



Office of Human Rights

DISTRICT OF COLUMBIA

HIGHLIGHTS OF FISCAL YEAR 2013

District of Columbia Office of Human Rights

Our Mission

The District of Columbia Office of Human Rights (OHR) was established 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 education initiatives, and by identifying and investigating practices that may be discriminatory.

Human Rights Act

The District of Columbia Human Rights Act of 1977 bans discrimination in the areas of employment, housing, public accommodations and educational institutions based on 19 protected traits (available on page seven of this report). 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.

ohr.dc.gov

facebook.com/dcohr

twitter.com/dchumanrights

instagram.com/dchumanrights

youtube.com/dchumanrights





Contents

- 4** Note from Mónica Palacio
- 5** About Our Work
- 6** Complaints of Discrimination
- 8** Language Access Program
- 10** Citywide Youth Bullying Prevention Program
- 12** Policy & Education Initiatives
- 14** Looking Forward
- 15** Our Team

Note from Mónica Palacio

The last year was a transformative and productive one for the Office of Human Rights. We launched our Citywide Youth Bullying Prevention Program, developed an innovative campaign focused on the contributions of immigrants, devised a new methodology for evaluating agency language access programs, and doubled the number of people following our work on social media. We continued to professionally and efficiently carry out our most central duty – investigating cases of discrimination – and we ended the fiscal year by saying goodbye to Director Gustavo Velasquez, who stepped down after seven years of service .

As Acting Director, the staff and I are committed to building on these accomplishments in fiscal year 2014. We will continue our proactive work to prevent discrimination before it happens, and ensure all people have equal access to government services and all this great District has to offer. As you know, this past year marked the 50th anniversary of the March on Washington – celebrated just blocks from our office. The anniversary reinvigorated our staff, reminding us of how far we have come and how much work there still is to do in the fields of civil and human rights. We promise to continue the work those marchers called on us to do, and we thank you for supporting us in these efforts.

In Service,

Mónica Palacio
Acting Director

January 2014



About Our Work

The work of the DC Office of Human Rights revolves around the principle that all people should be provided the opportunity to achieve their full potential free of discrimination. Therefore, our office aims to prevent discrimination before it happens and address it when it occurs. Our work falls into four areas:



Complaints of Discrimination

Individuals who believe they were discriminated against in the District can file a complaint with our office. We will investigate the complaint cost-free, and make a determination that can result in damages.



Language Access Program

Our team coordinates with District agencies to ensure those with limited or no English proficiency receive interpretation when accessing government services, and can file complaints when denied service.



Citywide Bullying Prevention Program

Established this year, the program aims to ensure youth-serving agencies, schools and government grantees implement bullying prevention policies based on research-based best practices.



Policy & Awareness Initiatives

In an effort to prevent discrimination and increase respect and collaboration among communities, we develop proactive policy and awareness initiatives as well as speak at community events throughout the year.

Complaints of Discrimination

Individuals who believe they have been subject to discrimination in employment, housing, a public accommodation or an educational institution within the District may file a complaint with our office. Our cost-free process for investigating, mediating, adjudicating, and resolving complaints allows citizens, employees, customers, students, and visitors of the District to seek relief for any alleged violations of the laws enforced by our office. In fiscal year 2013, 357 charges of discrimination were investigated by our office; the vast majority were employment discrimination complaints.

Investigations

Complaints of discrimination filed with OHR are assigned an investigator after we determine whether the office has the authority to investigate the complaint. A complete investigation of a discrimination complaint occurs within **approximately six months**, and often includes meeting with the complainant and respondent, interviewing witnesses, and reviewing documents or other records related to the complaint. A complaint is initiated by submitting a questionnaire form online, via fax, or by an in-person visit to our office. Questionnaire forms and additional information can be found online at ohr.dc.gov/complaints, or by visiting our office.

Mediations

As the case is investigated, the complainant and respondent are required to meet with a provided mediator in an effort to resolve the dispute before the case is fully investigated. A settlement can include monetary damages, reinstatement of a job or position, sensitivity trainings or other arrangements both parties can agree to. An agreed upon settlement ends the investigation and the case is closed. Forty-seven percent of our docketed cases settled during mediation in fiscal year 2013, and over **\$1.98 million in damages** were awarded.

Adjudication

The Commission on Human Rights adjudicates cases when a “probable cause” finding of discrimination is given by our office. An administrative law judge will hold a hearing, review the evidence and make a proposed decision on whether discrimination occurred. This decision is reviewed by three commissioners who make a final determination. If discrimination is found by the Commission, complainants can receive monetary or other compensation for the discrimination and resources spent adjudicating the case. **Ten cases** were adjudicated by the Commission in fiscal year 2013.

