

BLOOMINGTON/ MONROE COUNTY HUMAN RIGHTS COMMISSION

**ANNUAL REPORT
2023**



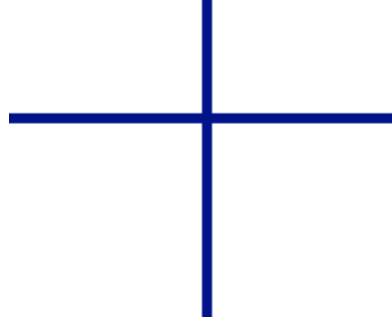


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POLICY OF THE CITY OF BLOOMINGTON

2.23.100 Bloomington/Monroe County Human Rights Commission—Establishment.

There is hereby established within the city's community and family resources department the Bloomington/Monroe County Human Rights Commission.

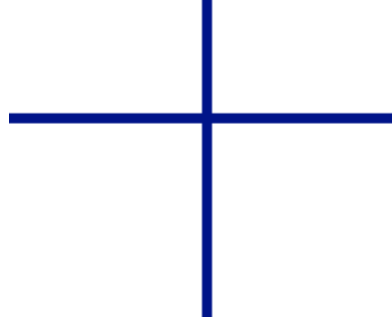
(Ord. No. 23-02, § 2, 2-1-2023; Ord. No. 23-09, § 1(App. 1), 5-3-2023)

2.23.110 Public policy and purpose.

(a) It is the policy of the city, and of the county upon appropriate county authority, that it does not discriminate in the provision or implementation of its programs and services on the basis of race, religion, color, sex, national origin, ancestry, sexual orientation, gender identity, disability, housing status, or status as a veteran. It is the public policy of the city, and of the county upon appropriate county authority, to provide all citizens equal opportunity for education, employment, access to public accommodations and acquisition through purchase or rental of real property, including, but not limited to: housing, and to eliminate segregation or separation based on race, religion, color, sex, national origin, ancestry, sexual orientation, gender identity, disability, housing status, or status as a veteran, since such segregation is an impediment to equal opportunity. Equal education and employment opportunities and equal access to and use of public accommodations and equal opportunity for acquisition of real property are hereby declared to be civil rights.

The practice of denying these rights to persons because of race, religion, color, sex, national origin, ancestry, sexual orientation, gender identity, disability, housing status or status as a veteran is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the public policy of the city, and of the county upon appropriate county authority, and shall be considered as discriminatory practices. The promotion of equal opportunity without regard to race, religion, color, sex, national origin, ancestry, sexual orientation, gender identity, disability, housing status or status as a veteran is the purpose of this section.

(Ord. No. 23-02, § 2, 2-1-2023; Ord. No. 23-09, § 1(App. 1), 5-3-2023)



2023 OFFICERS

CHAIR

Ryne Shadday

VICE CHAIR

Tonda Radewan

SECRETARY

Susan Gray

COMMISSIONERS

TERM EXPIRES

APPOINTED BY

Byron Bangert

1/24

City Council

Carolyn Calloway-Thomas*

1/23

**Mayor
County**

Stephen Coover**

1/24

Commissioners

Valeri Haughton-Motley*

1/24

City Council

Erin McAlister*

1/23

Mayor

Ryne Shadday

1/24

Mayor

Tonda Radewan

1/24

Mayor

Susan Gray**

1/25

County Commissioners

Emma Williams

1/25

City Council

*Served until July 1, 2023, when the Bloomington Human Rights Commission and the Monroe County Human Rights Commission merged.

**Started after the merger.

2023 STAFF

Director: Michael Shermis

Assistant: Ashley Sparks

ANNUAL REPORT OF THE CHAIR, 2023

On July 1, 2023, the City of Bloomington Human Rights Commission and the Monroe County Human Rights Commission merged to become the joint Bloomington/Monroe County Human Rights Commission (BMCHRC). This historic decision brings two commissions with similar educational and advocacy missions together, expanding our ability to cover all discrimination allegations in Bloomington and unincorporated areas of Monroe County, within our jurisdiction. The Commission remains a seven-member group, with appointments for the Commission revised so that the Mayor now has three appointments, the City Council has two, and the County Commissioners have two.

The BMCHRC's mission is to enforce our ordinance; promote equal opportunity in employment, housing, education, and public accommodations regardless of membership in a protected class; and educate community members about their rights and responsibilities under civil rights laws. We are honored to serve our community and to present the following annual report for the year of 2023.

The Bloomington Human Rights Commission closed the year 2022 by recognizing the retirement of our previous director, Barbara McKinney, and celebrating her thirty-four years of service. In January 2023, we welcomed our new staff liaisons: Director Michael Shermis and Assistant City Attorney Audrey Brittingham. In March, we welcomed Ashley Sparks, the Legal Administrative Assistant for the Commission. This has been a year of changes, from the minor (we now meet on the third Monday of the month, rather than the fourth) to the far-reaching (our merger with the County's Human Rights Commission). However, many of our activities remain familiar.

Commission Restructuring: Throughout the first half of the year, Commission business included many conversations about the restructuring of the Commission. Since two members of the new BMCHRC are elected from the County, we questioned whether BHRC members whose terms expired would be able to reapply. We also decided to delay officer elections until the merger, allowing the Commission to start from the ground up rather than inviting new County members into an existing structure. In August, after welcoming county appointees Commissioners Gray and Coover, we held elections for the remainder of 2023. I was elected Chair, Tonda Radewan as Vice Chair, and Susan Gray as Secretary.

Intake Form: Over the course of several meetings, the Commission discussed whether to introduce anonymous discrimination reporting capability to our intake form. We hoped that allowing individuals to report alleged discrimination anonymously would protect those who felt unsafe associating their identity with a complaint. However, we also considered that such reports would be impossible to follow up on and might then be

impossible to investigate. After an extended conversation balancing the positives and negatives, the Commission added an anonymous option on a trial basis and included a disclaimer explaining our potential inability to respond.

Reporting Infographic/Brochure: In the fall, we began discussing a flow chart or other infographic designed to explain the process of reporting discrimination to the Commission. Since it can be a complicated process and different incidents are often reported to a variety of locations, residents do not always understand what to report to the BMCHRC and what to expect when they do so. We worked with the 2023 Monroe County CHIP Inequity, Discrimination, and Bias subgroup on this project. Completion of a brochure was to be finalized in 2024, and would outline different forms of discrimination and the resources that can help in each situation.

Newsletter: One conversation that came up throughout the year was the content of the *Rights Stuff*, our monthly newsletter. We agreed to include more discussion of local issues and experimented with highlighting past cases and introducing current commissioners.

Guests: The Commission was glad to welcome several guest speakers in 2023. In September, Dr. Markay Winston, Dr. Mary Priestler-Hanks, and Amy Morwick presented on MCCSC's anti-racism policy and the Student Equity Ambassador program. In October, Special Agents Allex Plank and J. Alex Miller from the Federal Bureau of Investigations gave a presentation on transnational repression and how it relates to Monroe County residents.

Age Limitation on Complaints: The Commission discussed whether minors would be able to bring complaints before the Commission and, if so, whether they would be required to be accompanied by a parent or guardian. This conversation continues in 2024.

