

DISTRICT OF COLUMBIA
OFFICE OF HUMAN RIGHTS

2018

ANNUAL REPORT



Office of Human Rights
DISTRICT OF COLUMBIA

WE ARE WASHINGTON
GOVERNMENT OF THE
DISTRICT OF COLUMBIA
DC MURIEL BOWSER, MAYOR

"I will fight hard for that which I believe in,
and that which is good for the people."

-Mayor Marion Barry

40
STILL STANDING STRONG

As we celebrate the 40th anniversary of the
Civil Rights Act, our nation's first anti-discrimination law we take a look
at our heroes and challenge you to join us
in the work that lies ahead.

#StillStandingStrong

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MAYOR MURIEL BOWSER

Dear Residents–

We live in a vibrantly diverse and multicultural city. On any given day you can see faces, hear music, buy art, and taste food from all over the world. People born across the United States and the diasporas of Africa, Latin America, Asia, and Europe come to live here with us in the District. They bring their talent, training and world views here and share them with us. They start businesses that provide jobs, serve as nurses or doctors in our hospitals, become teachers our schools, and so much more. We welcome them because we know we are a safer and stronger city when we do. We also welcome them because we have values of inclusion and respect for the dignity and value of every single human being.

As a fifth generation Washingtonian, I am deeply proud of our city. We are a city that honors and enforces our hard won civil and human rights. I am also proud of our District government agencies that lead the charge ensuring our values of respect and inclusion have meaning. As you will read in this report, our Office of Human Rights (OHR) is our primary enforcement arm. OHR also does important education and outreach work and speaks with residents through workshops and presentations across all eight wards to ensure they know their rights and when and how to file a complaint of discrimination. From the Anacostia Library in Ward 8, to the Central American Resource Center in Ward 1, to the American University Campus in Ward 3, their goal is to ensure our residents have access to justice through OHR's complaint process.

OHR also works with our Metropolitan Police Department and Office of Religious Affairs to coordinate responses to hate or bias motivated crimes and symbols designed to instill fear in our residents. Almost daily our agencies work together to coordinate and activate our city's Hate Crime Protocol when reports of possible hate crimes are reported or discovered. Again, let our message be clear – we will not tolerate hate or messages manufactured to divide us – we are a city that lives and acts upon its values and we will not be divided.

Thank you for your contributions to our great city and I encourage you to share this report and information about the important work of OHR with your networks and neighbors.

Sincerely,



Muriel Bowser



The District of Columbia Office of Human Rights (OHR) works to eradicate discrimination, increase equal opportunity, and protect the human rights of individuals who live in, work in, or visit the District of Columbia. The agency enforces local and federal civil rights laws by providing a cost-free legal process to those who believe they have experienced discrimination. The local laws OHR enforces include the DC Human Rights Act of 1977, DC Family & Medical Leave Act of 1990, Parental Leave Act of 1994, Language Access Act of 2004, Youth Bullying Prevention Act of 2012, Unemployed Anti-Discrimination Act of 2012, Fair Criminal Record Screening Amendment Act of 2014, Protecting Pregnant Workers Fairness Act of 2014, Fair Credit in Employment Act of 2016, Fair Criminal Record Screening for Housing Act of 2016, and the Street Harassment Prevention Act of 2018.

OHR also proactively seeks to end discrimination in the District through educational campaigns and initiatives, and by identifying and investigating practices that may be discriminatory. The agency oversees the Language Access Program, Citywide Youth Bullying Prevention Program, Street Harassment Prevention Program, and a Returning Citizens Initiative.

DC Human Rights Act of 1977

The District of Columbia Human Rights Act of 1977 (HRA) prohibits discrimination in the areas of employment, housing, public accommodations, and educational institutions based on 20 protected traits. The Act — one of the most progressive anti-discrimination laws in the nation — allows individuals who believe they have experienced discrimination to file complaints with OHR and receive damages or remedies if discriminatory behavior is found. The Act only applies to discriminatory incidents that occur in the District.

20 Protected Traits

The HRA prohibits discrimination based on these 20 traits: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, disability, matriculation, familial status, genetic information, source of income, place of residence or business, status as a victim of an intrafamily offense, and credit information. Some exceptions apply.

The driving principle behind OHR's work is that all people deserve the opportunity to achieve their full potential lives free of discrimination. To prevent discrimination and address it when it occurs, OHR's work is concentrated into four areas:



ENFORCEMENT

Individuals who believe they experienced discrimination in the District of Columbia may file a complaint with our office. Our staff will mediate and investigate the complaint cost-free and make a determination that may result in damages being awarded.



ENGAGEMENT

Our team develops awareness initiatives and conducts extensive outreach to proactively prevent discrimination and creatively educate and engage the public on civil rights laws in the District.



EDUCATION

Our team curates policy, educational materials, research-based publications, and other resources that inform businesses, employers, social service providers, and communities on how civil rights laws impact and apply to their daily lives.



EQUIPPING

Our programs build the capacity of District agencies and government grantees to ensure equal access to services as well as bolster healthy environments for youth through bullying prevention implementation and policy.

