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# Community Voices: Perspectives on Civil Rights in the District of Columbia



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## INTRODUCTION

### *Background*

The Council of the District of Columbia enacted the Human Rights Act (HRA) “to secure an end in the District of Columbia to discrimination for any reason other than that of individual merit,” ensuring that “[e]very individual [can] have an equal opportunity to participate ... in all aspects of life[.]”<sup>1</sup> The HRA is one of the strongest civil rights laws in the country; it broadly outlaws discrimination in the areas of education, employment, housing, and public accommodations based on 21 traits, including race, religion, national origin, sexual orientation, gender identity or expression, and disability.<sup>2</sup> Despite this expansive law, District residents face discrimination every day in ways that have devastating psychological, physical, and financial effects.

Bias against vulnerable populations is on the rise in our city: The Metropolitan Police Department’s data show that the total number of bias-motivated violent incidents more than doubled from 2011 to 2018, and the District is on track for an even higher number in 2019.<sup>3</sup> That bias can block District residents from taking advantage of important life opportunities like employment, education, housing, and access to goods and services.

For example, 15% of District landlords simply refuse to rent to people attempting to pay for housing with Section 8 vouchers.<sup>4</sup> Such discrimination makes it hard for low-income tenants to find affordable housing in a market that is already punishing and limits the ability of families to move into transit- and opportunity-rich communities. More than 90% of voucher holders in the District are African American,<sup>5</sup> so this practice also reinforces the racial segregation in housing that has robbed African-American communities of wealth and security for generations.

In a 2015 report, the D.C. Office of Human Rights found that nearly half of District employers would prefer to hire a less qualified cisgender<sup>6</sup> applicant than a more qualified transgender individual.<sup>7</sup> OAG recognizes that this type of bias locks people out of opportunity and cannot be tolerated in the District.

In the face of this evidence of bias and discrimination, OAG launched its new Civil Rights Section in April 2019. The section, comprising a permanent staff of four attorneys and one investigator, protects the civil rights of District residents by bringing lawsuits to challenge discrimination, advocating for legislation to strengthen antidiscrimination laws, and engaging in educational community outreach so that residents know their rights. Meant to complement the important enforcement work that the D.C. Office of Human Rights does, OAG’s Civil Rights Section focuses on large scale discriminatory practices in order to serve as a significant deterrent to illegal discriminatory conduct.

### *Community Listening Sessions*

In order to inform the priorities of the Civil Rights Section, OAG hosted a series of five community listening sessions across the District this summer. These sessions gave attendees the chance to influence

the new section's priorities and provided OAG a unique opportunity to hear directly from residents regarding their civil rights concerns. The five listening sessions were held at the following locations<sup>8</sup>:

- The Woodridge Library, 1801 Hamlin St. NE, Ward 5
- Emery Heights Community Center, 5701 Georgia Ave. NW, Wards 3 and 4
- Reeves Center, 2000 14th St. NW, Ward 1
- Georgetown University Law Center, 120 F St. NW, Wards 2 and 6
- Fort Stanton Recreation Center, 1812 Erie St. SE, Wards 7 and 8

Chairman Phil Mendelson and Councilmembers Brianne Nadeau and Trayon White joined Attorney General Karl Racine at various sessions to hear directly from constituents. Attorney General Racine was also pleased to welcome staff from the D.C. Office of Human Rights, including Director Mónica Palacio, several Advisory Neighborhood Commissioners, and other community leaders.

In all, over 90 residents from across the District participated in the listening sessions. The participants provided OAG with valuable feedback about their personal experiences with discrimination and highlighted civil rights issues that concern them.

