



**Bloomington/Monroe County
Human Rights Commission**

**Minutes of July 17, 2023 Meeting
5:00 p.m.**

Hooker Conference Room, City Hall

The Bloomington Human Rights Commission met at 5:00 p.m. on Monday, July 17, 2023, in the Hooker Conference Room of Showers City Hall.

Commissioners Attending: Ryne Shadday, Emma Williams, Byron Bangert, Stephen Coover, Susan Gray, and Tonda Radewan. A quorum was present.

Commissioners Absent: Amy Jackson.

Staff Attending: BRHC Director Michael Shermis and Legal Administrative Assistant Ashley Sparks

Public Attending: London Montgomery and Dave Askins.

Call to order: Shadday called the meeting to order at 5:05 p.m.

Preliminary Matters: Shadday read the Land Acknowledgment. Introductions were made by all attendees. New commissioners were welcomed.

Approval of Minutes of May 15, 2023 Meeting: Radewan moved to approve minutes of June 22, 2023, Williams seconded. Passed unanimously.

Report from Staff:

- i. Shermis spoke on the Quarterly Report. One more section is pending information from Assistant City Attorney Audrey Brittingham before the Report is sent to the Commission for review. Completed report is anticipated prior to the August meeting.
- ii. Shermis requested additional volunteers for the ADA Anniversary Celebration on July 29 from 9am-12pm at Fernandez Plaza. Commissioners were requested to staff the MBCHRC booth for an hour at a time to facilitate games and prizes, as well as questions and answers about the mission of the BMCHRC. Additional input on the chosen quiz game was provided and more specific input will be sent to Sparks.
- iii. Shermis invited new commissioners to New Member Orientation.
- iv. Shermis requested all new Commissioners sign up for a date to submit Commissioner Spotlight for *Rights Staff*.



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- v. Shermis provided the proposed verbiage of the anonymity statement for the online complaint form. Discussion ensued and additional changes were proposed and discussed. Gray proposed the issue that there could be aggrieved individuals that submit multiple anonymous claims. Discussion regarding the identification of potential duplicate complaints ensued.
- vi. Sparks provided a briefing on the recent EEOC Systemic Harassment Seminar. Talking points to be sent to Commissioners upon request.

Reports from Commissioners:

None.

Unfinished Business

- i. Shermis discussed the 4th of July parade materials and the reception of those materials by the Commissioners assisting in the parade. Shadday stated positive feedback was received by multiple members of the public. Bangert stated the crowd size and lack of pause in the parade route may have impacted the ability to actively hand out materials.
- ii. Montgomery presented additional information on Safe Haven Resolution, including statutory language utilized in the Kansas City Safe Haven Resolution. She presented goals of, benefits of, and personal and community reasons for enacting this resolution. Shadday commented on the continued struggle to meet with City Councilmembers to discuss the Resolution. Radewan and Bangert asked to see additional information from Kansas City's Resolution and provided additional verbiage suggestions. Shermis emphasized the need to approach the resolution separately to both City and County Councils. Radewan asked about the involvement in the City of Bloomington's Legal Department in the review of the resolution prior to its presentation to Council. Shermis, Shadday, and Williams provided additional procedural information.

Open Cases

- iii. Haughton-Motley's sexual harassment case was reopened after the appeal was received and heard. Haughton-Motley has agreed to mentor the replacing commissioner on this case, which was assigned to Radewan. Shermis will begin scheduling additional interviews soon.
- iv. Shadday's disability discrimination case was found NPC. The deadline for appeal is



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July 26.

- v. McAlister's Sexual Orientation case was found NPC. The deadline for appeal is July 22.
- vi. Bangert's Racial Discrimination case is awaiting a response from the respondent's lawyer, who requested a deadline extension. The response is due July 21. A negotiated settlement offer has been presented. Pending the decision made on the offer, respondent interviews to take place soon.
- vii. Williams' Disability Discrimination case is awaiting a response from the respondent. Response is due July 18, after which point the Complainant interview will be scheduled. Shermis stated the need for the interview in this case to be off-site, due to the health of the complainant.

New Business

- i. MCCSC Assistant Superintendent Markay Winston's upcoming visit was discussed, along with the need to solidify a date for that visit.
- ii. Shadday discussed the recently reported issues with Sojourn House and requested feedback on the BMCHRC's anticipated support of the organization. Shadday provided background on the mission of Sojourn House. Shadday discussed the possibility of a lawsuit being filed based on protections provided to both the City of Bloomington and Monroe County and asked how it affects the mission of the BMCHRC. Bangert stated differing perspectives on the issue that may be present in the community. Williams provided perspective on zoning ordinances and requested the ability to review the recent Planning recommendations for the project; she will research recent meeting minutes of that board to review further. Bangert posed the question of the legal issues that may be a part of the problem with the zoning getting approved. Radewan provided the information that there is always another opportunity to present the request to the Zoning board. Coover provided insight on the utilization of utilities at the site, as opposed to what is currently onsite.

New Cases

- i. Gray has an open case with Monroe County Human Rights Commission. Discussion ensued regarding the transfer of that open case to the new joint commission versus leaving it in its original jurisdiction for completion.
- ii. Disability discrimination in employment case was assigned to Coover. Respondent has received the affidavit and a response is due August 2.
- iii. Disability and racial discrimination in housing/public accommodations as it relates to



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an emotional support animal case was assigned to Jackson. Affidavit has been signed and sent to the respondent, who has sent additional documentation and evidence along with their response.

- iv. Disability discrimination in employment case was assigned to Gray. Affidavit has been signed and sent to respondent and a response is due August 2.
- v. Disability discrimination in housing/public accommodations as it relates to an emotional support animal case was assigned to Shadday. There has not been an affidavit completed yet due to the extent of communications between the Complainant and Shermis, as well as a lack of confirmation of name and date information.
- vi. An additional intake was taken, but the complainant has ceased communications with Shermis. Case will be assigned when more clarity has been obtained and affidavit has been signed.

Other Business

- i. Radewan spoke on the increase of Emotional Support Animal cases as they pertain to Public Accommodations and Housing, both by the Human Rights Commission and by Eviction Prevention. Radewan asked if there are additional resources to provide and urged the Commission to place any resource materials in the Google Drive for reference. Gray asked if the Commission should be providing these resources and additional information on Emotional Support Animals to landlords to help prevent future cases. Radewan and Shermis confirmed that once the Commission has a better understanding of the issue and available protections and remedies, those resources will be available to the public as part of the charge of the BMCHRC is to provide education and information.
- ii. Shermis spoke on his work with the Department of Justice, FBI, Mayor, IU, and other entities in preparation for the United Against Hate form to be held on September 7 from 6-9pm. Shadday will sit in as an ambassador for the BMCHRC. The forum will be available on ZOOM. Radewan suggested providing marketing materials to CHIP when they become available.

Public Input

None.

Adjournment: Shadday adjourned the meeting at 6:40 p.m.