MEET OUR NEW STAFF

In FY18-19, OHR has welcomed five new staff members to lead various initiatives and units towards a more just and discrimination-free city:



Rosa Carrillo

Language Access
Program Director
Joined December 2018

Why OHR: “I want to work in an environment where I can continue being in engaged directly with the DC immigrant community and government.”

Rosa comes to OHR from Multicultural Community Service where she served as the Language Service Program Director (LSP) for over 16 years. During her tenure as the LSP Director she developed and expanded a comprehensive curriculum for the Community Interpreter Training (CIT) program in the District of Columbia. The CIT program trained more than 200 interpreters in the DC region; the CIT curriculum includes 70 hours of interpreter training. She managed and developed a range of language access tools and technical support to aid government agencies in the implementation of language access policies and best practices. Since 2002, Ms. Carrillo worked closely with grass roots organizations and government entities to develop language access policies in the DC region. She participated in advocacy efforts to pass the DC Language Access Act of 2004 and served two terms on the Executive Committee of the DC Language Access Coalition.



Nycole Morton

Intake Program Manager
Joined June 2018

Why OHR: “I am drawn to OHR because I believe in equality for all people in every aspect of their personal and professional lives.”

Nycole transitioned within District government to OHR from the District of Columbia Office of the Attorney General Child Support Services Division where she served as an Assistant Attorney General. Nycole gained her human rights experience as an EEO Counselor, Investigator, and Mediation Coordinator on behalf of the Federal Government and received multiple hours of training from the EEOC. She earned her B.S. degree in Mass Communications from Towson University, J.D. from University of the District of Columbia David A. Clarke School of Law, and Master of Laws in Litigation and Alternative Dispute Resolution from The George Washington University Law School.



Alta Ray

Deputy Director

Joined October 2018

Why OHR: “I wanted to use my passion for workplace compliance and civil rights law to help better and expand the services OHR provides to District residents, employees, and employers.”

Alta began her legal career at the Federal Bureau of Prisons, where she handled employment law and labor union matters. She then practiced employment law at two law firms, helping clients comply with local and federal civil rights laws. Most recently, Alta worked for Marriott International, where she handled global employment law and public accommodation claims. Alta is a graduate of the University of Maryland, College Park and Howard University School of Law.



Michelle D. Thomas

Investigations Supervisor

Joined August 2018

Why OHR: “I chose to work for OHR because I love the people of the District and want to be a part of an Agency whose mission is to help end discrimination and protect the rights and dignity of all people.”

Michelle comes to OHR after working in various management and leadership positions in the tech, retail, and nonprofit sectors. Most recently she ran a human resources (HR) and business consulting firm where, among other tasks, she conducted EEO investigations and wrote final agency decisions, trained companies on HR and diversity topics, and served as a Sexual Assault / Sexual Harassment Subject Matter Expert for the federal government. In addition to her business experience, Michelle has significant legal experience. She served as Senior Litigation Counsel at a Plaintiffs’ side civil rights and employment law firm, an Attorney Advisor in the Enforcement division of the Federal Energy Regulatory Commission, and an Assistant United States Attorney for the U.S. Attorney’s Office for the District of Columbia. She also clerked for then-Chief Judge James R. Spencer of the Eastern District of Virginia. She holds a BS in Finance from Cal State Fresno, MBA from U.C. Berkeley’s Haas School of Business, and JD from Howard University.



Maya Vizvary

Street Harassment Prevention

Program Analyst

Joined February 2019

Why OHR: “I chose to work at OHR so I could see policy turning into action: shifting our culture from one of harassment & violence to one of respect & compassion.”

Maya comes to OHR from American University, where she was the Sexual Assault Prevention Coordinator for three years. She is passionate about comprehensive and trauma-informed advocacy, trainings, educational programming, and policies for vulnerable and underserved populations. She is originally from Sarasota, FL and has been living in DC since 2007; she has her Master’s in Social Work and Master’s in Public Health from Washington University in St. Louis.

Individuals who believe they have been subjected to discrimination in employment, housing, public accommodations, or educational institutions in the District may file a complaint online or at the OHR office. The complaint process is cost-free and does not require an attorney. Here is what individual can expect when filing a complaint with OHR:

STEP 1

An individual can file a complaint when they¹ believe they have been a victim of discrimination. A questionnaire must be completed and submitted to OHR within one year of the incident either in-person, by mail, or online at ohr.dc.gov. OHR accepts complaints under the Human Rights Act in four areas: Employment, Housing, Access to Public Accommodations, or Education. Complaints can also be filed for all the statutes that OHR enforces.

STEP 2

After the initial complaint questionnaire is submitted, an intake interview is conducted, and OHR will determine whether it has jurisdiction to investigate the case. Details about the alleged incident will also be gathered during the interview.

STEP 3

If OHR has jurisdiction, it will docket the case and send it to a mandatory mediation session, where the parties will work with an OHR mediator in an attempt to find an agreement that can quickly resolve the case.

If an agreement cannot be reached in mediation, OHR will launch a full investigation, which can include interviewing witnesses and reviewing relevant documents and policies.

