

New Hampshire Commission for Human Rights



COMMISSIONERS

CHRISTIAN KIM, CHAIR
DOUGLAS PALARDY
HARVEY KEYE
NANCY LEROY
BASRA MOHAMED
ELIZABETH ASCH
ADRIENNE EVANS

2 INDUSTRIAL PARK DRIVE, BLDG. 1
CONCORD, NEW HAMPSHIRE 03301
TEL (603) 271-2767
TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-6339
E-MAIL: humanrights@nh.gov
www.nh.gov/hrc

EXECUTIVE DIRECTOR
AHNI MALACHI

ASSISTANT DIRECTOR
SARAH E. BURKE COHEN, ESQ.

INVESTIGATORS
KATRINA E. TAYLOR
NICOLE LEMELIN
DANIEL DEYERMOND
KELLY MEDEROS
JOYCE J. SAMUEL, ESQ.

INTAKE COORDINATOR
JOANNE RUIZ

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS COMMISSIONERS' MEETING

September 1, 2022, at 5:15 PM

MINUTES

ATTENDANCE: Commissioners present: Christian Kim (chair, via telephone, at home, alone), Basra Mohamed, Adrienne Evans, Nancy LeRoy, and Elizabeth Asch.
Commissioners absent: Harvey Keye, Doug Palardy,
Commission Staff: Executive Director, Ahni Malachi
Investigator, Joyce J. Samuel

Commissioner Kim called the meeting to order at 5:15 PM.

1. PUBLIC COMMENT

Commissioner Chair Kim asked if anyone from the public was present and wished to make public comment.

Mr. Ryan Terrell and Ms. Melissa Moriarty were present.

Mr. Terrell is a resident of Nashua and serves on the State Board of Education. He is present to observe what happens at Commission meetings.

Ms. Moriarty is happy to be here. She resides in Derry, NH, and works for a national nonprofit that is not based in NH.

Commissioner Kim welcomed the members of the public and thanked them for coming.

2. APPROVAL OF AUGUST MEETING MINUTES

Commissioner LeRoy moved, and Commissioner Mohamed seconded a motion to approve the August meeting minutes.

Roll call:

Commissioner Mohamed – yea;
Commissioner Evans – yea;
Commissioner LeRoy – yea;
Commissioner Asch – yea;
Commissioner Kim – yea.

Not present are Commissioner Palardy and Commissioner Keye.

August meeting minutes are approved.

3. GACDI UPDATE

Executive Director Malachi gave an update on the work the Governor’s Council on Diversity and Inclusion (“GACDI”) is doing on their educational tool kit. There is a new member on the council, Dina Michael Chaitowitz. She represents the New Hampshire Jewish Community. When latest draft is signed off, Executive Director Malachi will provide a copy to the Commission for thoughts and comments. Commissioner Kim asked if Executive Director Malachi would like the Commissioners’ feedback prior to the next meeting. Executive Director Malachi stated that since the Commission is a separate entity, the Commissioners may voice thoughts and Executive Director Malachi will take any comments or suggestions back to the GACDI to potentially incorporate into future versions. Commissioner Kim requested that when the time comes, each Commissioner put serious thought into providing feedback. Executive Director Malachi stated GACDI meets on the third Tuesday of each month with the next meeting on the Sept. 18th. Executive Director Malachi stated she will provide another progress update at the next Commissioners’ meeting.

4. OFFICE UPDATES

Executive Director Malachi stated there is a new director of the Department of Motor Vehicles, John Marasco, as of March 2022. DMV Director Marasco has a history of creating opportunities for community building. DMV Director Marasco is actively searching for people who speak a variety of foreign languages to decrease language as a barrier in the application process for drivers’ licenses. DMV Director Marasco has created a monthly community outreach meeting on the second Wednesday of every month to discuss community and vehicle related issues, but Executive Director Malachi and Director Sean Locke of the Civil Rights Unit (CRU) of the DOJ have been attending in an effort to connect with the community and to be available if an opportunity arises for the Commission or Diversity and Inclusion Council to be of assistance.

Commissioner Mohamed commented there is a lot of confusion and frustration for applicants and staff at the DMV pertaining to documentation and assistance needed for international citizens and NH license renewal. It is good the Civil Rights groups are getting involved and attending the meetings. Commissioner Mohamed may attend a meeting at the DMV. Director Marasco recognizes there is a need and wants to fix the issues faced by international residents.