357 discrimination cases docketed in FY13

47% of cases settled during mediation in FY13



Commission on Human Rights Awards Ceremony in December 2012

288

Employment
Cases

33

Housing
Cases

22

Public Accommo-
dation
Cases

5

Educational
Institution
Cases

9

Language
Access
Cases

FY13 Docketed Cases by Trait and Area Type

Area Type	Employment	Public Accommodations	Housing	Educational Institutions
Protected Traits				
Age	59	0	4	0
Color	8	0	0	0
Disability	87	8	13	1
Familial Status	--	0	3	0
Family Responsibilities	10	0	0	0
Gender Identity and Expression	3	1	0	0
Genetic Information	0	0	--	--
Marital Status	1	0	0	0
Matriculation	0	0	0	--
National Origin	39	1	3	2
Personal Appearance	8	1	0	0
Place of Residence or Business	--	0	0	--
Political Affiliation	2	0	0	0
Race	63	7	9	1
Religion	13	1	0	0
Sex	76	5	5	0
Sexual Orientation	16	2	0	1
Source of Income	--	--	1	0
Victim of Intrafamily Offense	--	--	0	--

Note: Complainants frequently report being discriminated against based on multiple traits, making the number of traits in the above table larger than the total number of docketed cases. Additionally, areas marked "--" indicate the trait is not protected for that specific area.

Language Access Program

People who speak limited or no English must be offered interpretation services and/or translated documents when accessing District government services. These protections and services are afforded by the Language Access Act of 2004. Through training and technical support to District agencies, outreach to limited or non-English proficient individuals and advocates, investigating complaints, and an annual assessment of service delivery effectiveness, our Language Access team works to ensure all people have access to government regardless of the language they speak.

TRAININGS & WORKSHOPS

The Language Access team conducts dozens of instructor-led trainings and cultural competency workshops for District employees each year. In fiscal year 2013, over 1000 District employees attended a training or workshop. The trainings aim to help employees who may encounter limited or non-English proficient customers with the skills and understanding necessary to ensure they receive high quality service.

AGENCY CAPACITY-BUILDING

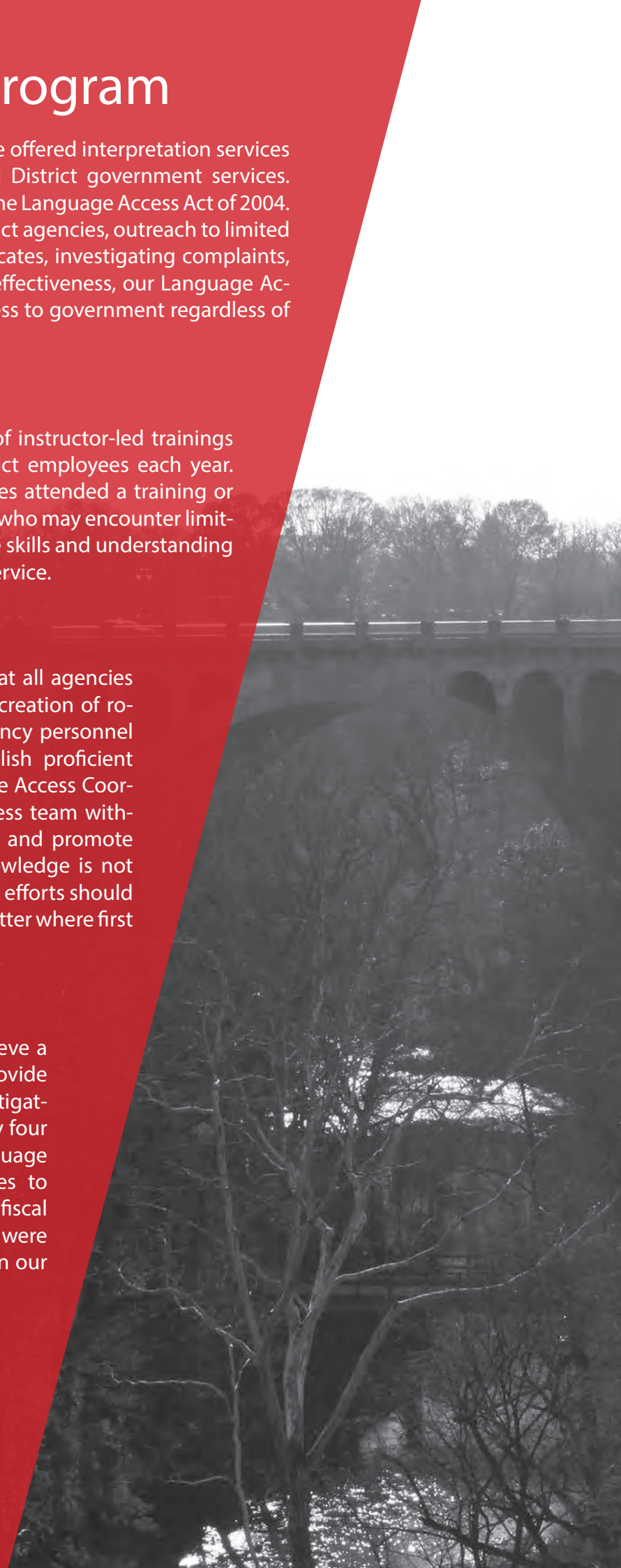
Our Language Access team met the directors at all agencies with major public contact to recommend the creation of robust guidelines, protocols and policies for agency personnel to follow when assisting limited or non-English proficient customers. The OHR team helped the Language Access Coordinators at each agency build a language access team within the agency, devise solutions to challenges, and promote team-building to ensure language access knowledge is not siloed within one department or individual. The efforts should help ensure customers receive assistance no matter where first contact is made with an agency.

