

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



OFFICIAL COMMISSION MEETING

November 8, 2017
One Judiciary Square, 441 Fourth Street, NW, Room 1117

ATTENDEES

Commissioners:

Commissioner Fowlkes, Chair
Commissioner Ward, Vice Chair
Commissioner Aizawa, Secretary
Commissioner Figueroa Garcia
Commissioner Herzog

Commissioner Maier
Commissioner Muhammad
Commissioner Mulhauser
Commissioner Thomas
Commissioner Robinson

Office of Human Rights Staff:

Mónica Palacio, Director

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

Chairperson Fowlkes called the Commission's Official Meeting to order at 6:29 pm.

II. ROLL CALL

Chief Judge Simmons conducted the roll call, a total of nine Commissioners were present, constituting a quorum. A tenth Commissioner arrived shortly after the start of the Meeting.

III. ADOPTION OF THE AGENDA

Commissioner Ward moved to adopt the agenda and Commissioner Robinson seconded the motion. Judge Simmons noted a change in the agenda. Chairperson Fowlkes called the vote and the agenda was approved by acclamation.

IV. ADOPTION OF THE MINUTES

Commissioner Robinson moved to adopt the Commission's September Meeting Minutes; and Commissioner Muhammad seconded the motion. The 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:

- Standard Operating Procedures for Case Processing
- The new Fair Criminal Background Checks in Housing
- The new Fair Credit in Employment Amendment Act of 2016;
- A review of the case numbers and production;
 - In FY17 OHR resolved 778 cases with almost 3 million paid out in mediated settlements;
- A review of recent legislative activity from the City Council and regulatory work at OHR, including Council Member Grosso's recently introduced Abortion Service Provider Discrimination Act.

Commissioner Herzog attended a consortium of legal services providers training provided by OHR and commended the Director on the OHR Staff's performance. Discussion also occurred regarding the Major League Baseball partnership with local schools and D.C. Government for an anti-bullying initiative. The Commission was concerned that only charter schools appeared on the report of partner schools.

VI. REPORT OF CALJ

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

- The Commission's docket currently has:
 - Fifteen (15) Commission Cases, and has received one (1) new case in FY18;
 - Seven (7) Office Cases, of which none are new;
 - One (1) CBX case, of which none are new; and
 - One FCRSA case, of which none are new.
- To date, the Commission has closed:
 - Four (4) Commission cases;
 - Zero (0) Office cases;
 - Zero (0) CBX cases; and
 - Zero (0) FCRSA cases.
- Three Commissioners have been re-nominated by the Mayor to continue serving on the Commission: Commissioners Fowlkes, Ward, and Maier. Additionally, four candidates have been nominated to fill vacancies: Wynter Allen; Anika Simpson;

Gunther Sanbria; and Clifton Lewis. The City Council Roundtable Hearing on nominees will be November 28, 2017, from 1:00-5:00 pm in the Wilson Building.

VII. OLD BUSINESS

Case Management System Update

Judge Howard provided the update on the Case Management System. The Commission has completed its first round of extended and consolidated testing on the Case Management System Beta Version 1 delivered by the developer. Commissioner Collinson played a particularly active role alongside Commission and OHR staff. On November 3, 2017, a Testing Report was delivered to the developer. Judges Simmons and Howard will be meeting with the lead engineer to aid in the development of Beta Version 2. Another round of testing will occur on Beta Version 2 and it is anticipated that the final version will be prepared afterward and delivered to the Commission.

Update on Awards Gala

Chief Judge Simmons provided the update. The D.C. Human Rights Gala will take place Wednesday, December 6, 2017, 5:30-8:30 at the Carlos Rosario Education Campus at 1100 Harvard Street NW. The Commission and OHR are working towards having a greater public presence at what should be a larger event. Additionally, staff from the Commission and the OHR will speak to classes at the Carlos Rosario School in advance of the event.

In addition to the Neil Alexander Award, a special award will be given to retiring Professor Richard Roe, of the Georgetown Street Law program, who helped to create the Youth Human Rights Ambassadors program in conjunction with the Commission. Unfortunately, Professor Roe will be in Mexico the day of the event. However, Street Law, the Commission and OHR are working on getting a video from him to be shown at the event.

Chairperson Fowlkes expressed a concern with the parking at the event as street parking will be severely limited by rush hour regulations for the majority of the event. Commissioner Herzog inquired whether interpretative services will be provided at the event. The Commission Staff and OHR are looking into these issues.

Youth Human Rights Capstone Update -- Charisma Howell

Professor Charisma Howell was introduced by Chief Judge Simmons and presented an update on the Youth Human Rights Capstone. Professor Howell discussed the history of Street Law and noted that the Director of OHR is a graduate of Street Law. She explained the new Street Law Human Rights Capstone Project, a condensed mock trial involving an issue under the D.C. Human Rights Act, and asked Commissioners to volunteer to judge the trials on November 16 and 21, 2017. Professor Howell also asked for Commissioners to volunteer to assist at Wilson High School to prepare their students for the mock trial.

The Commissioners asked several clarifying questions and held some discussion. The materials and slide presentation that Commissioner Muhammad turned into OHR for standardization were inquired about. The Commission Staff will follow up with the Commissioners regarding volunteering to participate in the Capstone.

VIII. NEW BUSINESS

Neil Alexander Awardee

Chairperson Fowlkes announced that the Committee met and selected Katherine A. Huffman of the Raben Group as the Neil Alexander Humanitarian Award winner. He discussed the significant contributions Ms. Huffman has made throughout her career to human rights in D.C., particularly with respect to prison reform and the protection of the rights of incarcerated people.

Chief Judge Simmons noted that as in years past the remaining nominees will be held over for consideration as part of next year's pool of nominees.

Commissioners voiced support for the selection and discussed inviting the Mayor to this year's Gala again. Director Palacio noted that OHR was at work on ensuring all of the proper paperwork was in place with the Mayor's Office to complete the formal invitation.

IX. COMMUNITY COMMENTS

Community comments were provided by Mr. Michael Sindram. Mr. Sindram discussed his concerns with the Office of Human Rights, particularly administrative dismissals of numerous complaints that he has filed. He stated that he was being denied the benefit of mediation and, as a result, was not benefitting from settlements with parties he filed complaints against. Mr. Sindram accused OHR of discriminating against him, referenced an alleged civil case against OHR in the D.C. District Court, and stated that he would have OHR in federal court soon. He then gave a rendition of the poem "the Veteran."

X. ANNOUNCEMENTS

On Saturday December 16, 2017, at 11:00 a.m. there will be a swearing-in event at the Walter Washington Convention Center for group of Mayoral appointees to various Boards and Commissions.

Chairperson Fowlkes announced that his nephew, Karl Fowlkes, had graduated from the Villanova Law School during the summer and just learned that he had passed the New York State Bar.

Commissioner Mulhauser announced that gender data will be added to the annual performance reports of the D.C. Government. A time frame for the start of that data has not been set, but a stakeholders meeting is to occur this fall. Commissioner Mulhauser will report at the next meeting.

XI. ADJOURNMENT

The Commission's November 2017 public meeting adjourned at approximately 7:47 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.