

# New Hampshire Commission for Human Rights



## COMMISSIONERS

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**INTAKE COORDINATOR**  
JOHANNA "JONNA" ALLARD

**PARALEGAL**  
KELLY MEDEROS

## NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS COMMISSIONERS' MEETING

December 2, 2021 at 5:00 PM

### MINUTES

**ATTENDANCE:** Commissioners present: Christian Kim, Basra Mohamed, Douglas Palardy, Nancy LeRoy, Alex Samuel, Elizabeth Asch, and Harvey Keye

Commission Staff: Executive Director, Ahni Malachi and Assistant Director, Sarah Burke Cohen

Commissioner Kim called the meeting to order at 5:13 PM.

#### 1. PUBLIC COMMENT

Commissioner Kim asked if anyone from the public was present and wished to make public comment. There was no one present.

#### 2. APPROVAL OF OCTOBER MEETING MINUTES

Commissioner Asch moved and Commissioner LeRoy seconded a motion to approve the minutes. The motion carried.

#### 3. OFFICE UPDATES

Executive Director Malachi has done several interviews, print and television, relative to HB2/Freedom from Discrimination in Education and Public Employment. She has been taking the time to explain, during her interviews, who the NHCHR is and our process. She also reiterated the guidance available relative to HB2 including the guidance issued by the Attorney General. Commissioner Asch requested Executive Director Malachi share links with the Commissioners to the interviews.

Executive Director Malachi attended the BIA (Business Industry Association) Conference. It was a good opportunity to network with legislators, local business owners, and other state agency heads.

Executive Director Malachi talked about the NHCHR's participation in Operation Santa. Katrina Taylor corralled our participation. The NHCHR had an outpouring and although we usually only sponsor 2 children, we were able to add a 3 child. Executive Director Malachi and Assistant Director Burke Cohen are extremely proud of the staff and participation in this holiday program.

#### **4. GACDI UPDATE**

Executive Director Malachi discussed what occurred at the last meeting in November 2021. She explained that because there is new membership, GACDI has been reviewing its objectives, mission statements, recommendation and reports to determine what has been done, what may partially be done and what has not been start and needs to be done. Executive Director Malachi will send the Commissioners the new objectives, strategies and mission statement that have been approved by GACDI. She explained part of the objective of GACDI is to review RSA 354-A and policies/procedures of state agencies. The GACDI is going to move forward on recommendations. Executive Director Malachi said that GACDI will be working on better networking with community-based groups and other state agencies doing work in various areas to determine what needs to be done to effectuate change. It will also allow GACDI and community-based groups to collaborate and effect change. These goals and recommendations will be measurable. Executive Director Malachi said that part of the goal GACDI will also be to establish a strategic plan for the council. Commissioner Samuel asked if the council had all members. Executive Director Malachi stated she believed there were 1-2 appointed seats not filled including some at-large members.

#### **5. REVIEW OF INVESTIGATOR CASE LOAD**

Assistant Director Burke Cohen discussed the investigator caseload. She stated 33 cases were closed this month. Assistant Director Burke Cohen also discussed the unassigned case numbers as it has not gone down. Executive Director Malachi and Assistant Director Burke Cohen discussed how the entire staff is reevaluating how cases are processed with a goal of completing an investigation within 120 days of a charge being filed. Executive Director Malachi and Assistant Director Burke Cohen also discussed that Executive Director Malachi made the decision not to assign cases in November and December to allow staff to concentrate on coming up with new ideas to process cases. This includes evaluating the cases in the PFC to determine if there are cases that can be moved forward via settlement discussions or addressing jurisdictional issues. Executive Director Malachi and Assistant Director Burke Cohen gave more information on what has been talked about. Commissioner Palardy asked if this helped office morale. Executive Director Malachi stated it has brought the staff together in a positive manner and we are really excited about the changes coming forward. Executive Director Malachi said we will keep the Commissioners updated and give them the new process once it is solidified.

## **6. HEARING SCHEDULE UPDATE**

Assistant Director Burke Cohen discussed the hearing scheduling and updated it. She said she has assigned Commissioners to hearing dates. She suggested the Commissioners pencil in these dates as the Prehearing/Conciliations

## **7. OTHER BUSINESS**

The Commissioners decided to not have a meeting in January 2022. The Commissioners will meet again on February 3, 2022, unless something necessitates a meeting.

Commissioner Keye requested an update on his idea that anyone entering NH to see on a sign or the like that “NH doesn’t tolerate discrimination.” Commissioner Keye stated at the last meeting the Commissioners liked the idea. Executive Director Malachi suggested that this topic be an agenda item to discuss this proposition. Commissioner Palardy suggested perhaps it would be a better idea for Commissioner Keye to meet with the Governor to discuss this proposition. Commissioner Kim stated the Commission could endorse the proposition and effort. Executive Director Malachi asked how the proposition serves us as the Commission and state. She expressed that it may set us up for failure and impact the ability to effectuate change. Commissioner Keye explained that his proposition is to increase our humanity toward each other and/or our awareness toward each other. Commissioner Asch stated she interpreted the proposition as a culture statement and that Executive Director Malachi is enforcing policy. Commissioner Palardy stated he saw the state as an inclusive state and would rather see the sign say NH Welcomes All. Executive Director Malachi talked about the proposition being more of a marketing campaign. Commissioner Asch told Commissioner Keye that she would go with him if he made an appointment with the Governor.

## **8. NON-PUBLIC SESSION**

Commissioners Kim has requested the Commissioners enter non-public session to discuss a personnel matter. Commissioner Kim moved that pursuant to RSA 91-A:3, II (a), the Commission enter non-public session to discuss personnel matters. Commissioner LeRoy seconded the motion. Upon a roll call vote, all were in favor: Commissioner Palardy - yea; Commissioner LeRoy – yea; Commissioner Keye – yea; Commissioner Samuel—yea; Commissioner Asch - yea; and Commissioner Kim—yea and Commissioner Mohamed. The motion carried. The entered non-public session at 6:01 PM.

At 6:41 PM, the Commissioners returned to Public Session. Commissioner LeRoy moved and Commissioner Mohamed seconded that pursuant to RSA 91-A:3,III to “withhold minutes of the non-public session until such time as the majority of the Commissioners are of the opinion that it was no longer likely that the divulgence of the information in the minutes would affect adversely the reputation of any person not a member of the agency, or render the proposed action ineffective.”

Upon a roll call vote, all were in favor: Commissioner Palardy - yea; Commissioner Asch - yea; Commissioner Keye - yea; Commissioner Samuel—yea; Commissioner LeRoy - yea; Commissioner Kim—yea; and Commissioner Mohamed. The motion carried.

**9. ADJOURNMENT**

Commissioner Mohamed moved for adjournment and Commissioner Palardy seconded. The Commissioner's meeting adjourned at 6:56 PM.