

District of Columbia **Office of Human Rights**



Highlights of Fiscal Year 2014



Office of Human Rights
DISTRICT OF COLUMBIA

ohr.dc.gov

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Our Mission

The District of Columbia Office of Human Rights (OHR) works to eradicate discrimination, increase equal opportunity and protect human rights for individuals who live in, work in, or visit the District of Columbia. The agency enforces local and federal human rights laws, including the DC Human Rights Act, by providing a legal process to those who believe they have been discriminated against. OHR also aims to end discrimination in the District through proactive policy and awareness initiatives, and by identifying and investigating practices that may be discriminatory.

In addition, OHR oversees the Language Access Program and the Citywide Youth Bullying Prevention Program.

DC Human Rights Act of 1977

The District of Columbia Human Rights Act of 1977 (HRA) bans discrimination in the areas of employment, housing, public accommodations and educa-

tional institutions based on 19 protected traits. The Act – one of the most progressive non-discrimination laws in the nation – allows individuals who believe they were the targets of discrimination to file complaints with OHR and receive damages or remedies if discriminatory behavior is found. The Act only applies to discriminatory incidents that occur in the District.

Protected Traits

The HRA prohibits discrimination based on these 19 traits: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, disability, matriculation, familial status, genetic information, source of income, place of residence or business, and status as a victim of an intrafamily offense. Some exceptions apply.





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“Increased efficiency in investigations, and an unprecedented number of campaigns educating the public about their civil rights, made fiscal year 2014 one of the most productive in the history of the office.”

– Mónica Palacio, Director

Mónica Palacio, Director

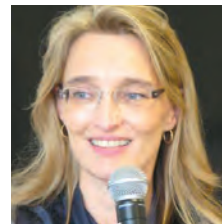
Since becoming Director of OHR in November 2013, Mónica Palacio has emphasized thorough and efficient investigations of discrimination and innovative approaches for reporting discrimination and educating residents about the District's human rights laws.

Dear Friends of OHR,

As I reflect on the work of our office over the last year, I feel great pride in what we have accomplished. District residents and visitors have an exceptional team working on their behalf, dedicated to ending and addressing all forms of discrimination. The OHR team is constantly brainstorming innovative ways to tackle discrimination. It is a team that prides itself on professionalism and fairness. I could not be more pleased to serve as the leader of this agency.

In the last year, we have invested in significantly expanding our outreach and awareness efforts to ensure District residents and visitors know their rights under our anti-discrimination laws, and understand how to file complaints with OHR when they believe those rights have been violated. This investment in outreach has led to a 41 percent increase in the number of complaints docketed with our office, and a dramatic increase in the number of partnerships we built with community organizations, advocates and private companies and associations. For example, our new Human Rights Liaison program trained 24 representatives from direct service providers to identify potential discrimination and assist their clients in filing complaints or reaching out to our office.

Our team also took a fresh look at long-standing issues of discrimination and unfair treatment in the District and launched new innovative strategies to address them. We worked closely with partner agencies, taxi companies and advocates to tackle discrimination and accessibility-related issues in taxicabs, including the creation of a new taxi-specific complaint form. We also executed our #SafeBathroomsDC campaign, which allowed



people to tweet us when they found single-stall public bathrooms that were supposed to be labeled as gender-neutral. Strong inter-agency partnerships, collaboration with advocates, and innovative

social media strategies helped achieve our mission and make the District more welcoming and safe for all communities.

OHR's dynamic outreach work in housing and across many communities meant an increase in the number of inquiries and complaints filed with our office. All the while our investigators and mediators have sustained exceptional service, and have become more efficient and effective in their work. In fact, we have managed to dramatically reduce the number of cases that stay with our office for more than six months, so individuals who file complaints can expect timely determinations after we accept their case.

Thank you for taking the time to learn about our important work in this report and for your support of our efforts to prevent discrimination in the District.

Sincerely,

Mónica Palacio

Director Palacio's Biography
Read Director Palacio's biography at
ohr.dc.gov/page/palacio.



The driving principle behind OHR's work is that all people deserve the opportunity to achieve their full potential free of discrimination. To prevent discrimination and address it when it occurs, OHR's work is concentrated into four areas.

Our primary focus continues to be addressing complaints of discrimination.

Complaints of Discrimination

Individuals who believe they experienced discrimination in the District can file a complaint with our office. Our staff will mediate and investigate the complaint cost-free, and make a determination that can result in damages being awarded.



