



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

OFFICIAL COMMISSION MEETING
Via Microsoft Teams
September 8, 2021

ATTENDEES

Commissioners

Motoko Aizawa, Chair
Eleanor Collinson, Vice Chair
Anika Simpson, Secretary
Adam E. Maier
Karen Mulhauser
Brian Griffey
Wynter Allen
Teri Janine Quinn
Lauren Lowery
Maria Burnett
Timothy Thomas

Office of Human Rights Staff

Mamadou Samba, Deputy Director

Commission on Human Rights Staff

Erika Pierson, Chief ALJ
Brandes Ash, ALJ

Guests

**Chair Aizawa noted a possible virtual attendee, identified solely as “Guest”, but there was no actual response when prompted.*

MINUTES

I. CALL TO ORDER

- Chair Aizawa called the Commission’s Official Meeting to order at 6:33 PM.

II. ROLL CALL

- Commissioner Simpson conducted the roll call.
- A total of 10 commissioners appeared. There was a quorum.

III. INTRODUCTION OF NEW COMMISSIONERS

- a. Chair Aizawa shared that the Commission is excited to have new Commissioners Maria Burnett and Lauren Lowery on board.
- b. Commissioners Burnett and Lowery introduced themselves to their fellow Commissioners and meeting attendees.

IV. ADOPTION OF THE AGENDA

- The 09/08/2021 agenda was adopted.

V. ADOPTION OF THE MINUTES

- The 07/14/2021 meeting minutes were adopted.

VI. REPORT OF THE DIRECTOR

- Due to a last minute conflict, Director Palacio could not attend the meeting. Deputy Director Samba attended on her behalf and provided the following report and updates:
 - OHR closed 15 cases in August 2021. 27 cases are currently pending closure. Moreover, OHR is on track to closing a number of cases by the end of the fiscal year. (Director Palacio set a goal of closing 220 cases and the agency is on track to doing so.)
 - OHR will continue to work on case management system, which launched in June 2021.
 - The agency is also looking to implement Phase 2 of the case management system, a system that will be more robust than the original, including allowing persons to file complaints online and follow up on their respective cases.

- The agency is waiting for the greenlight to proceed with next steps. As of now, the official kick off date is October 18 2021.
- OHR continues to recruit for vacancies. The agency recently had very good candidates turn down offered positions at the last minute, so they are currently in the process of hiring more attorney advisors, among others, with the goal of taking on and closing more cases.
- Chair Aizawa asked about OHR’s study of statutory compliance, particularly relating to the agency’s intake process, and whether the terms of reference for the study will be shared with the Commission.
 - Deputy Director Samba shared that this study (also referred to as an “assessment project” or “project”) will start in FY22, and that there are funds (\$100,000.00) earmarked for the project.
 - Among other things, the project will provide opportunities for OHR to observe jurisdictions similar to the District, and namely their respective Offices of Human Rights, in order to inform the Council of the life cycle of other jurisdictions’ cases, compared to the District’s.
 - Deputy Director Samba Mamadou said that once the work starts, perhaps either persons from the agency or contractors assigned to work on the project, can provide regular updates to the Commission as well as share any scope of the study and report resulting from the project. (Any such report will also be public knowledge.)
- Commissioner Maier asked if the project will also consider the responsibilities OHR has compared to other jurisdictions.
 - Deputy Director Samba says the agency is not limiting to just considering other agencies’ responsibilities, as there are many components that may be included in the project.

- Commissioner Thomas asked to be updated on any updated and/or new agency procedures so that, for example, when he and his fellow Commissioners speak to D.C. residents, they can keep them informed.
 - Deputy Director Samba says any such updates can be shared with the Commission.
 - Along these lines, Deputy Director Samba advised that OHR reports are also a good way to stay abreast of updated and/or new procedures.

VII. REPORT OF THE CHIEF ADMINISTRATIVE LAW JUDGE

Chief Judge Erika Pierson provided a report for the Commission, highlighting the following:

- The migration of the Case Management System (CMS) to OCTO's server is complete and OCTO has granted OHR a waiver for the issues that were impending the migration.
 - Testing of the system is complete and it will be opened to outside filers this month.
 - Also, as of now, there is no mandate that unrepresented persons must use the system. Attorneys, on the other hand, will be required to use the system.
- DCHR posted the third ALJ vacancy for two weeks and it has now closed.
 - We are now waiting for DCHR to forward the applicants.
- We continue to hold hearing remotely as OAH has not reopened and will not reopen before January 2022.
 - At the same, time, we are exploring getting our own hearing room.
 - The Board of Elections has moved out of the building and their former hearing room is next door to the Commission offices. This new space could become our new hearing room in the future.

- There are a few upcoming Conferences:
 - The National Association of Administrative Law Judges (NAALJ) will hold its annual conference (in person) from October 3-6, 2021 at the D.C. Hilton, Capitol Hill.
 - The National Association of Women Judges (NAWJ) is holding its conference (in person) from October 6-9, 2021 in Nashville, TN.
 - The International Association of Hearing Officials (IAOHRA) will hold a virtual conference December 7-8, 2021
- One case to keep an eye on is *Chambers v. District of Columbia*, No. 19-7098, a D.C. Circuit Court of Appeals (En Banc) matter in which oral arguments will occur on October 26, 2021, at 9:30 AM.
 - You can listen to oral arguments from the Court of Appeals website.