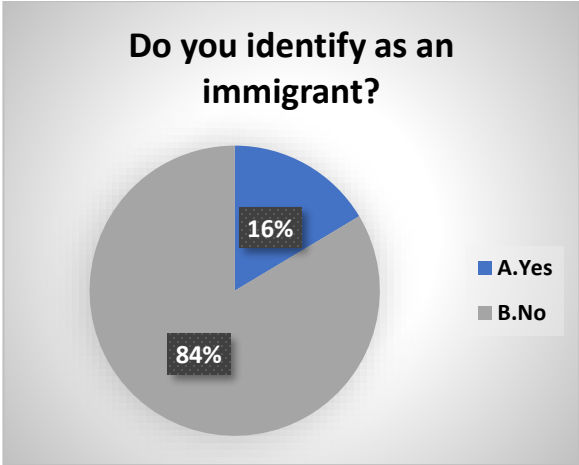
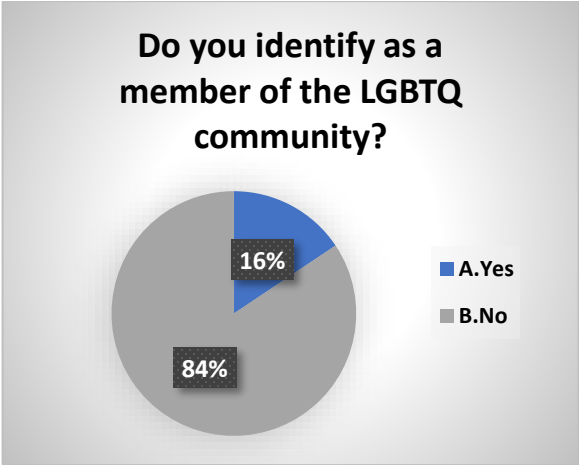
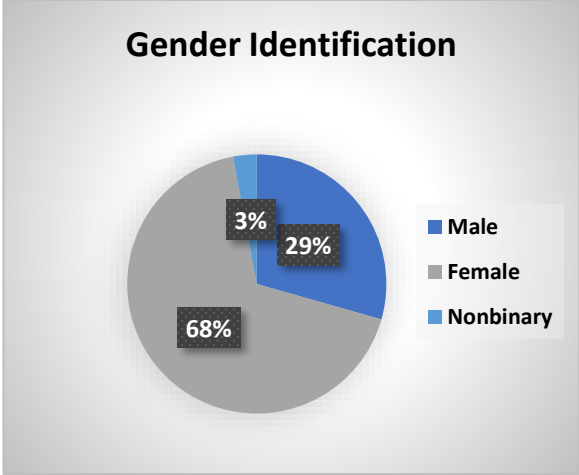
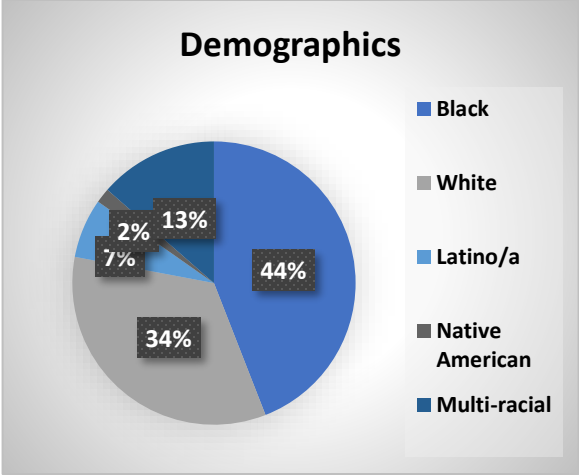
### ***This Report***

OAG's report, "Community Voices: Perspectives on Civil Rights in the District of Columbia," summarizes OAG's findings from the five community listening sessions. The report explores the following key aspects of the listening sessions: the methods OAG used for gathering feedback; demographics of the attendees across the listening sessions; and key concerns expressed by participants. The report also describes OAG's work in responding to resident concerns, including significant enforcement efforts, and proposes potential next steps.