Language Access Program

Our team builds the capacity of District agencies to ensure they communicate with limited or non-English proficient customers in their preferred language. We also investigate complaints when services are denied.



Citywide Bullying Prevention Program

The program aims to ensure schools, youth-serving agencies, and youth-serving government grantees create and implement bullying prevention policies based on best practices.



Policy & Awareness Initiatives

Our team develops policy and awareness initiatives and conducts extensive outreach to proactively prevent discrimination and educate the public about civil rights laws.



Complaints of Discrimination

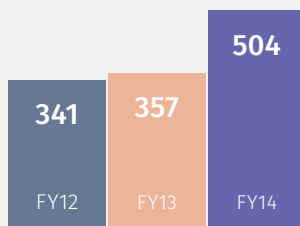
Complaint Process

Individuals who believe they have been subject to discrimination in employment, housing, public accommodations, or educational institutions in the District may file a complaint with OHR online or at our office. Our complaint process is **cost-free** and **does not require an attorney**. After the initial complaint questionnaire is submitted, an intake interview will be held, and OHR will determine whether we have jurisdiction to investigate the case. Details about the alleged discriminatory incident will also be gathered during the interview. If OHR has jurisdiction, it is docketed and sent through to mandatory mediation, where the parties will work with one of our mediators to find an agreement that can quickly resolve the case. If an agreement cannot be reached in mediation, OHR begins a **full investigation**, which can include interviewing witnesses, and reviewing relevant documents and policies. After a legal sufficiency review, the Director, with the assistance of the General Counsel, will determine if there is **probable cause of discrimination** and may send the case to the Commission on Human Rights if probable cause is found. The Commission will review the case and hold hearings to make a final determination and may award damages if discrimination is found.

OHR docketed **504 complaints** in FY14, including one Director's Inquiry, a **41 percent** increase in cases docketed over FY13. In addition, **1,306 complaint inquiries** were filed with our office.

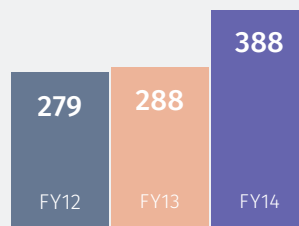
Total Docketed Cases

504



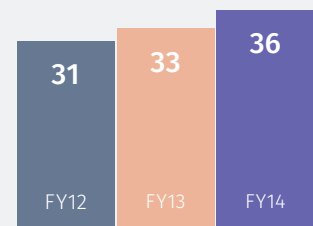
Employment Cases

388



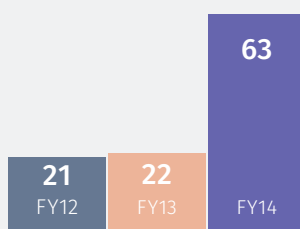
Housing Cases

36



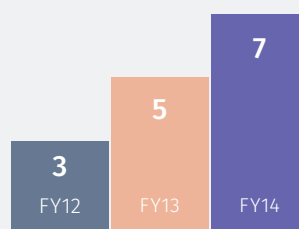
Public Accommodation Cases

63



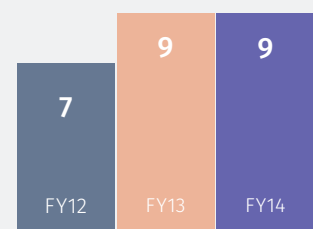
Educational Institution Cases

7



Language Access Cases

9



Mandatory Mediation

Complaints of discrimination filed with our office must go through a mandatory mediation process. An OHR mediator works with both parties to assist them in finding a mutually agreeable resolution. Agreements can be monetary, or can include other reparations such as job reinstatement, employee training or changes in business practices. If the parties do not settle the case, OHR begins a full investigation. If an agreement is found, the case will be closed without a formal investigation. In FY14, OHR mediated 416 cases, of which **186 were settled**. Over **\$2.12 million** was awarded in settlement agreements.

Commission on Human Rights

When probable cause of discrimination is found by OHR, a final attempt to encourage settlement is made. If the attempt fails, the case is certified to the Commission on Human Rights for a final determination. An administrative law judge at the Commission will review the case and recommend a determination to a panel of three Commissioners appointed by the Mayor, who will agree with or modify the determination. In FY14, **six new cases** were certified to the Commission and 13 cases were closed by decision or order, with **\$426 thousand** in penalties ordered. The Commission also received four criminal background cases to review. It currently has seven cases pending.

Sex was the most common protected trait in FY14 docketed cases, followed by **race** and then **disability**. **Public accommodations** saw the largest increase in docketed cases by area over FY13, and **gender identity and expression** the largest increase by protected trait.