STEP 4

Once an investigation has been completed, the case moves from the Investigations team to the Office of General Counsel for review of legal sufficiency. The OHR Director is the last to review the case and determine if there probable cause that discrimination has occurred.

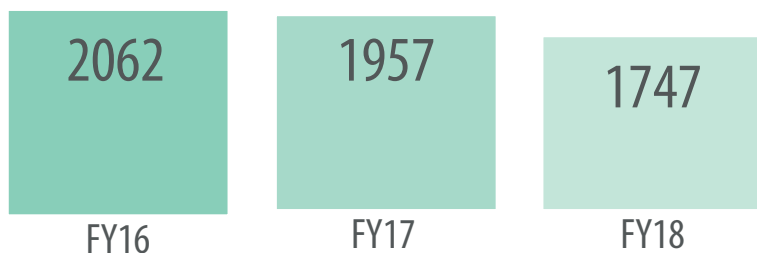
STEP 5

In cases where probable cause is found another attempt to mediate the case is required. Cases not resolved at this stage are certified to the Commission on Human Rights. The Commission will review the case, hold hearings to make a final determination, and award damages if discrimination is found.

¹ OHR uses the pronoun “they” in place of “he/she” in efforts to be inclusive of the diverse gender identity spectrum.

COMPARATIVE OHR INQUIRIES: FY16-18

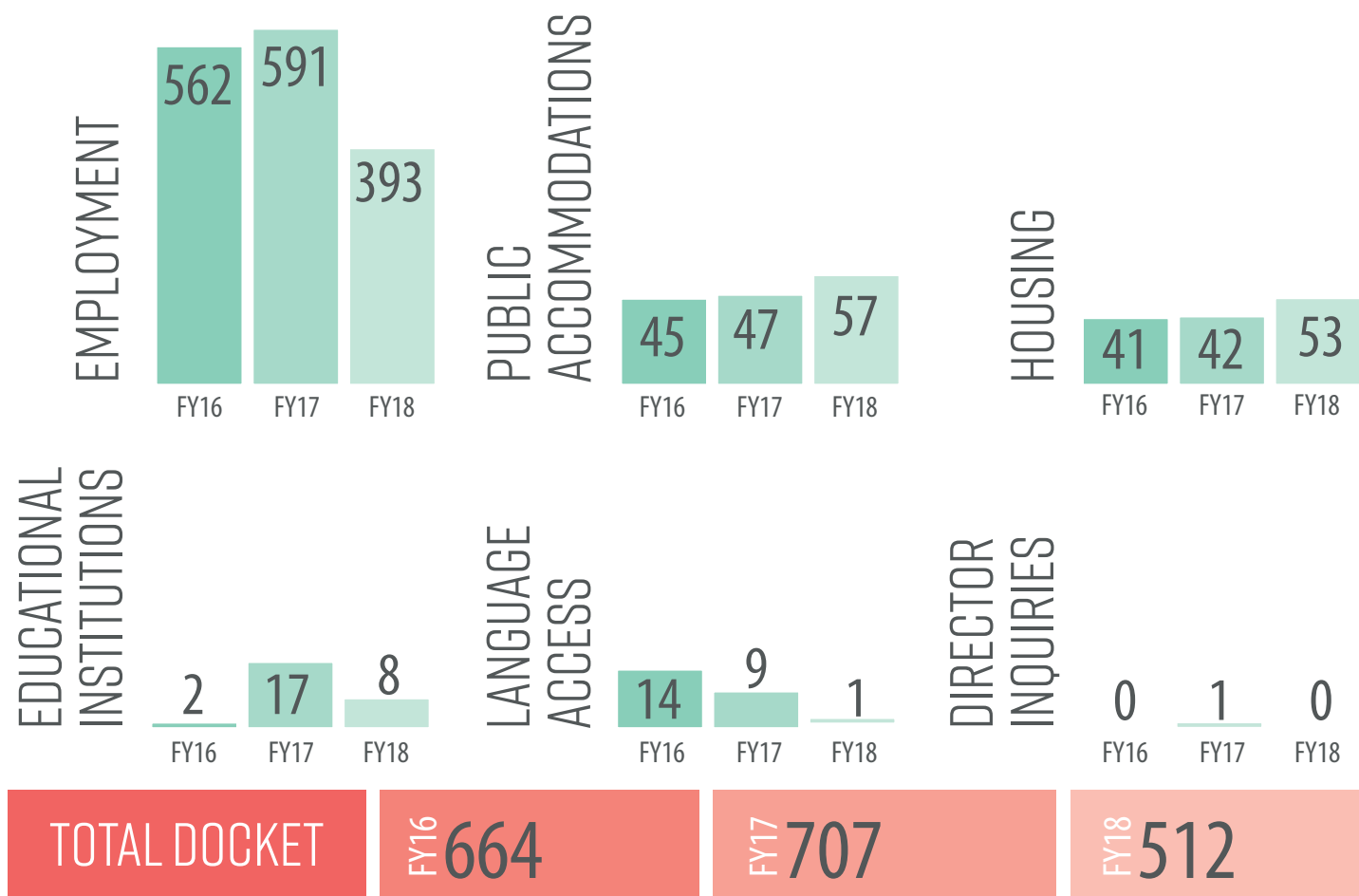
Discrimination inquiries are the completed complaint questionnaires received by OHR from a member of the public. The inquiries can be made through online submission of a complaint form on OHR's website, by hand delivery, or mailing to the OHR office. All inquiries are subject to a jurisdictional review.