### **METHODOLOGY AND DEMOGRAPHICS OF PARTICIPANTS**

At each listening session, OAG provided background on the new Civil Rights Section and explained the scope of the District's civil rights laws. OAG then gave the floor to the community members, who were able to share their experiences and views on what the section should prioritize. During the listening sessions, OAG conducted real-time polling that allowed OAG to collect demographic information and ask attendees to prioritize which issues the section should tackle. OAG then facilitated conversations in small groups with attendees about the civil rights issues that concern them most. Because answering the real-time polling questions was optional, some participants declined to respond: In all, of the 94 people who participated in the listening sessions, 90 provided a response to at least one of the real-time polling questions. The percentages given throughout this report are out of those who chose to respond to each question.

Using real-time polling, OAG first asked basic demographic questions of the residents who attended the listening sessions. These questions helped determine which communities were represented during the sessions and which communities might need further outreach.



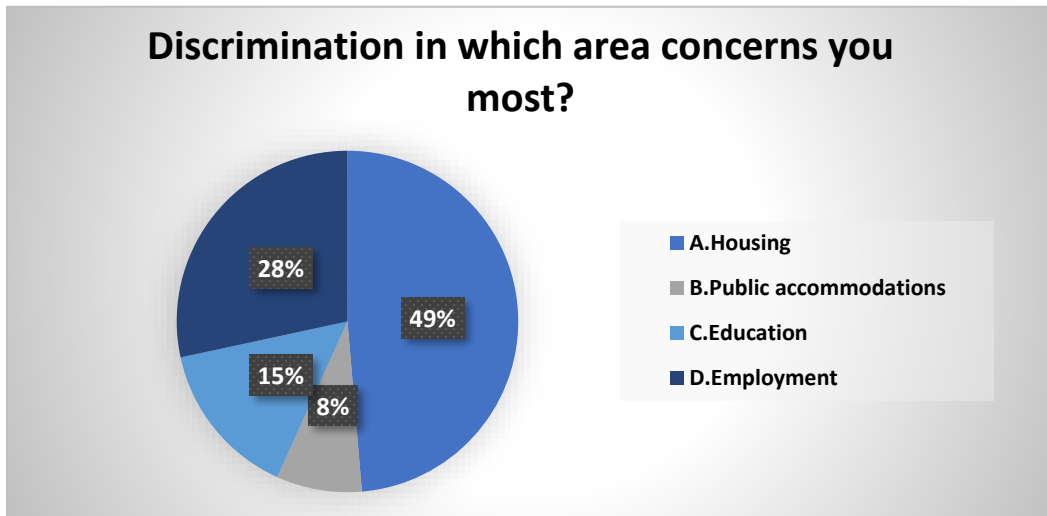
- Race: 44% of participants identified as black; 34% identified as white; 13% identified as multiracial; 7% identified as Latino/a; and 2% identified as Native American.
- Sex: The sessions were majority female. 68% of participants identified as female, 29% as male, and 3% as nonbinary.
- LGBTQ+: 16% of responding participants identified as members of the LGBTQ+ community.
- National Origin: Likewise, 16% of responding participants identified as immigrants.