Closed Captioning Ordinance: In June 2023, Director Shermis brought a proposal from the Council for Community Accessibility regarding increased accessibility for the deaf community in Bloomington through requiring a certain number of public televisions (in restaurants, bars, gyms, and other public spaces) to turn on closed-caption functionality. The BMCHRC brought this proposal before the Common Council, and in December 2023, the Common Council passed the ordinance. It will officially go into effect in January 2025.

Safe Haven for Transgender Healthcare: In response to input brought to the BMCHRC by representatives of Bloomington's transgender community, the Commission began to discuss proposing a Safe Haven resolution to the Common Council guaranteeing support for gender-affirming healthcare in Bloomington. These conversations continue in 2024.

These topics represent some of the highlights of the BMCHRC's work in advocacy and education in 2023. I hope you find the following information

useful, and we would be glad to see you at one of our upcoming meetings in 2024.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ryne Shadday". The signature is fluid and cursive, with a large loop at the end.

Ryne Shadday, Chair

DIRECTOR'S REPORT, 2023

2023 saw some more significant changes for the Bloomington Human Rights Commission as it merged, as of July 1st, with the Monroe County Human Rights Commission to become the Bloomington/Monroe Human Rights Commission. Beyond that the Commission moved from the Legal Department to the Community and Family Resources Department and I took over as director. The Legal Department, through Audrey Brittingham, continues to provide legal advice when needed. And, fortunately, I am still able to rely on Barbara McKinney and her 34 years of experience, for occasional advice.

Discrimination Complaints

With the excellent assistance of the seven members of the Commission, I work with people to resolve their complaints of discrimination. In 2023, we had fourteen new complaints filed with us and two that were carryovers from 2022. Each case is investigated by one of the commissioners and me, and together we decide if there is probable cause to believe that the respondent violated the Bloomington Human Rights Ordinance.

Five of these complaints alleged discrimination on the basis of disability in housing. In three of the cases we found no probable cause to believe discrimination had occurred; one case didn't show any evidence of discrimination, but did show some clear inappropriate behavior on the part of the complainant; one in which the discrimination was by a fellow tenant and not the property manager; one in which a tenant couldn't show evidence of a homeowners association committing discrimination, just some poor communication. For the other two cases, one was determined to be out of our jurisdiction (on the wrong side of the street); and one is ongoing.

One of the complaints alleged discrimination on the basis of race in housing. It was settled and the Complainant was provided with a reimbursement for moving expenses.

Five of the complaints alleged discrimination on the basis of disability in employment. One withdrew after signing a severance agreement; one was transferred to the EEOC due to a conflict of interest; one withdrew after reviewing Respondent's evidence; one who was terminated from her job withdrew the complaint after being reinstated; and one is ongoing.

One of the complaints alleged discrimination on the basis of race in employment. When confronted with evidence that showed inappropriate behaviors on the part of the Complainant, he said he would refute the position statement and evidence, but never did. So that case was withdrawn.

One of the complaints alleged religious discrimination in public accommodation that ended up being settled with a statement from the Respondent that the perceived discrimination wasn't intentional, but they did provide a written apology.

One of the complaints alleged national origin discrimination in public accommodation that ended up being settled with a bar that agreed to change their signage about ID checks to ensure that their rules considered only age and had nothing to do with national origin.

The two cases from 2022, both sexual discrimination in employment, were found No Probable Cause. One was difficult to prove that there was discrimination in the hiring process beyond the Complainant's feeling that was what happened. The other which had to do with sexual harassment, retaliation, and termination, couldn't offer enough proof to rebut Respondent's denial that discrimination was the cause of determination and instead sporadic and poor attendance was the cause of the dismissal.

Accessibility Issues

As the City's Americans with Disabilities Act (ADA) Coordinator, I work to try to make sure that the City, both as an employer and as a governmental entity, is meeting its obligations under the ADA. This year, we had complaints ranging from people with transportation needs to more accessibility in their homes that included the following:

- A man who uses a cane, had a Bloomington Transit bus driver and dispatch worker refuse to lower the bus for him unless he was in a wheelchair.
- Someone needed an accommodation for transportation to a Commission meeting.
- An individual with a guide dog was walking on Clear Creek trail and verbally accosted by another walker, who was very unhappy that they were not walking on the right side of the trail (guide dogs are trained to hug the far left side).
- A laundry room door isn't accessible for a person in a wheelchair.
- A lawn service put their machines in the sidewalk and blocked accessibility for a woman's husband in a wheelchair and then refused to move it to allow people to move through the area.
- A temporary storm drainage pipes cross the sidewalk preventing people with disabilities or elderly from using the sidewalk.

I try to help local businesses understand their obligations under the ADA, and I try to help resolved complaints from citizens about businesses not being accessible. Sometimes we can resolve those complaints through education and sometimes formal complaints and investigations are necessary. I try to help landlords understand their obligations under the accessibility provisions of the Fair Housing Act and recently spoke to the Monroe County Apartment Association about discrimination in housing. I work closely with the City's Council for

Community Accessibility, following up on their accessibility surveys and helping decide which businesses should receive a CCA decal. For decades now, the CCA has helped make Bloomington a more inclusive city by making sure that people with disabilities can enjoy the many opportunities Bloomington provides.

Finally, as a member of the Digital Accessibility Workgroup that the ITS department facilitates, I help ensure City employees are trained on how to maintain all information that goes out to the public or is online is accessible.

Educational Programs

In 2023, we completed our twenty-fourth year of publishing our monthly newsletter, *Rights Stuff*. We transitioned to a new platform (Constant Contact) for the electronic version of the newsletter and it is distributed via email and via hard copies distributed downtown. We use the newsletter to keep the community informed about what the BMCHRC does and about recent trends in civil rights and other important human right issues.

The BMCHRC was happy to participate in the 2023 Fourth of July parade. We distributed hundreds of human rights bookmarks tied to Tootsie Pops to children along the route.

We do occasional tabling at events, like the Monroe County Community School Corporation International Family Welcome and Orientation held in September. At this event Commission members did page coloring, floor puzzles, and other activities with children.

The theme for our annual essay/arts contest in 2023 was "Are People in the U.S, Getting More or Less Tolerant of Others?" The winners were Jenny Lee, Ada Pigg, Lyra Dimmick, Anette Gjerdingen, Telsa Walters, Parker McGaha, Shealah Campbell, and Lamelle Johnson.

A big part of what I do is to educate people by answering questions from people around Bloomington, around the state, and around the country, about human rights issues and a variety of other issues. You can see some of those inquires in the Miscellaneous Calls section below.

Thank you for all you've done to support the BMCHRC all of these years. Human Rights officers from Terre Haute and Dallas have spent time with us recently to inquire about how our Commission works as it is being viewed as a model. It's good to know that we are seen as doing important work in human rights for our community.

Respectfully submitted,



**Michael Shermis,
Director, BMCHRC**

2023 ANALYSIS OF CALLS, COMPLAINTS, AND CASES

In 2023, the Bloomington Human Rights Commission (January 1–June 30) and the Bloomington/Monroe County Human Rights Commission (BMCHRC; July 1–December 31) received 82 calls or online incident reports. These calls represented questions, requests for information, descriptions of conflicts or other incidents, hate incident reports, and reports of alleged discrimination. Spam, tests, and incomprehensible or bad faith messages have been excluded from this data.