Mediated Cases

416

cases that went through our mandatory mediation process

Mediation Settlement Rate

44.7%

percentage of mediated cases that ended with a settlement

New Cases at Commission

6

number of new cases certified to the Commission

Settlement Amounts

\$2.12 M

settlement agreement total across the 186 settled cases

Commission Background Cases

4

criminal background cases received by the Commission

Commission Penalties

\$426 K

amount of penalties ordered by the Commission

FY14 Docketed Cases by Area and Protected Trait

Of the 504 complaints docketed in FY14, some were filed with more than one protected trait. Therefore, the protected traits below outnumber the total number of cases docketed.* Fields marked with an “X” indicate the particular trait is not protected under the Human Rights Act for that area type.

	Employment	Housing	Public Accommodations	Educational Institutions
Age	52	2	2	0
Color	6	0	2	0
Disability	57	13	15	2
Familial Status	X	1	0	0
Family Responsibilities	8	0	0	0
Gender Identity & Expression	2	0	27	0
Genetic Information	0	X	0	X
Marital Status	2	1	0	0
Matriculation	1	0	0	X
National Origin	44	2	4	1
Personal Appearance	1	0	7	1
Place of Residence or Business	X	1	0	X
Political Affiliation	1	0	0	0
Race	63	9	17	4
Religion	6	0	0	0
Sex	90	1	3	1
Sexual Orientation	20	1	1	0
Source of Income	X	7	2	0
Status as a Victim of an Intrafamily Offense	X	0	X	X

Retaliation is not a protected trait, however OHR accepts cases for which retaliation is claimed. In FY14, OHR docketed 113 retaliation cases in employment, four in housing, seven in public accommodations and two in educational institutions.

There were **25 cases docketed** in FY14 with claims of a violation under the **DC Family and Medical Leave Act**.

* In FY14, protected traits were recorded differently than in past years, leading to the total number of traits reported being slightly less per case than in FY13. This change did not impact mediations, investigations or determinations.

Investigation Initiatives

#SafeBathroomsDC

The #SafeBathroomsDC campaign (see page 10) – which asked the public to submit reports of single-stall public bathrooms that were not gender-neutral as required – resulted in **146 reports of non-compliance** to our office via Twitter and an online submission form. Over **60 businesses** changed their bathrooms to be compliant, while 17 were docketed for formal charges because of a failure to respond or failure to become compliant. The remaining 69 businesses were either still within their grace period at the end of FY14 or were misreported and already compliant. Additional reports have continued to be submitted in FY15.



Above: GLBT Affairs Director Sterling Washington with #SafeBathroomsDC sign.

Taxi Discrimination Complaints

OHR partnered with the DC Taxicab Commission (DCTC) to launch a joint taxicab discrimination complaint form, ensuring taxi-related complaints are submitted to and investigated by both agencies. The new form is the result of an OHR Director's Inquiry into DCTC's handling of customer complaints, which revealed that DCTC followed its policies and procedures for investigations, but only categorized a small fraction of complaints as discriminatory. The joint complaint form has increased the number of complaints that allege discrimination, and is one part of a larger effort to educate drivers and residents about District non-discrimination laws.

Commission on Human Rights Awards

The 2013 Commission on Human Rights Awards honored Dr. Edgar Cahn for his contributions to the advancement of human rights in the District, especially his lifetime of work on behalf of low-income and marginalized communities. Also honored were the Youth Human Rights Ambassadors with the best projects focusing on human rights in the District. The Ambassador program – run by the Commission and Georgetown University Law Center – sends law students into District schools to teach students about human rights in the District and beyond.

Below: Commission on Human Rights Chief Judge David Simmons, Chairwoman Nkechi Taifa, and honoree Dr. Edgar Cahn at the Awards.



Initiatives & Awareness

Through policy initiatives, awareness efforts, and outreach to community members and organizations, OHR works to proactively prevent discrimination and inform individuals they can file complaints if discrimination occurs.

Campaigns and initiatives in FY14 include:

#DC19 Campaign

Appearing throughout the Metro system in September and October, the #DC19 campaign uses icons and simple messages to quickly educate passing commuters about the extensive anti-discrimination protections available in the District. The campaign focuses on eight of the protected traits – age, color, disability, national origin, race, religion, sex, and sexual orientation – and encourages residents to file a complaint with OHR if they believe they have been discriminated against in the District. To see all the campaign advertisements, visit ohr.dc.gov/page/DC19.

