

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



**COMMISSION MEETING**

November 12, 2014  
One Judiciary Square, 441 Fourth Street, NW, Room 1117

**ATTENDEES**

**Commissioners:**

Nkechi Taifa, Esq. Chairperson

Michael E. Ward, Esq., Vice-Chairperson

Dr. Edwin Powell, Secretary

Dr. Mai Abdul Rahman

Alexandra A. Beninda

Dr. Alberto Figueroa-Garcia

*\* Waiting to be sworn*

Rahim Jenkins, Sr.

Mathew McCollough

Ali Muhammad, Esq.

Denise L. Reed \*

Dr. John D. Robinson

**Office of Boards and Commissions:**

John Cheek, Director

David Walker, Staff Member

**Office of Human Rights Staff:**

Mónica Palacios, Director

Sunu Chandy, General Counsel

**Commission on Human Rights Staff:**

David C. Simmons, Chief ALJ

Dianne S. Harris, Administrative Law Judge

J.P. Howard, Administrative Law Judge

**Members of the Public:**

Michael Sindram

Gary Minter

**MEETING**

**I. CALL TO ORDER**

Chairperson Taifa called the Commission's meeting to order at approximately 6:30 pm.

**II. ROLL CALL**

Secretary Powell conducted the roll call and nine Commissioners were present to constitute a quorum for an official meeting. An additional two Commissioners arrived later.

### **III. WELCOME AND SWEARING IN**

Chairperson Taifa gave an initial welcome. The Chair then introduced Director John Cheek of the D.C. Office on Boards and Commissions who swore in Commissioners Matthew McCollough, Mai Abdul Rahman, and Michael Ward.

### **IV. ADOPTION OF MEETING MINUTES**

The Commission approved the minutes from its September 10, 2014 meeting.

### **V. REPORT OF THE OFFICE OF HUMAN RIGHTS**

Director Mónica Palacio presented the report of the Office of Human Rights.

As part of the Office's end of the year goals the Office is working diligently to eliminate the backlog of cases that have been on the Office's docket for more than six months. New EEOC transfer cases will be placed on the six month timeline once they are received by the Office and Housing cases will remain on a three month timeline.

The Office expects the Congressional Review period for the Fair Criminal Record Screening Amendment Act to end in early December 2014. After that date, the Office will begin to enforce the Act. Director Palacio provided an overview of the Act and noted that the Office is planning to proactively work to educate employers and citizens. Director Palacio also passed around a FAQ on the law prepared by the Office that will be available to the public. The Office participated in the *Rebuilding Reentry Hack-a-Thon* where the Office took part in brainstorming solutions to help returning citizens overcome obstacles to re-entry into society. Director Palacio gave a TED talk about the new Act.

The Office of Human Rights held its second Human Rights Liaison training in October, with 16 participants from 14 different advocacy organizations and direct service providers. As a result of the two trainings the Office has designated 24 people as Human Rights Liaisons.

In late October, the Office's Citywide Youth Bullying Prevention Program released its first report on bullying prevention compliance in DC Public Schools and charter schools. Ninety-three percent (93%) of schools submitted bullying prevention policies. Seventy percent (70%) of schools have policies that are compliant with the Youth Bullying Prevention Act of 2012.

Director Palacio concluded her report with an introduction of the Office's new General Counsel, Sunu Chandy. Before joining the Office, Ms. Chandy was a supervisory trial attorney at the Equal Employment Opportunity Commission in New York City. Ms. Chandy has hit the ground running, producing letters of determination within days of starting.

Ms. Chandy addressed the Commission and noted her excitement to work for the citizens of the District. The Chair and other Commissioners welcomed Ms. Chandy to the Office.

Chairperson Taifa then opened the floor for discussion and addressed the Hackathon event,

and training for the Commissioners on the new law. Director Palacio addressed the Commission on the points raised by Chairperson Taifa. Commissioner Ward then opened discussion on the protocol for cases under the new law which was commented on by Commissioners Powell and Muhammed as well as Chief Administrative Law Judge David Simmons and Director Palacio.

