartment after that.

21 And also, she -- I told the judge at that
22 time that she had lied, that the contract was not
23 in my name, it was in another person's name,

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1 Danny Zachary, which I let the -- I had evidence
2 where he had already paid for that month of rent,
3 where Steven said that I could pay month to month

4 until I found me a place, which I had already
5 found, but there were running the contract there.

6 So, when the eviction notice come up, then
7 I wasn't able to stay in Indianapolis. So, I
8 ended up moving into Kokomo with one of my
9 friends. The credit report for the eviction
10 notice is still on file under my name that she
11 did.

12 But I guess what I'm saying is what she
13 did to me had nothing to do with me -- with me
14 not being able to do my job. She had did this
15 before with two other young ladies that had
16 worked there, with retaliation against her anger
17 toward them, one of them being Charity McHugh,
18 which was a coach for Pageant Girls.

19 And she had gotten jealous of her and got
20 upset with her spending too much time with
21 Steven, I think, and she threatened her with the
22 same kind of messages and was mean to her. So,
23 Charity sent her mother in to resign for her when

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1 she resigned.

2 The next girl that she did the same thing
3 to was Leeza Lebow. She was our store manager,
4 and what she did with her during prom season, she
5 threatened Leeza when she said that she would do
6 an interview with the Indianapolis Star and the
7 Huntington Post about prom season and the ups and
8 downs of it.

9 She didn't mention Steven's Prom and
10 Beyond name at all, but she threatened her that
11 "If you do this interview, then you find another
12 job and don't come back to work." And she was --
13 she was not the owner. Steven King is the owner,
14 but he allowed this to go on. He allowed this to
15 happen.

16 I helped them. I created the brand name
17 for Steven's Prom and Beyond. I also had the
18 concept revolutionized [sic] of a traditional
19 custom formal wear business into a full service
20 prom business, and created -- I created a web
21 site for them, me and another one of the young
22 employees. I did several things for them and
23 asked for nothing in return.

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1 So, they were my whole life when she told
2 me that I couldn't stay there any longer, because
3 she got mad at me because she said I told Steven
4 when I was going to work and when I wasn't going
5 to work, when I gave him a year in advance notice
6 that I wanted to go work at my son's school, to
7 get the discount for his private school, and also
8 to be closer to him because he was seven now, and
9 I needed to spend more time with him than working
10 every weekend.

11 I think that -- all of the evidence I have
12 already submitted, so I think that's all I have
13 to say. Is there any questions?

14 CHAIRPERSON BLACKBURN: Is there --
15 okay. I will allow Commissioners who have any
16 questions regarding the statement that you've
17 made to pose them now.
18 COMM. RAMOS: I have none.
19 COMM. MCKEOWN: I have none.
20 COMM. EDWARDS: No.
21 CHAIRPERSON BLACKBURN: Thank you
22 very much.
23 MS. RUSHTON: Thank you.

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1 CHAIRPERSON BLACKBURN: Have we
2 another speaker?
3 MS. RINCONES-CHAVEZ: Yes,
4 Ms. Chairperson. We have here to present the
5 points and views of his case Johnny Snyder,
6 versus the City of Greencastle.
7 MR. SNYDER: Good afternoon.
8 CHAIRPERSON BLACKBURN: Good
9 afternoon.
10 MR. SNYDER: Thank you for this day.
11 I've been waiting for this day. My name is
12 Johnny Snyder. I stay at the City of
13 Greencastle. I used to work at the wastewater
14 treatment plant, but I resigned based upon racial
15 discrimination.
16 CHAIRPERSON BLACKBURN: would you
17 project a little louder, please?
18 MR. SNYDER: I'm sorry. My name is

19 Johnny Snyder. I also want to thank you for
20 allowing me to be here. I used to work for the
21 City of Greencastle wastewater treatment plant in
22 Greencastle, Indiana. I was the only white --
23 excuse me -- black employee, African-American,

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1 that worked for the City of Greencastle during
2 these times that I was going through.

