



**INDIANA
CIVIL
RIGHTS
COMMISSION**

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REVISED

INDIANA CIVIL RIGHTS COMMISSION
MONTHLY MEETING
February 23, 2007

Chairperson Alpha Blackburn called the Indiana Civil Rights Commission ("ICRC") February monthly meeting to order. The meeting was held on February 23, 2007 in Indianapolis, Indiana, Room A of the Conference Center, Indiana Government Center South.

ATTENDEES:

The Commissioners present were: Chair Alpha Blackburn, Vice-chair David C. Carter, Barry Baynard, Tehiji Crenshaw, John Garcia, Charles Gidney, and Steven Ramos. All Commissioners being present, a quorum exists to conduct business and take final actions.

The Commission's Director, Gregory Kellam Scott, and several staff members, including Deputy Director Christine Cde Baca, were present in person.

A. AGENDA REQUEST:

No Agenda requests were received for this month; however, the Commission agreed to permit the members of the public attending the meeting to have an opportunity to address the Commission later during the meeting.

B. APPROVAL OF THE MINUTES:

It was moved by Commissioner Carter and seconded by Commissioner Ramos to approve and adopt the minutes from the Commission's December 15, 2006 meeting. The resolution was adopted and the minutes were accepted and approved.

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

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B. NEW BUSINESS:

Deputy Director Christine CdeBaca reported that the Civil Rights Commission was in the process of determining whether or not the agency is a law enforcement agency with regard to public access of the documents.

C. OLD BUSINESS:

Judge Scott reported that the Commission's appellate process for Complainants seeking review of a no probable cause finding is not in accord with the Commission's regulations. Adjustments in our practices are being made and are close to being completed and will be reported at the Commission's next meeting.

D. COMMITTEE REPORTS:

Financial Report

The monthly financial report was prepared by the Commission's accountant. The report was distributed to the Commissioners.

F. CONSENT AGREEMENTS:

None this month.

G. FINDINGS OF FACT. CONCLUSIONS OF LAW. AND ORDER:

It was moved by Commissioner Carter and seconded by Commissioner Crenshaw that the Commission accept the findings of fact, conclusions of law and order proposed by its administrative law judge (ALJ) in *Saylor v. Financial Services, Inc., d/b/a Platinum Mortgage and Williams Financial Group*. The motion carried unanimously.

H. REPORT FROM COMMISSIONERS ON COMPLAINANT APPEALS:

It was moved by Commissioner Ramos and seconded by Commissioner Carter to accept the recommendation of Commissioner Blackburn to uphold the Director's or the Deputy Director's findings of No Probable Cause in the case of *Brooks v. Business Health Plus*. The motion carried unanimously.

It was moved by Commissioner Carter and seconded by Commissioner Garcia to accept the recommendation of Commissioner Blackburn to uphold the Deputy Director's findings of No Probable Cause in the case of **Barrand v. Ear, Nose and Throat Association**. The motion carried unanimously.

It was moved by Commissioner Ramos and seconded by Commissioner Baynard to accept the recommendation by Commissioner Carter to uphold the Director or the Deputy Director's findings of No Probable Cause in the case of **Ojleska v. Accusil**. The motion carried unanimously.

It was moved by Commissioner Ramos and seconded by Commissioner Baynard to accept the recommendation by Commissioner Carter to uphold the Director or the Deputy Director's findings of No Probable Cause in the case of **Lewis v. Evansville Vanderburgh School Corporation**. The motion carried unanimously.

It was moved by Commissioner Carter and seconded by Commissioner Garcia to accept the recommendation by Commissioner Baynard to uphold the Director or the Deputy Director's findings of No Probable Cause in the case of **Osborne v. Steve and Dave Grove**. The motion carried unanimously.

It was moved by Commissioner Garcia and seconded by Commissioner Ramos to accept the recommendation by Commissioner Carter to uphold the Deputy Director's findings of No Probable Cause in the case of **Johnson v. Kroger**. The motion carried unanimously.

It was moved by Commissioner Garcia and seconded by Commissioner Ramos to accept the recommendation by Commissioner Carter to uphold the Deputy Director's findings of No Probable Cause in the case of **Eberton v. Commercial Grpahic, Incorporated**. The motion carried unanimously.