Right: The religious discrimination ad from the #DC19 campaign.



146

reports of non-compliance were received via the campaign in FY14

#SafeBathroomsDC Campaign

Launched in April, the #SafeBathroomsDC campaign aims to rapidly increase the number of single-occupancy gender-neutral public bathrooms in the District by using an innovative reporting method. Previously, reporting a single-occupancy bathroom that was not compliant would require submitting an OHR complaint form. The new method allows individuals to submit complaints with a tweet or through a short form on our website. One-hundred and forty-six businesses were reported to OHR in FY14, making the District a safer place for transgender and gender non-conforming people. To see the campaign advertisements, visit ohr.dc.gov/bathrooms.

Accessible DC Project

OHR released an Accessible DC guidebook that explains how making restaurants accessible for people with disabilities is good for business, and provides both simple and more difficult tips for becoming an accessible restaurant. OHR staff visited four high-development corridors to speak with restaurant owners and managers about the campaign and to ask they "Take the Pledge" to become more accessible. Over 500 guidebooks were mailed to restaurants, with more coming in FY15. To download the guidebook and learn more about the project, visit ohr.dc.gov/accessibleDC.

Right: OHR staff talks with restaurant manager about Accessible DC project.





Above: Human Rights Liaisons receive their certificates after the all-day training.

HUMAN RIGHTS LIAISON PROGRAM

Our new Human Rights Liaison Program invites direct service providers from community organizations to an all-day training intended to enhance representatives' ability to identify potential discrimination against their clients and file complaints with OHR. After completion of the training, representatives act as a point of contact within their organizations for colleagues who have questions about the District's non-discrimination law or OHR's complaint procedure. The Program, launched in September, has trained **24 Human Rights Liaisons from 19 organizations** across two training sessions. OHR continues to act as a resource for the liaisons when questions arise.

FAIR HOUSING OUTREACH

Our outreach team participated in **78 housing discrimination related events, meetings and presentations** as part of our efforts to raise awareness among residents in the District. Our staff attended dozens of tenant association meetings, presented to civil rights lawyers and built partnerships with housing advocacy organizations. As a result, OHR has seen an increase in housing discrimination cases and inquiries in FY14.

FAIR HOUSING SYMPOSIUM

Over **160 people** attended our 13th Annual Fair Housing Symposium, hosted with the Equal Rights Center and DC Department of Housing & Community Development. The event raises awareness about housing discrimination issues such as steering.

Below: Symposium attendees listen to Director Palacio speak.



By the Numbers: OHR Outreach and Impact

63%

increase in **social media followers** on OHR's Facebook, Twitter and Instagram

143 outreach meetings & events attended by OHR

160 attendees at annual fair housing symposium

24

community leaders trained to be
Human Rights Liaisons

146

reports via #SafeBathroomsDC



thirty-five

attendees at LGBT Employment Town Hall

6,923



views of Facebook posts about the #DC19 campaign



15

Metro stations with a #DC19 advertisement in September or October



520

Accessible DC guidebooks mailed to District restaurants to encourage accessibility

64

attendees at launch of #SafeBathroomsDC



78

housing outreach meetings and events attended

outreach events or meetings were held in
all 8 wards

#DC19 CAMPAIGN

This disability campaign ad (at right) is one of eight ads in the #DC19 campaign aimed at raising awareness about civil rights protections in the District.



You're protected no matter where you **sit**.

DC's non-discrimination law covers **19 traits**, including **disability**.

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ohr.dc.gov/dc19
facebook.com/dcohr
twitter.com/dchumanrights
instagram.com/dchumanrights

If you believe you've experienced discrimination in DC, we can help.
Learn more about civil rights laws that protect you and how to file a complaint at ohr.dc.gov/page/complaints. **#DC19**

#SAFEBATHROOMSDC CAMPAIGN

This #SafeBathroomsDC ad (at right) is one of four ads aimed at encouraging people to report public single-stall bathrooms that are not gender-neutral.



#safebathroomsDC

Public bathrooms are frustrating enough.
Help make them a bit easier for our transgender community.

If a bathroom has just one toilet and is labeled "men" or "women", let us know and we'll get it switched to be gender-neutral.

 Tweet the business name, location & a photo using **#safebathroomsDC**

 Or, fill out a quick form on our website at ohr.dc.gov/bathrooms

Office of Human Rights
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Language Access Program

Through technical assistance, investigating complaints, agency compliance assessments, and outreach, our Language Access Program works to ensure limited and non-English speaking people have equal access to government services.