3 This is what I have. I'm sure that we all
4 can agree that the federal, state and local
5 authorities have made it very difficult for an
6 American to prove racial discrimination, not the
7 obvious, such as verbal acts, the in-your-face
8 acts, but the kind that's indirect, the kind that
9 you can't see.

10 But deep in my heart, I believe that if
11 you pay more than the usual attention, what you
12 will see, like life, it's a design, because
13 there's too much order. Furthermore, the type of
14 racial discrimination -- discriminatory acts
15 towards me is by design and not by effortless
16 chance.

17 There is probable cause to believe that I
18 was subjected to less favorable treatment on the
19 basis of race, and that the Respondent engaged in
20 discriminatory treatment. When I stayed in the
21 town of Reelsville, Indiana, the superintendent
22 and assistant superintendent told me that since I
23 stayed too far from the City of Greencastle,

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1 which is 20 minutes away, I couldn't receive
2 weekday or weekend overtime. But there are three
3 white employees that was hired after me who
4 receive weekday and weekend overtime while one
5 stayed in Reelsville and the other one stayed in
6 Cloverdale, and Cloverdale's 25 minutes.

7 This still took place even after I moved
8 in Greencastle. I still couldn't get overtime,
9 weekday and weekend, and I was only seven minutes
10 away from work. So, as a result, even the
11 employer's performance expectations, the
12 employees of a different race were treated more
13 favorably under similar circumstances.

14 There's a white primary lab tech. I'm an
15 assistant lab tech, and there's a white employee
16 that was hired after me who became a lab tech
17 assistant as well. Both white lab techs have a
18 key to the laboratory to begin their work, both
19 can listen to the radio while working, and both
20 have passwords to the computers to complete their
21 lab work.

22 At times I am late into the lab while
23 waiting patiently on the two lab technicians to

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1 open the door for me so I can start my work in
2 the lab. Even after asking for a key, I still

3 never got one. As a result, employees of a
4 different race were treated more favorably under
5 similar circumstances.

6 The City of Greencastle demanded that
7 every employee receive a CDL license. The
8 superintendent made sure that the truck to drive
9 for the CDL license, he made sure that the truck
10 was in good shape, tiptop shape, for each white
11 employee.

12 Two weeks before the date for me to take
13 my CDL test, miraculously, the horn didn't work
14 and the air tanks had holes in them, because it's
15 air brakes. He said he'll fire me if I didn't
16 pass it. As a result, I failed the test due to a
17 defective truck. You can't take a defective
18 truck on the street and try to drive it for a
19 test.

20 There's probable -- and so, with this,
21 there's probable cause to believe that I was
22 subjected to less favorable treatment on the
23 basis of race under similar circumstances.

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1 The superintendent and assistant
2 superintendent scheduled for four white employees
3 that was hired after me to attend wastewater
4 treatment pump school in Indianapolis, the AWWA,
5 American Water Works Association in Indianapolis,
6 and a Microsoft Excel seminar education in Terre
7 Haute, Indiana. As a result, employees of

8 another race were treated more favorably, and
9 this is used as evidence of race discrimination.

10 The superintendent and the assistant
11 superintendent, as co-supervisors, plotted
12 against me by requesting the City Attorney and
13 City Hall to fire me when I had engine
14 difficulties with the city vehicle. They want to
15 fire me for neglect and underlying sabotage.

16 On the other hand, there were no plots to
17 fire the white employee who drove a
18 hundred-thousand-dollar truck, utility boom
19 truck, from Greencastle to Plainfield, which is
20 20 minutes away, to shop at Wal-Mart while on
21 weekend overtime, and another white employee, who
22 ran the same truck into a fire hydrant with
23 damages. As a result, there is reason to believe

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1 that this is pretext for unlawful discrimination.

2 There's an individual named -- I can't
3 give names, but worked on a water plant site. I
4 was written up for doing something personal on
5 work time. I was putting in wood inside of a
6 truck. I got written up for it.

7 There's an individual who's called Kevin
8 Mechanic. He gave me a verbal recording, it's
9 like about a minute long, that he was told by the
10 superintendent to work on a lady's personal car
11 during company time. Hold on a second.

