

GOVERNMENT OF THE DISTRICT OF COLUMBIA COMMISSION ON HUMAN RIGHTS BI-MONTHLY PUBLIC MEETING

DRAFT OFFICIAL MINUTES March 13, 2024, at 6:30pm via Zoom

Link to Recording:

https://dc-

gov.zoom.us/rec/share/LZNm8lL2La97jFRS8GXW9Rz0qwG68OcWZsH8KQE5U1XzyHFbTogYzJsSOzKRB7Dm.5XNuXo36TP695AW7

Passcode: F.rV5HSG

ATTENDEES

Commissioners Present:

Motoko Aizawa, Chair Stuart Anderson Henry Floyd Jr., Vice Chair Teri Janine Quinn Robert Baldwin III Maria Burnett Adam Maier Colin Rettammel

Commissioners Absent:

Charlotte Clymer Toni Wiley

Office of Human Rights Staff:

Hnin Khaing, Director Andrea Goplerud, General Counsel Kenneth Saunders, Associate Director

Others in attendance:

Dorgham Abusalam (Public Commenter)
Emily Siegel (Public Commenter)
Janeen Ramashawmi (Public Commenter)
Dante O'Hara (Member of public)

Commission on Human Rights Staff:

Brandes Ash, Administrative Law Judge Erika Pierson, Chief Administrative Law Judge Matthew Wiedmayer, Law Clerk

- I. CALL TO ORDER (6:30pm) Commissioner Aizawa, Chair
- II. ROLL CALL (6:33 pm) Commissioner Henry Floyd Jr.
- III. ADOPTION OF THE REVISED AGENDA (6:35 pm)
 - SO ADOPTED
- IV. ADOPTION OF THE MINUTES: <u>January 10, 2024</u>, <u>Meeting (6:37 pm)</u>
 - SO ADOPTED
- V. REPORT OF THE OFFICE OF HUMAN RIGHTS (6:38): Director Hnin Khaing
 - Director:
 - We had our performance oversight hearing recently, which went well. Thank you to everyone who worked on performance oversight issues.
 - Budget hearing upcoming April 10, 9 am.
 - We saw a 24% growth in our case disposition rate over the last year, despite a 16% increase in caseload. There are a number of other accomplishments. The restructuring and new senior leadership roles allow for upward mobility. The agency grew by over 40% in terms of employees. OHR now enforces 25 different laws, which is quite expansive as compared to other similar agencies across the country. I am proud of the team's accomplishments and very appreciative of the collaboration, support, and partnership that I have been fortunate to experience with the Commission as well.
 - Our new case management system is in the procurement stage, which will impact the hearing unit (the Commission) positively by providing a more efficient and effective system for filing, tracking, and closing cases
 - Sexual Harassment Data Collection Act is one of the new laws with which the agency is tasked with enforcing. We had to collect data from 70-80 agencies, and the report is now available on our website.
 - Our combined FY 22-23 annual report is also now available. We are no longer just providing data, but also including analytics to make it more readable.
 - The next report in the works is FY23 language access annual report.
 - OHR is also planning to create the Universal Paid Leave Act guidance.
 - On April 24, OHR is hosting a celebration for the 20th Anniversary of the language access act of 2004. OHR invites the Commission and commissioners 5:30 7:30 p.m., mayor Anthony Williams will be in attendance, as he was instrumental in the passing of the Act.
 - Open Floor for well wishes on Director Khaing's resignation.
 - A celebratory farewell event is planned on Thursday, March 14, 2024 at OHR offices in building 441.
- VI. LEGISLATIVE UPDATE / FINANCIAL DISCLOSURE (6:52 pm): Andrea Goplerud, General Counsel

- Financial Disclosures information presented by Andrea Goplerud reviewing financial disclosure information, such as: Financial Disclosure Statements (FDS), public versus confidential filers, and deadlines.
- Deadlines BEGA sends out filing links to Commissioners on April 15, and filing is due on May 15. Commissioners must submit these electronically. Fines can be imposed for failing to comply. The financial disclosures involve answering a series of personal financial questions. Commissioners can look to BEGA's tip sheet or contact Andrea Goplerud via Andrea Goplerud@dc.gov
- All commissioners must take an ethics course from those listed on BEGA's website. It is recommended that commissioners take the training pertaining to serving on a Board/Commission as it should take only 12 minutes.

