

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



**OFFICIAL COMMISSION MEETING**

January 10, 2018  
One Judiciary Square, 441 Fourth Street, NW, Room 1117

**ATTENDEES**

**Commissioners:**

Commissioner Aizawa, Secretary  
Commissioner Allen  
Commissioner Collinson  
Commissioner Figueroa Garcia

Commissioner Mulhauser  
Commissioner Muhammad  
Commissioner Robinson  
Commissioner Simpson  
Commissioner Thomas

**Office of Human Rights Staff:**

Hnin Khaing, Deputy Director  
Luisa Nguyen, Compliance Manager

**Commission on Human Rights Staff:**

David C. Simmons, Chief ALJ  
Dianne S. Harris, ALJ  
J.P. Howard, ALJ  
Daniel Gick, Law Clerk

**Members of the Public:**

Michael Sindram

**MEETING**

**I. CALL TO ORDER**

The Commission Secretary, Commissioner Aizawa, acted as the Chairperson for this Meeting and called the Commission's Official Meeting to order at 6:33 pm.

**II. ROLL CALL**

Commissioner Aizawa conducted the roll call, a total of nine Commissioners were present, constituting a quorum.

**III. ADOPTION OF THE AGENDA**

Chief Judge Simmons requested to amend the Agenda to add two items to new business. Commissioner Robinson moved to adopt the agenda, and Commissioner Thomas seconded the motion. No objections were heard and the agenda was adopted.

#### **IV. ADOPTION OF THE MINUTES**

Chairperson Aizawa asked if there were any objections to the November 2017 Meeting Minutes, which had been adopted tentatively. As there were none, Chairperson Aizawa declared the November 2017 Meeting Minutes officially adopted.

#### **V. REPORT OF THE DIRECTOR OF OHR**

Hnin Khaing, Deputy Director of the Office of Human Rights, gave the report of the Director. Ms. Khaing highlighted several points of the written Director's Report provided to the Commission including:

- The celebration of the 40<sup>th</sup> Anniversary of the D.C. Human Rights Act;
- The Mayor's New Sexual Harassment Policy;
- Upcoming Trainings given by OHR;
- Personnel updates, including an introduction of Luisa Nguyen, Compliance, Review, and Training Officer, and a new mediator who was recently hired, Mr. Stirling Phillips;
- Standard Operating Procedures for Case Processing at OHR;
- A review of the case numbers and production;
- A review of recent legislative activity from the City Council and regulatory work at OHR; and
- Notice that February is Reentry Reflection Month and that OHR will be holding a public event on February 6, 2018.

Discussion occurred regarding the Sexual Harassment Policy and how it could affect cases at the Commission. Additional discussion was held regarding the Abortion Provider Non-Discrimination Act of 2017.

#### **VI. REPORT OF CALJ**

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

- The Commission's docket currently has:
  - Nineteen (19) Commission Cases, of which six (6) are new cases;
  - Nine (9) Office Cases, of which one is new;
  - Two (2) CBX cases, of which two (2) are new; and
  - One (1) FCRSA case, of which one (1) is new.
- To date, the Commission has closed:
  - Five (5) Commission cases;
  - Zero (0) Office cases;
  - One (1) CBX case; and
  - One (1) FCRSA case.
- The Commission is moving toward a full complement of fifteen Commissioners. Currently, there are thirteen sworn-in Commissioners. One additional Commissioner

is heading toward confirmation and one is awaiting swearing in. Three new Commissioners have come on, two of whom, Commissioners Allen and Simpson, were present at the meeting.

- Chief Judge Simmons announced that a high school intern from the Field School will be joining the Commission for several weeks beginning in February. Previously, Ms. Aja Muhammad, a middle school student from the Field School, interned with the Commission. Ms. Muhammad did such good work and had such an excellent experience at the Commission that we decided to bring in another high school intern from the Field School.

## **VII. OLD BUSINESS**

There was no old business.

## **VIII. NEW BUSINESS**

### **Election of Vice Chair and Secretary**

Chairperson Aizawa called for nominations for Vice Chair. The names of Commissioners Muhammad and Ward were put forward and seconded. Chairperson Aizawa invited Commissioner Muhammad to say a few words. Afterward Chairperson Aizawa directed that the election be done by written ballot. Commissioner Muhammad was elected Vice Chair of the Commission.

Chairperson Aizawa called for nominations for Secretary. Commissioner Aizawa, who currently serves as Secretary, outlined the duties of the position, i.e. to act as a part of the Executive Committee, to be actively involved in the Commission, and to handle correspondence in the Commission's name, among other tasks. Commissioner Aizawa was nominated and the nomination was seconded. No other nominations were made and Commissioner Aizawa was elected as Secretary by acclamation.

### **Introduction of New Commissioners**

Commissioners Simpson and Allen, both of whom were recently sworn-in, introduced themselves. Commissioner Simpson is a professor at Morgan State University in Baltimore and a long-time D.C. resident. Commissioner Allen has lived in the District since 2006 and works as a labor and employment attorney specializing in cases concerning Federal employees. The remaining Commissioners, Administrative Law Judges, Law Clerk, and OHR staff introduced themselves.

