

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



OFFICIAL COMMISSION MEETING

January 11, 2017
One Judiciary Square, 441 Fourth Street, NW, Room 1117

ATTENDEES

Commissioners:

Commissioner Aizawa, Secretary
Commissioner Figueroa-Garcia
Commissioner Herzog
Commissioner McCollough
Commissioner McLeod

Commissioner Muhammad
Commissioner Mulhauser
Commissioner G. Reed
Commissioner D. Reed
Commissioner Robinson

Office of Human Rights Staff:

Mónica Palacio, Director
Ebony Robinson, General Counsel
Michael Andrews, Investigations Director

Commission on Human Rights Staff:

David C. Simmons, Chief ALJ
Dianne S. Harris, ALJ
J.P. Howard, ALJ
Natalie Camastra, Law Clerk
Allanah Wynn, Law Clerk

Mayor's Office of Talent and Appointments

Stephen Walker, Director

Members of the Public:

Michael Sindram

MEETING

I. CALL TO ORDER

Secretary Aizawa called the Commission's Official Meeting to order at 6:38 pm.

II. SWEARING IN OF NEW COMMISSIONERS

Mr. Stephen Walker was present from the Mayor's Office of Talent and Appointments to swear in Mr. Mark Herzog, as a new member of the Commission on Human Rights. Commissioner Herzog was duly sworn.

III. ROLL CALL

Secretary Aizawa conducted the roll call, a total of nine Commissioners were present and an additional Commissioner arrived after. A quorum was present.

IV. ADOPTION OF THE MINUTES

Secretary Aizawa directed the Commissioners to review the November meeting minutes for approval. Commissioner Robinson moved to adopt. Commissioner Mulhauser seconded the Motion. The November meeting minutes were adopted by acclamation.

V. REPORT OF THE DIRECTOR OF OHR

Mónica Palacio, Director of the Office of Human Rights, gave the report of the Director. Director Palacio highlighted points of the written Director's Report provided to the Commission including:

- An introduction of Mr. Michael Andrews, the new OHR Director of Investigations;
 - Mr. Andrews briefly addressed the Commission on his background and excitement to work with the Commission.
- OHR is certifying 38 EEO Counselors from the last round of its training program and the will begin another training series in March;
- An LGBTQ and Gender Neutral Bathroom Policy is being drafted by OHR;
- The bi-annual Bullying Report and the annual Language Access Report are being prepared at this time;
- An overview of recent and planned events including OHR's upcoming second TEDX conference;
- An overview of case numbers and outreach efforts;
- A review of recent legislative activity from the City Council and regulatory work at OHR.

The Commission provided some suggestion with regard to the Gender Neutral policy and discussion was had regarding the Fair Credit History Screening Act and Fair Criminal Record Screening Act. A Commissioner noted some questions regarding the analysis included in a particular dismissal letter that was shared with the Commission. As it is not appropriate to discuss in an opening meeting a matter that has not been certified to the Commission, the Director acknowledged the Commissioner's concern in general and advised the Commission about the hiring of a new Investigations Director and process changes at OHR.

VI. REPORT OF CALJ

Chief Administrative Law Judge David C. Simmons presented the report of the Chief ALJ.

- The Commission's docket currently has:
 - Twenty (20) Commission Cases, and has received no new cases in FY17;
 - Eleven (11) Office Cases, of which one (1) is new; and
 - Five (5) CBX cases, of which two (2) are new.
 - At this time the Commission has not received any FCRSA cases.
- To date, the Commission has closed:
 - Three (3) Commission cases,
 - Zero Office cases, and

- One (1) CBX cases.
- One Commission case and one Office case are in the process of being removed from the Commission docket.
- A discussion was held concerning compliance with the Open Meetings requirements given that the Commission only meets bi-monthly. It was proposed that the staff would prepare a draft of the proposed minutes and get the draft to the Commissioners for preliminary approval within two business days and that the Commissioners would review and submit their comments and /or concerns by the third business day after the meeting.
- Two new law clerks have joined the Commission and were introduced by the Chief, Ms. Allannah Wynn and Ms. Natalie Camastra.

Discussion was held by the Commission with regard to ensuring proper Section 508 compliance for accessibility of the posted minutes for disabled individuals.

VII. OLD BUSINESS

No old business was addressed.