210
fewer inquiries in
FY18 than in FY17

COMPARATIVE OHR CASE DOCKET BY ENFORCEMENT AREA: FY16-18

Docketed cases refer to discrimination inquiries filed that meet jurisdictional requirements by law. Requirements include the incident occurring within the borders of the District in one of four areas covered under the law (employment, educational institution, housing, or a place of public accommodation) and being reported within one year of occurring or discovery thereof.



FY18 OHR CASE DOCKET BY PROTECTED TRAIT

Of the **512 complaints** docketed in FY18, some were filed with more than one protected trait. Therefore, the protected traits below do not equal the total number of cases docketed. Fields marked with an "X" indicate that the particular trait is not protected under the Human Rights Act for that area type.

512
complaints docketed
in FY18

	EMPLOYMENT	HOUSING	PUBLIC ACCOMMODATIONS	EDUCATIONAL INSTITUTIONS
Age*	23	1	0	0
Color*	6	0	1	0
Credit Information	1	X	X	X
Disability*	38	16	13	4
Familial Status	X	2	3	0
Family Responsibilities	5	0	0	0
Gender Identity & Expression*	3	0	4	0
Genetic Information	0	X	0	X
Marital Status	0	0	0	0
Matriculation	0	1	0	X
National Origin*	20	1	6	1
Personal Appearance	5	0	5	0
Place of Residence or Business	X	0	0	X
Political Affiliation	2	0	0	0
Race*	37	4	9	1
Religion*	0	1	1	0
Sex*	63	1	14	0
Sexual Orientation*	6	0	1	0
Source of Income	X	22	0	0
Status as a Victim of an Intrafamily Offense	X	1	X	X
Retaliation* (not a protected trait)	63	0	0	2

*Protected by Federal law and cross-filed, where applicable with HUD or EEOC.

FY 18 CASE DOCKET BY STATUTE

STATUTE	DOCKETED
The DC Human Rights Act of 1977	387
The DC Language Access Act of 2004	1
The Fair Criminal Records Screening Amendment Act of 2014	89
The DC Family and Medical Leave Act of 1990	29
The Protecting Pregnant Workers Fairness Act of 2014	3
Unemployed Anti-Discrimination Act of 2012	0
The Fair Credit in Employment Amendment Act of 2016	1
The Fair Criminal Record Screening for Housing Act of 2016	2

MEDIATION

Docketed complaints of discrimination filed with our office must go through a mandatory mediation process. An OHR mediator works with both parties to assist them in finding a mutually agreeable resolution. Agreements can be monetary or can include other reparations such as job reinstatement, employee training, or changes in business practices. In FY18, OHR mediated **521** cases. Of the mediated cases, **248** were settled. In FY18, more than **\$2.9 million dollars were awarded in settlements** during successful mediations. Cases mediated and closed by the mediation program include both cases docketed in FY18 as well as cases carried over from previous fiscal years.

COMMISSION ON HUMAN RIGHTS

When probable cause of discrimination is found by OHR, a final attempt to encourage settlement is made. If a settlement is not reached, the case is certified to the DC Commission on Human Rights (COHR), which is a quasi-independent body with the primary function of adjudicating private sector discrimination complaints brought under the D.C. Human Rights Act, D.C. Family Medical Leave Act, and Fair Criminal Record Screening Act. The Commission also hears appeals under the Criminal Background Checks for the Protection of Children Act and the D.C. Children and Youth Safety and Health Act. An Administrative Law Judge at the Commission reviews each case and recommends findings to a panel of three Commissioners¹ appointed by the Mayor, who agree with or modify the findings. The administrative law judges of the Commission also perform similar functions when acting as appointed independent hearing examiners on behalf of the Director of OHR in cases involving the District Government.

In FY18, **14** new cases were certified to the Commission. Of these, **3** were COHR cases; **3** were OHR cases²; **5** were Criminal Background Check cases; and **3** was a Fair Criminal Record Screening Act case. In FY18, **25** cases were resolved by the COHR. Of these, **17** were COHR cases; **4** were OHR cases; and **4** were Criminal Background Check cases. In FY18, complainants at the Commission were awarded monetary relief in excess of **\$239,000**. Moreover, complainants achieved injunctive relief such as reinstatement to positions, appointment to jobs, restored benefits and seniority, neutral and positive references, and other relief.

¹ The full Commission consists of 15 total Commissioners appointed by the Mayor.

² Cases filed against the District government are deemed OHR cases; while cases filed against private entities in the District are deemed COHR cases.

