

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



OFFICIAL COMMISSION MEETING

September 14, 2016
One Judiciary Square, 441 Fourth Street, NW, Room 1117

ATTENDEES

Commissioners:

Commissioner Fowlkes, Chairperson
Commissioner Aizawa
Commissioner Bornstein
Commissioner Figueroa-Garcia
Commissioner Maier

Commissioner McCollough
Commissioner McLeod
Commissioner G. Reed
Commissioner Ward

Office of Human Rights Staff:

Mónica Palacio, Director
Hnin Khaing, Deputy Director
Ebony Robinson, General Counsel

Commission on Human Rights Staff:

David C. Simmons, Chief ALJ
J.P. Howard, ALJ
Shani Brown, Law Clerk
Edward Street, Law Clerk

Members of the Public:

MEETING

I. CALL TO ORDER

Chairperson Fowlkes called the meeting to order at 6:30 pm.

II. ROLL CALL

Chief Administrative Law Judge, David C. Simmons, conducted the roll call. Eight active Commissioners were present and another arrived shortly after. A quorum was present; thus, the Commission began its official meeting.

III. ADOPTION OF THE MINUTES

Chairperson Fowlkes directed the Commissioners to review the May and July meeting minutes. Commissioner Ward moved to adopt. Commissioner Maier seconded the motion. Commissioner Figueroa-Garcia noted page three of the May 11 meeting minutes and asked for a

change. The Commission voted to approve the change and the meeting minutes for May and July.

IV. 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:

- Hnin Khaing has been designated as the Interim Deputy Director of the Office;
- Brian Ferguson, the FCRSA Investigator, has been appointed by the Mayor to serve as the Director of the Mayor's Office on Returning Citizen Affairs.
- Figures from the OHR Production Report;
- Updates from the bullying program including a grant;
- The pending renewal of the biannual language access plans for thirty-six (36) D.C. Agencies which is ahead of schedule and is expected to be complete by October 15, 2016.
- Successful lobbying for a joint project with the Department of Motor Vehicles placing "Navigators" in DMV locations to help populations that need language support to get through.
- An overview of updates in OHR's Departments; and
- A review of recent legislative activity from the City Council and regulatory work at OHR.

Commissioners noted seeing the Navigators during visits to the DMV. Several Commissioners addressed some of the legislation that was addressed and asked about participating in providing testimony. The Commissioners requested the opportunity to work with OHR staff in that area.

V. REPORT OF CALJ

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

- The Commission's docket currently has:
 - Twenty-four (24) Commission Cases, and has received twenty-four (24) new cases;
 - Ten (10) Office Cases, and has received seven (7) new cases; and
 - Four (4) CBX cases, and has received (5) new cases.
 - At this time the Commission has not received any FCRSA cases.
- To date, the Commission has achieved or exceeded its goals, by closing:
 - Sixteen (16) Commission cases,
 - Seven (7) Office case, and
 - Eight (8) CBX cases.
- The Chief discussed the Settlement Judge Process, noting that in FY16, nine (9) cases

have been referred to a settlement judge and nine (9) have been successfully settled. More cases are set to undergo the process in the final weeks of FY16.

- Currently there are two (2) Commissioner vacancies and three (3) candidates are being considered by MOTA.
- Five (5) Commissioners' terms expire, three (3) have expressed a desire to return, and one Commissioner is working to determine that there will be no conflict with a new position.
- The Commission has two (2) law clerks at this time:
 - Shani Brown, a current second-year UDC law student and a graduate of Dartmouth University, who worked for the Office of Human Rights over the summer as a law clerk; and
 - Edward Street, a University of Detroit Mercy law student, who is on leave this semester, and a graduate of Michigan State University.
- The Commission's previous law clerk Rasheedah Hassan is currently in a Fellowship with the Congressional Black Caucus Foundation.

VI. OLD BUSINESS

Chairperson Fowlkes discussed Commissioner involvement in matters of public concern. Chairperson Fowlkes discussed a fruitful conversation with OHR regarding Commissioner involvement in public facing initiatives. As a result, information will be coming to the Commission in advance regarding OHR events, efforts, and outreach. Chairperson Fowlkes encouraged the Commissioners to reach out if they are passionate about an idea and OHR will listen. He also cautioned the group that as a body the Commissioners are officials of the District Government and need to be mindful of the political process. However, as private individuals, the Commissioners can take positions and engage in activities so long as they do not violate D.C. law or their ethical obligations.

Chief Judge Simmons gave the report of the Gala Committee, reiterating that the event will occur on December 7, 2016, from 4:30 to 7 pm, at the Kaiser Family Foundation's Barbara Jordan Conference Center.

Chief Judge Simmons gave the report of the Award Committee, noting that a nomination has been received and encouraged any additional official nominations from the Commissioners.

Chief Judge Simmons gave a report on the Commission's Youth Human Rights Ambassadors program, a joint project with the Street Law program at Georgetown Law and asked for Commissioners to volunteer to visit the D.C. High Schools in the program. Several Commissioners volunteered.

Administrative Law Judge J.P. Howard provided an update on the pursuit of a case management

system for the Commission. Judge Howard noted progress and the support of Director Palacio in procurement. He also provided information to the Commissioners regarding the Commission's interim use of cloud services for case tribunals.

The Commissioners engaged in some discussion regarding case management and accessibility for the public and for those with disabilities.

VII. NEW BUSINESS

None.

VIII. COMMUNITY COMMENTS

None.

IX. ANNOUNCEMENTS

None.

X. ADJOURNMENT

The Commission's September public meeting adjourned at approximately 7:29 pm. An executive session was held afterward.