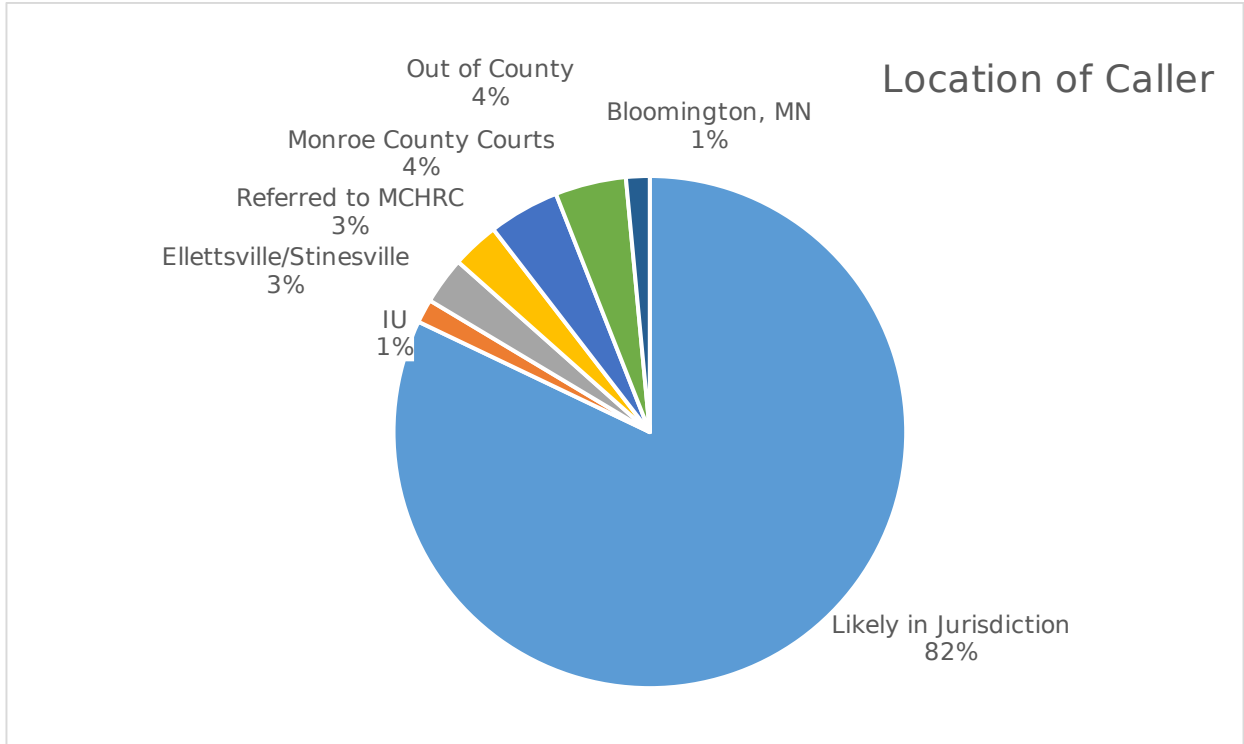
Purpose of Call

Of the 82 calls and reports, the majority (67 calls and reports, or 82%) were allegations or complaints of discrimination. Ten (12%) were hate incident reports, while five (6%) were informational calls.

Location of Caller

The majority of the 67 allegations of discrimination (55 allegations, or 82%) came from callers likely residing within our jurisdiction: the City of Bloomington and unincorporated parts of Monroe County.

Of the remaining 12 allegations, five came from other Indiana counties or were referred to the Monroe County HRC before its merge with the Bloomington HRC on July 1, 2023. Three calls alleged discrimination within the Monroe County legal system, representing a conflict of interest. One call alleged discrimination at Indiana University and two alleged discrimination in Ellettsville or Stinesville, areas which are outside of our jurisdiction. Lastly, one caller alleged discrimination in Bloomington, Minnesota, and was referred to the correct human rights commission.



Discrimination Allegations vs. Cases

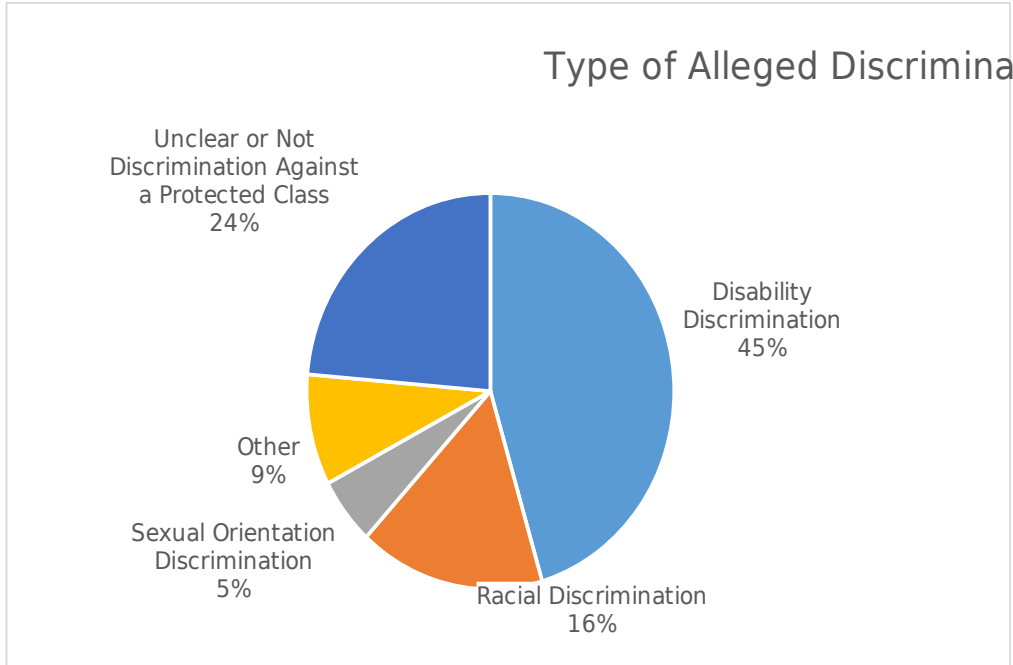
In 2023, 14 cases of discrimination were filed, representing 25% of the 55 allegations or complaints of discrimination made to the Commission. A fifteenth case was assigned a docket number, but investigation revealed that the discrimination occurred just outside our jurisdiction; their case was forwarded to another agency. The remaining 75% of complainants chose not to file a formal case. This could be because the issue could be swiftly resolved (for example, by alerting a property manager to equipment blocking wheelchair access) or because a complainant's situation was better suited to another recourse to which we referred them. Some complaints did not describe an incident of discrimination against a protected class and were directed to a legal or other resource. In some cases, the complainant decided not to follow through for another reason or ceased communication.

All 55 allegations of discrimination within our jurisdiction, including the 14 formal cases filed in 2023, are represented in the following data. Descriptions of the cases can be found in "Summary of 2023 Cases" (page 19) and descriptions of the complaints of alleged discrimination that did not become cases can be found in "Miscellaneous Calls" (page 17).

