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BEFORE THE STATE OF INDIANA
CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF OCTOBER 22, 2010

ORIGINAL

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana
Civil Rights Commission, David C. Carter,
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 South, Conference Center, Room A, 402 West
Washington Street, Indianapolis, Indiana, on
Friday, October 22, 2010 at 12:10 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 David C. Carter, Chairman
4 John E. Garcia
5 Barry Baynard
6 Tehiji G. Crenshaw

7 INDIANA CIVIL RIGHTS COMMISSION
8 By Jamal Smith, Director/Secretary
9 Indiana Government Center North
10 100 North Senate Avenue, Room N103
11 Indianapolis, Indiana 46204
12 On behalf of the Commission.

13 OTHER COMMISSION STAFF PRESENT:

14 Robert D. Lange
15 Tawanda Sharp
16 Christina Catalan

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1 12:10 o'clock p.m.
2 October 22, 2010
3 - - -

4 CHAIRMAN CARTER: The October meeting
5 of the Indiana Civil Rights Commission will
6 please come to order, and there are four of us,
7 and therefore a quorum.

8 First, you have had opportunity to review
9 the minutes of last month's meeting. If I may
10 have a motion to accept those minutes or a
11 discussion thereof, I would appreciate it.

12 COMM. GARCIA: I'll move we accept
13 the minutes of the last meeting.

14 CHAIRMAN CARTER: Is there a second?

15 COMM. BAYNARD: I'll second.

16 CHAIRMAN CARTER: All in favor?

17 COMM. CRENSHAW: Aye.

18 COMM. BAYNARD: Aye.

19 COMM. GARCIA: Aye.

20 CHAIRMAN CARTER: Aye. Thank you.

21 Ms. Essex, the Financial Report.

22 MS. ESSEX: Good morning. You should
23 have a copy of the September Financial Report in
your packet. I would be happy to take any

1 questions you would have concerning those -- that
2 Financial Report. There is nothing pressing or
3 of any major urgency that we need to talk about.
4 Everything's going along just fine, and that's
5 the way we like it.

6 CHAIRMAN CARTER: Okay.

7 Any questions?

8 (No response.)

9 CHAIRMAN CARTER: All right. Hearing
10 none, thank you, Ms. Essex.

11 Anyone have any old --

12 COMM. GARCIA: I do have something.

13 MS. ESSEX: Sure.

14 COMM. GARCIA: On this graph --

15 MS. ESSEX: Uh-huh.

16 COMM. GARCIA: -- if you could put
17 these percentages in here somewhere, so that --

18 MS. ESSEX: I can do that.

19 COMM. GARCIA: -- because it's not in
20 color, and then it -- you don't need to send it
21 electronically in color, because then that would
22 just make this --

23 CHAIRMAN CARTER: Bandwidth.

1 MS. ESSEX: Sure, I will take care of
2 that and it will be done on the next report.

3 COMM. GARCIA: Thank you.

4 CHAIRMAN CARTER: Thank you.

5 Does anyone have any old or new business?

6 COMM. GARCIA: Never.

7 CHAIRMAN CARTER: Okay. And let's
8 see. I don't think we have any consent
9 agreements. There aren't any listed, so we can
10 move on to findings of fact, conclusions of law
11 and order, and that, I guess, would bring us to
12 the case of the Womacks and the Webbs and that.

13 COMM. GARCIA: Okay.

14 CHAIRMAN CARTER: Would I -- might I
15 have a motion about the findings of fact,
16 conclusions of law?

17 COMM. GARCIA: I'll move that in the
18 case of Womack versus Webb, that the Commission
19 overrule the Complainants' objections and adopt
20 the proposed findings of fact, conclusions of law
21 and order proposed by the Administrative Law
22 Judge Lange.

23 CHAIRMAN CARTER: Would anyone like

1 to second that?

