



**INDIANA
CIVIL
RIGHTS
COMMISSION**

MITCHELL E. DANIELS, JR. GOVERNOR



GREGORY KELLAM SCOTT, DIRECTOR
Indiana Government Center North
100 North Senate Avenue, RM N103
Indianapolis, IN 46204
E-mail: icrc@crc.in.gov
Visit our web site: www.in.gov/icrc

Office: (317) 232-2600
Toll Free: (800) 628-2909
Hearing Impaired: (800) 743-3333
Fax: (317) 232-6580
Housing: (866) 3FAIR4U
(866) 332-4748

INDIANA CIVIL RIGHTS COMMISSION
Minutes of the
May 18, 2007 Meeting
Evansville, Indiana

In the absence of Chair Alpha Blackburn, Vice Chairman David C. Carter called the regular monthly meeting of the Indiana Civil Rights Commission ("Commission" or "ICRC") to order. The meeting was held in Evansville, Indiana in the J. Henry Schroeder Board Room at the University of Evansville.

ATTENDEES:

The Commissioners present were: Commissioners David C. Carter, Barry Baynard, Tehji Crenshaw, John E. Garcia and Steven Ramos. Five Commissioners being present and constituting a majority of the commissioners, a quorum exists—being a number sufficient to conduct business and take final actions.

Commission Director Gregory Kellam Scott, and several staff members, including Deputy Director Christine Cde Baca, were present.

A. AGENDA REQUEST:

No Agenda requests were received for this month.

B. APPROVAL OF THE MINUTES:

It was moved by Commissioner Ramos and seconded by Commissioner Crenshaw to hold the April minutes until the Commission's next meeting. The motion carried by unanimous vote of all Commissioners present.

"Morality cannot be legislated, but behavior can be regulated." – Dr. Martin Luther King, Jr

An Equal Opportunity Employer

Recycled Paper

C. NEW BUSINESS:

The Commission's Director, Gregory Kellam Scott (Judge Scott) reported to the Commission regarding the settlement of a matter pending before the Commission. The case Marcus Armstead and Sheila Armstead vs. Northeastern Wayne School Corporation, ICRC No.: EDra04060293, was settled between the parties for a payment of certain amounts by Respondent School Corporation to Complainants and other equitable relief. The details of the settlement are not available for public release as both parties signed a confidentiality agreement.

D. OLD BUSINESS

The General Assembly approved the Commission's budget as submitted by Governor Daniels, including significant line item increases. In addition, for the first time, the budget submitted by the governor and approved by the General Assembly provides funding for the Dr. Martin Luther King Jr. Indiana Holiday Commission in the amount of \$20,000.

Moreover, the Legislature is willing to support the Commission's efforts to create a central database to analyze and appropriately utilize the information already existing in our office to guide proactive actions. The budget also provides funding to support the Education Steering Committee's work in terms of the costs associated with the meetings and covering travel cost for those who serve on the committee.

The Commission's Director reported on the current status of the Retaliation Regulation, which is on hold pending the receipt of comments from the Attorney General's Office. Once the comments are received the Retaliation Regulation will then be submitted for announcement through the notice process.

With regard to the Dr. Martin Luther King, Jr. Indiana Holiday Commission (the "King Commission"), the Director reported that the state house of representatives passed a bill amending the King Commission organic statute. For example, the bill proposes a slight change in membership, reducing the membership from 14 to 13 members and allowing the quorum to consist of seven members of the commission instead of eight.

E. COMMITTEE REPORTS:

Financial Report

The Commission's monthly financial report was presented by Robin Degner, the Commission's Office Operations Manager. The Report was accepted without any questions.

F. CONSENT AGREEMENTS:

There were no consent agreements this month.

G. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDERS:

It was moved by Commissioner Garcia and seconded by Commissioner Baynard that the Commission accept the findings of fact, conclusions of law and order proposed in the case **Williamsburg on the Lake and Williamsburg Apartments**, The motion was approved unanimously.