Chinese speaking participants provide feedback on language access services at “DC Government Speaks Your Language.”

The District is celebrating 10 years of language access.

Compliance Reports

Access annual Language Access Compliance reports at ohr.dc.gov/page/languageaccess.

In celebration of the Language Access statute’s 10th anniversary, our team engaged diverse linguistic communities from across the District to collectively assess the last 10 years of language access, and develop a shared vision for the future. Our “DC Government Speaks Your Language” event in June had nearly **150 participants**, representing nine different languages, who shared feedback on their experiences accessing

District government services. The team also worked to train 1,441 government employees on how to provide quality service and continued its training of Language Access Coordinators from 34 agencies with major public contact. Additionally, **16 language access inquiries and nine complaints** were docketed with OHR, and investigations launched to ensure the reported agencies are in compliance.

Agency Trainings

1441

The team conducted **61 trainings** for District government agencies, training **1,441 employees** on language access compliance and cultural competency.

10 Years of Access Report

OHR commissioned the Urban Institute for its **“10 Years of Language Access in Washington, DC”** report, which reflects on 10 years of implementation and makes recommendations on how to further improve government services for those who are limited and non-English proficient. The report also analyzed demographic and linguistic trends regarding immigrants in the DC Metropolitan Area. The report is available online at ohr.dc.gov/10years/report.

Planning & Compliance

Through the end of FY14 and into the beginning of FY15, our team is assisting and advising agencies in building Biennial Language Access Plans (BLAP) that lay out **strategies and objectives for enhancing language access services** over the next two years. The annual language access compliance rating for each agency with major public contact – to be released in early 2015 – is partially determined by the execution of its last BLAP in 2012.



Our team – with the help of the Office of the Chief Technology Officer and other District agencies – launched **Language Support Web Pages** on nearly 30 agency websites, making it easier for limited and non-English speaking residents to access critical agency information online.

Individuals who speak Amharic, Chinese, French, Korean, Spanish, or Vietnamese are now able to access a description of core services using an in-language hyperlink feature near the bottom of each participating agency's homepage. The new language-specific descriptions of agency services are a first step to creating greater virtual access for limited and non-English proficient residents who visit agency websites. Our team will be working with agencies to continue translating additional information and materials to be made available within agencies and on their websites. To learn more or to download the advertisements in multiple languages, visit ohr.dc.gov/page/campaigns.

Citywide Youth Bullying Prevention Program

Our Citywide Youth Bullying Prevention Program advises schools, agencies and government grantees on implementing effective bullying prevention policies.



Program Director Suzanne Greenfield and fellow Fahim Gulamali at "It Takes a District: Tools & Tips to Prevent Bullying."

Nearly all District schools now have bullying prevention policies.

The Citywide Youth Bullying Prevention Program completed the first phase of a continuous effort to ensure all schools, youth-serving agencies and youth-serving government grantees adopt bullying prevention policies based on best practices and effectively implement them. By September, nearly all District schools and covered agencies had bullying prevention policies, and the majority met the requirements included in the Youth Bullying Prevention Act of 2012.

As the Program moves into its second phase – focused on advising entities on effective policy implementation – our team will continue working with the community to ensure all policies meet legal requirements. Additionally, we will work to help adults, including parents and educators, understand the importance of an approach focused on providing support both for the person who is bullied and the person who is bullying, instead of an over-reliance on discipline.

Know Your Policy Web Portal
Find policy information for your school
at ohr.dc.gov/page/knowyourpolicy.



97%

of DC Public Charter Local Education Agencies submitted a bullying prevention policy to the Program.



82%

of bullying prevention policies submitted by Public Charter Local Education Agencies were fully compliant with all requirements.



100%

of DC Public Schools and District government agencies names in the Youth Bullying Prevention Act are covered by a system-wide bullying prevention policy that is fully compliant with all requirements.

For bullying prevention **tipsheets** and **resources** in multiple languages, visit ohr.dc.gov/page/bullyingprevention.

Note: The compliance numbers above are through November 2014 and vary slightly from the earlier school compliance report mentioned to the right.

How often does bullying occur in District middle schools?