VII. REPORT OF THE CHIEF ADMINISTRATIVE LAW JUDGE (7:09 pm): Judge Ash

- Reappointments and vacancies
 - There is one vacancy. Personnel changes within MOTA have delayed the filling of that vacancy, but we have received resumes. The next step is interviewing candidates.
 - Several reappointments are upcoming.
- Performance Oversight
 - Chair Aizawa provided testimony for the performance oversight committee.
- Mediation
 - We have been authorized to contract with mediation services so that we can refer our parties to third-party mediators.
- Georgetown Partner Fellowship
 - An offer has been extended to the applicant and we are awaiting their response, and hopefully we will have their response soon.
- Case Inventory
 - One new case has been certified to the commission since our last meeting, so the total number of pending cases is 18. There have been two cases in which proposed decisions and orders have been issued. This means that a hearing tribunal will be assigned and in the near future.

VIII. REPORT OF THE CHAIR OF THE COMMISSION (7:13 pm): Chair Aizawa

- Performance Oversight Hearing
 - On Feb 21, the Commission had the performance oversight hearing. We contributed to the closure of 13 cases in the last fiscal year, including the two longest-standing cases on the commission. We also discussed our outreach activities, mainly the human rights award ceremony. I think we need to be a bit more strategic in how we approach outreach, which we can discuss at future meetings.
 - Councilwoman Nadeau asked in how many cases we found discrimination, and the answer was zero. The Commission sent a supplemental response explaining why this is.
 - O Chair encouraged Commissioners to read the Commission answers to the hearing questions, the chair's statement and the supplemental response, all

of which are informative about the Commission's activities.

IX. NEW BUSINESS (7:17 pm)

Every year, the oversight hearing questions ask for a lot of data regarding the
commissioners, including attendance records, minutes of all meetings, number of
tribunals attended, vacancies, ward of residence, and other data points.
 Commissioners were asked to volunteer to help with ongoing record keeping in
order to ease the burden on the ALJs.

X. OLD BUSINESS (7:22 pm)

• Rescheduling 23 Protected Traits Training on April 18, 2024 at 6:30 pm. All Commissioners must take this training.

XI. COMMITTEE REPORTS (7:24 pm)

- Awards Committee will be starting its process for the 2024 awards ceremony, so committee members should be prepared for a meeting towards the end of this month or early April.
- Outreach Committee does not have any updates, due to Commissioner Clymer's absence, but we will be looking for dates for a meeting soon.
- Rules Committee, led by Chair Baldwin III, will have updates shortly.

XII. PUBLIC COMMENTS (7:27 pm): 3 public comments have been approved.

- The chair reminded the Commission about its public comment policy, passed last August. Under the policy, Commissioners do not need to respond to public comments, unless Commissioners vote for suspension of public comment period. The chair asked Commissioner whether any wished to have the public comment policy suspended, but none made such a request.
- Accordingly, the public comments were allowed to proceed. The three
 commenters below have already been informed of the policy and how to submit a
 copy of their public comment to be included in the minutes.
 - Dorgham Abusalim
 - Janeen Rashmawi
 - o Emily Siegel
- Both Dorgham Abusalim and Emily Siegel submitted copies of their public comments. Their comments are attached at the end of these minutes.

XIII. ANNOUNCEMENTS (7:40 pm)

• Georgetown Street Law requests judges and scorers for their Citywide Mock Trial competition. Please let the chair know if you are interested and she will forward

the request to you. April the 3^{rd} and the 9^{th} are the key dates for when volunteers are needed. The events take place in the DC Superior Court.