12 (Tape played.)

13 "Asking you to work on a personal car
14 during company time.

15 "I don't remember [inaudible]."

16 MR. SNYDER: He said he don't
17 remember. Did you all hear that?

18 THE REPORTER: I couldn't hear it.

19 MR. SNYDER: Okay.

20 (Tape played.)

21 "Now, what I'm saying is, do you
22 remember [inaudible] asking you to work on a
23 personal car during company time?

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1 "I don't remember [inaudible]."

2 MR. SNYDER: It's ten minutes long.

3 I just wanted you all just to hear that part.

4 Now, as far as white employees that were
5 promoted to higher positions from their former
6 position, Cameron Paul became head of
7 Collections, and overtime. Alex Alden became
8 assistant in Collections, with overtime. Katie
9 Norman became a lab technician, with overtime.
10 Kevin Wells became a lab technician at the water
11 plant site, with overtime. Scott Wall became
12 plant supervisor and also my boss, and received
13 overtime.

14 The City of Greencastle, the Respondent,
15 told the former investigator, Debra Bluit, that
16 positions were advertised and I never applied for
17 any of them, as if there was an application. All

18 of these white employees didn't sign an
19 application for their promotions, so my rights
20 were violated, and the City of Greencastle
21 violated their own policy and procedures based on
22 promotion.

23 This is a text message from the individual

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1 named Alex Alden, who became a assistant in
2 collections, and I texted him, I said, "Alex,
3 this question is based upon business, on my job.
4 Did you sign an application before you got the
5 position -- before you got the as assistant in
6 collections?" And the answer was no.

7 Debra Bluit, which was my former
8 investigator, that's all she paid attention to
9 specifically, that I didn't sign an application
10 to receive a promotion, as if the City of
11 Greencastle was really looking out for my best
12 favor of higher education and promotion.
13 supposedly I had to sign an application when
14 nobody else, white, that received promotions
15 signed applications to receive promotions.

16 It's difficult to say that my
17 disadvantages and unequal treatment in comparison
18 to a white person is solely based on bad
19 personality traits and not cooperating, because
20 based upon my evaluation sheets that I received
21 from the City of Greencastle, acceptable based
22 upon cooperation and relationship with others, is

♀ 23 acceptable, usually gets along well with

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1 co-workers and the public. Again, another one
2 here, I get along well with co-workers. So, why
3 is this treatment of me? It's not my
4 personality, because I get along well with
5 others.

6 My racial discriminatory treatment has
7 resulted in numerous techniques in which I use
8 all of my senses to isolate and identify its
9 presence. Although their methods were without
10 limitations, together, these techniques provide a
11 range of perspectives that can inform our
12 understanding and our thinking power.

13 When I finally visited Debra Bluit for my
14 investigation, it was lackadaisical type work.
15 She pushed me on to a mediator, and I didn't want
16 to talk to a mediator, and he talked to me for 40
17 minutes, but when I spoke to her, she said, "Oh,
18 the City of Greencastle just called me. They
19 want to mediate it."

20 I'm like -- and I came in on vacation.
21 I'm like, "How did they know I was here? I'm on
22 vacation." It's just like you go to Jamaica, if
23 you're the President and you go to Jamaica, when

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1 you're on vacation, you don't tell nobody where
2 you're going.

3 So, anyway, I spoke to the mediator for 40
4 minutes at that time, and he said, "I just got
5 off the phone with the city and they want to
6 mediate." I'm like, "How did you just now get
7 off the phone?" "well, they called me." Then he
8 changed it and said, "Oh, they didn't call me."
9 So, I'm thinking like, "Are they having too much
10 close partnership with the same city that I'm
11 trying to sue?"

12 So, anyway, I said I wanted to speak to
13 Debra Bluit's supervisor, because she had
14 another person coming in to investigate their
15 case. I wanted an investigator, so I spoke to
16 Marco and some other people, and they said,
17 "Okay. But if we do that, you'll have to start
18 over." "No, I don't want to have to start over."

