

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



COMMISSION MEETING

September 10, 2014
One Judiciary Square, 441 Fourth Street, NW, Room 1117

ATTENDEES

Commissioners:

Nkechi Taifa, Chairperson
Michael Ward, Vice Chair
Dr. Edwin Powell, Secretary
Michelle McLeod
Ali Muhammad
Alexandra Beninda
Dr. Alberto Figueroa-Garcia
Dr. John D. Robinson
Rahim Jenkins
Mathew McCollough
Motoko Aizawa *
David R. Scruggs *
Denise L. Reed *

** pending reappointment*

Office of Human Rights Staff:

Rahsaan Coefield, Director of Investigations

Commission on Human Rights Staff:

David C. Simmons, Chief Administrative Law Judge
Dianne S. Harris, Administrative Law Judge
Jon Steingart, Law Clerk

Members of the Public:

Michael Sindram

I. CALL TO ORDER

Chairperson Taifa called the Commission's September meeting to order at 6:33pm.

II. ROLL CALL

Secretary Powell conducted the roll call and ten Commissioners were present to constitute a quorum for an official meeting. Additionally, three Commissioners who had been re-nominated to the Commission and are awaiting final confirmation by the City Council were also present.

III. ADOPTION OF MEETING MINUTES

The Commission approved the minutes from its January 8, 2014 Official Meeting. It also approved the minutes from the March 19, 2014, May 14, 2014 and July 9, 2014 Unofficial Meetings.

IV. REPORT OF THE DIRECTOR, OFFICE OF HUMAN RIGHTS

Rahsaan Coefield, Office of Human Rights Investigations Program Director, presented a report on behalf of Office of Human Rights Director Mónica Palacio.

In October, the Office will launch a campaign called "DC 19" to familiarize the public with the Human Rights Act's 19 protected traits. Advertisements will run throughout the Metro system and on social media.

There is a new process for filing discrimination complaints involving taxicabs. In an effort to increase awareness about this issue and to facilitate the filing of these complaints, the Office worked with the D.C. Taxicab Commission to create a complaint form that will appear on each agency's website.

The Office will promulgate new regulations under the Language Access Act to increase the number of agencies with major public contact that report to the Office on their compliance with the Act.

The Citywide Youth Bullying Prevention Program will host a program on October 18, 2014 at Turkey Thicket Recreational Center aimed at helping parents better understand how to increase wellness and prevent bullying of youth. A series of parents workshops will be specially designed to share tools and tips to support bullying prevention and create a foundation to address bullying concerns. Suzanne Greenfield, Citywide Youth

Bullying Prevention Program Director, is coordinating this event.

The Office has selected a General Counsel to replace Alexis Taylor, who assumed the position of Interim Director of the Office of Disability Rights. The new General Counsel is Sunu Chandy. Before joining the Office, Ms. Chandy was a supervisory trial attorney at the Equal Employment Opportunity Commission in New York City. She will attend orientation in September and begin working full-time in November.

Following Mr. Coefield's report, Chairperson Taifa opened the floor for discussion. Commissioner McCollough voiced concerns regarding taxicab accessibility for people with disabilities. The Chairperson suggested the Commission should send a letter of appreciation to former General Counsel Alexis Taylor and former Administrative Law Judge Eli Bruch. The Commission unanimously adopted a motion to that effect.

V. REPORT OF THE CHIEF ADMINISTRATIVE LAW JUDGE

Chief Administrative Law Judge David Simmons presented a report on the performance of the Commission since the last meeting. Judge Simmons reported that the docket currently has seven (7) Commission cases, three (3) Office of Human Rights cases, and five (5) Criminal Background Checks for the Protection of Children Act cases. The Commission closed thirteen (13) cases this fiscal year, 118% of its closure goal for FY 2014. Some cases were remanded pending appointment of counsel. The need for counsel to represent Complainant's in these cases is a priority for Director Palacio and Ms. Chandy. The Commission closed six (6) Office of Human Rights cases, 200% of its goal. The Commission also closed three (3) Criminal Background Checks cases, 75% of its closure goal.