XIV. ADJOURNMENT OF MEETING (7:44)

NEXT MEETING: May 8, 2024, at 6:30PM



FAREWELL AND THANK YOU TO DIRECTOR KHAING!

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

COPY OF PUBLIC COMMENTS:

Public Comment

DC Commission on Human Rights March 13, 2024

Good evening and thank you to chair Izawa for granting us time to speak, my name is Emily Siegel and I am a DC native, now living in Ward 5. I want to talk with you today about the need for the silence of DC officials to be broken about what is happening in Gaza and the ways it affects people in DC.

As a Jewish-American growing up in DC I learned very little about Israel beyond what was discussed within my own Zionist community, until I visited as a teenager in 2000. My time there began creating cracks in the Zionist narrative I grew up with. Through re-educating myself, I came to understand that Israel is not the utopia for Jewish people that I had grown up learning about. That, in actuality, it is a country built on top of another, Palestine, in which a military occupation, apartheid, and vast amounts of discrimination have been necessary to ensure its survival. Since that first trip, I have visited and lived there multiple times, organized educational solidarity tours there for over a decade, and have formed deep connections within so many communities there.

I have also learned about and experienced first hand anti-semitism growing up in DC. The fear of rising anti-semitism is something ingrained within pretty much every Jewish person I know. I also believe Israel is not the answer to anti- semitism and that the actions of it over the last 75+ years and certainly in the past 5 months have only exacerbated anti-semitism both around the world and within DC.

The past 5 months have terrified me. The unprecedented scale of violence that I am watching take place in Gaza, as the speakers before me have discussed, is something I never thought I would see in my lifetime. I grew up with the phrase, never again, and to me that has always meant never again will we allow a genocide to be committed against anyone.

What has struck me even further are the reverberating effects within local DC communities - leading to several incidents of racism and discrimination within the very DCPS high school and university in DC that I attended - especially towards Palestinian and Arab students. And while there certainly have also been incidents of anti-semitism, they have been addressed quickly and firmly by DC officials unlike those directed towards non-Jewish people.

Additionally, the silence of our local government towards the pain Palestinian residents in DC are feeling has astonished me. For the past 5 months I have worked tirelessly with a group of dedicated

DC residents to move our locally elected officials to stand up against these atrocities, to ensure Palestinian residents of DC feel seen and heard, and to demand that the US government take actions to stop the genocide in Gaza. Still, the DC Council remains silent - greatly due to the Chairperson's stated claim that what is happening in Gaza is inconsequential to DC unlike other international issues like Ukraine.

I truly believe that the atrocities occurring in Gaza will be talked about for the rest of time and in the words of Aaron Bushnell, who set himself on fire in front of the Israeli Embassy in protest a few weeks ago: "Many of us like to ask ourselves, 'What would I do if I was alive during slavery? Or the Jim Crow South? Or Apartheid? What would I do if my country was committing genocide?' The answer is, you're doing it. Right now."

I want to urge you to lift the silence on this issue locally in DC, to tell the Mayor and council, who appointed and confirmed you, that you want them to do the same by passing a resolution calling for an immediate, permanent ceasefire. You are an important voice uplifting human rights in DC and your voice is needed more than ever to help us ensure that DC truly cares about the human rights of its residents and their families.

[THIS SPACE IS INTENTIONALLY LEFT BLANK; ANOTHER PUBLIC COMMENT FOLLOWS]

Public Comment to The DC Commission on Human Rights March 13, 2024

By Dorgham Abusalim

Thank you, Commissioners,

I never thought the name of my small agricultural town would appear in international headlines. My name is Dorgham, a resident of Ward 2. I come from a small town called Deir Albalah in what you may know as the Gaza Strip, in occupied Palestine. Israel bombed the home where I grew up, displacing my elderly parents, blind mother and paralyzed father as well as my little sister and older brother. Three weeks later, Israel's ongoing genocide prevented having a dignified funeral and burial for my father who passed away malnourished and displaced from his own home.