19 So, I went with her and sat down. She
20 said, "well, I'm going to eat lunch then I'm
21 going to do this thing with you," and, "come on,
22 let's do this." And I had to help her find the
23 paperwork. She couldn't find my information.

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1 she didn't look through it.

2 And a couple of months later I received a
3 voicemail saying that, "I passed your case on.
4 It's no longer in my hands." And I called Marco,
5 the supervisor, and told him what I went through,

6 and he said -- like he supported her, you know,
7 "She's an older lady, she's doing a good job, and
8 she's the best one."

9 I said, "Well, she did this and this and
10 this and this," and it seemed like it went in one
11 ear and out the other, and I said, "Man, I'm
12 going to have to have you all investigated," and
13 after that, (click). I received the information
14 less than seven days later saying, "You don't
15 have no issues," so that's why I appealed.

16 My wife, I'll let her speak. This is
17 short, please, if possible.

18 MS. SNYDER: Thank you. I have all
19 of these pictures that didn't get into the fax
20 that they sent to you, so if you did want to see
21 them, we do have them. Ms. Chavez said that
22 would be okay for me to ask.

23 MR. SNYDER: One more thing. The

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1 supervisor -- the superintendent of the company
2 where I worked at had another individual set me
3 up on a case so I can lose my job. All of it's
4 documented, it's on the recording, it's on the
5 paper and information that I sent. I believe you
6 all have that, so --

7 CHAIRPERSON BLACKBURN: Thank you
8 very much.

9 MR. SNYDER: Thank you.

10 CHAIRPERSON BLACKBURN: Do we have

11 questions from the Commissioners?

12 COMM. RAMOS: I don't.

13 CHAIRPERSON BLACKBURN: None?

14 COMM. MCKEOWN: No.

15 CHAIRPERSON BLACKBURN: All right.

16 Thank you very much.

17 Thank you very much.

18 MR. SNYDER: Thank you.

19 CHAIRPERSON BLACKBURN: We were
20 expecting there might be a third speaker --

21 MS. RINCONES-CHAVEZ: No.

22 CHAIRPERSON BLACKBURN: -- and that's
23 not the case, as I understand.

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1 MS. RINCONES-CHAVEZ: No,
2 Ms. Chairman, she didn't arrive.

3 CHAIRPERSON BLACKBURN: All right.
4 Thank you.

5 We'll move on to the next item on our
6 agenda, Reports by Commissioners on Complaint
7 Appeals, and the first is Comm. Edwards.

8 COMM. EDWARDS: On the case of Andrea
9 Dilts versus the Clinic of Family Medicine, I
10 recommend approving the finding of -- hmm. He
11 didn't -- no cause. Thank you.

12 CHAIRPERSON BLACKBURN: No cause?

13 COMM. EDWARDS: Uh-huh.

14 CHAIRPERSON BLACKBURN: May I have a
15 motion to accept?

16 COMM. RAMOS: So moved.
17 CHAIRPERSON BLACKBURN: And a second,
18 please?
19 COMM. MCKEOWN: Second.
20 CHAIRPERSON BLACKBURN: All in favor?
21 COMM. EDWARDS: Aye.
22 COMM. YOUNG: Aye.
23 COMM. MCKEOWN: Aye.

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1 COMM. RAMOS: Aye.
2 CHAIRPERSON BLACKBURN: Aye.
3 Anyone opposed?
4 (No response.)
5 CHAIRPERSON BLACKBURN: Thank you.
6 COMM. MCKEOWN: Madam Chair.
7 CHAIRPERSON BLACKBURN: Yes.
8 COMM. MCKEOWN: If I may, since our
9 folks who made the public comment are leaving,
10 before they leave, anything that was offered
11 visually during the public comment, I do think
12 that we should make sure and make a copy of for
13 purposes of the minutes. Okay. I'm just making
14 sure about that.
15 MS. RINCONES-CHAVEZ: If I may -- I'm
16 sorry -- she's been trying to e-mail and fax them
17 to me, and they didn't come out very well, so
18 that's why she -- we told her she could submit
19 it.
20 COMM. MCKEOWN: Okay.