**KEY FINDINGS**

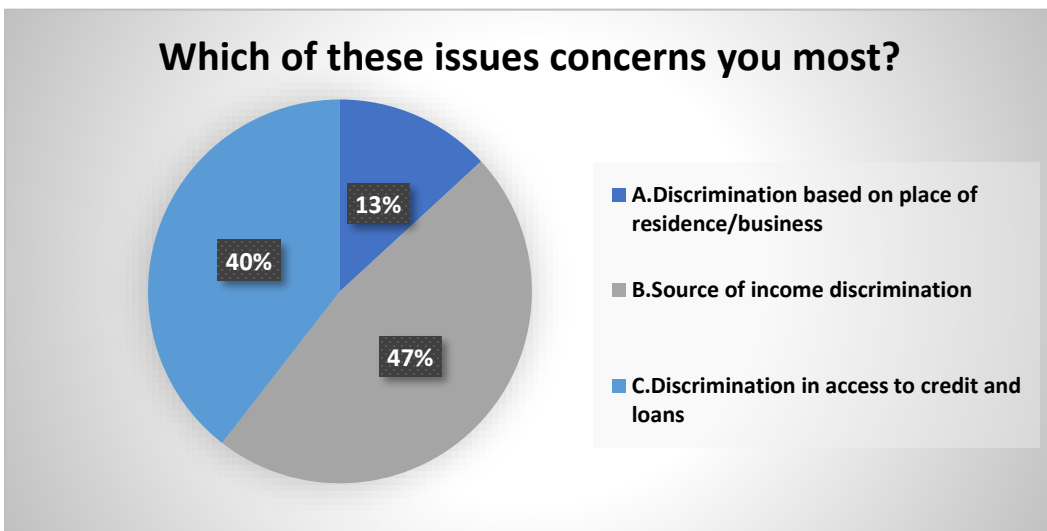
Throughout the listening sessions, attendees raised several issues ranging from individual complaints of discrimination to large structural issues affecting their communities. While many concerns were discussed, a few stood out: housing discrimination in all its forms, racial discrimination across areas of life, bias-motivated violence and discrimination against LGBTQ+ individuals, discrimination against religious minorities and immigrants, and potentially discriminatory government actions. This section includes key takeaways from both the real-time polling and the small group discussions and describes participants’ concerns in greater detail.

***Residents are concerned about access to safe and affordable housing without fear of discrimination, including source of income discrimination.***

Overall, housing discrimination in all its forms was a top priority throughout the District. Listening session attendees were asked to identify which area of discrimination – housing, public accommodation, education, and employment – concerned them the most. Forty-nine percent of participants chose housing, 28% chose employment, 15% chose education, and 8% chose public accommodations.



Relatedly, listening session attendees were asked which form of discrimination – place of residence or business, source of income, or access to credit and loans – concerned them the most. Forty-seven percent of respondents identified source of income discrimination, 40% chose access to credit and loans, and 13% chose place of residence or business discrimination.



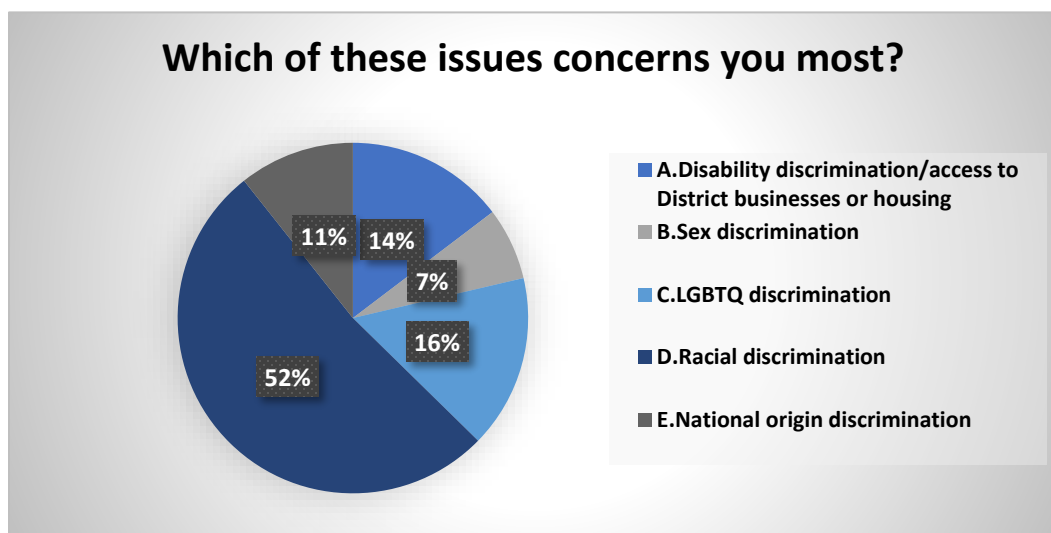
These results varied somewhat by Ward. Respondents in Wards 1, 2, 3, 4, and 6 were most likely to be concerned with source of income discrimination in the District by a substantial margin; on the other hand, Ward 5, 7, and 8 residents were markedly likely to be most concerned with discrimination in access to credit and loans.