Type of Alleged Discrimination

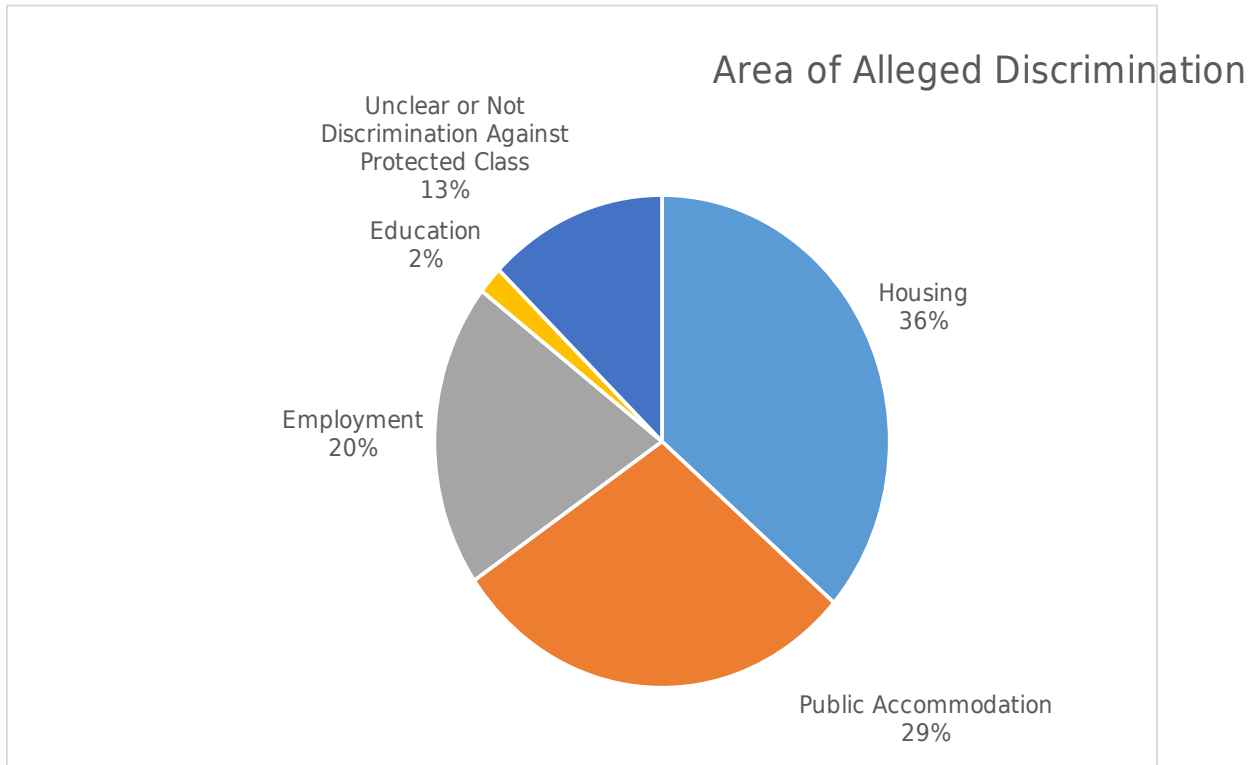
In 2023, the most common type of alleged discrimination within our jurisdiction was disability discrimination (25 calls, or 45%). The second largest category was racial discrimination (9 calls, or 16%), and the third largest category was sexual orientation discrimination (3 calls, or 6%). The remaining five allegations were based on alleged discrimination in national origin (1), religion (1), age (1), gender (1), and retaliation (1).

Thirteen calls (23%) were unclear, did not describe the type of alleged discrimination, or did not represent discrimination against a protected class (for example, disputes between tenants and landlords that were not based on discrimination).



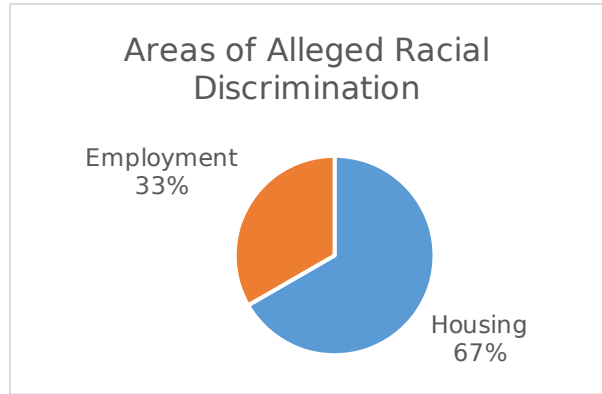
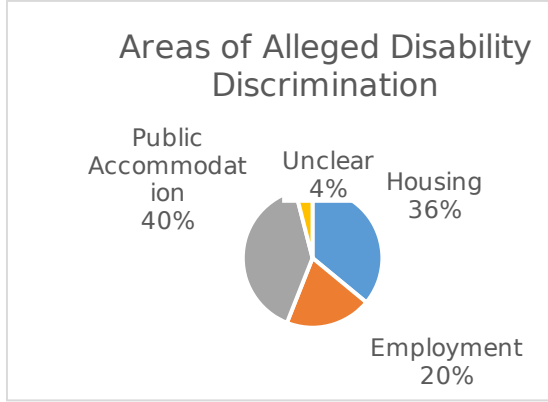
Area of Alleged Discrimination

In 2023, the most common area of alleged discrimination was in housing (20 calls, or 36%), followed by public accommodation (16 calls, or 29%), and employment (11 calls, or 20%). One call alleged discrimination in the area of education. The remaining 6 calls were unclear, did not describe the area of alleged discrimination, or did not represent discrimination against a protected class (for example, the report of a criminal issue which was referred to the City of Bloomington Police Department).



Areas of Alleged Disability and Racial Discrimination

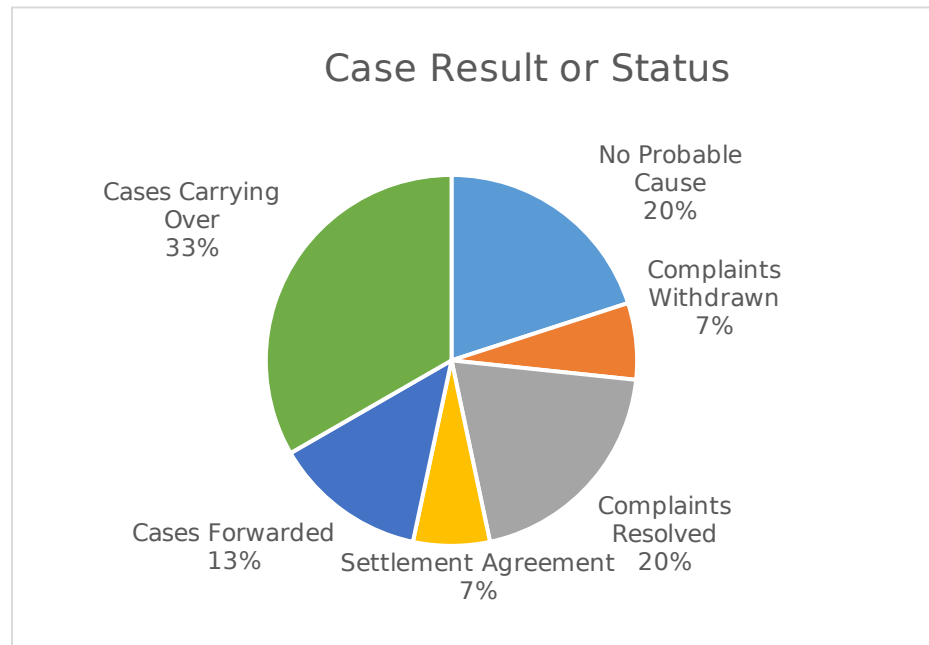
Analysis of the 25 calls alleging disability discrimination and the 9 calls alleging racial discrimination reveals the following patterns: Housing and public accommodation represent the largest areas of alleged disability discrimination, while employment represents an additional 20%. Two-thirds of calls alleging racial discrimination are in the area of housing, with another third in the area of employment.