2 COMM. CRENSHAW: I'll second that.

3 CHAIRMAN CARTER: Okay.

4 All in favor?

5 COMM. CRENSHAW: Aye.

6 COMM. BAYNARD: Aye.

7 COMM. GARCIA: Aye.

8 CHAIRMAN CARTER: Aye.

9 Any opposed?

10 (No response.)

11 CHAIRMAN CARTER: All right. Do we
12 have information from Chairperson Blackburn about
13 the --

14 MS. CATALAN: There's no report at
15 the time.

16 CHAIRMAN CARTER: Excuse me.

17 MS. CATALAN: There's no report at
18 the time from Comm. Blackburn.

19 CHAIRMAN CARTER: Nothing; okay. So,
20 we will continue her case.

21 Mr. Baynard?

22 COMM. BAYNARD: Yes, I had a case,
23 Collier versus Eytcheson, which is a case that I

1 recommended we reverse two months ago, and after
2 hearing more from the Respondent, I still stay
3 with that recommendation that we reverse and send
4 it back to the Commission for another hearing.

5 CHAIRMAN CARTER: Okay. May I have a
6 motion to accept that recommendation?

7 COMM. CRENSHAW: So moved.

8 COMM. GARCIA: So moved.

9 COMM. CRENSHAW: Second.

10 COMM. GARCIA: Second.

11 CHAIRMAN CARTER: Okay.

12 All in favor?

13 COMM. CRENSHAW: Aye.

14 COMM. BAYNARD: Aye.

15 COMM. GARCIA: Aye.

16 CHAIRMAN CARTER: Aye.

17 Any opposed?

18 (No response.)

19 CHAIRMAN CARTER: Anything from
20 Comm. Gidney?

21 MS. CATALAN: No report.

22 CHAIRMAN CARTER: No report. So,
23 we'll continue his case.

1 And assignment of appeals to
2 Commissioners. I'm the lucky one. I get the
3 brass ring, for those of you old enough to
4 remember merry-go-rounds where there was a brass
5 ring. I'll take Wood versus Achieva Resources
6 Corporation, Inc.

7 And with that, it brings us to the
8 Administrative Update.

9 MR. SMITH: Is that me?

10 MR. LANGE: That's you.

11 MR. SMITH: That's me.

12 Real quick, we had a meeting with -- I
13 think since the last time, we had a meeting with
14 the Human Rights Consortium, which we are a part
15 of. Some really good conversation there.
16 Obviously some of the local commissions aren't
17 doing so well. In this -- in these economic
18 times, everyone is trying to figure out a way to
19 pinch and cut, and reporting from some of those
20 areas, Human Rights Consortiums locally are some
21 of the ones bearing the brunt of that.

22 One of the things that we proposed is --
23 which I was happy to see that everyone took hold

1 of, but we proposed that we collaborate with a
2 lot of those Human Rights Consortiums locally,
3 utilize some of the resources that we have to
4 achieve some of those that we want to achieve.

5 Obviously we have some very high-level
6 issues of training that we need to do, some CLE,
7 continuing legal education, some economic, some
8 equal employment trainings and seminars and
9 things that we would like to do, and from where
10 we stand, those local human rights agencies serve
11 as the groundwork, they serve as the local face
12 of those communities, and to keep us from having
13 to spend double the amount of resources to go in
14 and figure out who to call, who to see and to sit
15 down, we figured we'd use them as a target, as
16 collaborative partners to establish those
17 relationships so that we can just go in, utilize
18 them to recruit, put in place, and we'd bring in
19 the manpower and resources and information and
20 things that they want to.

21 Obviously the relationship will differ
22 from agency to agency, because the setup of the
23 agency's different. Some agencies have --

1 similar to us, have agreements with the Feds,
2 with HUD, with EEOC, and they've puffed their
3 chest out quite a bit, and then there's others
4 who don't have the connections, the funding, the
5 resources or the authority and team for what they
6 do, and where we could really be resources to
7 those agencies.