\$2.9M

awarded in
settlements

\$239K

awarded by the
Commission in
monetary relief



NEW OHR ENFORCEMENT LAWS

Fair Criminal Record Screening for Housing Act

Beginning October 1, 2017, OHR began enforcing the Fair Criminal Record Screening for Housing Act of 2016, which prevents unlawful screening of a housing applicant's criminal background. The law imposes several new requirements for rental housing providers, including: (1) provision of written notice of rent eligibility criteria to applicants; and (2) not making an inquiry or asking any questions related to an applicant's criminal background or arrest history at any time prior to making a conditional offer of housing to the applicant. Applicants who believe a housing provider has violated the law may file a free complaint with OHR.



Fair Credit in Employment Amendment Act

Beginning October 1, 2017, OHR also began enforcement of the Fair Credit in Employment Amendment Act of 2016. The Fair Credit Act prohibits employers, employment agencies, and labor organizations in the District of Columbia from discriminating against an employee or applicant based on their credit information. This means that employers, unless excluded by the law (see below), may not ask for, or rely on, credit information of a current or potential employee in making employment decisions. The law amended the DC Human Rights Act of 1977 (HRA), making Credit Information the 20th protected trait under the HRA.



Street Harassment Prevention Act – Effective FY19

On October 1, 2018, the Street Harassment Prevention Act of 2018 (SHPA) became effective law in the District. The SHPA is a first of its kind legal measure in the United States that: (1) creates a legal definition of street harassment; (2) establishes a community-based Advisory Committee to study street harassment and develop model policies and trainings; and (3) requires a public information campaign on street harassment. It was designed to focus uniquely on prevention through education instead of criminalization.



Street harassment is any disrespectful, offensive, or threatening statements, gestures, or other conduct directed at an individual in a high-risk area without the individual's consent and based on the individual's actual or perceived protected trait identified in the DC Human Rights Act of 1977. High-risk areas include all public spaces and entities outside of a private residences and include but are not limited to:

- Enclosed area within any Metrorail car, Metrobus, MetroAccess vehicle, DC Circulator bus, DC Streetcar, or any other commercial vehicle capable of carrying more than 6 passengers;
- Food service entity;
- Any school, library, or other building primarily used for instruction of students;
- Any bank, health care facility, laundromat, retail store, shopping mall, sports arena, music venue, or theater;
- All publicly-owned property, including any roadway, sidewalk, or parking lot; and
- All buildings or land owned, leased, or occupied by District government.

BY THE NUMBERS: OHR OUTREACH AND IMPACT AT A GLANCE

79 **"Know Your Rights"** trainings delivered by OHR in all 8 Wards  **100+** outreach events attended by OHR staff



115

attendees

at 50th Anniversary of Fair Housing Act Celebration



26

community leaders

trained to be Human Rights Liaisons



1300

stakeholders reached

through OHR Monthly Newsletter

5 **trainings held** at regional correctional facilities on District Fair Chance laws

26 **outreach events** attended in East of the River communities

65 

trainings conducted

on Fair Criminal Record Screenings in Housing and Fair Credit

21%



increase in social media

followers on OHR's Facebook, Twitter and Instagram

BEYOND ENFORCEMENT

Through event experiences, awareness initiatives, and strategic outreach to community members and organizations, OHR works to proactively prevent discrimination, promote messages and practices of inclusion, and inform individuals on how discrimination can be addressed if it occurs.

STILL STANDING STRONG: 40TH ANNIVERSARY OF THE DC HUMAN RIGHTS ACT

At the onset of FY18, OHR and the Commission on Human Rights celebrated the 40th Anniversary of the passage of the District of Columbia Human Rights Act of 1977 on December 6, 2017 at an event hosted at the Carlos Rosario International Public Charter School in Columbia Heights. The event titled “Still Standing Strong: Celebrating the 40th Anniversary of the DC Human Rights Act” honored the legislative legacy of the Act and its continued impact in the District and beyond. It included a brief film screening featuring former Councilmember Arrington Dixon and Virginia Ali of Ben’s Chili Bowl; the two provided their accounts of the historic moments leading to the passage of the Act in 1977.

The screening was followed by a panel discussion where local leaders explored the future of civil and human rights under the pressures of the current societal climate. The historic local law predated the District’s Home Rule status and was introduced as a new bill to the first elected Council of the District of Columbia by eight sitting members, including former Mayor and then-Council member Marion Barry, and passed unanimously. The initial statute prohibited discrimination based on 15 protected traits in the areas of employment, housing, education, and places of public accommodation; over the past four decades, five more traits have been added, making it one of the strongest living civil rights laws to date in the country. Additionally, Katherine Huffman of the Raben Group was honored for her contributions to advancing civil rights and commitment to criminal justice reform and receiving the notable Cornelius “Neil” Alexander Humanitarian Award—an award for outstanding achievements in civil rights and named after former Chief Judge Neil Alexander—at the event.



Director Monica Palacio (right) with awardee Katherine Huffman at the Still Standing Strong event.



Commission on Human Rights Chairman, Earl Fowlkes, delivers remarks at the Still Standing Strong event.