Five-Year Comparison

In 2023, fifteen cases were formally filed with the BMCHRC and began investigations. This represents an 87% increase from 2022 and a 275% increase from 2021. We have not yet determined a reason for this dramatic increase or whether it represents a permanent and significant shift: It may be an outlier or may be related to fewer reports of discrimination submitted during the height of the COVID-19 pandemic, for example.

	2019	2020	2021	2022	2023
Cases within BHRC (BMCHRC) jurisdiction	6	4	4	8	15
Settlement agreements reached	1	-	-	2	1
No probable cause findings issued	3	3	2	5	3
Complaints resolved during investigation	-	-	1	-	3
“ ” withdrawn during investigation	-	-	1	-	1
“ ” forwarded to EEOC	2	1	-	-	1
“ ” forwarded to HUD	-	-	-	-	1
“ ” dismissed for failure to cooperate	-	-	-	1	-
“ ” drafted but never signed	5	1	1	2	2
Cases carrying over into 2024					5



Result of Cases

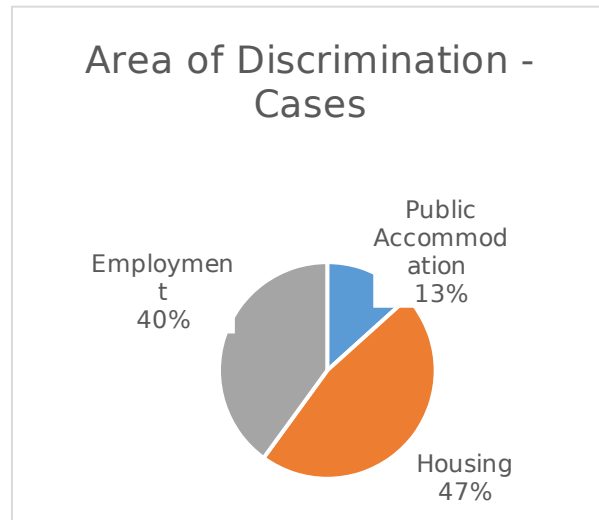
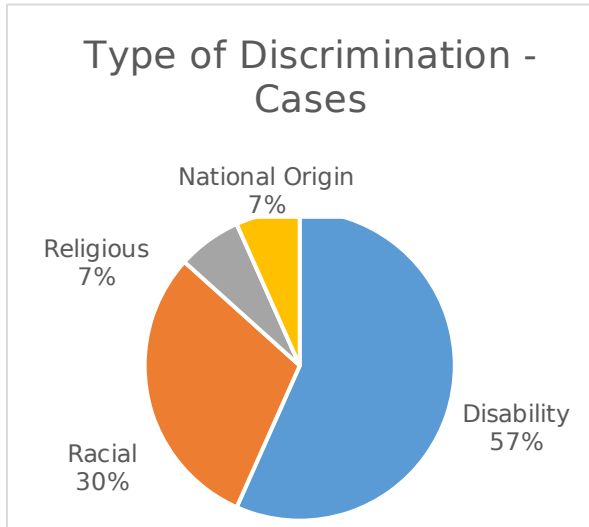
In three out of the fifteen cases investigated in 2023, a no probable cause finding was issued, expressing that insufficient evidence was found to prove that discrimination had taken place. One complainant withdrew their case after the respondent provided evidence to disprove their allegations.

In three cases, the complainant withdrew their case because the investigation process was able to resolve their complaint. In another, the respondent settled and agreed to pay several thousand dollars to cover the complainant’s moving expenses. Two cases were forwarded to the appropriate agency (one to the Equal

Employment Opportunity Commission and one to Housing and Urban Development) after investigations began. Five cases opened in the last months of the year remain in investigation.

Analysis of Cases

Eight of the fifteen cases investigated in 2023 alleged discrimination on the basis of disability, while four alleged discrimination on the basis of race and one alleged discrimination on the basis of disability and race simultaneously. One alleged discrimination on the basis of religion and one did so on the basis of national origin. Seven cases were in the area of housing, six in the area of employment, and two in the area of public accommodation.



Further detail on each of the fifteen cases can be found in the next section, “Summary of 2023 Cases.” Further detail about other calls can be found in “Miscellaneous Calls” (page 17) and in the Hate Incident Report (page 20).

SUMMARY OF 2023 CASES

BHRC Docket #0695: A Muslim woman who wears a headscarf dined at a familiar restaurant and ordered a meal she often ate there. She suspected religious discrimination when she discovered a large piece of pork bacon hidden in the meal. Investigation revealed that the restaurant staff had unintentionally prepared the meal incorrectly without awareness of who had ordered it. The restaurant agreed to address the mistake and provided an apology. Complaint filed in February 2023; complaint withdrawn in March 2023. Investigated by Commissioner Bangert.

BHRC Docket #0696: A Black woman alleged racial discrimination in housing when her landlord misplaced a timely rent payment and subsequently applied late fees and eviction threats to her account, finally denying a lease renewal. Both parties agreed to settle, with the landlord paying the complainant's moving expenses and taking fair housing training courses. Complaint filed in March 2023; case settled in August 2023. Investigated by Commissioner Bangert.

BHRC Docket #0697: A man with mental illness worked in a primarily remote position. His company changed their policy, requiring all employees to return to working in-person full-time. The man's mental illness symptoms were worsened by working in a busy environment; thus, he requested an accommodation to work remotely as before but was denied. The man withdrew his complaint after signing a severance agreement with the company. Complaint filed in April 2023; complaint withdrawn in June 2023. Investigated by Commissioner Radewan.

BHRC Docket #0698: A man with a disability alleged that the owner and employees of a restaurant near his residence repeatedly shouted slurs and derogatory comments at him. The restaurant denied the allegations and showed security camera footage of relevant time stamps, in which there was no evidence of such behavior taking place. Complaint filed in April 2023; no probable cause was found in June 2023. Investigated by Commissioner Shadday.

BHRC Docket #0697a¹: A man with a disability experienced increased stress, illness, and injury due to working extra hours with few days off. He found that absences from work were not excused when they were due to doctor's appointments or hospital visits and felt that he was pressured to quit. Complaint filed in May 2023; transferred to Equal Employment Opportunity Commission due to a conflict of interest in May 2023.

¹ Docket numbers #0697 and #0698 were mistakenly duplicated. The two cases #0697 and #0698 filed second in sequence have been renamed #0697a and #0698a within our records.