8 I know Terre Haute comes to mind, and some
9 others, and I know that the agency up in Gary is
10 having some issues as well with human resources
11 there. And even the ones that do have a lot of
12 similar contracts and agreements with the Feds, I
13 think that they, by and large, they have a little
14 bit of hesitation. They don't want us to come
15 and wipe them out, but, you know, they were open
16 to the idea of us coming and helping, to help
17 them put on some of the things and outreach
18 events and resources that they are mandated to
19 put on.

20 By and large, one of our objectives was to
21 increase our presence outside the City of
22 Indianapolis, because we are a state agency,
23 obviously, and probably at fault. We should be

1 outside the 465 circle. And so, to do so and do
2 so in an efficient and in a short amount of time,
3 like I said, we want to leverage the things and
4 people that already exist. There's no sense in
5 us recreating the wheel.

6 So, long story short, it went over well,
7 but for the most part, there was concern -- and I
8 will put this on the table, there was concern
9 about some of the agencies that we would come in,
10 because the ones that are dealing with budget
11 concerns are having to make the argument to their
12 city-county councils in most cases that they're
13 relevant, because what the city-county council is
14 saying as that they're looking at the overall
15 budget is: Why are we paying you to do something
16 that the state could do; right?

17 Richmond comes into mind. Their budget
18 has been completely yanked. There's a bit of a
19 discussion at the meeting where the rep from
20 Richmond says, in a nutshell, he wanted us to
21 write a letter or send something that said we --
22 we didn't think that it was a duplication of
23 services.

1 And I told him that I could not do that,
2 that it is a duplication of services. There's
3 nothing that you do locally that we can't do, and
4 although I will not make that argument, I told
5 him that the argument I will make and that the
6 agency will make, not just for him, but for all
7 of the other agencies, is that you still provide
8 a bit of relevance to the state and the
9 taxpayers, because what you do provide that we
10 don't is the local face to the people in the
11 community, because we are a small agency,
12 although a state agency, and we can't be
13 everywhere at all times.

14 So, we need those conduits in various
15 communities, and that's the services you provide,
16 and so therefore, you save taxpayer dollars
17 because, as a state agency, we don't have to
18 spend sometimes two and sometimes three times the
19 amount of resources going in create, you know, to
20 create a presence, where we can utilize you, that
21 you're already there.

22 And we can funnel some of our resources in
23 by way of putting on events and things of that

1 nature. We have HUD dollars, for example, to
2 firm up their housing, so as we go into these
3 agencies, we have the funding to do so, funnel
4 that to and through those local agencies, giving
5 them some increased dollars and revenue and help
6 them in that regard as well.

7 So, you know, after we had that back and
8 forth, they kind of bought it. I think he was a
9 little upset because his funding had already been
10 yanked, you know, but they get where we're coming
11 from, and at the end of the day, I told him,
12 "We're coming, you know, whether you like it or
13 not, so let's work together, you know, so that we
14 all can achieve what I think we're all out to do
15 anyway. So, good deal there.

16 I don't know if you guys got on
17 opportunity to officially meet Christina.

18 CHAIRMAN CARTER: Yes.

19 MR. SMITH: She is our new executive
20 assistant. She'll be -- I think congratulations
21 are in order, too, because she's expecting, but
22 aside from all of that, she will be kind of the
23 front person when someone comes into the agency.

1 She's doing a good job, and we welcome her to the
2 agency.

3 We've also met, and I should have
4 brought -- I apologize. I'll make sure he's at
5 the next meeting -- is a young man by the name of
6 Brad Meadows, who is our new communications
7 director, who will be responsible for getting our
8 Web site up to speed, and if you guys have had an
9 opportunity to look at it -- well, prior to him
10 coming on board, it was obviously outdated. I
11 think that on the front page is the 2006 report,
12 and everything else seemed to be just about as
13 bad as the front page.

14 So, one of the things we want to do is get
15 somebody in to specifically address those
16 communications needs, because let's face it, it's
17 2010 and the Web and your electronic pieces of
18 communications are usually the first line, the
19 first thing that people so see, and so we want to
20 make sure that we present well in that front as
21 well.