FAIR HOUSING ACT (FHA) AT 50 ANNIVERSARY EVENT

In April 2018, OHR commemorated 50 years of the Fair Housing Act and its influence on subsequent laws in the District. The *Fair Housing at 50* event convened housing providers from across the region as well as other local government representatives to share information and ideas on the distinct housing requirements in the Mid-Atlantic region. The event consisted of a panel that discussed the harsh impacts of housing provider decisions on marginalized communities and included a special focus on the new D.C. Fair Criminal Record Screening for Housing Act. With over 120 attendees, OHR made a successful mark on both housing providers and community members seeking to better understand each other and explore pathways towards inclusive housing practices.



More than 100 attend OHR's 50th Anniversary of the US Fair Housing Act of 1968 event, *Forward With Fairness*.

FAIR CHANCE OUTREACH

Since the passage of the Fair Criminal Record Screening Amendment Act in 2014, OHR has prioritized its outreach and coalition building with organizations and individuals within the returning citizen community. In February 2018, as part of Reentry Reflections Month, OHR launched a dialogue series to bring greater awareness to unresolved difficulties faced by formerly incarcerated individuals when returning home. The series also aimed to highlight the impact of incarceration on the family members and loved ones of returned citizens, as well as identify and explore ways to act on challenges that can lead to recidivism and to encourage more successful reentries. OHR hosted the first dialogue, entitled *Hear Me Now: Reentry Reflections* on February 6, 2018, with 40 attendees, and continued the conversation with returning citizens throughout FY18 to elevate issues that go beyond the scope of the District's current fair chance laws.

Throughout FY18, OHR continued to build upon its outreach to the returning citizen community as well as to DC residents that are currently incarcerated within the District's borders and elsewhere. OHR developed a robust partnership with the Department of Corrections (DOC), District-based halfway houses and out-of-state correctional facilities to empower and educate residents at every point about their employment and housing rights upon release to the District. Over the last year, OHR has visited Cumberland, Hazelton, and Three Rivers correctional facilities to inform inmates about the Fair Criminal Record Screening Amendment Act and Fair Criminal Record Screening for Housing Act.



OHR staff speak about FCRSA with soon-to-be released District residents at the US Penitentiary in Hazelton, West Virginia.

LISTENING LABS

Since 2017, reports of bias-related crimes and incidents have increased significantly in the District, and in response to this swell of activity, OHR was tapped to lead Mayor Bowser's initiative entitled *DC Values in Action* (DCVIA). The heightened coordination of agency responses improved response time to reports of bias-related acts and sent a clear message that the District was committed to inclusion. OHR has since worked closely with Metropolitan Police Department (MPD), the Executive Office of the Mayor, and the Office of the City Administrator to coordinate critical information about District services if and when a hate crime or hate speech targeting District residents or visitors occurs. OHR played an important convening role and helped to produce a number of documents so that District residents and visitors would know who to call and what help was available to address the incident or support the victim. MPD data from 2018 shows a significant spike in local reported hate and bias-related crimes that target the LGBTQ community, specifically transgender women of color, and the Jewish community.

In May 2018, OHR extended work on DCVIA with a pilot project titled, *Listening Lab*, in partnership with Council member Brianne Nadeau (Ward 1) and Mayor Bowser. The project was an invite-only weekday evening event at the Columbia Heights Education Campus in which community leaders and community members were convened to discuss burning community issues as they related to bias and civil rights. The inaugural Lab was hosted in Ward 1 on May 16, 2018. In efforts to extend the conversation to other areas of the city, OHR convened a second session in Ward 8 on September 26, 2018 at Savoy Elementary School. OHR continues to work proactively with other District agencies to address rising concerns of hate activity given local and national events of this nature.

BUSINESS COMMUNITY OUTREACH

After the first full enforcement cycle of the Fair Criminal Record Screening for Housing Act and Fair Credit in Employment Act, OHR made significant strides in the business community. Throughout FY18, OHR conducted 11 "town hall" style discussion sessions relating to the Fair Criminal Record Screening for Housing Act and Fair Credit Amendment Act with both business owners and housing providers across the District. OHR also established relationships with and presented to several chambers of commerce and other realty and housing associations including, but not limited to: the Greater Capital Area Association of Realtors and the Apartment and Office Building Association. OHR also worked with the Department of Consumer and Regulatory Affairs (DCRA) to develop an ongoing monthly business training series; the trainings introduced and provided best business practice guidance around compliance for both new laws to new and small business owners in the District. This internal partnership continues to be critical to OHR's success in reaching audiences beyond its traditional scope.



OHR staff attend the 2018 Department of Housing and Community Development Housing Expo to distribute information about the DC Fair Criminal Record Screening for Housing Act.

ENFORCEMENT GUIDANCE DOCUMENTS

In FY18, OHR released three enforcement guidance documents on the topics of 1) Housing and Commercial Space; 2) What the Protecting Pregnant Workers Fairness Act requires of Employers; and 3) Unlawful Treatment Based on Personal Appearance, Political Affiliation, and Matriculation. OHR began issuing these guidance documents in FY 2016 to answer frequently asked questions and to provide additional information and examples to the general public and parties appearing before OHR.