BHRC Docket #0698a²: A woman with a disability owns her home and resides in a neighborhood with a Home Owner's Association (HOA). Following conflicts with the HOA, especially regarding unwanted landscaping work, she alleged disability discrimination and retaliation when she spoke out. Since the landscaping work was done for all homes in the HOA to achieve a legitimate purpose, the Commission found no probable cause. Complaint filed in June 2023; no probable cause found in October 2023. Investigated by Commissioner Williams.

BHRC Docket #0699: A man was hired for a management position and was terminated two weeks later for violating company policy. He alleged that his termination was based on disability discrimination. However, the company provided evidence that he had behaved unprofessionally toward and harassed a woman he managed. Complaint filed in June 2023; complainant withdrew in August 2023. Investigated by Commissioner Coover.

BHRC Docket #0700: A Black man with a disability was notified to vacate his apartment because his emotional support animal did not have updated veterinary records and was not kept on a leash when outside the apartment. Investigation began but was transferred to Housing and Urban Development because the address was on the side of the street that was incorporated in Ellettsville. Complaint filed in June 2023; complaint transferred to HUD in July 2023. Investigated by Commissioner Jackson.

BMCHRC Docket #0701: A woman with a disability worked in a manufacturing job. Due to her disability, she used all her available leave and requested an accommodation allowing her to work only one or two days per week. Her employer was unable to grant the accommodation, as it does not offer any part-time employment, and terminated her employment. However, they encouraged her to reapply when her health improved and did, in fact, rehire her several months later. Complaint filed in July 2023; complaint withdrawn in November 2023 after she was reinstated. Investigated by Commissioner Gray.

BMCHRC Docket #0702: An Asian woman alleged that, due to racial discrimination, her landlord was negligent in responding to a neighbor's harassment toward her. The landlord showed that the woman had not reported the harassing behaviors or expressed any concern about her neighbor until the neighbor had moved away. Complaint filed with the Monroe County HRC in March 2023; no probable cause found in August 2023. Investigated by Commissioner Gray.

BMCHRC Docket #0703: A Black man alleged that his employment had been terminated unfairly by his employer due to racial discrimination. The employer responded with evidence showing that the man had acted in a hostile manner toward other employees during an altercation, representing a violation of the company's policies. Complaint filed in October 2023; investigation ongoing.

² See above.

BMCHRC Docket #0704: A Black woman moved into an apartment using a housing voucher and found several maintenance problems within the unit. After less than a month, her lease was terminated, which she alleged was due to racial discrimination. The property manager for the unit demonstrated that they had addressed the maintenance issues and that they had terminated her lease due to the woman's threatening behavior toward them, which had prompted them to file a restraining order. Complaint filed in October 2023; investigation ongoing.

BMCHRC Docket #0705: A woman with a disability and mental health condition alleged employment discrimination in the way her company addressed her request for an accommodation. Complaint filed in December 2023; investigation ongoing.

BMCHRC Docket #0706: A woman was unable to prepare for mandatory renovations within her apartment due to her disability. The renovations were not completed and the woman's lease was not renewed. She alleges that her landlord discriminated against her because of her disability. Complaint filed in December 2023; investigation ongoing.

BMCHRC Docket #0707: A man living in the United States on a visa entered a bar with his passport available as age verification. The visa stamped within the passport had expired, but he possessed an additional document extending the length of his stay. The bouncer questioned the validity of the documents and warned that he would not, in future, accept expired documentation, although the passport and visa accurately showed that the man was over the age of 21. Complaint filed in December 2023; investigation ongoing.

MISCELLANEOUS CALLS

In 2023, the BMCHRC received 82 calls or online incident reports. Fifteen were assigned docket numbers and investigated as cases (although one was discovered to lie outside our jurisdiction, was transferred to the appropriate agency, and is thus not considered a case). Ten were hate incident reports, which are described in the following section. The remaining calls are analyzed below.

Americans with Disabilities Act/Disability Accessibility: As the ADA Coordinator for the City of Bloomington and the staff liaison for the Council for Community Accessibility, Director Shermis is able to answer questions about ADA and accessibility issues in Bloomington.

- Caller, a city employee, requested information for a resident requiring accessible transportation to a city meeting. Provided information about BT Access.

- Caller requested an accessible parking space installed in front of her home. Question brought to the Engineering department. It was determined it wasn't feasible.
- Caller requested information about accessible fitness centers in Bloomington. Suggested two fitness centers that have received AccessAbility decals.
- Caller, who uses a cane, reported that Bloomington Transit did not accommodate his disability by lowering the bus. Contacted Bloomington Transit, who has now changed their policy and will lower the bus for anyone who needs it.
- Caller reported temporary equipment blocking a sidewalk, which prevented people with disabilities from using it. Contacted property owners, who removed the equipment from the sidewalk.
- Caller reported a lawn service blocking the sidewalk with their equipment and refusing to move it. Contacted the complex that hired the service and they moved their equipment.
- Caller reported that the laundry room door in their residence was not wheelchair accessible. An investigation found that there was an alternate accommodation that the person was not willing to do.
- Caller reported two local businesses without fully accessible parking lots and ramps. Visited locations to view the problems and discussed possible solutions.
- Caller reported that too few local restaurants are ADA-compliant. Shared examples of local restaurants that have received AccessAbility decals.
- Caller, an older woman, expressed frustration about parking meters that required use of credit cards or applications. Referred to Parking Services to talk through how the meters worked.

Housing and Landlord/Tenant Disputes: Many callers mistakenly believe that the Commission has jurisdiction over housing code problems or landlord/tenant disputes; we only have jurisdiction in cases of housing discrimination. We refer such calls to the City's housing code enforcement office, to the Eviction Prevention Project, and/or to a private attorney.

- Caller reported unwanted landscaping work done by their landlord, which was not discrimination as the work was performed for all tenants.
- Caller believed that his homeowner's association discriminated against him via trespassing and creating a toxic environment.
- Caller, a student, felt that their lease had included unfair charges.
- Caller reported that they were being evicted after their child damaged the property. Referred to Eviction Prevention Project.
- Caller reported that she was being evicted. Referred to Indiana Legal Services.
- Caller reported that her property manager required cosmetic repairs in her apartment, but that she was unable to leave during the repairs due to her disability. Recommended asking for an accommodation.

- Caller reported that his landlord had required him to pay a deposit for his emotional support animal and that he was working through a legal process. Talked with the landlord and they came to an agreement.
- Caller reported that their landlord was intimidating and threatening them and had broken into their residence. Referred them to the Eviction Prevention Project and Indiana Civil Rights Commission since they were outside our jurisdiction.
- Caller reported that her landlord was threatening to evict her if her significant other, who was not on the lease, did not leave. Referred to Eviction Prevention Project.
- Caller reported that her landlord was not permitting her partner to live in her apartment because he had a misdemeanor on his record. Suggested she talk to Indiana Legal Services or a lawyer.

Employment or Wage Disputes: Employees who cannot obtain their last paycheck or pension benefits often call us. These cases do not usually have a discrimination element and so we refer the callers to the State Labor Board or a private attorney.

- Caller, a restaurant server, felt they were not being paid correctly.
- Caller thought it was unfair that she was excluded from a Christmas bonus because she had given notice at the company.
- Caller thought it was unfair that they were excluded from a bonus that others received.
- Caller reported that a disability service provider had lowered his salary. Referred to Indiana Disability Rights.
- Caller reported that their manager was retaliating against them after they reported another issue to their HR department.