22 So, he's doing a good job. He just
23 started up, getting us going. He will be at the

1 next Commission meeting, because we'll have
2 that -- we're looking at coming to shoot some --
3 we're going to purchase a good camera. He's
4 going to come and take some pictures of the
5 meeting and those things, and things that we do
6 as an agency and as a Commission should be
7 something we put up on the Web site so people
8 know that we are actually doing some things.

9 So, he'll be here, if nothing else, to do
10 that, and I want to make sure you guys get an
11 opportunity. His name is Brad Meadows. We
12 welcome him.

13 And then one of the last additions that
14 we're looking to have is an outreach person,
15 someone who does outreach and event coordination.
16 Another part of the communications for the Human
17 Rights Consortium is the idea of us taking on and
18 putting on the yearly conference at the state
19 conference that we're doing. They wanted us to
20 do that for 2011. I told them no.

21 My background is in events -- well, part
22 of my background is in events in the large scale,
23 and to do an event, especially statewide, my

1 experiences are in national and sometimes
2 international events, you don't start working on
3 them 12 months out. You're at least 18 to 24,
4 and depending on the size, maybe three years out.

5 Which -- and I expressed my concern to the
6 Consortium that I had an issue with the structure
7 of it, because if in 2010 you had no idea who was
8 hosting your 2011 Commission -- or Conference, I
9 had an issue there, you know. And so, for me to
10 take that on, and you don't even know who's
11 hosting it, lets me know that there are some
12 issues there.

13 But I did tell them that I would look into
14 maybe us hosting here locally the 2012
15 conference, which would give us some time to put
16 that together. And we haven't confirmed it. I
17 said that I would consider it. And -- but I
18 wanted to let you guys know that the Commission
19 has something that we're looking to take on. I
20 think there will be a lot of work there and we
21 can put on some good things.

22 But the outreach person, where I was going
23 with that, the outreach person would be pulled

1 in, would be responsible for putting on and
2 coordinating all of our events as small and
3 intimate as our monthly Commission meetings to as
4 large as a statewide conference we're looking at
5 putting on, and everything in between.

6 We've got an MLK event coming up in
7 January, which unfortunately we're having to bear
8 the larger brunt of that by statute. Obviously
9 the MLK Commission is attached to us at Civil
10 Rights Commission. I think their sole
11 responsibility is the MLK event, but the agency
12 tends to put on and do the majority of that work.

13 So, we are -- we are taking that on and
14 working to get that accomplished, but it will be
15 a lot of help once we get that outreach events
16 person in, because that will be the bulk of what
17 they do.

18 In addition to events, I'm -- and what
19 I'll doing do is present this to you guys once
20 it's complete, and it'll be done in the next
21 couple of weeks, but the strategic plan for the
22 agency as we move forward. It'll be in
23 increments, and in that three years, obviously

1 that's a short amount time to do a lot of things,
2 so again, we want to begin to leverage the things
3 and the events that are already in place and the
4 resources are already existing.

5 Without going into too much detail and
6 without having the final product in front of you
7 guys, one of the things that we want to jump on
8 is obviously our responsibility for putting on
9 continuing legal education, which we will
10 jump-start again starting in 2011. The Judge and
11 the legal staff and I have sat down and talked
12 about the best way to go forth with that.

13 I think before, it was done every month.
14 I think we all agree that that was probably a bit
15 too much, and so what we agreed to do is every
16 other month put on a CLE, and what we want to do
17 in addition to that is not do it -- not always
18 have it here in Indianapolis, so they have to
19 travel. So, we'll put on some of these CLE's
20 outside of the City of Indianapolis. We're
21 looking at Gary and Fort Wayne and South Bend and
22 Evansville to put on some of these CLE's.

23 We've locked in the space here, obviously,

1 as a default, and then at a minimum right now we
2 have two out-of-Indianapolis sites already locked
3 down, and the idea is to -- regarding that
4 funding set aside for the CLE -- is to put on a
5 CLE, have that be the foundation of what we're
6 doing.