EEO COUNSELING AND OFFICER CERTIFICATION PROGRAM

In the District government, employees and applicants for employment are required to undergo an informal resolution process with an Equal Employment Opportunity (EEO) Counselor before filing a formal complaint of discrimination with OHR. Pursuant to the DC Human Rights Act (HRA) and its accompanying regulations at 4 DCMR § 100 et seq., in FY16, OHR developed and launched an EEO Counseling and Officer Certification Program. The purpose of the program is to provide tailored and comprehensive training to the District's EEO Counselors and Officers through a rigorous three day-long training curriculum that covers District EEO laws, DC Family and Medical Leave Act, and best practices for conducting EEO counseling. To continue best practices exchange and dialogue beyond the structured training courses, OHR also added a quarterly EEO Counselor Lunch and Learn Series.

In FY18, following the success of the Certification Program, OHR opened the trainings to any employee in the District and highly encouraged managers and executive leaders to attend. Today, the Program is offered two times a year in the Spring and Fall. Each cycle offers three day-long trainings (each offered two or three times to maximize attendance). By the end of FY18, OHR had a **total of 109 trained and certified EEO Counselors** in the District. OHR maintains a list of certified EEO Counselors and Officers, which can be found at ohr.dc.gov/page/EEOcounselors.

HUMAN RIGHTS LIAISONS

OHR's Human Rights Liaison Program (HRL) is a stakeholder engagement project that provides training on all OHR processes and the laws enforced by the agency. The goal is to better equip direct service providers in diverse communities in identifying potential discrimination against their clients and in filing complaints with OHR. In FY18, OHR held **four day-long workshops** for over **120 providers** from more than **50 different organizations**.

OHR MONTHLY NEWSLETTER

In May 2018, OHR launched its first monthly newsletter e-blast series. The newsletter is sent by email to OHR's entire listserv of individuals who have attended OHR events or who have subscribed through our website. The newsletter covers current topics in civil and human rights, defines distinct protected traits covered by the District's local Human Rights Act, lists local events and initiatives in DC related to human rights, and includes a personal note from the Director on the climate of human rights in the District. Over the course of FY18, OHR reached an average of 1,300 stakeholders through the monthly newsletter; the agency has continued it into FY19. To sign up to receive our OHR monthly newsletter, visit the OHR website homepage at ohr.dc.gov.



LANGUAGE ACCESS PROGRAM

The Language Access Act of 2004 (LAA) requires District government programs and departments to provide greater access and participation in public services, programs, and activities for residents of the District of Columbia with limited or no-English proficiency (LEP/NEP). The Language Access Program, housed within OHR, exists to eliminate language-based discrimination. The Program enables DC residents, workers, and visitors to receive equivalent information and services from the DC government, regardless of what language they speak. The Program's scope includes all District agencies that come into contact with the public, and it supports these agencies in providing translation and interpretation services for customers who are LEP/NEP.

/ FY18 PROGRAM HIGHLIGHTS /

Improvements in District Agency Field Testing

Language Access Field Testing conducted in FY18 by the Equal Rights Center (ERC) shows that 50% of agencies tested in both FY17 and FY18 improved their interpretation rates, while overall interpretation rates were 10% lower in FY18 as compared to FY17. A total of 130 telephone and 106 in-person tests were conducted at 17 covered entities with major public contact in FY18, showing that testers received interpretation services in 88% of in-person tests and in only 37% of telephone tests. ERC testers either visited or called these agencies and attempted to obtain information from frontline employees while speaking exclusively in one of seven non-English languages: Amharic, Arabic, Chinese, French, Korean, Spanish, and Vietnamese. While the tests did not show notable variations in service based on language spoken by the tester, they point to persistent barriers to access for LEP/NEP customers seeking to receive interpretation services and information over the phone.

6,475 District Employees and Grantees Received Language Access Compliance Training

In FY18, OHR's Language Access Program provided extensive training, individual consultation, and technical assistance to Language Access Coordinators (LACs) and Language Access Points of Contact (LAPOCs) to support agencies' implementation of language access requirements and improve overall compliance with the Language Access Act. In FY18, OHR delivered 30 language access compliance training sessions, including five language access and cultural competency trainings which were delivered through DC Department of Human Resources' Center for Learning and Development. Additionally, agencies took proactive steps in FY18 to offer language access compliance training for their staff by embedding language access modules into training for new hires and by offering recurring training opportunities for frontline staff, managers, grantees, and contractors.



30

language access compliance training sessions
delivered by OHR in FY18



OHR staff at Chinatown Festival providing information on language access services available through District government for residents and workers.

Digital Language Access Signage

In an effort to improve language access signage across District agencies, OHR's LA Program worked with the Office of Cable Television, Film, Music & Entertainment (OCTFME) and the Mayor's Offices on African (MOAA), Asian & Pacific Islander (MOPIA), and Latino Affairs (MOLA) to produce an educational video promoting the District's interpretation services to LEP/NEP customers. These agencies worked collaboratively with OHR to develop a culturally appropriate message, translate the content of the video into the ten languages most widely spoken in the District, and launch production in FY18. Once completed, this video will be displayed on screens in various public-facing locations throughout District agencies to provide a visual reminder for LEP/NEP customers to exercise their right to language access and to encourage wider use of interpretation services.