30% of students report being bullied on school property in last 12 months

12% of students report being electronically bullied in last 12 months

13% of students report missing one or more days of school because they felt unsafe in past 30 days

Source: 2012 District of Columbia Youth Risk Behavior Survey Surveillance Report



Phase 1: FY14

Assist entities with adoption of policies



Phase 2: FY15

Assess and assist entities in implementing policies

School Compliance Report

The “Bullying Prevention in DC Educational Institutions: Compliance Report for School Year 2013 - 2014,” prepared for OHR by Child Trends and the Robert F. Kennedy Center for Justice and Human Rights, is the first Program report to assess the bullying prevention policies of District schools. It details the **policy compliance levels for each Local Education Agency**, and recommends next steps for ensuring that our city is fully engaged in reducing bullying behaviors and their effects, and for collecting appropriate data to assist covered entities in assessing the success of their efforts. The full report is available at ohr.dc.gov/page/bullyingprevention/reports.

Know Your Policy Web Portal

To assist parents in obtaining information about bullying prevention, OHR launched a Know Your Policy web portal that allows them to **quickly access bullying prevention policies and points of contact** by school and government agency. The web portal is available at ohr.dc.gov/page/knowyourpolicy.

It Takes a District: Tools & Tips to Prevent Bullying

Parents, government representatives, advocates, educators and youth gathered for “It Takes a District: Tools & Tips to Prevent Bullying.” The OHR event included a series of workshops on bullying prevention, building resilience, and strategies for addressing conflict, in addition to a resource fair. The event is part of a larger effort to **ensure parents and guardians are involved in the bullying prevention work of the District**, which is critical to successful prevention efforts.

Looking Forward

It cannot be emphasized enough that OHR is at a special stage in its history. The investigation and mediation of discrimination complaints are as important as ever, and we continue prioritizing the completion of cases in a methodical and efficient manner. Yet OHR is expanding its proactive role in discrimination prevention and is developing innovative methods to make the office more accessible to constituents. In the next year, OHR will continue advancing its mission through creative prevention and education efforts, outreach to new communities, and unique awareness campaigns to educate residents and visitors. We are extremely excited about our next year, and we hope you are too.



Row 1 (left to right): Attendees at #SafeBathroomsDC Launch Event; Director Palacio speaks at opening of Mundo Verde Bilingual Public Charter School; Programs from the Commission on Human Rights Awards. **Row 2 (left to right):** Suzanne Greenfield on radio show about bullying prevention; Participants at DC Government Speaks Your Language Community Forum; Teresa Rainey and Jaime Wojdowski tabling at a Pride event. **Row 3 (left to right):** Dog looks out of OHR bag at Capital Pride; Staff and interns volunteer at Capital Area Food Bank; Diana Godoy speaking to group at CentroNía.

Meet the Staff

Mónica Palacio, Director

Josephine Ansah-Brew, Administrative Officer

Evelin Argueta, Receptionist

Sunu Chandy, General Counsel

Rahsaan Coefield, Director of Investigations

Thomas Deal, Human Rights Officer

Stephanie Franklin, Policy & Communications Officer

Sandy Gallardo, Human Rights Specialist

Carson Gardner, Human Rights Officer

Diana Godoy, Human Rights Officer

Suzanne Greenfield, Director of the Citywide Bullying Prevention Program

Dianne S. Harris, Administrative Law Judge

J.P. Howard, Administrative Law Judge

Elliot Imse, Director of Policy & Communications

Ayanna Lee, Operations and HR Manager

Jewell Little, Attorney Advisor

Aimee Peoples, Human Rights Officer

Nellie Phelan, Mediator

Deidra Precia, Human Rights Specialist

Teresa Rainey, Community Outreach Coordinator

Gretta Rivero, Language Access Specialist

Eloisa Rocha-Bermudez, Human Rights Specialist

Al Santiago, Human Rights Officer

Melissa Sharpe-Jones, Human Rights Officer

David C. Simmons, Chief Administrative Law Judge

Akita Smith-Evans, Senior Human Rights Officer

Georgia Stewart, Mediation Manager

Winta Teferi, Language Access Program Director

Jaime Wojdowski, Human Rights Officer

Special thanks to Alexis Taylor, who served as OHR's General Counsel for over 10 years, and left the agency in August 2014.

Working to End Discrimination.

Our successful year is largely due to the hard work and great ideas of our incredible staff. At the top of most pages in the report are the results of our staff survey. We hope this provides you with a glimpse of who our team is and how we view the non-discrimination work of our agency.

In the coming year, we are excited to work with Mayor Muriel Bowser and her administration in fulfilling the mutual vision of a District that promotes equality for all. Thank you for your support in this effort.



**DISTRICT OF COLUMBIA
OFFICE OF HUMAN RIGHTS**

Highlights of Fiscal Year 2014

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