Criminal Issues: If residents report violent incidents or criminal issues, we refer them to the Bloomington Police Department.

- Caller reported assault and robbery.
- Caller reported vandalism and property damage.
- Caller reported being harassed at a local shelter for people experiencing homelessness.
- Caller reported being threatened by their neighbor.
- Caller described potential vandalism at their neighbor's home.

Complainant Did Not Follow Through: In some cases, a caller reported a credible incident of alleged discrimination and was asked to come in for an intake interview or to provide more information. However, the caller did not remain in touch and we were unable to investigate their complaint.

- Caller reported being asked to remove their emotional support animal from their household, despite the property manager being aware of the animal upon move-in.
- Caller reported racial discrimination in housing after experiencing multiple problems.

- Caller believed that eviction proceedings were begun due to racial discrimination.
- Caller, a Black woman, alleged that her property manager made racist comments and acted in unethical and illegal ways.
- Caller alleged that he was required to leave a private religious school because of their belief that he was gay.
- Caller reported that she was wrongfully terminated from her employment due to racial discrimination.

Other: Many of our calls do not fall under any of these categories.

- Caller, one of a lesbian couple, reported that they had stayed at a hotel and had not received a refund they were due.
- Caller, an individual with a guide dog, reported walking on a local trail and being accosted by another walker for not walking on the right side of the trail, as guide dogs are trained to walk on the left side of paths.
- Caller provided a secondhand report that a friend's cake decoration job had been refused by a decorator for including an LGBTQ+ saying.
- Caller, a man, was banned from a store for allegedly making a woman employee uncomfortable, but felt he had been discriminated against.
- Caller complained that the local USPS office would not deliver his packages to his apartment complex.
- Caller reported that her son's current disability support agency would no longer be covered.
- Caller reported that a family member, a Black man and the father of a biracial child, was being discriminated against in the family court system.
- Caller was unhappy with the way a Monroe County Trustee's office addressed her requests.
- Caller requested a video record of an incident and was directed to the open records request form.
- Caller, an Asian woman, reported incidents of hate speech.
- Caller reported discrimination on the basis of mental illness by Indiana University, which is outside our jurisdiction. The incident happened multiple years ago, outside our statute of limitations.
- The Columbus Human Rights Commission called to inform us of human trafficking violations happening in the Spanish-speaking community in Indiana.

Mistaken, Unclear, or Out of Jurisdiction Complaints: We were not able to pursue these calls and messages because they were outside our geographical jurisdiction or did not provide enough information.

- Caller listed a number of local offices and organizations but gave no context about potential discrimination at those locations.
- Caller sent numerous complaints without specific allegations of discrimination.
- Caller was unclear about what kind of discrimination occurred and did not respond with further information.

- Caller complained about an unfair sentencing in another Indiana county.
- Caller reported an ongoing issue with the school board in another Indiana county. Referred to the appropriate human rights commission in that county.
- Caller reported that her post-secondary school is not awarding credit hours when she is late to class after caring for her disabled daughter; she lives in another Indiana county. Referred to the appropriate human rights commission in that county.
- Individual reported racial discrimination in his workplace in Bloomington, Minnesota.

HATE INCIDENTS REPORT

In August, 1990, the Bloomington Common Council unanimously approved an amendment to the Bloomington Human Rights Ordinance which gave the Bloomington Human Rights Commission the explicit authority to collect data and issue reports on hate incidents within our community. We accept reports from police departments, individuals, groups and the media. We also accept anonymous reports. Our goal is not to investigate these incidents, as we do not have the authority to conduct that type of investigation. Rather, our goals are to serve as a referral resource and sounding board for victims, to work with community groups to coordinate responses to hate incidents when appropriate and to make our community more aware of the prevalence of hate incidents by updating this document on-line as we receive new reports.

Please note: Not all of these incidents constitute crimes, but all do indicate apparent bias.

Warning: This report includes offensive language in order to provide an accurate portrayal of these incidents.

Each year, patterns emerge in the hate incidents reported to the Commission. Recent years have seen an increase in anti-Jewish hate incidents, for example, while earlier reports primarily highlighted anti-Black racism and homophobia. In 2023, all but one of the incidents reported to the Commission showed racism against East Asian and South Asian individuals, while the final incident demonstrated transphobia. While we do not have enough data points to draw clear conclusions, we are distressed to note this trend and hope to work with the community to increase education and reduce the number of these expressions of bias. Incidents can be reported at tinyurl.com/bhrchatereport or by calling 812-349-3478.

In January 2023, an Asian parent reported that their children were experiencing bullying from peers in a community sports team and that their spouse had been insulted more than once by a coach. They linked this experience to being “in a minority group” among the team.

In January 2023, the Bloomington Police Department responded to a call about an assault on a Bloomington Transit bus. A woman attacked a disabled Chinese Indiana

University student with a knife because of the student's race, telling police that she "needed to defend her flag" and to "make it where there was one less person to blow up our country." The woman was arrested for aggravated battery.

In February 2023, a parent reported being told "go back to yours" by a child on the playground at school pickup when the parent spoke Japanese with a friend and, when the child asked, explained that they are from Japan.

In March 2023, an individual reported a verbal assault in downtown Bloomington, near the Monroe County Public Library. A man spoke directly to the individual and called them "nasty Chinese."

In March 2023, an Asian individual reported that their neighbor shouted at and verbally assaulted them, leaving a note reading "BITCH" on the stairs.

In April 2023, an Indian student reported being verbally assaulted near campus by young white men in a vehicle who laughed and mockingly asked "Can you fix my phone for me?" before shouting "Indian!"

In April 2023, the Bloomington Police Department responded to a call from an Indian individual who had been struck in the face while waiting with friends for fast food. A man had entered the restaurant and made comments about the individual being "brown" and "Indian" before striking him.

In August 2023, an Asian individual reported being greeted by a white woman who picked up a stone. The individual believed that, had they not kept an eye on her, the woman would have thrown the stone at them.

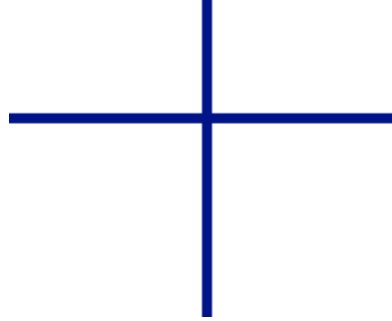
In August 2023, a trans individual was performing her school crossing guard duties when a man called himself Lucifer and called her a pedophile. He then pushed her down, picked up her sign and hit her on the buttocks. Police came, found the individual who attacked her, and charged him with assault.

In December 2023, the Bloomington Police Department responded to a call from two Indian men who had attended a student house party in Bloomington the day before. The men reported a racially motivated attack by a group of unidentified young Black and White men who yelled Indian slurs, told them to "get out of the country," stole valuable possessions, and caused significant injury.

STEPS IN PROCESSING A FORMAL COMPLAINT

1. A complainant submits an initial allegation of discrimination to BMCHRC staff, providing contact information and a brief description of the incident.

