



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

OFFICIAL COMMISSION MEETING
Via Webex
January 13, 2021

ATTENDEES

Commissioners

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

Office of Human Rights Staff

Monica Palacio, Director

Commission on Human Rights Staff

Erika Pierson, Chief ALJ
Brandes Ash, ALJ

Guests

Charisma Howell
Lamonica Jeffries

MINUTES

I. CALL TO ORDER

- Chair Aizawa called the Commission's Official Meeting to order at or around 6:34 pm.

II. ROLL CALL

- Commissioner Simpson conducted the roll call.
- A total of 9 commissioners appeared. There was a quorum.

III. ADOPTION OF THE AGENDA

- The 01/13/2021 agenda was adopted.

IV. ADOPTION OF THE MINUTES

- The November 18, 2020 meeting minutes were adopted by acclamation.

V. REPORT OF THE DIRECTOR

- Chair Aizawa extended a warm welcome to Monica Palacio, who has resumed her role as OHR Director. Chair Aizawa also expressed gratitude for Michelle Garcia, and her work as the former Interim Director of OHR.
- Director Palacio shared that she is excited to be back and thanked Michelle Garcia for her leadership. Director Palacio will have a more detailed report for the Commission's next bi-monthly meeting in March 2021.

VI. REPORT OF THE CHIEF ADMINISTRATIVE LAW JUDGE

Chief Judge Erika Pierson gave the report for the Commission on Human Rights (Commission), highlighting the following:

- **Case Management System**
 - The Case Management System (system) has been fully migrated to OCTO's servers and remains operational internally. However, the Commission remains hopeful that we will get the 'green light' from OCTO this week to open the system to the public. All system vulnerabilities have been resolved.
- **Virtual Hearings**
 - The Commission continues to hold hearings and mediations remotely.

- **Staffing Update/ Fellowship Position**
 - The Commission hopes to offer a one-year fellowship position that is jointly funded with Georgetown University Law Center, pending budget approval.
- **Welcome Packets for New Commissioners**
 - At Commissioner Griffey’s suggestion, Chief Judge Pierson is working on creating Welcome Packets that will, among other things, provide future Commissioners with helpful information related to their duties.
- **International Association of Human Rights Agencies (“IAORA”) Resolutions**
 - Chief Judge Pierson discussed the following five (5) resolutions passed at the IAORA 2020 Annual Meeting:
 - **Bias Training, Courts & Schools--** IAOHRA stands with the NAACP to address the disproportionate number of suspensions and expulsions of African American students. IAOHRA recommends mandatory, ongoing implicit bias, cultural competency, and bias disruption training for all faculty, judges, prosecutors and law enforcement agents.
 - **Hair Discrimination is Race Discrimination --** IAOHRA stands with the NAACP that discrimination based on hair texture is a form of social injustice that specifically targets black people. IAOHRA commits to advocate for federal, state, and local legislation and public policy recognizing that hair discrimination is racial discrimination. The resolutions notes that D.C. is one 8 local governments that has recognized this via its act, The Creating a Respectful and Open World for Natural Hair Act of 2020 (also known as the CROWN Act ((B23-970).
 - **Discriminatory effects of the HUD Disparate Impact Regulation --** IAOHRA joins the NAACP in being deeply troubled by the Housing and Urban Development’s (“HUD”) regulatory changes on disparate impact cases under the Fair Housing Act which has created new standards that are essentially impossible to prove. IAOHRA will advocate for these changes to be repealed.
 - **Mandatory Arbitration Agreements Antithetical to Civil Rights --** IAOHRA opposes mandatory arbitration clauses in employment contracts for claims of discrimination and business-consumer transactions. A 2015 study found that arbitration procedures prevent employees from filing formal complaints against employers and favors employers in almost every regard. In addition, circuit courts

are split on whether arbitration clauses bar Title VII claims. IAORA is advocating for all jurisdictions to follow the 9th Circuit Court of Appeals (San Francisco) which precludes the use of such agreements as a mandatory condition of employment.

- **Racial Discrimination in Rideshare Services--** Some ridesharing platform policies enable drivers to decline trips to low-income and minority neighborhoods. Studies have also shown a higher cancellation rate for minority passengers once personal information was provided. IAOHRA will advocate for federal, state, and local legislation and public policy prohibiting ridesharing services from providing information to drivers that indicates the race of the rider, or the destination, which can lead to discrimination.
- **Commissioner Vacancy Updates**
 - There are currently five (5) vacancies on the Commission. Anyone who wants to apply should submit his/her/their application through the Mayor’s Office of Talent and Appointments (“MOTA”) website.
 - The Chief Judge recently recommended three (3) applicants to MOTA. The vetting process will begin at some point in the near future.
 - Commissioners are still free to raise nominations with Chief Judge Pierson and/or Chair Aizawa.
- **Award**
 - Chief Judge Pierson congratulated Judge Ash for recently receiving a Rising Star Award from the Greater Washington Area Chapter of the National Bar Association’s Women Lawyers Division.

