

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



UNOFFICIAL COMMISSION MEETING

May 14, 2014
One Judiciary Square, 441 Fourth Street, NW, Room 1117

ATTENDEES

Commissioners:

Nkechi Taifa, Chairperson
Edwin Powell, Secretary
Motoko Aizawa
David Scruggs

Commission on Human Rights Staff:

David C. Simmons, Chief Administrative Law Judge
Eli Bruch, Administrative Law Judge
Dianne S. Harris, Administrative Law Judge
Christina Cobb, Law Clerk
Joseph Dillard, Law Clerk

Members of the Public:

Michael Sindram

I. CALL TO ORDER

Chairperson Taifa called the Commission's May meeting to order at 6:41pm.

II. ROLL CALL

Secretary Powell conducted the roll call. Four Commissioners were present. Since eight Commissioners were not present, no quorum was reached and the Commission was unable to transact official business at the meeting.

III. ADOPTION OF MEETING MINUTES

The Commission did not adopt the January meeting minutes or March unofficial meeting minutes.

IV. REPORT OF THE OFFICE OF HUMAN RIGHTS

Chief Judge Simmons gave the report on behalf of OHR and gave a brief overview of its

performance since the last Commission meeting.

Since the beginning of the fiscal year, OHR docketed 216 cases, 195 cases were closed, and mediation settlements reached \$1,963,310.29.

Based on three recently decided cases by the D.C. Court of Appeals, it is likely OHR will begin to issue a higher percentage of probable cause findings. The Court of Appeals told OHR that its probable cause standard placed too much of a burden on complainants.

On May 9th, OHR had its annual City Council budget hearing. Based on the mayor's budget proposal, it is likely OHR will receive a small increase in its budget for FY 2015.

The Commission will likely be given a new area to adjudicate---the use of criminal background checks in hiring decisions. If the bill becomes a law, it is likely the Commission will need to hire additional staff to ensure it will be able to handle the additional caseload.

A bill providing additional employment protections to pregnant women was recently introduced by Councilmember Vincent Orange. A committee hearing will be held tomorrow to discuss the contours of the bill.

A bill prohibiting employers from testing for marijuana use before a conditional job offer was recently proposed by the City Council. A conference call with several District agencies was held last week to discuss the specifics of the bill.

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.

The Commission currently has a docket of 10 Commission cases, 5 OHR cases, and 6 CBX appeals.

Looking at our closure numbers thus far in the fiscal year, it is likely the Commission will meet all of its performance goals for the year.

The Commission plans to work with OHR to perform a training for new attorneys who will try cases before the Commission.

The Rules Committee will work toward finalizing revisions to Chapters 2-4. Chapters 3 and 4 will be prioritized, and then Chapter 2 will be completed.

Commissions Budd, McCollough, Taifa and Ward were sent letters seeking whether they are interested in being reappointed to the Commission for another term. Additionally, five other District residents have been nominated by the mayor to serve on the Commission and their names have been sent to City Council.

The Human Rights Award Gala planning is already underway. The Award Gala Committee will soon begin selecting the Neil Alexander Humanitarian Award nominations. The venue will once again be at the Kaiser Family Foundation and will take place on Thursday, December 11th.

Georgetown University Law Center will again teach the courses in the Youth Human Rights Ambassador program. This year, the Commissioners are expected to play a greater role in teaching the students.

July 2nd marks the 50th anniversary of Civil Rights Act of 1964. The Commissioners suggested we recognize this landmark piece of legislation at the Awards Gala. Additionally, the idea of a mayoral proclamation recognizing the 50th anniversary was proposed.

Law clerk Christina Cobb passed the D.C. Bar, and the Commission has a new law clerk for the summer, Joseph Dillard.

VI. OLD BUSINESS

No Old Business was discussed.

VII. NEW BUSINESS

Last month, Chairperson Taifa had a meeting with OHR Director Monica Palacio. They discussed several matters pertaining to the work of OHR and the Commission. One of the matters discussed was the Commission's interest in working on issues pertaining to criminal background checks and employment.

Regrettably, after serving many years on the Commission, Chairperson Taifa announced she will not serve another term.

VIII. COMMUNITY COMMENTS

Michael Sindram discussed several concerns he has with the Office and Commission.

IX. ANNOUNCEMENTS

On May 20th, Judge Damon Keith, of the U.S. Court of Appeals for the Sixth Circuit, will hold a book signing ceremony at Venable, LLP at 6:00pm.

On June 18th, Washington Lawyers Committee for Civil Rights and Urban Affairs will honor Chairperson Taifa at the Wiley Branton Awards Luncheon.

X. ADJOURNMENT

The Commission's May meeting was adjourned at 7:44pm.

XI. EXECUTIVE SESSION

No Executive Session was held.