## **VI. REPORT OF THE COMMISSION ON HUMAN RIGHTS**

Chief Administrative Law Judge David Simmons presented a report on the performance of the Commission since the last Commission meeting. Judge Simmons reported that the docket currently has ten (10) Commission cases, six (6) Office of Human Rights cases, and six (6) Criminal Background Checks for the Protection of Children Act cases. The Commission closed one (1) case so far this fiscal year; the Commission has set a goal of closing 85% of its cases this year or six cases. Thus far this fiscal year the Commission has received four (4) new Commission cases and one (1) case has returned to the docket from remand. The Commission has set a goal to close 85% of its Human Rights cases as well as 85% of its Criminal Background Check Act cases.

There are currently twelve (12) active Commissioners, two (2) waiting to be sworn in, and two (2) vacancies, one of which has a pending appointee. Taking into account all the current and pending appointments and reappointments, there is only one (1) vacant spot on the Commission and the Office of Boards and Commission hopes to propose a nominee for that vacancy in the near future. It is likely that the Commission will soon have a full complement of fifteen (15) Commissioners.

Judge Simmons then discussed training for the Commissioners with regard to the case procedure and law in the different areas that the Commission covers. He proposed questions to the Commission regarding content, timing, and the periods of training. Commissioner Ward joined the discussion followed by Chairperson Taifa. The Commission will begin training at the January meeting starting with the topic of the D.C. Human Rights Act.

Judge Simmons introduced the Commission on Human Rights' newest Administrative Law Judge, J.P. Howard. Judge Simmons noted that Judge Howard is a graduate of Howard University and Georgetown Law. He added that Judge Howard was the Commission's second law clerk and worked for Judge Alexander Williams, Jr. in the U.S. District Court for the District of Maryland before joining the Washington, D.C. Office of Akin, Gump, Strauss, Hauer & Feld LLP. Judge Howard left the law firm to relocate to Texas with his wife where they both practiced law before he was recruited back to the Commission.

Judge Howard addressed the Commission noting that he recognized some of the Commissioners in the room from his time as a law clerk. He expressed excitement to be joining the Commission and enthusiasm to work with and learn from the Commissioners.

## **VII. OLD BUSINESS**

Chairperson Taifa asked to hear from Commissioners regarding the Housing Discrimination

training given by the U.S. Department of Housing and Urban Development recently in Philadelphia. Commissioners Beninda and Figuero-Garcia discussed their experience at the training. Director Palacio offered for the Office to prepare a briefing regarding the processes for the Commission.

Judge Simmons discussed the Human Rights Awards Gala which will occur at the Kaiser Family Foundation on December 11, 2014 from 5-8 pm. Judge Simmons discussed the flyer for the event which prominently features Cesar Chavez in the background. He also noted the large number of RSVP's and encouraged the Commissioners to invite their family and friends. Judge Simmons also discussed Neil Alexander Humanitarian Award Winner Sonia Gutierrez. Several Commissioners commented on Señora Gutierrez and her outstanding impact on Human Rights.

Judge Simmons then moved on to discuss the Youth Human Rights Ambassadors program which saw the participation of 14 schools and roughly 200 students. A total of approximately 140 projects were turned in this year by the students and evaluated by a committee including Commissioners. Judge Simmons and Judge Howard noted the outstanding effort that the students put into making high quality projects. A showcase of the projects was held at Georgetown Law in the Hart Auditorium on November 19, 2014.

Judge Simmons thanked the Commissioners for participating and going out to the schools noting the tremendous impact that their presence had on the children in the program. Chairperson Taifa encouraged the Commissioners to talk about their visits to the schools. Judge Simmons also noted an excellent power point presentation prepared and delivered at Banneker High School by Commissioner Muhammad.

Old Business concluded as Chairperson Taifa noted the preparation of letters of thanks addressed to former Office of Human Rights General Counsel Alexis Taylor and former Commission Administrative Law Judge Eli Bruch for their service.

## **VIII. NEW BUSINESS**

In New Business Chairperson Taifa gave the floor to Commissioner Abdul Rahman who introduced herself and described her background.

## **IX. COMMUNITY COMMENTS**

Michael Sindram discussed several concerns he had with the Office and Commission. Mr. Sindram introduced another member of the community Mr. Gary Minter who did not speak.

## **X. ADJOURNMENT**

The Commission's November public meeting was adjourned at approximately 7:45pm.