My ask today for the Commission is to issue a statement calling for an immediate and permanent stop to the ongoing genocide Israel is carrying out in the Gaza Strip; and to urge your peers in the mayor's office and DC Council to do the same.

You might think this is an issue happening thousands of miles away and does not fall within the jurisdiction of this commission. However, the Israeli assault on Palestinian life goes beyond geography and beyond October 7 of last year. The relevance of this issue to the Commission lies squarely within the ongoing U.S. support and aid of the atrocities Israel is committing in Gaza using our tax-payer money. Meanwhile, the growing anti- Semitism, anti-Palestinian sentiment, and Islamophobia here in DC and across the US make it incumbent on you to protect the rights of communities who are hurting because of the horrors Israel is committing.

Speaking as a Palestinian resident of DC and as a Semite, I am afraid of exercising my rights freely in an environment that threatens my wellbeing for merely existing. Consider this incident: a stranger spat on a couple friends of mine while they were walking down Pennsylvania Avenue because they wore a Kuffiya - a traditional Palestinian scarf.

Many of you have worked on issues relating to housing, disability, racial justice, and domestic and international law and human rights.

I can go on in describing how the work of this Commission relates to experiences of my own. After all, I too am a human being, despite all efforts to convince you otherwise. But with having only three minutes to speak, time is of the essence here, just as it is for people in the Gaza Strip who are being slaughtered en masse. As of today, Israel murdered more than 30,000 people in Gaza: men, women, children, elderly, among them newborns and people who lived with disabilities, people from all walks of life.

Nearly 100 died from starvation alone.

Silence is death. I do not say these words lightly. This is why it is crucial for this commission to speak up and elevate the nation-wide majority call for a ceasefire to hostilities in the Gaza Strip.

DA



GOVERNMENT OF THE DISTRICT OF COLUMBIA COMMISSION ON HUMAN RIGHTS BI-MONTHLY PUBLIC MEETING

A * G * E * N *D * A March 13, 2024, at 6:30pm Zoom

Join Zoom Meeting

https://dc-

gov.zoom.us/j/81213715763?pwd=WkVwcUxiMHgxc3dpU3F0T09S N1E2dz09

> Meeting ID: 812 1371 5763 Passcode: 697050

The below listed times are approximate

- I. CALL TO ORDER (6:30pm) Commissioner Aizawa, Chair
- II. ROLL CALL (6:35 pm) Commissioner Charlotte Clymer
- III. ADOPTION OF THE AGENDA (6:40 pm)
- IV. ADOPTION OF THE MINUTES: January 10, 2024, Meeting (6:42 pm)
- V. REPORT OF THE OFFICE OF HUMAN RIGHTS (6:45 pm): Director Hnin Khaing
 - Open Floor for well wishes on Director Khaing's resignation
- VI. LEGISLATIVE UPDATE / FINANCIAL DISCLOSURE (7:00 pm): Andrea Goplerud, General Counsel
- VII. REPORT OF THE CHIEF ADMINISTRATIVE LAW JUDGE (7:10 pm)
- VIII. REPORT OF THE CHAIR OF THE COMMISSION (7:20 pm): Motoko Aizawa
 - IX. NEW BUSINESS (7:25 pm)
 - 1. Commission Record Keeping seeking volunteers
 - X. OLD BUSINESS (7:30 pm)

- 1. Rescheduling 23 Protected Traits Training on April 18, 2024 at 6:30 pm
- XI. COMMITTEE REPORTS (7:35 pm)
- XII. PUBLIC COMMENTS (7:40 pm): 3 public comments have been approved
- XIII. ANNOUNCEMENTS (7:55 pm)
- XIV. ADJOURNMENT OF MEETING (8pm)

NEXT MEETING: May 8, 2024 at 6:30PM



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