VII. REPORT OF THE CHAIR OF THE COMMISSION

- Chair Aizawa informed the Commissioners that they will need to clarify pending committee work and start discussions surrounding the creation and assignment of new committees in the immediate future. Chair Aizawa asked the Commissioners to be prepared to further discuss and formalize committees at the next bi-monthly meeting scheduled for March 10, 2021. (See WebEx meeting login details below.)
- Director Palacio recalled that in years past, there was a Nominations Committee that identified potential recipients of human rights awards, as well as a Rules Committee.

- Commissioner Mulhauser suggested that the Commission create a committee that, among other things, works to educate the community about the D.C. Human Rights Act.
- Chair Aizawa also acknowledged Chief Judge Pierson for her stupendous contributions to the Commission, particularly from January 2020 to October 2020 when she worked as the only ALJ at the Commission.

VIII. NEW BUSINESS

- **Presentation: Charisma Howell, Esq., Georgetown Street Law Program**
 - The Georgetown Street Law Program (“GSLP”) is a law and trial advocacy program that provides law students with opportunities to teach a practice law course to high school students and juvenile and adult learners who may be under court ordered probation or reside in detention facilities or transitional housing. (See <https://www.law.georgetown.edu/experiential-learning/clinics/dc-street-law-program/>)
 - In prior years, the Commission worked alongside GSLP via a D.C. Human Rights Act Youth Ambassador Program where Georgetown law students teach a course on the D.C. Human Rights Act.
 - Currently, GLSP is in need of volunteers (judges and scorers) for two (2) opportunities: the Annual Citywide Mock Trial Competition (Round One on March 31, 2021 and Round 2 on April 5, 2021); and the D.C. Human Rights Act Capstone Mock Trial tentatively scheduled for November 3, 2021.
 - If interested in these and/or other opportunities with GLSP, please email Charisma at ch329@georgetown.edu and/or feel free to reach out via LinkedIn. Charisma will also send additional volunteer information to the Commissioners following the January 13, 2021 bi-monthly meeting.
- **Neil Alexander Award/2021 Gala and Congresswoman Eleanor Holmes Norton Human Rights Achievement Award**
 - The Commission intends to award the Neil Alexander Award this year. (It was not awarded last year, and there was no gala in light of the COVID-19 pandemic.) However, the format of the related award ceremony--- virtual or in-person—has not been confirmed.
 - Commissioner Griffey asked about the nominations process. Chair Aizawa explained that, ultimately, nominations are submitted to the Nominations Committee and thereafter the award recipient is announced. (Commissioner Griffey shared that details about the nomination process

can also be found in the Commission's bi-monthly meeting minutes that have been uploaded to the Office of Human Rights' website.)

- Director Palacio shared that historically there have been two (2) awards—a rising star award and an award given to a longtime human rights champion.
- Commissioner Quinn noted that the rising star award, a human rights achievement award, is named after Congresswoman Eleanor Holmes Norton. Chief Judge Pierson further noted that previously the Commission selects the recipient of the Neil Alexander Award and the Office of Human Rights selects the recipient of the award named after Congresswoman Holmes Norton.
- Commissioners Collinson, Griffey and Mulhauser volunteered to talk further via Zoom or any agreed upon platform – before the March 10, 2021 bi-monthly meeting-- about the awards and nomination process, and to also resume a discussion about possibly creating an award for youth.

IX. OLD BUSINESS

• Review of COHR Case Inventory and Commission Assignments

- Chief Judge Pierson provided a report before the meeting that noted the following:
 - There are 15 open cases with the Commission;
 - The Commission received 4 cases in FY 2020 and closed 14;
 - 2 cases have been closed, thus far, in FY 2021;
- Moreover, a tribunal recently concluded one case and another matter will be ready for a tribunal in the very near future.

• Update on Expiring Commissioners' Terms

- The terms of three (3) Commissioners expired December 31, 2020. All 3 Commissioners seek reappointment and resolutions regarding their reappointment have already been introduced.

X. ADJOURNMENT OF MEETING

- Chair Aizawa adjourned the meeting at 7:46 pm.

WebEx Login Information

Bi-Monthly Public Meeting of the Commission on Human Rights

Hosted by Brandes Ash

March 10, 2021 6:30 pm | 2 hours |

Meeting Number: 180 632 9780

Password: XpnnD2hCj63

<https://dcnet.webex.com/dcnet/j.php?MTID=m9aa0a2926eca928c6e0733c35ce41a60>

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