Executive Director Malachi discussed that it is the end of the federal fiscal year, and the Commission would like to provide a thank you celebration for the investigators as their contract with the EEOC was to close 200 cases, and thus far, the Commission has closed 238. Executive Director Malachi upward modified the numbers twice, and the Commission will still make its goal without counting the closures that are forthcoming. Executive Director Malachi asked if the Commissioners would like to participate in thanking them for their hard work this past year.

Commissioner Asch inquired as to the status of the Commission relocating to a different office. Executive Director Malachi responded that the Commission will likely renew their lease at the current location for one year when the lease ends in October 2023. Due to the possible addition of HUD, there is need for more staff, and more hard walled offices for privacy reasons, but the decision to relocate will rely on what the legislature does.

Executive Director Malachi discussed the October Community Connection community gatherings. One will take place in Concord, NH at the DMV auditorium, and the other will take place in Manchester, NH at MPAL (Manchester Police Athletic League). An invitation was extended to a variety of city officials in both Concord and Manchester, their attendance will depend on their schedules. Commissioner Evans volunteered to work on the flyer once the presenters and participants are confirmed. After the flyer is finalized, it will be sent out to the Commissioners to assist with distribution.

Executive Director Malachi reported Representative Mark McLean met with the Commission staff on Thursday, September 1, 2022. Representative McLean wanted insight as to the effects of SB 296 (2022 session), which would prevent a Respondent from removing a case from the Commission after a Probable Cause (PC) finding. The last vote was for SB 296 to go to an Interim Study Subcommittee and Representative McLean is the chair of that committee. Executive Director Malachi reported the meeting as fruitful in that Representative McLean gained a clearer understanding of what the Commission does, and barriers to moving cases along efficiently. After his meeting with the Commission staff, Representative McLean had a meeting with a lawyer group for Complainants because they have been preparing recommendations for the next hearing on September 14th. Executive Director Malachi will distribute a link to the hearing proceedings.

Executive Director Malachi will also find out how many hearings are remaining so the Commission may make a recommendation to the House Judiciary Committee if appropriate.

Executive Director Malachi was invited to provide a mini training to approximately sixty people as part of the Cafeteria National School Lunch Program's annual meeting in Concord, NH. She provided basic information on protected classes.

5. REVIEW OF INVESTIGATOR CASE LOAD

Executive Director Malachi discussed the investigator caseload. Executive Director Malachi reported the investigators continue to move cases through the process efficiently. Commission LeRoy expressed approval of the new format for investigative reports. Executive Director Malachi stated Investigator Taylor is still scheduling mediations and conciliations, which means there are cases which are settling without going to public hearing.

6. HEARING SCHEDULE UPDATE

Executive Director Malachi discussed the hearing scheduling and updated it.

Executive Director Malachi wants to hold off on assigning Commissioners for the first two cases scheduled for March of 2023 because they are currently scheduled for conciliation.

7. OTHER BUSINESS

Commissioner Chair Kim asks if there is other business.

Comments from the public:

Mr. Terrell commented that since we live in a time where discrimination is more and more subjective, he would like to be where the details are happening and how the decisions are being made. He started a brand called Trybe Haircare two years ago and has been in the industry for seven years. Mr. Terrell voiced experience with a public hearing where he was selected for the Board of Education and was made to feel his skin color and identity were important, but diversity of thought is also important.

Ms. Moriarty stated she is originally from Ecuador but has lived in New Hampshire for some time and attending this meeting due to an invite from Executive Director Malachi. She lived in Boston for seven years and has experience working with the State Employee Association Union (SEA) where she learned about state government and had exposure to discrimination cases. The non-profit she works for now, National Council for Health and Safety, focuses on labor rights, such as language access in the workplace for Spanish speaking individuals.

Commissioner Kim welcomed our visitors from the public and thanked them for their interest in what the Commission does and for taking time from their schedules to attend a meeting.

8. NON-PUBLIC SESSION

None.

9. ADJOURNMENT

Commissioner LeRoy moved for adjournment and Commissioner Mohamed seconded.

Roll call:

Commissioner Mohamed – yea;

Commissioner Evans – yea;

Commissioner LeRoy – yea;

Commissioner Asch – yea;

Commissioner Kim – yea.

The Commissioners meeting adjourned at 6:20 PM.