VIII. NEW BUSINESS

The Commission held its annual officer elections for Vice Chairperson and Secretary. Secretary Aizawa opened the floor for nominations for Vice Chairperson. Commissioner Robinson nominated Commissioner Ward. Commissioner McCollough seconded the nomination. No other nominations were made. Commissioner Ward was elected Vice Chairperson by unanimous acclamation.

Commissioner Aizawa temporarily relinquished the Chair to Commissioner Robinson who called for nominations for Secretary of the Commission. Commissioner Mulhauser nominated Commissioner Aizawa and Commissioner Muhammad seconded the nomination. No other nominations were made. Commissioner Aizawa was elected Secretary by unanimous acclamation.

Secretary Aizawa resumed the Chair and the Commission moved to an introduction of Mr. Mark Herzog, the newest Commissioner. Secretary Aizawa had the Commission, Commission Staff, and Office of Human Rights Staff introduce themselves. Commissioner Herzog then addressed the Commission regarding his background, experience, commitment to the Commission's work and excitement to join the Commission.

The Commission then acknowledged the excellent service of Commissioner Michelle McLeod. Secretary Aizawa expressed sadness on behalf of the Commission that Commissioner McLeod would no longer be with the Commission going forward and noted the Commission's great appreciation for her service. Commissioner McLeod addressed the Commission discussing her sadness at leaving, her continued federal work on the issues that the Commission oversees locally, and the importance of that work going forward. Commissioner McLeod concluded that

she will continue to participate in Commission events and if ever given the opportunity would gladly return without hesitation.

The Commission then moved to a critique of the 2016 Human Rights Awards Gala. Chief Judge Simmons gave a recap of the details of the event and announced that a formal debrief of the Youth Human Rights Ambassadors Program would be arranged to which the Commissioners would be invited. Significant discussion was held with regard to involving and focusing more on the students with comments in favor of and opposed to shifting the focus. The Commission discussed the logistic difficulty of arranging for the students to be present, with particular regard to transportation. A consensus of the Commissioners and Director Palacio felt strongly about involving the students and identified working ahead of the time with D.C. Public Schools to look into a partnership to involve DCPS to help resolve some issues. It was also recommended that the winning project be showcased during the program rather than at the end of the program. Discussion occurred regarding posting audio and video recordings of the event, promotion of the event, and potential alternative venues, including the new Student Center at the University of the District of Columbia. A standing committee on the Gala was suggested to allow for work on the event throughout the year.

After consensus was reached on forming a standing committee on the Gala, Secretary Aizawa acting as the Chairperson asked for volunteers. Commissioners McCollough, Muhammad, Mulhauser, and G. Reed volunteered and were placed on the Committee. Commissioner Robinson nominated Commissioner Herzog to the Committee. Discussion was held and Commissioner Herzog accepted. Commissioner Aizawa appointed Chief Judge Simmons to coordinate logistics for this Committee.

Commissioner Muhammad inquired about the status with OHR of the review of his PowerPoint presentation for the Youth Human Rights Ambassadors program. Director Palacio will look into the status.

IX. COMMUNITY COMMENTS

Community comments were provided by Mr. Michael Sindram. Mr. Sindram reiterated his comments with regard to Ms. Georgia Stewart and expressed his desire for her return to OHR. He also suggested an intermediate level of independent review before matters are certified to the Commission or dismissed.

X. ANNOUNCEMENTS

Commissioner G. Reed announced that Chief Judge Simmons spoke at USAID and that he was well received and she received multiple emails from people that were impressed by the presentation.

Commissioner McCollough announced that Commissioners who would like to participate in the Inauguration can find information at inauguration.dc.gov. He also asked the body to be aware that on January 19, 2017, around 6 pm, many areas will be restricted through January 22; and certain Metro Stations will be closed on the 20th. He urged anyone planning to attend the Women's March to be aware of potential Metro issues and to be safe noting that nice weather is

expected to draw larger than expected crowds.

The Fresh Start Job Fair hosted by the Mayor's Office on LGBTQ Affairs will occur on January 17, 2017, at 10:00 am at 2000 14th Street, N.W. in the 2nd Floor Community room

XI. ADJOURNMENT

The Commission's January 2017 public meeting adjourned at approximately 8:02 pm.