There are currently eleven (11) active Commissioners. Appointments to the Commission are staggered such that the three-year term of five (5) Commissioners expire at the end of each calendar year. Currently, the term of four (4) Commissioners will expire on December 31, 2014. Three of those Commissioners have requested to be reappointed. All three have been renominated for the Commission and are awaiting confirmation by the City Council. The terms of three (3) Commissioners expired at the end of the 2013 calendar year, and the Council did not act in time to confirm their reappointments before their 180-day holdover period expired. These three Commissioners are currently in the process of being reappointed. Given the current and pending appointments and reappointments, there is only one (1) vacant spot on the Commission and the Office of Boards and Commissions hopes to propose a nominee for that vacancy in the near future.

Judge Simmons also discussed the basic organization of the Commission. He reported

that the Chair of the Commission is appointed by the Mayor and serves at the pleasure of the Mayor. The other officers of the Commission, the Vice Chair and the Secretary, are elected for one-year terms at the Commission's meeting in January of each year. Judge Simmons also reported on the current composition of the Commission's Committees. Specifically, the members of the various Committees are:

Rules Committee

Michael Ward – Chair

Motoko Aizawa

Edwin Powell

Ali Muhammad requested to serve on this Committee

Cornelius R. "Neil" Alexander Awards Selection Committee

Nkechi Taifa – Chair

Motoko Aizawa

David Scruggs

Awards Gala Planning Committee

Earline Budd

Mathew McCollough

Dianne Harris

Youth Human Rights Ambassador Committee

Edwin Powell

Motoko Aizawa

David Simmons

Judge Simmons reported that a candidate had been identified for the vacant Administrative Law Judge position. This candidate was currently being vetted as part of the personnel process and that it was hoped that something could be announced about the status of this vacancy by October 1st. Judge Simmons also introduced the newest Law Clerk for the Commission, Jon Steingart.

VI. OLD BUSINESS

The principal matter of Old Business was the status of the reappointment of Commissioners. Judge Simmons provided a report on the status of reappointments as part of his Chief ALJ Report.

VII. NEW BUSINESS

A. Theme for Human Rights Award Ceremony

The Commission briefly discussed possible themes for the upcoming Human Rights Awards Ceremony.

B. Cornelius R. “Neil” Alexander Humanitarian Award

It was reported that one nomination for the Neil Alexander Award has been received, and a former awardee has mentioned that he might have a suitable candidate. The Commissioners were encouraged to think about potential nominees for this award.

C. Ban the Box Legislation

Judge Simmons provided a brief summary on the recently passed Ban the Box legislation. This Act is currently before Congress undergoing the 30-day Congressional Review period.

D. Litigation Manual

It was reported that the Commission’s staff was working on litigation manual to provide information to the public and attorneys about the process and procedures for litigating a case before the Commission. Dr. Figueroa-Garcia volunteered to assist with this effort.

E. Comments by the Chair

Chairperson Taifa advised the body that she had informed the Office of Boards and Commission that she would not seek to be reappointed to the Commission after her term expires on December 31, 2014. She did note however that, if necessary, she would be willing to serve in a holdover capacity until a new Chair was appointed by the Mayor. She also reported that Commissioners Beninda and Figueroa-Garcia had been the first to volunteer and so were selected to attend a HUD training session in Philadelphia on handling fair housing cases.

VIII. COMMUNITY COMMENTS

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

IX. ANNOUNCEMENTS

It was announced that the Court Services and Offenders Supervision Agency (“CSOSA”) was holding its 12th Annual Citywide Community Justice Advisory Network Recognition Ceremony at the Kellogg Conference Center at Gallaudet University on Wednesday, September 24, 2014.

X. ADJOURNMENT

The Commission’s September public meeting was adjourned at 7:55pm.

XI. EXECUTIVE SESSION

The Commission held an off-the-record Executive Session.