INVESTIGATIONS

Individuals can file complaints when they believe a District agency has not fulfilled its duty to provide language access services. Complaints are investigated and a determination made in approximately four to six months. If a violation is found, the Language Access Program director can require agencies to change policies or document availability. In fiscal year 2013, nine language access complaints were filed. Complaints can be filed in our office or on our website at ohr.dc.gov/complaints.

10 YEAR ANNIVERSARY OF THE ACT

In fiscal year 2014, the District will celebrate the 10 year anniversary of the Language Access Act. Events will be held throughout April, and OHR will release a report analyzing the state of language access in the District.





LANGUAGE ACCESS TEAM ON THE GROUND

While all agencies are covered under the Language Access Act, 34 agencies with major public contact must appoint a staff member to be the Language Access Coordinator. The coordinator is the primary contact for language access issues in the agency, and is responsible for ensuring needs of limited and non-English proficient customers are met. Quarterly reports provided by coordinators assist OHR's Language Access team in identifying documents for translation, assessing the number of limited or non-English proficient customers, and determining whether data-collection and policy efforts are succeeding. The coordinators play an essential role in ensuring the inclusion of limited and non-English proficient people in the District.

ABOUT THE LANGUAGE ACCESS ACT OF 2004

The purpose of the Language Access Act is to provide access and participation in public services, programs and activities for the District's limited and non-English proficient constituents at a level equal to that of English proficient individuals. All District government agencies, divisions or programs – including government contractors and grantees – that provide information or render services to the public are covered under this Act. All agencies must: (1) collect data on primary languages spoken; (2) provide interpretation services; (3) translate vital documents; and (4) train personnel in public contact positions on how to serve these customers. Additionally, agencies with major public contact must: (5) complete a biennial language access plan; (6) designate a Language Access Coordinator; and (7) hold public meetings and conduct outreach to limited and non-English proficient communities.

Citywide Youth Bullying Prevention Program

The District's Citywide Youth Bullying Prevention Program, launched this year, is housed at our office and works to ensure youth-serving District agencies and grantees, as well as education institutions, implement bullying prevention policies. The program provides stakeholders with best practices, and encourages a data-driven philosophy focused on prevention and proactive training instead of an over-reliance on punitive interventions.

The program was created after the Mayor's Citywide Youth Bullying Prevention Task Force, established by the Youth Bullying Prevention Act of 2012 and managed by OHR, developed and adopted a model bullying prevention policy to act as a guide for stakeholders. The model policy recommends all youth-serving agencies, grantees and educational institutions adopt a three-tiered prevention system:

- (1) Primary Prevention: programs aimed toward all youth regardless of bullying behavior;
- (2) Secondary Prevention: programs focused toward youth who are at-risk of being bullied or engaging in bullying behavior, and likely places that bullying behavior can occur; and
- (3) Tertiary Prevention: programs delivered to youth who have engaged in bullying behavior or were the target of the behavior.

The model prevention system, authored by the Urban Institute with guidance from the Task Force, is derived from a public health framework.

Experts and various non-profit organizations assist the program in delivering data-driven programs and prevention-focused trainings. Partnerships with the Robert F. Kennedy Center for Justice and Human Rights, American Psychological Association, Anti-Defamation League and others allows us to offer low or no-cost resources to the agencies, grantees and schools that request assistance.



Preventing Bullying: "It Takes a District"

Our commitment is to create a city where youth feel safe and adults know not only how to respond to bullying, but how to best prevent it from happening.