Despite these differences, it appears that all of these concerns can be traced back to a fundamental fear about losing out on housing opportunity. The lack of affordable housing was a consistent issue in discussions across listening sessions. Some residents expressed concern about discrimination against voucher holders and landlords' use of their participation in inclusionary zoning programs as a basis for such discrimination. Attendees also spoke about lending issues, including the targeting of predatory mortgages to historically marginalized communities. Finally, seniors expressed concern about rising rents, the lack of affordable housing options, discrimination based on age, and discrimination against tenants in rent-controlled units.

**“I am a realtor ... and I have tried repeatedly to place [housing v]oucher clients. I have complained to anyone who would listen all in vain, I have polled other agents and I have yet to find one that has helped a client with a voucher. I was so happy to find [out about this listening session.]”**

***Residents are concerned about racial discrimination across many areas of life, including employment and education.***

Residents expressed the concern that racial discrimination was a salient barrier in any number of areas of life. Listening session attendees were asked which form of discrimination – disability, sex, LGBTQ+, race, or national origin – concerned them the most. Fifty-two percent of participants chose race discrimination, 16% chose LGBTQ+ discrimination, 11% chose disability discrimination, 7% chose national origin discrimination, and 4% chose sex discrimination.





While respondents across wards were most concerned about racial discrimination, the concern was most pronounced in Wards 5, 7, and 8.

“I am concerned about “[p]rivate and public employers who discriminate against applicants and employees based on their hairstyle of choice -- more specifically braids, twist or locks.”

These numbers were born out in small group discussions. In addition to generally reporting significant concern about employment discrimination – residents in Wards 3 and 4 were most concerned with employment discrimination, and residents in Wards 7 and 8 were evenly split between housing and employment – residents talked about race discrimination in the workplace as a barrier to opportunity and advancement.

Residents also expressed concern about criminalizing innocuous student behavior in schools and potentially biased enforcement against students of color. As detailed more fully below, residents also talked about potentially racially-biased police practices in community settings.

***Residents are concerned about increases in bias-motivated violence, harassment, and discrimination against the LGBTQ+ community.***

As noted in the graph above, 16% of respondents were most concerned about discrimination against LGBTQ+ individuals. Several attendees expressed concern about the prevalence of hate crimes and hate speech toward members of the LGBTQ+ community. In addition to bias-motivated violence, attendees spoke about discrimination and harassment they faced in the workplace because of their sexual orientation or gender identity, including the inability to access a gender-appropriate restroom. Attendees expressed concern about ensuring access to gender-neutral restrooms in public accommodations, and, finally, about the bullying of LGBTQ+ youth.

***Residents are concerned about increasing discrimination against religious minorities and immigrants.***

Residents expressed concern in small group discussions about the rise in anti-Semitism and anti-Muslim bias, citing the current political climate. Attendees were also concerned that immigrants faced increasing discrimination but were afraid to report illegal conduct because they did not want to call attention to their legal status. Finally, attendees were worried that many immigrants did not know their rights or how to exercise those rights when interacting with law enforcement.

***Residents are concerned about certain interactions with District government, including the nature of police-resident interactions and the potentially disparate investment of resources across the District.***

At every listening session, attendees spoke at length about police escalating tensions in ordinary interactions with residents. Attendees noted that many of the interactions they witnessed had troubling racial dynamics. Specifically, residents discussed that they witnessed or themselves were subject to unnecessarily harsh treatment by officers, such as during traffic stops or after the police were called to resolve a dispute. Residents suggested what they perceived as over-policing in certain neighborhoods—particularly in Wards 7 and 8—led community members to distrust the police. Finally, residents

expressed concern about criminalizing behavior in schools and potentially biased enforcement of school-discipline policies against students of color and students with disabilities.