It was moved by Commissioner Baynard and seconded by Commissioner Ramos that the Commission accept the findings of fact, conclusions of law and order proposed in the case **Bartox v. Kerasotes Theaters and Kerasotes Showplace Theaters**. The motion passed by majority vote. For the record Commissioner Garcia abstained.

H. REPORT FROM COMMISSIONERS ON COMPLAINANT APPEALS:

It was moved by Commissioner Garcia and seconded by Commissioner Baynard to accept the recommendation of Commissioner Carter to uphold the Director's or the Deputy Director's finding of No Probable Cause in the case of **Cordashi v. Evansville Housing Authority**. The motion was approved unanimously.

It was moved by Commissioner Garcia and seconded by Commissioner Baynard to accept the recommendation of Commissioner Carter to uphold the Director's or the Deputy Director's finding of No Probable Cause in the case of **Cohen v. VV Apartments, Cheryl Burress**. The motion was approved unanimously.

It was moved by Commissioner Ramos and seconded by Commissioner Crenshaw to accept the recommendation of Commissioner Baynard to remand the Director's or the Deputy Director's finding of No Probable Cause in the case of **Lapadat v. Steffey Insurance Agency**. The motion was approved unanimously.

It was moved by Commissioner Garcia and seconded by Commissioner Ramos to accept the recommendation of Commissioner Crenshaw to uphold the Director's or the Deputy Director's finding of No Probable Cause in the case of *Rosen v. Warren Volunteer Fire Department*. The motion was approved unanimously.

I. **ASSIGNMENT OF APPEALS TO COMMISSIONERS:**

Complainant Appeals were assigned to Commissioners as follows:

Comm. Carter – *Jones v. International Paper Company*
Comm. Crenshaw – *Weaver v. Huntington Heights*
Comm. Baynard- *Burns v. Beach Mills Apartments, Musis & Management Company*
Comm. Garcia – *Carter v. Indiana University Northwest*

J. **ADMINISTRATIVE UPDATE :**

Director's Report

Judge Scott reported the number of probable cause cases will exceed 40 for the year. In recent years the numbers were around 20 a year until an increase last year to over 30 probable cause determinations.

The Director reported that a meeting has been arranged between the Director and the Chair of the King Commission, Judge Tanya Walton Pratt, to discuss the King Commission membership and the terms of office of each King Commissioner.

Judge Scott reported the Holocaust Observance program was held April 16, 2007 and involved over a thousand from school across the state. The morning Youth Summit included an interactive video presentation about the life and experiences of Anne Frank. Phillip Landy, a Holocaust survivor, spoke to the students about personal experience.

Deputy Director's Report

The Commission's Deputy Director, Christine Cde Baca, reported that the Commission's pending case inventory this month reflects 472 cases. During the

month of April, 60 cases were added to the caseload. Dispositons or case closings during that time was 51.

Deputy Director, Christine Cde Baca stated the consortium will be held June 20th and 21st in Ft. Wayne, Indiana. Guess speakers included Brandon Cosby and an attorney from the (MALDF) Mexican American Legal Defense Fund office in Chicago, Ilinios.

Deputy Director, Christine Cde Baca reported the alternative dispute resolution unit had 11 cases that were settled resulting in payments totaling \$46,250.00 along with other benefits.


The Education Steering Committee held a meeting on April 24 'at the state Department of Education. Presentations were made by Dr. Hemaganfsky Coleman from Indiana State University and Commission staffer Kathryn Lee. Both presentations were well received. Deputy Director Cde Baca reported the Education Steering Committee is involved in a collaborative effort with the Indiana Department of Education under a state Improvement Grant.

K. ANNOUNCEMENTS:

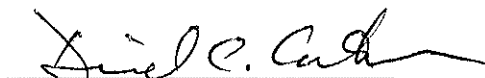
None this month.

L. ADJOURNNMENT:

There being no further business to come before the Commission, on motion duly made and seconded, the meeting was adjourned.



Gregory Kellam Scott
Director
Dated: _____



David C. Carter
Vice Chair
Dated: 7/27/07