It was moved by Commissioner Garcia and seconded by Commissioner Baynard to accept the recommendation by Commissioner Carter to uphold the Deputy Director's findings of No Probable Cause in the case of **Locke v. Prestwick Golf Course, Inc.** The motion carried unanimously.

I. ASSIGNMENT OF APPEALS TO COMMISSIONERS:

Complainant Appeals were assigned to Commissioners as follows:

Comm. Carter: Meleschi & Beidleman v. Tuscany Bay Apartments
Comm. Baynard: Bayer v. Town of Chesterton Police Department
Comm. Crenshaw: Rosen v. Warren Volunteer Fire Department

J. ADMINISTRATIVE UPDATE :

Director's Report

The Director, Judge Scott, stated the budget was presented to the Ways and Means Committee. Judge Scott appreciated the attendance of Commissioners Carter and Ramos while he presented the Commission's budget to the Ways & Means Committee. Unless some unanticipated event occurs, the legislature is expected to approve the budget.

The Director, Judge Scott, announced that the Dr. Martin Luther King, Jr. Indiana Holiday Celebration program was another success. The program was held in the Rotunda and Governor Daniels was in attendance and spoke regarding Dr. King's faith and courage, remarking that a bullet could not shatter his life's work for all Americans. The program in the Rotunda was well received by a crowd of more than 1000 and followed a fantastic Student Summit. During the program, the Commission acknowledged Representative Hurley Goodall by presenting its ***Spirit of Justice Award*** to honor his years of work in the civil rights vineyard. In addition to his good work in Muncie, Representative Goodall was one of the sponsors of the King Holiday Celebration legislation. Prior to his legislative service, he was the first black fireman in Muncie, Indiana. The Muncie High School acknowledged his service to all Hoosiers in their film presentation, featuring his life in their film for the King Commission's "Civil Rights Voices in Indiana" competition. Brandon Cosby, who is working with the Commission's Education Steering Committee, provided the capstone speech in which he warned adults present the problem with our youth is not that they are out of control; it is that adults are *not* in control.

Judge Scott noted the Commission staff plans to convert the Youth Summit into a Forum. Rather than only hosting the students for only one day of year during the Dr. King birthday celebration or the Holocaust Observance, instead, in addition the Commission's staff and others will be going out and meeting with the students, regionally or by school to continue the discussions about school and community violence and to be able to better identify and assist those students at risk,

The Dr. King Birthday Celebration Film Festival was a success. However, unfortunately, Representative Summers stated there were only two entrants in the film contest. While there were only two contestants, three schools submitted films—but one was not accepted. Unfortunately, that fact was not one that should have been disclosed to the students, whose work was of great quality. Representative Summers was chair of the Film Festival Committee and Ben Davis High School was selected as the winning school.

Lieutenant Governor Becky Skillman provided \$5,000 to assist with the King program, essentially funding the reception which followed the formal program in the Rotunda.

The Director stated there is a bill now in the legislature to move the National American Indiana Affairs Commission under the Civil Rights Commission umbrella.

Deputy Director Report

The Commission's Deputy Director, Christine Cde Baca, reported that the Commission's pending case inventory reported for January 2007 was 459. During the month of January 45 cases were added to the caseload. Dispositions during that time were 46.

Deputy Director Christine Cde Baca reported that the agency records need to include a certificate to indicate the appointment of members of the Education Steering Committee. This will be accomplished with a signed certificate listing all the persons who are members of the committee, signed by the chair.

Deputy Director Christine Cde Baca stated the staff has filed an application for a \$50,000 grant to fund the steering committee's work. It was submitted and the results would be out in mid-April.

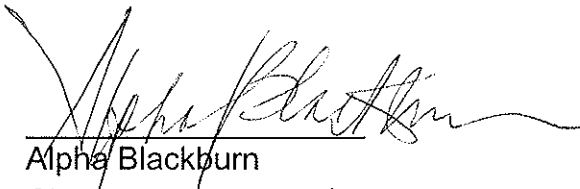
The Deputy Director reported that Dr. Rob Horner, University of Oregon, has given the Commission full approval to go ahead and work with the blueprint for PBIS.

K. ANNOUNCEMENTS:

Commissioner Carter announced that March is Disability Awareness Month in Indiana and encouraged all to partake in events to recognize the importance of our laws to protect the disabled.

L. ADJOURNMENT:

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



Alpha Blackburn

Chair

Dated: 4/20/07



Gregory Kellam Scott

Director

Dated: _____