21 MS. RINCONES-CHAVEZ: But they're on
22 your drive, but again, they're not visually as
23 clear as this.

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1 COMM. MCKEOWN: Okay.

2 CHAIRPERSON BLACKBURN: Thank you.

3 Thank you.

4 Next, Comm. Young.

5 COMM. YOUNG: The -- this particular
6 matter is being delayed until the next meeting,
7 because this is the retaliation case, and I've
8 yet to see the actual initial case, which has
9 been filed for appeal. So, once I'm able to
10 review and see all of the documents for the
11 actual initial case, that's when a decision on
12 both matters will be, at the next meeting, so --

13 CHAIRPERSON BLACKBURN: Thank you
14 very much for your diligence in that matter.

15 Comm. Ramos.

16 COMM. RAMOS: Madam Chair, in the
17 case of Ugo Anyaorah versus Enterprise Holdings,
18 I recommend that we uphold the Director's finding
19 of no probable cause.

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

22 COMM. YOUNG: So moved. So moved.

23 CHAIRPERSON BLACKBURN: Uh-huh.

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1 COMM. EDWARDS: Second.
2 CHAIRPERSON BLACKBURN: All in favor?
3 COMM. EDWARDS: Aye.
4 COMM. YOUNG: Aye.
5 COMM. MCKEOWN: Aye.
6 COMM. RAMOS: Aye.
7 CHAIRPERSON BLACKBURN: Aye.
8 Anyone opposed?
9 (No response.)
10 CHAIRPERSON BLACKBURN: Thank you.
11 We'll move to Assignment of New Appeals,
12 and I would like to assign from left to right as
13 you view the Commissioners -- I'm speaking to our
14 court reporter -- that they be covered by first
15 Comm. Edwards, Rodney Glenn versus Cafe Navarre
16 Bar and Restaurant. Angelia Russ versus the
17 Indianapolis Housing Agency, Comm. Young, you
18 already have that. I will review Donnita -- I'm
19 sorry -- Donnita Rushton versus Kings Image. I
20 will review that. Johnny Snyder versus the City
21 of Greencastle, Comm. Ramos, please. And we have
22 one other -- we have one case to assign.
23 COMM. RAMOS: John Chubb.

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1 CHAIRPERSON BLACKBURN: Johnny Chubb
2 versus Fike Investments, and if you would,
3 please, we'll give you that.
4 COMM. MCKEOWN: Okay.

5 CHAIRPERSON BLACKBURN: Okay. Thank
6 you.

7 There being no orders before the
8 Commission, other than the appointment of Noell
9 Allen as Administrative Law Judge, is there an
10 order written?

11 MS. ALLEN: There is.

12 CHAIRPERSON BLACKBURN: Thank you.

13 The order reads, order appointing
14 Administrative Law Judge on July 23rd, 1999, the
15 Indiana Civil Rights Commission, pursuant to
16 Indiana Code, and the numbers are within this
17 document, which I will hand you, deem it
18 necessary to appoint an Administrative Law Judge
19 in every case pending before ICRC in which any of
20 the following criteria apply: Reasonable cause
21 has been found pursuant to the Indiana Code
22 specified here; or two, probable cause has been
23 found pursuant to the Indiana Code. That order

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1 applied to all cases that met one of these
2 criteria at that time, and to all causes that met
3 one of these criteria of the Director. The order
4 amended prior orders entered by ICRC appointing
5 one or more ALJ's, but did not revoke any
6 appointments that had already occurred under a
7 prior order.

8 ICRC has not altered its finding of
9 necessity, having before considered the foregoing

10 and being duly advised in the premises, the
11 undersigned Chairman of ICRC, and it says and
12 appoints Noell F. Allen as the ALJ in those
13 cases. It will be dated today, and I will sign
14 and ask your acceptance of this appointment.