7 And perhaps because we're already in that
8 community or in that city, use that to leverage
9 and do some auxiliary events, some anti, you
10 know, discrimination seminars, maybe some fair
11 housing trainings and things of that nature, to
12 kind of loop those all and team up with the
13 stakeholders there locally in the community, to
14 help bolster the Indiana Civil Rights Commission
15 as a grant.

16 Yeah, we're moving full steam ahead. So,
17 that's quite a bit, and I apologize for not
18 having a written report in front of you all.
19 I'll make sure that's in front of you guys at the
20 next meeting, but if you have any questions for
21 me at this time, I'll be more than happy to
22 answer those.

23 CHAIRMAN CARTER: Questions?

1 COMM. GARCIA: Anything I can do up
2 in Northwest Indiana to help those relations --
3 you know, I'm a city engineer in East Chicago. I
4 knew that they have a Civil Rights Commission. I
5 don't know what they did. I knew the director.

6 MR. SMITH: Sure.

7 COMM. GARCIA: I knew some of the
8 people that worked there. You know, there was a
9 complaint here and there, but nothing like we're
10 involved with here, but I like the idea of
11 working with them and getting to know them, and
12 if there's anything I can do -- I know it's a
13 hike up there, and sometimes phone calls --

14 MR. SMITH: Well --

15 COMM. GARCIA: -- are not as good
16 as --

17 MR. SMITH: -- we'll take that on,
18 and you just kind of volunteered the rest of your
19 fellow Commission members, because we will be
20 leaning on you.

21 COMM. CRENSHAW: I'll be on your
22 list?

23 MR. LANGE: Not a problem getting

1 them.

2 MR. SMITH: We'll get Evansville as
3 well, and the Hispanic demographic is one we need
4 to target, too. You know, we're hiring Mr. Danny
5 Lopez. That's was a strategic move. One of the
6 things I asked when I came in was the number of
7 complaints we got from -- from the Hispanic
8 community, and there weren't many.

9 My guess is that, you know, we didn't have
10 enough diversity within ourselves as an agency
11 that would welcome -- that would welcome that,
12 so, you know, we're looking to change that as
13 well, just the whole brand of the agency and how
14 it is.

15 You know, although the civil rights
16 movement was founded, in large part, in the
17 African-American community, we're all -- we're
18 all protected by the civil rights laws and fair
19 housing acts and so on and so forth. It, in and
20 of itself, does not discriminate or pull out one
21 particular race or culture of people to defend.
22 It defends everybody, and if we are a state
23 agency, we should reflect that. So, that will be

1 a piece of the new branding as we move forward as
2 well.

3 But to kind of back up, as we move
4 forward, I mean it's important for us to leverage
5 again and use all of the resources that we have,
6 so be looking forward to a phone call from us as
7 we move into your respective communities. I
8 think, again, it would be disrespectful for us to
9 be coming to your communities and where you guys
10 reside without having that conversation with you
11 first about the time to come, who to speak with,
12 how to speak to them, when to set up, so on and
13 so forth.

14 COMM. GARCIA: Uh-huh.

15 MR. SMITH: So, we will be putting
16 you guys to work.

17 COMM. CRENSHAW: You've been in touch
18 with Diane Clemens on the Human Relations in
19 Evansville?

20 MR. SMITH: In Evansville. She was
21 at the consortium meeting, and --

22 COMM. CRENSHAW: She and I are --

23 MR. SMITH: -- we had a pretty strong

1 conversation, because, you know, she -- you know,
2 the Evansville consortium, they do well. I mean
3 to her credit, she's defending what -- you know,
4 her agency, and I get that, you know.

