

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



COMMISSION MEETING

July 11, 2012
The Wilson Building
1350 Pennsylvania Avenue, NW
The Mayor's Conference Room 507

Commissioners:

Nkechi Taifa, Chairperson
Motoko Aizawa
Javier Araujo
Alexandra Beninda
Earline Budd
Rahim Jenkins
Mathew McCollough
Edwin Powell
Denise Reed
John Robinson
Gabriel Rojo
Michael Ward

Commission on Human Rights Staff:

David C. Simmons, Chief Administrative Law Judge
Dianne S. Harris, Administrative Law Judge
Eli Bruch, Administrative Law Judge
Ericka Aiken, Law Clerk

Office of Human Rights Staff:

Gustavo Velasquez, Director
Jennifer Stoff, Deputy Director
Elliot Imse, Policy and Public affairs

I. CALL TO ORDER

Chairperson Taifa called the meeting to order at 6:10pm.

II. ROLL CALL

Twelve Commissioners were present at the meeting. Since at least eight Commissioners were present, a quorum was reached.

The Commissioners went around the table and introduced themselves. They provided

information about their backgrounds and professional interests.

Chairperson Taifa will try to pair newly appointed Commissioners with a function of the Commission which interests them most.

Chief Judge Simmons introduced himself and the other members of the Commission staff.

III. WELCOME BY THE CHAIRPERSON

Chairperson Taifa gave a brief overview of the Commission's central duties. They include: 1) adjudicating private sector discrimination complaints; 2) serving as independent hearing examiners for District government employee discrimination complaints; 3) providing an appeal process for Criminal Background Check ("CBX") cases; 4) adopting rules and regulations for the Commission; 5) implementing Commission policy, programs and initiatives; and 5) filling any special role as called upon by the Mayor, City Council, or Office Director.

Commission meetings are public and are held bimonthly at One Judiciary Square in Conference Room 1117. There are usually held on the second Wednesday at 6:30pm.

The Mayor appoints the Chairperson, but the Vice-Chairperson and Secretary positions are elected by the Commissioners. At the September Commission meeting, elections will be held to fill these two positions.

If a Commissioner wants to add an item to the agenda, they must notify the Chairperson seven days in advance. The seven day timeframe also applies to members of the community who wish to speak at meetings.

Commissioners and members of the public must be respectful at the all meetings.

IV. REPORT OF THE OFFICE OF HUMAN RIGHTS

Director Velasquez gave the report on behalf of the Office.

Director Velasquez gave an overview of the Office, including the Office's mission, its investigation and mediation processes, its definition of "probable cause," and the significance of a probable cause determination for the Commission.

Thus far this fiscal year, total mediation benefits to date is approximately \$2.4 million dollars. Additionally, the Office gave 14 cases probable cause this year.

Director Velasquez told the Commissioners that in addition to reporting the Office's statistics, at future Commission meetings he will also apprise the Commissioners of proposed legislative changes to the DCHRA and community events involving human rights.

V. REPORT OF THE COMMISSION ON HUMAN RIGHTS

Chief Judge Simmons delivered the report of the Commission and presented an overview of its performance since the last Commission meeting.

Chief Judge Simmons discussed the Commission's primary duties and provided an overview of the DCHRA. The DCHRA prohibits discrimination based on 19 protected traits in the areas of employment, housing, education and public accommodation.

The Commission currently has a docket of 14 Commission cases, 5 Office cases and 4 CBX appeals. Additionally, the Commission has 3 cases involving attorney's fee petitions.

The Commission's fiscal year 2012 performance goals have been established. The end of the fiscal year is close and the Commission will likely meet or exceed all of its performance goals.

In the near future, a training and orientation session will be conducted for the Commissioners.

Chief Judge Simmons stated to the Commissioners the importance of attending bimonthly meetings and upholding ethical standards. Chief Judge Simmons also gave a summary of the adjudicatory roles of both Commissioners and Administrative Law Judges.

VI. OLD BUSINESS

The Commission will hold this year's International Human Rights day event at the Kaiser Family Foundation Building on Monday, December 17. The event will include a presentation of the Neil Alexander Humanitarian Award, a commemoration for the 35th Anniversary of the DCHRA, and an exhibition for the winners of the Youth Human Rights Ambassador contest.

The Commission needs to explore how it will raise funds to pay for the event.

The Youth Human Rights Ambassador program is moving forward and the various subcommittees are working on their assigned areas.

VII. NEW BUSINESS

Commissioners volunteered to serve on various Commission Committees and Tribunals.

The Committees assignments are:

Rules Committee

Commissioners Aikawa, Powell & Ward

Public Awareness Committee
Commissioners Beninda, Reed & Taifa

Youth Human Rights Ambassador Committee
Commissioner Jenkins

Finance/ Fundraising Committee
Commissioner Budd

Additionally, several Commissioners were assigned to Commission Tribunals:

Criminal Background Check Tribunal
Commissioners Jenkins, Reed, Taifa & Ward

Oliver-Patterson Tribunal
Commissioners Araujo, Robinson & Taifa

Cox Tribunal
Commissioners McCullough, Reed & Ward

Retta Tribunal
Commissioners Aizawa, Jenkins & Taifa

VIII. COMMUNITY COMMENTS

Michael Sindram spoke about his concerns with the Office and state of human rights in the District.

Robert Warren, Director of People for Fairness Coalition Committed to Advocacy, Outreach & Peer Mentoring, spoke on the importance of affordable housing and enforcing housing discrimination laws in the District. See attached

IX. ANNOUNCEMENTS

No announcements were made.

X. ADJOURNMENT

The meeting was adjourned at 7:28pm.

Testimony of Robert Warren before the District of Columbia Commission on Human Rights

July 11, 2012

Good evening commission members. I would like to congratulate the new appointees to the commission and the reappointees to the commission.

My name is Robert Warren. I am the director of People for Fairness Coalition. Our primary mission is to advocate for affordable housing for people who are experiencing joblessness and homelessness. People have different definitions for what constitutes affordable housing. Our group has come to a consensus with other bodies who also agree that affordable housing should cost one third of a family's income. I want to thank the commission for giving me the chance to address the issue of housing as a human right.

I would like to take a few minutes of the commission's time to read a portion of testimony of Patricia Fugere, the executive director of the Washington Legal Clinic for the Homeless that she gave on April 30, 2012 to the DC Council Committee of the Whole.

"A little more than three years ago, the DC Council declared the nation's capital to be a "Human Rights City. As on many issues, DC was a leader in doing so, the first US city to embrace formally the notion of human rights as the guiding principle toward which this community would strive. What a great moment of pride, to be part of a community that held up the importance of human dignity and freedom, of the right to assemble and speak freely and marry whomever we loved and wished to commit our life to.

"But we stopped short, and the budget on which you will be voting in several weeks falls perilously short of giving the notion of 'human rights' true and full meaning for all of this community's residents.

"Article 25 of the Universal Declaration of Human Rights declares that

- 1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.*
- 2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection."*

I would like to know the commission's thinking on declaring some form of housing a human right in the District of Columbia. With the Fiscal Year 2013 budget having a shortfall of \$7.5 million and the prospect of low-barrier shelters being closed after April 1, 2013 and people being put out on the street being denied the right to shelter in a Human Rights City, I believe that the citizens of Washington, DC a Human Rights City are being economically discriminated against when it comes to affordable housing in Washington, DC, a Human Rights City. I would hope this body would be willing to better address the lack of affordable housing in DC as to the extent possible they can. Thank you once again for the opportunity to speak to you this evening.