2. If the complainant resides within our jurisdiction and reports discrimination based on membership in a protected class, the BMCHRC director and assistant interview the complainant to gather all necessary information.
3. If BMCHRC does not have jurisdiction over the incident, we refer the complainant to the appropriate organization or agency.
4. Information and evidence is gathered and presented in a formal affidavit. Once the complainant is satisfied with the narrative as presented in the affidavit, the document is signed and notarized.
5. The respondent accused of the alleged discrimination is notified of the complaint by certified mail and has 20 days to respond to the items in the affidavit.
6. The case is assigned to a commissioner to investigate the complaint alongside the director.
7. The director and investigating commissioner collect and summarize the facts. They interview both parties and witnesses, do legal research, and collect documentation and evidence.
8. In some cases, the director and investigating commissioner mediate a settlement between the complainant and respondent, which must be approved by the BMCHRC.
9. If the case is not settled, the director and investigating commissioner issue a finding after a complete investigation. Both parties are notified of the finding.
10. If the BMCHRC issues a finding of no probable cause, the complainant is given 10 days to file a written appeal with the chair of the Commission. The BMCHRC then holds a hearing and the chair is given 20 days to uphold or overturn the finding.
11. If the BMCHRC issues a finding of probable cause, or if a no probable cause finding is overturned by the chair, the director and investigating commissioner attempt to negotiate a settlement that is agreeable to both parties and approved by the BMCHRC. If a settlement cannot be found, the BMCHRC will hold a formal public hearing and issue a decision. This decision may be appealed to the court by either party.



2024 MEETING DATES

The Human Rights Commission typically meets on the third Monday of each month at 5:00 p.m. in the McCloskey Conference Room.

Meetings are scheduled as follows:

January 22, 2024

February 19, 2024

March 18, 2024

April 15, 2024

May 20, 2024

June 17, 2024

July 15, 2024

August 19, 2024

September 16, 2024

October 21, 2024

November 18, 2024

December 16, 2024

HUMAN RIGHTS AWARD WINNERS

In 1997, the BHRC began recognizing individuals and groups who have made specific, significant contribution to improving civil rights, human relations, or civility in our community.

- 1997 Bloomington High School North
- 1998 Bloomington United, on behalf of “all citizens of Bloomington who stood up for inclusion and against hatred”.
- 1999 Individual: Dick McKaig; Organization: Study Circle Project
- 2000 Daniel Soto; John Clower
- 2001 Clarence & Frances Gilliam
- 2002 Individual: Rev. Ernest D. Butler; Organization: Council for Community Accessibility
- 2003 Individual: Congressman Frank McCloskey; Organization: Bill of Rights Defense Committee
- 2004 Individual: Doug Bauder; Organization: WFHB
- 2005 Roberta McCloskey
- 2006 Lillian Casillas
- 2008 Individual: Helen Harrell; Organization: Voices & Visions
- 2009 New Leaf / New Life
- 2011 Virginia Hall; Father Charlie DuPree
- 2012 Guy Loftman
- 2013 David Metheny
- 2014 Rev. Bill Breeden
- 2015 Bloomington Police Department Resource Officer Program
- 2017 Bloomington PRIDE
- 2020 Cindy Stone
- 2021 Sandra Keller
- 2022 Individual: Rev. Forrest Gilmore; Organization: MCCSC Student Equity Ambassadors

FORMER COMMISSIONERS

1960s

Rev. E Daniel Butler
Mrs. David Dansker
Jack N. Ray
Dr. Harry Yamaguchi
William H. Andrews
Rev. Robert Kirk, Sr.
Rev. A. Hardy Nall, Jr.

David S. McCrea
Dustin McDonald
Betty Rowan
Robert F. Terry
Regina Friedman
Irving Fell
Mrs. Russell DeMotte

Bill Hayes
Dr. Harry Day
Samuel M. Loescher
E.E. Bridgewaters
Rev. Joe Emerson
Brad Bayliss
Craig Tregilgas

1970s

Frank Thomas
Clarence Gilliam
Dr. Joseph Russell
Dr. Jerry Ruff
La Verta Terry
Fr. Robert Borchertmeyer
Joan Simkowitz
William Jairrels
William Smith
John Irvine
Tobiatha Eagleson
Viola Taliaferro

Howard Canada
Christine Lannucilli
Daniel Gad
Valerie Tarzian
Robert Tucker
Frederick LaCava
Christine Mitchell
Robert Epps
William Gephart
Mary Mitchell
Ronald Foley
Fran Koski

Jorge Oclander
Mary Foster
Tula Kavadias
Mark Schenk
Charles Webster
Quincy Erickson
Mary Hayes
Rev. Joseph Walker
Richard Randall
Rev. William Webster
David Jimenez
Robert Cole

1980s

Robert Cole
John Pickle
Quincy Erickson
Tobiatha Eagleson
Ron Foley
Geroge Foster
Tula Kavadias
Christine Mitchell
Jorge Oclander
Doris Sims

Bob Tucker
Ben Waxler
Frona Powell
Nora People
Lorraine Rodts
Lorelei Meeker
Bridget McKinney
Chris Gardner
Jerry Vuke
Wilanna Smith

Roscoe Ellis
Bob Duncan
Edwin McClean
Rev. Charles Rogers
Mary Ellis
Wanda Reisz
Lauren Robel
Cassandra McConn
John Pickell

1990s

Harry Yamaguchi
Mary Ellis
George Foster
Henry Hofstetter
Steve Sanders
Dr. Michael Wenzler
Alan Yip

Marie Phillips
Charlie Laganza
Barbara Fawcett
Bob Dunn
Lauren Robel
Rev. George Wilson
Barbara Wolf

Patty Muller
Doug Bauder
Dr. Fritz Lieber
Gwen Jones
Rev. Michael Anderson
Jack Hopkins
David Reidy

2000s

Dr. Fritz Lieber
Steve Sanders
Vicki Pappas
Pam Huggins
Luis Fuentes-Rohwer
Maria del Pilar File-Muriel

David Reidy
Josh Cazares
Doug Bauder
Nancy Metz
Dorothy Granger
Melanie Castillo-
Cullather

Rev. Michael Anderson
Suzette Sims
Shaunica Pridgen
Emily Bowman
Beth Kreitl
Jeff Harlig

2010s

Luis Fuentes-Rohwer
Amy Jackson
Teri Guhl
Drew Larabee
Beth Applegate
Rhonda Gambill

Beth Kreitl
Dorothy Granger
Alice Tischler
William Morris
Pete Giordano

Emily Bowman
Alexa Lopez
Michael Molenda
Birk Billingsley
Jacob Snodgrass

2020s

Rhonda Gambill
Latosha Williams
Valeri Haughton-Motley

Jacob Simpson
Carolyn Calloway-
Thomas
Byron Bangert

Irena-Micajkova-
Otten
Erin McAlister

PHOTOS



Bloomington/Monroe
County Human Rights
Commissioners, 2023.

From left to right,
Vice Chair Tonda
Radewan, Stephen
Coover, Byron
Bangert, Secretary
Susan Gray, Chair
Ryne Shadday, Amy
Jackson, Emma
Williams.



2023 Youth Art/Essay Contest winners pose with Director Shermis and Mayor Hamilton.



Commissioner Byron Bangert drives in the Fourth of July parade to represent the BMCHRC.

Below, retired director Barbara McKinney and Chair Ryne Shadday march in the Fourth of July parade.



Commissioner Emma Williams blows bubbles at an event with MCCSC.