5 COMM. CRENSHAW: Uh-huh.

6 MR. SMITH: I can't argue that, but
7 by no means -- you know, they have some of the
8 same EEOC contracts, they have --

9 COMM. CRENSHAW: Uh-huh.

10 MR. SMITH: -- the same HUD,
11 contract, but they don't have nearly the funding
12 that we do.

13 COMM. CRENSHAW: Uh-huh.

14 MR. SMITH: They don't have nearly
15 the resources that we do. And so, she sees how
16 we could be --

17 COMM. CRENSHAW: Uh-huh.

18 MR. SMITH: -- of a help to her, but
19 her concern was, as I mentioned, that we don't
20 come in and eat them up.

21 COMM. CRENSHAW: Uh-huh.

22 MR. SMITH: And I get that. So, what
23 we look to do is in each city, with each

1 consortium, set up an MOU, an MOU that says --
2 that basically dictates how, in essence, we help
3 them help us. And those MOU's are different.
4 You know, they in Evansville, as an example,
5 won't need as much from us as, let's say, Terre
6 Haute or Richmond --

7 COMM. CRENSHAW: Uh-huh.

8 MR. SMITH: -- or, you know, Gary,
9 for that matter. But the South Bends, the Fort
10 Waynes and the Evansvilles of the world, they do
11 pretty well. And so, you know, our intent -- and
12 I told them this at the meeting -- our intent is
13 not to come in and wipe anybody out. Our intent
14 is to, number one, come in and establish the
15 state presence that we should already have
16 anyway.

17 COMM. CRENSHAW: Uh-huh.

18 MR. SMITH: And apologize to them for
19 not having that already here, but, you know, I
20 think as a state agency, we have to take
21 responsibility for the where the agency sits, and
22 we should have a state presence. We are a state
23 agency. So, our intent is to move in, not to

1 uproot you, but to work with you, and, you know,
2 that collaboration -- you know, we understand
3 we're different. What I did not give them is the
4 option for us not to be in their communities.

5 COMM. CRENSHAW: Gotcha.

6 MR. SMITH: My message to them was,
7 "We're coming."

8 COMM. CRENSHAW: Right.

9 MR. SMITH: "We're coming, whether
10 you want us to or not. Let's make this a
11 collaborative effort." And, you know, we're all
12 here to -- I don't have 150, 200, 500 people on
13 staff. We're a relatively small agency, so we
14 need you. We need you guys there locally on the
15 ground to be our eyes, to be our ears, to be our
16 voices.

17 And then the byproduct, obviously, in
18 some -- in most cities will be an uptick for us
19 in our intake, because, for example, I like to
20 use Terre Haute and the young man there. He
21 said, "You know, all we can do really is try to
22 mediate that claim. We can't --" they don't have
23 any teeth, you know.

1 So, the MOU with them will look something
2 along the lines of they are our eyes and ears.
3 They'll be the initial contact with someone there
4 in the community, and if no mediation can be had,
5 then it comes to us, and we would hit it. So,
6 they become an extension of our Intake Unit, it
7 comes to us.

8 And obviously we'd like to establish that
9 throughout the state so that the numbers that we
10 have in our intake goes up. And if those go up,
11 our numbers go up, our dollars go up, we get more
12 funding in. Also with those relationships, I've
13 also -- we've also gone out and established
14 relationships with other auxiliary state
15 agencies. We've got an agreement with the
16 Indiana Housing, IHC, Indiana Housing.

17 COMM. CRENSHAW: Uh-huh.

18 MR. SMITH: I tell the story that
19 she's all there, she was encouraging, you know,
20 "Jamal, whatever we can do." She's pledged, you
21 know, a million bucks if we need it.

22 COMM. CRENSHAW: Sherry Siefer?

23 MR. SMITH: Sherry.

1 COMM. CRENSHAW: Okay.

2 MR. SMITH: And she was like, you
3 know, part of the -- some the HUD objectives that
4 we have to do as far as antidiscrimination, fair
5 housing training and things of that nature that,
6 you know, honestly they're not equipped to do.