/ FY19 PROGRAM INITIATIVES /

Government Cultural Competency Training

In FY19, the Language Access Program has been providing a series of four Cultural Competency and Language Access trainings to front line Department of Motor Vehicles staff; this team effort and partnership is with the Constituencies office collaboration of MOLA, MOAA, MOAPIA and recently joining the training team, the Mayor's Office of African American Affairs (MOAAA). The LA program will extend this training to other government agencies that have expressed interest. Continuing with a series of trainings in FY19, OHR LA program will offer once a year refresher LA compliance trainings to government agencies' Directors and General Counsels.

Community "Know your Rights" (KYR) Training

The LA program will reconnect with community based organizations and the Language Access Coalition to establish a collaboration to provide the KYR trainings to the different LEP/NEP immigrant communities in the District of Columbia. In our efforts to reach out to and connect directly with the LEP/NEP community, the LA program is planning to host a city-wide forum where agencies will have the opportunity to provide information on the agencies' services; the forum will aid to build and strengthen the trust of the LEP and NEP communities. This event will be another outreach effort in collaboration with community-based organizations, government agencies, and constituencies offices.

Enhanced Technical Assistance

In FY19, the LA program will finalize the production of the Educational Video that will feature the steps that LEP customers need to take to receive interpretation service. The goal is to air the video on TV monitors, starting with the Office of Human Rights, by May 1, 2019 and make it available to agencies with public-facing locations.

YOUTH BULLYING PREVENTION PROGRAM

The Youth Bullying Prevention Act of 2012 (YBPA) requires all schools and youth-serving agencies in the District of Columbia to investigate all reports of bullying, determine whether they are consistent with the definition of bullying contained in the YBPA, and, if so, address the behavior to ensure that it does not continue. Best practice dictates that schools and agencies also immediately address the needs of the student who is being targeted, or who feels that they are being targeted. Even a student whose experience is not determined, after investigation, to meet the YBPA's definition of bullying may still experience trauma and require additional support.

/ FY18 PROGRAM HIGHLIGHTS /

Policy Compliance

All DC agencies, grantees of the city, and all but one public school¹, have a compliant policy that is based on research and best practices. That means we have a common definition of what bullying is and how to best address incidents to support youth who are targeted and change the behavior of youth who are engaging in bullying behavior. Consistency across schools, after school programs, and DC agencies is the first step toward building trust with our young people and knowing how we can support them.

Direct Support to Schools

The Youth Bullying Prevention Program (YBPP) provides training to schools (points of contact, teachers, and parents) on how to best approach incidents and support students. There is a monthly email that is sent to school points of contact regarding latest research, resources, and grant opportunities available in DC to help build capacity and support full implementation of the law.

New Data

In partnership with the Office of the State Superintendent of Education (OSSE) and the research organization Child Trends, we are in the third and final year of a National Institutes of Justice (NIJ) School Climate and Violence prevention grant. This grant provides schools an opportunity to understand their own school climate, including what is and what is not working well in the school building. It provides funding for schools to address concerns and to build capacity in creating schools that are safe, supportive, and engaging. We are also using this data in aggregate to better understand the needs of youth in the city and pairing it with what we know from the Youth Risk Behavior Survey and the incident data collected through the YBPA.



¹ The Family Place is the sole public charter school to not submit a compliant policy to OHR. OHR will continue to work with the DC Public Charter School Board to finalize the adult-based educational institution to bring them into compliance in FY19.



/ FY19 PROGRAM INITIATIVES /

Healthy Relationships Online

We know from our work with schools and afterschool programs that our youth are engaging in online behavior that is causing real world problems. Through funding from the District of Columbia Department of Health (DC Health) we are creating a series of interactive lessons for students in 5th through 8th grade that supports the development of skills around using social media in ways that are healthy. We want to provide tools to support youth to develop healthy and positive connections online. Once finalized, the free lessons will be available for DC schools, agencies, and nonprofits to use and we will train them on implementation.

Understanding the Lessons of the NIJ Grant

In an effort to best understand what has worked and what would better serve the needs of schools, we will be doing a case study of one of the schools in the NIJ grant. The goals are to best understand how to use data and research, to better the practice in schools, to build a positive school climate, and to reduce the occurrence of bullying.

The Citywide Youth Bullying Prevention Program, created in 2013, aims to reduce incidents of bullying across the District by emphasizing prevention and proper procedures for responding when incidents occur. The definition of bullying in the law incorporates the protected traits of the DC Human Rights Act (HRA) as the categories youth may be targeted on. Research demonstrates that the more comprehensive the list of protected characteristics is, the stronger the law. By having the list from the HRA, the YBPA is more comprehensive than any other jurisdiction in what it covers. This list not only provides protection, but it allows us to train and explain how discrimination works.

MEET THE STAFF

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Josephine Ansah-Brew / Administrative Officer

Alexis Applegate / Human Rights Officer

Dontee Barringer / Program Support

Stacey Biney / Attorney Advisor

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