### **D.C. Youth Human Rights Ambassadors**

Chief Judge Simmons gave an overview of the original program and how the program has transformed into a mock trial this past year.

All Commissioners present expressed that they were impressed by the students they worked with. They thought that the students worked hard on their presentations and really got into their roles. Commissioner Muhammad stated that he liked the mock trial format, but thought that a project component should be included as well. He noted that the projects were

helpful because it encouraged creativity and personal engagement with the concepts. Although Commissioner Collinson liked the mock trial format, she expressed concern that that format may convey that students can get involved in human rights only through the law. Commissioner Figueroa-Garcia agreed with Commissioner Collinson's concern. Commissioner Aizawa expressed that students and Commissioners may benefit from having more time to prepare and having the opportunity for the judge and the students to have time afterward to mingle and share thoughts on the trial.

Commissioner Muhammad moved to support the Street Law Program in its new mock trial model. Commissioner Mulhauser seconded the motion which passed by acclamation.

Commissioner Muhammad then moved that the Commission form a committee to explore continued involvement and support of the Youth Human Rights Ambassador program. Commissioner Mulhauser seconded. This motion carried by acclamation.

### **Local and National Community Involvement**

Commissioner Mulhauser expressed a desire shared by many Commissioners to increase the Commission's community involvement and education. Commissioner Collinson mentioned that she has a friend involved in government and consulting in human rights, diversity, and inclusion in Portland, OR. She suggested that Commissioners meet with him and discuss how they conduct Commission business in Portland and elsewhere.

### **Awards Gala**

Chief Judge Simmons described the program in previous years and the changes that took place this year. He noted that this year's program had a significant presence of students from the Carlos Rosario School. Commissioners shared a concern about the lack of disability access at the Carlos Rosario Education Campus and agreed that an alternative location should be selected for future Awards Galas. Commissioner Muhammad expressed that he liked the panel discussion that was held at the Awards Gala. He stated that the panel serves to showcase the state of human rights advocacy in the community. A Gala Committee was formed, consisting of Commissioner Collinson, Commissioner Allen, and Commissioner Mulhauser.

### **Mayor's Order Regarding Sexual Harassment**

The Mayor's Order applies to Commissioners. Commissioners are required to read over the policy and send an acknowledgement to Chief Judge Simmons via email by January 17, 2018. The Commissioners are also required to complete a training course by February 28th. Chief Judge Simmons will advise Commissioners as to how this mandatory training course will be conducted.

### **Effect of Order on Commission Meetings**

Chief Judge Simmons explained that an Order barring Mr. Sindram from OHR and the Commission Offices was entered and was the result of several instances of inappropriate behavior and a threatening and unacceptable situation at the Awards Gala involving Mr. Sindram. However, Mr. Sindram may continue to attend Commission meetings, provided that certain rules are followed. Chief Judge Simmons explained that the Commission will enforce the Mayor's Order to prohibit harassment based on any trait and that the Community Comment

portion of the Commission's Agenda is a courtesy to the public, reflecting the Commission's interest in hearing the concerns of the public, and is not an opportunity to abuse, demean, and insult OHR staff, Commissioners, and individuals in general. Judge Simmons further explained that the Commission conducts its meetings using Robert's Rules of Order which prohibit *ad hominem* and personal invectives. These rules will be strictly enforced going forward. To the degree that community comments or any other discussions are in violation of these prohibitions, the comments will be ruled out of order and will be stricken from the minutes. If a person refuses to stop, they will be removed from the meeting and, if necessary, will be barred from providing future comments at Commission Meetings.

The Commissioners expressed a sense of the meeting in full support of the Mayor's anti-harassment policy and employing the Robert's Rules of Order strictly as discussed. It was clarified that these rules apply to the entirety of Commission Meetings.

## **IX. COMMUNITY COMMENTS**

Community Comments were provided by Mr. Michael Sindram. Mr. Sindram passed out several documents to the Commissioners and read aloud the document announcing OHR's bar against him and stated that he believed that the presence of police officers in the Commission meeting room violated his constitutional rights and was harassment. He threatened Chief Judge Simmons with a law suit for libel and slander and insulted the police officers who were present.

## **X. ANNOUNCEMENTS**

Commissioner Mulhauser discussed D.C.'s gender equity efforts and provided a brief update on the meetings and conversations that had occurred since her announcement of the effort at the November meeting. She announced that stakeholder meetings are coming up and to contact her if anyone is interested in participating. Commissioner Aizawa stated that she attended one of the meetings, which she found to be an excellent learning opportunity. She also acknowledged the efforts of Commissioner Mulhauser in working on this issue.

## **XI. ADJOURNMENT**

Commissioner Robinson moved to adjourn the meeting. Commissioner Mulhauser seconded the motion. No objections were heard. The Commission's January 2018 public meeting adjourned at approximately 8:16 pm.

**REVIEWED AND TENTATIVELY APPROVED BY A MAJORITY OF THE COMMISSION ON HUMAN RIGHTS, PENDING FINAL ADOPTION AT THE NEXT OFFICIAL MEETING OF THE COMMISSION.**