

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
COMMISSION ON HUMAN RIGHTS**



OFFICIAL COMMISSION MEETING

November 13, 2019
One Judiciary Square, 441 Fourth Street, NW, Room 1117S

ATTENDEES

Commissioners

Earl D. Fowlkes, Jr., Chairman
Wynter Allen
Timothy Thomas

Adam E. Maier
Mark Herzog

Office of Human Rights Staff

Mónica Palacio, Director
Alta Ray, Deputy Director
Camila Doherty

Commission on Human Rights Staff

Toya Carmichael, ALJ

Members of the Public

Michael Sindram

MEETING

I. CALL TO ORDER

Chairman Fowlkes called the Commission's Official Meeting to order at 6:38 pm.

II. ROLL CALL

Chairman Fowlkes conducted the roll call. A total of 5 commissioners were present, which did not constitute a quorum.

III. ADOPTION OF THE AGENDA

Because there was no quorum, the agenda could not be adopted.

IV. ADOPTION OF THE MINUTES

Because there was no quorum, the minutes could not be adopted.

V. REPORT OF THE DIRECTOR, OFFICE OF HUMAN RIGHTS

OHR Director Mónica Palacio, gave the report, highlighting the following:

- 1) Executive/ Operations:
 - a. Judge Erika L. Pierson will be the new Chief Administrative Law Judge.
 - b. Charles Abbott recently joined OHR's Office of General Counsel as an Attorney Advisor. He will be joining the next commission meeting.
 - c. Communications & Community Outreach team will be joined by its new District Leadership program intern (DLP), Mark Downs.

- 2) Enforcement
 - a. On October 1, 2019, OHR began enforcement of the Employment Protection for Victims of Domestic Violence, Sexual Offenses, and Stalking Amendment Act of 2018 (DVSOS).
 - b. New DVSOS fact sheets (one for employers and one for employees) have been created with the list of protected traits (these are produced every time a new law is amended or added) so the public can be informed. Fact sheets are available on OHR website.
 - c. In FY19 OHR docketed approximately 500 cases.
 - d. 52% (248) cases that went through OHR's mediation were resolved, resulting in more than \$2.5 million in settlements.
 - e. COHR has closed 1 case since FY20 which began on Oct 1, 2019.

- 3) Communications & Community Affairs
 - a. COHR Human Rights Awards event will be held on December 5th with two humanitarian awards. One honoring Congresswoman Eleanor Holmes Norton and the other honoring George A. Jones of Bread for the City.
 - Chairman Fowlkes gave special distinction to Commissioner Herzog and Commissioner Mulhauser for putting together the event.
 - Chairman Fowlkes requested and received consensus on naming lifetime achievement award (possibly after Holmes Norton).
 - Will have presentation by GW on statehood.
 - Fun polling activities, human rights will be discussed from a local perspective.
 - b. Human Rights Liaison Workshop will be held on December 11, 2019.
 - c. ANC (Advisory Neighborhood Commission) reimbursement project: OHR will now reimburse ANCs for the interpretation and translation services costs they incur during their meetings. OHR received funds and are reimbursing 40 ANC with approximately \$4,200 per ANC.
 - d. DC Human Rights Act now includes 21 protected traits.

VI. REPORT OF CHAIRMAN OF THE COMMISSION ON HUMAN RIGHTS

Chairman Earl Fowlkes gave the report of the Chairman of the Commission on Human Rights:

- 1) Finalists for Chief Judge:
 - a. Chairman Fowlkes participated in last round of interview with finalists.
- 2) Judge Harris's position is on hold for budgetary reasons.

VII. OLD BUSINESS

- 1) Review of COHR Case Inventory and Commission Case Assignments

The Commission reviewed the current case docket:

- a. Judge Carmichael closed 6-8 cases in the last few months.
- b. 5 cases that were certified to COHR have not yet been assigned. Will be assigned after Judge Pierson arrives.
- c. No Law Clerks will be hired until Judge Pierson arrives.
- d. Oldest Commission case is from 2015; was recently returned from the D.C. Court of Appeals.
- e. Commissioner Allen asked whether the empty Judge position can be filled on a part time basis. OHR will consider this arrangement.
- f. OHR is preparing emergency rulemaking for chapters 1, 4, and 7 so that rules better align with practices. OHR is hopeful that if approval is granted for emergency rulemaking, the rules will be applied in 90 days. The typical rulemaking process can take up to a year once public commentary opens.

VIII. NEW BUSINESS

- 1) Commission vacancies:
 - a. There are 2 Commission vacancies; Mayor's Office of Talent and Appointments (MOTA) has selected 1 nominee.
 - b. There are several commissioners up for reappointment.
 - c. MOTA is working on reappointment legislation to sign and submit to counsel for a 45 day period. There is a new point person in MOTA whose goal is to move things along quickly.
- 2) Human Rights Awards:
 - a. George Jones gets the Neil Alexander Humanitarian Award. Congresswoman Holmes Norton will receive the inaugural Human Rights Lifetime Achievement Award.
 - b. Begins at 6pm for pre-reception; program lasts until 8:30pm.
- 3) Other:

- a. Reminder: In July, Commission voted on removing community comments for some meetings.

IX. COMMUNITY COMMENTS

Michael Sindram gave community comments.

X. ANNOUNCEMENTS

There were no announcements.

XI. ADJOURNMENT

Chairman Fowlkes move to adjourn, and Commissioner Herzog seconded. The Commission's November 2019 public meeting adjourned at 7:28pm.