Common Definition

Bullying is unwanted, aggressive behavior causing significant harm and involves a real or perceived balance of power

Behaviors that can escalate into bullying can be:

- Verbal (ex: teasing)
- Physical (ex: pushing)
- Social (ex: spreading rumors)
- Electronic (ex: mean or threatening texts)

Prevention Everywhere

Public schools, DC youth-serving agencies and government grantees required to have bullying prevention policies

Places required to have bullying prevention policies include:

- Department of Parks and Recreation
- DC Public Libraries
- Social Service Agencies
- Community Centers

Full Engagement

Stakeholders learn about policy, ask for prevention training, and support youth to build resiliency and positive social skills

Stakeholders to be engaged in prevention efforts include:

- Parents and Families
- Advocates
- School Staff
- Youth
- City Officials
- Public Employees



3,265

social media
followers on
Facebook, Twitter &
Instagram

114%

increase in social
media followers
in FY13

50,030

reach of staff tribute
video for March
on Washington
anniversary

Policy & Education Initiatives

Over the last few years, OHR has emphasized the importance of proactive policy and education initiatives that aim to prevent discrimination, increase understanding of diverse populations, and raise awareness about human rights in the District. This year, we continued these efforts with citywide campaigns focused on under-served populations,

policy conversations on furthering human rights, participation in community events, and through in-person and digital outreach.

IMMIGRANTS CONTRIBUTE

The Immigrants Contribute campaign – featuring the photos and stories of eight immigrants – emphasized the many

contributions immigrants make to the District. The campaign appeared in Metro stations, buses and bus stops, newspapers, and blogs, and concluded with the *Immigrants Contribute: America We Sing Back!* event, which included performances from immigrant poets. The campaign posters and more information can be found at ohr.dc.gov/wecontribute.



Immigrants Contribute campaign was seen on transportation across DC.



Immigrants Contribute event had performances on the immigrant experience.



Discussed human rights with delegations from China, Belarus, Finland and others.

FAIR HOUSING SYMPOSIUM

Over 150 social justice advocates attended our *12th Annual Fair Housing Symposium*, held in partnership with the Equal Rights Center and Department of Housing and Community Development. This year we targeted social justice advocates not currently working on fair housing issues, but whose con-

stituents would benefit from such information. The symposium aimed to provide knowledge and tools for advocates, allowing them to assist constituents on fair housing issues.

TAXIS: DISCRIMINATION & ACCESSIBILITY

Following numerous claims and television reports of dis-

crimination by taxi drivers, we released a resource for identifying and reporting taxi discrimination to our office. Additionally, we are playing a critical role in the DC Taxicab Commission's Disability Advisory Committee, which is devising recommendations for making all District taxis accessible for people with disabilities. The report is due to the City Council in early 2014.



Looking Forward

During fiscal year 2014, our staff will continue our commitment to investigating and mediating complaints of discrimination, and we will expand our proactive policy and awareness efforts aimed at preventing discrimination in the District. The Citywide Youth Bullying Prevention Program will assist agencies, grantees and educational institutions in collecting and analyzing data to determine the effectiveness of the newly implemented bullying prevention interventions, and the Language Access Program will celebrate the 10 year anniversary of the Language Access Act with a policy research report to help us better understand the state of language access. It promises to be an exciting year for human rights in the District of Columbia, and we are thrilled to be a part of it.

Our Team

Office of Human Rights Staff

Mónica Palacio
Acting Director

Jennifer Stoff
Deputy Director

Alexis Taylor
General Counsel

Josephine Ansah-Brew
Administrative Officer

Elliot Imse
Director of Policy & Communications

Eloisa Rocha
Receptionist

Rahsaan J. Coefield
Investigations Program Director

Ayanna Lee
Executive Assistant to the Director

Melissa Sharpe-Jones
Investigator

Thomas Deal
Investigator

Jewell Little
Attorney Advisor

Akita Smith-Evans
Lead Fair Housing Investigator

Stephanie Franklin
Policy & Communications Officer

Aimee Peoples
Investigator

Al Santiago
Investigator

Sandy Gallardo
Human Rights Coordinator

Nellie Phelan
Mediator

Georgia Stewart
Mediation Manager

Diana Godoy
Investigator

Deidra Precia
Program Support Assistant

Jaime Wojdowski
Investigator

Suzanne Greenfield
*Director, Citywide Youth Bullying
Prevention Program*

Gretta Rivero
Language Access Program Specialist

Commission on Human Rights Staff

David Simmons
Chief Administrative Law Judge

Eli Bruch
Administrative Law Judge

Dianne Harris
Administrative Law Judge

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



Photography featured in this report was taken by OHR staff.