VIII. REPORT OF THE CHAIR OF THE COMMISSION

- Chair Aizawa shared there is no “New Business” to discuss and advised that the meeting will progress with “Old Business” and Committee Reports.

IX. OLD BUSINESS

a. Commission on Human Rights

- i. Chief Judge Pierson shared that 8 cases have been closed and two more are set to close at the end of this week.
- ii. New attorney advisors have been hired at OHR to help spread the workload.
- iii. There are still two really old cases that are being handled.
- iv. four new cases had been certified to the Commission since the last meeting.

b. Commission on Human Rights’ Committees

i. Rules Committee (Commissioner Simpson, Chair):

1. The Rules Committee met on August 23rd and reviewed the Commissioner's Manual- the manual will remain online and copies will be provided to Commissioners Lowery and Burnett.
2. At the next Rules Committee meeting, the committee will discuss the conflict of interest form and plot out their strategy for addressing rules.

ii. Outreach Committee (Commissioner Mulhauser, Chair):

1. Commissioner Mulhauser is thrilled to have all Outreach Committee members participating in the September 8, 2021 meeting—Commissioners Lowery, Burnett, Thomas and Quinn.
 2. Chair Aizawa, Commissioner Mulhauser and Ajan Brown (Community Engagement Specialist, OHR) met to discuss how the Outreach Committee can assist OHR, including identifying various communities that could benefit from online training (e.g. information about the protected traits, what OHR does, how to file a Complaint, etc.)
 - a. Commissioner Mulhauser encourages every Commissioner to think about communities that could benefit from this information as well.
- ii. Next week (September 14th and 15th) OHR will provide a virtual training.
1. Commissioner Mulhauser encourages all Commissioners to attend. (The meeting will be recorded.)
- iii. Commissioner Mulhauser is hopeful that the Outreach Committee can meet in person—outdoors if possible—with Ajan Brown after the Commissioners have participated in training.
- iv. Commissioner Lowery inquired about OHR's current outreach strategy, the tools the agency uses and the communities in which they engage, so that the Commission's efforts, whenever they begin, won't be duplicative.

- v. Chair Aizawa shared that OHR staff has been visiting MLK Library once a month, to discuss the role of OHR and even help persons file Complaints.
 - 1. Commissioner Mulhauser will let the Commission know about future meetings at the library, etc., and will also send out a Doodle Poll to plan for the next Committee meeting.

iii. Awards Committee (Chair Aizawa, Interim Chair):

- 1. Chair Aizawa asks if anyone is interested in serving as Chair of the Awards Committee to let her know.
- 2. Commissioners Maier and Griffey created a Nomination Form.
- 3. The Awards Committee discussed a new award—the Emerging Human Rights Leader Award— designated for persons aged 30 or younger. (Perhaps up to three persons could receive the award.)
- 4. Chair Aizawa discussed holding the annual Gala in person (at 655 15th Street, NW).
 - a. One part of the building can accommodate up to 100 people—it is “lounge like” and located on the ground floor.
 - b. The space is offered for a fee of \$500.00.
 - i. If, for some reason, it isn’t possible to hold the Gala—perhaps due to another COVID surge— the Commission can discuss canceling the event with building staff.
- 5. Potential Gala dates are December 7 and December 9th— International Human Rights Day is Friday, the 10th.
 - a. Commissioner Quinn shared that December 7, 9 may be a bit early for scheduling (for her personally) given that people (possible attendees)

will have likely been traveling for the holidays just a few weeks prior.

- b. Chair Aizawa shared that, among other things, historically, the Gala has always been held the week of International Human Rights Day.
6. Commissioner Quinn asked about the Eleanor Holmes Norton award, and whether it would be given this year?
 - a. Commissioner Griffey shared that he recalls the award was historically given by OHR.
 - b. Chief Judge Pierson said the award was only given once, and Eleanor Holmes Norton was the selected designee.
7. Chief Judge Pierson asked if there was any consideration for sending the award criteria to respective community organizations, in addition to posting on OHR's /the Commission's website?
 - a. Chair Aizawa responded that this is the goal.
8. Commissioner Griffey asked if the form and related award criteria that he and Commissioner Maier put together is acceptable and, if so, whether it can be disseminated via a link as opposed to the form itself? And could there be some way to keep track of who is reaching out to whom?
9. Ultimately, the Commission agreed to hold the Gala on Thursday December 9, 2021, starting at or around 5:30 PM and lasting until 7:30 PM.
 - a. Chair Aizawa will reach out to Stephanie regarding uploading the award criteria to OHR's website and the Commission can begin disseminating the information throughout various communities.
 - b. Commissioner Griffey and Commissioner Mulhauser discussed a web-option as an alternative for persons who do not wish to attend the Gala in person.

10. Chief Judge Pierson suggested getting a budget for the Gala to Director Palacio as soon as possible.

X. ADJOURNMENT OF MEETING

a. Chair Aizawa adjourned the meeting at 7:48 PM.

** The next meeting will take place on **Wednesday November 10, 2021 at 6:30 PM.**