7 And so, you know, I don't know -- and
8 again, the relationship should have been
9 established with them a long time ago, but what
10 it allows them to do is achieve their objectives
11 for their HUD contract, and what it allows us to
12 do is take in, let's say, a million dollars and
13 increase our overall budget and do some bigger
14 and better things throughout the State of
15 Indiana.

16 So, you know, things like that are what
17 we're looking to do, you know, do a lot with a
18 little and take advantage of what we have, try
19 not to recreate the wheel, and make sure that at
20 the end the day, you know, we are throughout the
21 state, you know, we are diverse and can reach out
22 to a diverse population of people.

23 You know, we continue to improve our

1 professionalism, improve our customer service,
2 improve those things. And I think even this
3 Commission meeting, as we have them on a monthly
4 basis, is a mere composite of that, and I want to
5 make sure that everything we do is up to par with
6 the message that we send out.

7 So, that's the Executive Director's
8 Report. I'm be more than happy to answer any
9 questions you guys have.

10 CHAIRMAN CARTER: I just had -- it's
11 always a little mysterious the relationship of
12 these local agencies, and my understanding, and
13 what I'm saying this for is so you can correct me
14 if I'm wrong, is that the state law -- which it's
15 been a while since I've read it, the state law
16 allows individual communities to establish a
17 Human Rights Commission, but that's a local
18 ordinance.

19 The variations from one to the other have
20 to do with that local ordinance, and then there's
21 a whole row thing where they're not technically
22 allowed to do anything that is not in the state
23 law, except Bloomington and Lafayette, I believe,

1 and a few others might have sexual orientation as
2 a protected class, which if anybody objects to
3 it, it's not going to stand up because it's not
4 in state law.

5 MR. SMITH: Yeah.

6 CHAIRMAN CARTER: But they can
7 mediate those kinds of things; is that a correct
8 understanding of --

9 MR. SMITH: Yeah, I mean that's a
10 pretty --

11 COMM. CRENSHAW: Yeah.

12 MR. SMITH: -- pretty accurate
13 assessment. I mean most of them are created out
14 of our statute, but they're governed -- well,
15 they're governed by the state laws ultimately,
16 and also by the federal laws, but they kind of
17 function per their local ordinances. I mean
18 that's pretty right on.

19 CHAIRMAN CARTER: I remember when the
20 ADA was first passed, we had to get a specific
21 ordinance passed in Bloomington to allow the
22 meter maids, or gentlemen --

23 MR. SMITH: Yeah.

1 CHAIRMAN CARTER: -- to give a ticket
2 to somebody parked in a handicapped parking
3 because they said otherwise it's a violation of
4 state law, and therefore you have to get a state
5 cop to come and do it.

6 MR. SMITH: Uh-huh.

7 CHAIRMAN CARTER: And state cops are
8 not going to come and give parking tickets, and
9 so we had to go and petition the city council for
10 that, and I imagine a similar kind of thing
11 exists with the civil rights law.

12 MR. SMITH: Well, I will say, you
13 know, hold onto your hats, because I think once
14 this thing jumps off and we start to integrate
15 ourselves into these communities, God knows
16 what's going to surface.

17 COMM. CRENSHAW: So, are you looking
18 at just keeping the Commissioners meetings in
19 Indianapolis? Because I know the previous --
20 well, two directors prior --

21 MR. SMITH: Did travel.

22 COMM. CRENSHAW: -- traveled.

23 MR. SMITH: Well, my understanding is

1 it works well as a central point --

2 COMM. CRENSHAW: Uh-huh.

3 MR. SMITH: -- for you guys to meet
4 here. I'm not opposed to the Commission meetings
5 being here. If you guys wanted to have a
6 discussion about it traveling, I'm open to that.
7 I'm more concerned about the events and the
8 things that we do from a conference standpoint,
9 the CLE's, the trainings that we do. We need
10 to -- you know, I'm not worried about
11 Indianapolis. I mean we're here; right?

12 Another part, too, the layperson, when you
13 walk on the street, you ask them what the Indiana
14 Civil Rights Commission is or what it does, most
15 would have no clue and they would give you some
16 off-the-wall answer.