15 May I have a motion?

16 COMM. RAMOS: So moved.

17 COMM. EDWARDS: Second.

18 CHAIRPERSON BLACKBURN: All in favor?

19 COMM. EDWARDS: Aye.

20 COMM. YOUNG: Aye.

21 COMM. MCKEOWN: Aye.

22 COMM. RAMOS: Aye.

23 CHAIRPERSON BLACKBURN: Aye.

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1 Anyone opposed?

2 (No response.)

3 CHAIRPERSON BLACKBURN: Thank you,
4 and congratulations.

5 MS. ALLEN: Thank you, Madam Chair.
6 One point that I would -- actually two points.
7 If we can date it for Monday, so that there is a
8 clear separation of titles, if you will, wearing
9 a few hats.

10 The other thing is, in my capacity as
11 interim Executive Director, we were able to push
12 out a lot of cases, as explained earlier, which
13 conflicts me out of a number of cases. So, there
14 may -- there will be a need to appoint yet

15 another ALJ to handle those cases, and we can
16 talk about how we do that off-line, but just so
17 that you know, there will be a need to appoint
18 another ALJ to resolve those cases.

19 CHAIRPERSON BLACKBURN: I think that
20 it's clear, really, that the vote is not
21 essential in that we are bound to do it under our
22 rules anyway, if you would just keep us apprised
23 as it becomes necessary to subsequently appoint

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1 additional ALJ's.

2 MS. ALLEN: I will.

3 CHAIRPERSON BLACKBURN: Thank you.

4 MS. ALLEN: Thank you.

5 CHAIRPERSON BLACKBURN: De-dum-
6 de-dum-de-dum. I'm sorry; I'm working from two
7 agendas. There being no Findings of Fact,
8 Conclusions of Law and Order and no Consent
9 Agreements to consider, and having already heard
10 Public Comments, are there any announcements
11 beyond those made by Ms. Allen at the beginning
12 of our meeting?

13 (No response.)

14 CHAIRPERSON BLACKBURN: I do want to
15 emphasize the first -- the Youth Male -- the
16 Youth Black Males at Statehouse on the 29th, and
17 if you'll please remember the Fair Housing
18 Conference in April, I think you said 13 and 14,
19 and then the HUD Fair Housing for Region V, which

20 is our region, in May, 16th to 19th, I think.

21 MS. ALLEN: Yes.

22 CHAIRPERSON BLACKBURN: And the

23 others you already have. Also included on your

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1 agenda are the meeting dates.

2 And are there any other announcements?

3 COMM. RAMOS: A comment on the --

4 with the HUD and the housing events that are

5 listed. If there are specific times that would

6 be most beneficial for the Commissioners to

7 participate, if you could help to highlight those

8 times. I'm sure we're all trying to attend.

9 It's difficult to take two days, but if there are

10 specific times, it would help if you'd do that.

11 MS. ALLEN: Once we finalize the

12 agenda for both events, we will send those out to

13 you. The HUD Region V is more of a training

14 event, some very technical training. For

15 example, we'll have our new HEMS database

16 workshop, if you will, hands-on computer-based

17 training.

18 I don't think you need to attend that, but

19 as it relates to some of the laws, some of the

20 updates, I think that would be beneficial for

21 your understanding. And we will, again, pass

22 that information along once we have a finalized

23 agenda.

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1 COMM. RAMOS: Thank you.

2 MS. ALLEN: You're welcome.

3 CHAIRPERSON BLACKBURN: I don't want
4 the announcement of the appointment of our new
5 Executive Director, former Chief Rick Hite, to go
6 unnoted. I think it's a fine choice, and we all
7 as Commissioners look forward to greeting him at
8 our next meeting.

9 Thank you very much. This meeting is
10 adjourned.

11 - - -
12 Thereupon, the proceedings of
13 February 26, 2016 were concluded
14 at 2:04 o'clock p.m.
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1 CERTIFICATE

2 I, Lindy L. Meyer, Jr., the undersigned

CRC 2-26-16

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 Friday, February 26, 2016 in this matter and
8 transcribed by me.

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Lindy L. Meyer, Jr.,
Notary Public in and
for the State of Indiana.

My Commission expires October 27, 2016.