17 But, you know, a part of that is the
18 rebranding that we need to do, so, you know,
19 those efforts just need to go and extend outside
20 of the 465 circle and make sure that we are out
21 in the communities and doing some things that are
22 reaching out to folks that we probably haven't
23 reached out to at all.

1 In addition, too, the consortium -- the
2 local consortiums are just local organizations
3 that have a stake in what we do. I mean just the
4 Back Home in Indiana, you know, that works with
5 the folks with disabilities, there are minority
6 groups, like Black Expo that have chapters
7 throughout the state.

8 You know, we've had conversations with
9 them about leveraging their chapters to help us
10 do some recruitment as we do some events, as well
11 as like Hispanic organizations, and specifically,
12 because I think the biggest concentrations we
13 have is in the northwest corner of the state.
14 There are a lot of organizations up there that we
15 can leverage to help us do some things as well.
16 So, those organizations and folks become as
17 important as the consortiums that we need to work
18 with.

19 COMM. CRENSHAW: Are you looking
20 at -- I know New Albany has -- I think it's
21 New Albany -- has an issue with their police
22 department, Evansville has issues with their
23 police department. Have you looked at maybe

1 doing any trainings with like local law
2 enforcement agencies, to try to keep them from --

3 MR. SMITH: From -- we haven't
4 looked -- it's been more of a local approach.

5 COMM. CRENSHAW: Uh-huh.

6 MR. SMITH: We haven't -- other than
7 the Judge and the legal guys talking about what
8 kind of CLE's to do, we haven't talked
9 specifically about what types of training
10 specifically --

11 COMM. CRENSHAW: Uh-huh.

12 MR. SMITH: -- to do. It's just from
13 an overarching standpoint, we need to do
14 trainings and we need to be in these diverse
15 places --

16 COMM. CRENSHAW: Uh-huh.

17 MR. SMITH: -- at these times in
18 these areas, including these people, leveraging
19 these funds and teaming up so that we increase
20 our pot --

21 COMM. CRENSHAW: Uh-huh.

22 MR. SMITH: -- obviously, and then
23 our outreach. But I mean obviously we're open to

1 that. We have to look more into what that is and
2 means, and specifically locally, because one
3 thing as a state agency we don't want to do is
4 get too intertwined into local issues.

5 COMM. CRENSHAW: Uh-huh.

6 MR. SMITH: I think that would be a
7 land mine that we don't want to tap dance on.
8 But we definitely want to be looking at things
9 like that. If we can provide the service, then
10 I'm all for it.

11 CHAIRMAN CARTER: Any more questions?

12 (No response.)

13 CHAIRMAN CARTER: Okay.

14 MR. SMITH: Excuse me; I have to go
15 to another meeting, but I wanted to make sure
16 that I got that out, and feel free to reach out.

17 COMM. CRENSHAW: And thank you,
18 Comm. Garcia, for volunteering me.

19 (Laughter.)

20 MR. SMITH: I'll put you guys to
21 work.

22 CHAIRMAN CARTER: They work in
23 Bloomington, but I don't think they ever come to

1 any meetings.

2 Okay. If you'll make note of the next
3 meeting dates, and we can adjourn subject to
4 staying for signatures and for our travel and per
5 diem claim forms, which we have not yet done.

6 MS. ESSEX: Form.

7 CHAIRMAN CARTER: Form. Well, there
8 are four of us, so that's forms. That's plural.

9 - - -
10 Thereupon, the proceedings of
11 October 22, 2010 were concluded
12 at 12:40 o'clock p.m.
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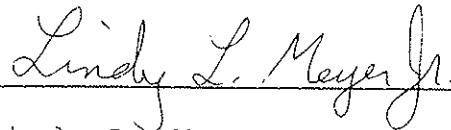
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1 CERTIFICATE

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 Friday, October 22, 2010 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.

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15 My Commission expires October 27, 2016.
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