Additionally, residents expressed concern that both city resources and private resources were being concentrated into the most well-off neighborhoods. Residents expressed concern about access to grocery stores, restaurants, hospitals, and schools and shared significant concern about disparities in education funding in different neighborhoods in the District. Wards 7 and 8 residents in particular expressed that, in general, not enough attention or resources were being directed to their part of the city.

## **COMBATING DISCRIMINATION IN THE DISTRICT**

OAG’s Civil Rights Section is actively incorporating feedback from this summer’s listening sessions into its work and has already begun to focus on some of the concerns raised by residents.

### ***OAG is working hard to combat housing and source of income discrimination.***

OAG has filed two lawsuits against landlords who refused to accept housing vouchers as rent payments. The first, against [Evolve LLC](#), alleges that the company had an online system that prevented potential tenants from scheduling showings if they planned to use vouchers to pay their rent. The second, against [Curtis Investment Group, Inc.](#), a major landlord in Wards 7 and 8, alleges that the company violated District civil rights law by discriminating against voucher holders and posting discriminatory advertisements.

In addition, OAG has worked collaboratively with technology companies, including Zillow and [CoStar Group](#), the company that owns Apartments.com, to reduce discriminatory advertisements on these platforms. In response to OAG’s efforts, these companies agreed to ban language in advertisements that suggested discrimination against voucher holders, update their fair housing pages to emphasize source of income discrimination, and study other potential changes to their platforms.

### ***OAG has taken action to enforce the District’s civil hate crimes statute.***

In order to further combat bias-motivated violence and harassment, on October 22, 2019, OAG [introduced a bill](#) in the Council of the District of Columbia to allow the office to sue offenders who commit bias-motivated crimes or otherwise interfere with another person’s rights. With this authority, OAG will work to ensure that all District residents can enjoy their rights and freedoms without fear of violence or intimidation. In addition, OAG has endorsed repeal of the anti-LGBTQ+ panic defense. This defense to a criminal prosecution allows perpetrators to escape responsibility based on the identity of a victim; repealing it sends a message that bigotry is not an excuse for violence.

“As an advocate [and] mentor for women who are homeless or transitioning out of homelessness you've made my service for them so much easier, especially when dealing with landlords, who don't want to do right. I now can go on your website and refer to what happens when they don't. ... It makes a world of difference.”



***OAG has brought and resolved cases to ensure that all District communities have equal access to services.***

OAG has pursued two matters to ensure that contractors and home-improvement services are available on equal terms in all parts of the District. In August of this year, OAG reached a settlement with a [window-replacement company](#) that requires the company to pay a \$50,000 penalty and end its practice of refusing to provide services east of the Anacostia River.

In addition, in October of this year OAG filed a [friend-of-the-court brief](#) in a case that could have significant effect on whether businesses can discriminate in providing services. OAG's brief argues that all businesses, including businesses that do not maintain a physical location in the District, must provide services evenly across the District. Such a ruling would ensure that online platforms and businesses cannot discriminate in contravention of D.C.'s Human Rights Act.

***OAG has continued to push back on the Trump administration's anti-immigrant policies.***

Since January 2017, OAG has vigorously defended the rights of our immigrant community against federal incursion. This summer, among other actions, OAG sued the administration over the so-called "[public charge](#)" rule that discourages immigrants from accessing important social services, and opposed a [proposal to deny housing assistance](#) to any households containing undocumented immigrants.

***OAG is educating residents about their rights under District civil rights laws.***

The Civil Rights Section is producing [educational materials](#) and further engaging community members to ensure that people know their rights and how to vindicate them. For example, after hearing concerns about racial discrimination in employment, specifically with respect to natural hairstyles, OAG put out [materials](#) explaining that such discrimination is illegal under the D.C. Human Rights Act because "personal appearance" is a protected trait. All materials explain how to report discrimination both to OAG's Civil Rights Section and to the D.C. Office of Human Rights.

## **LOOKING AHEAD**

This summer's listening sessions are the first step in the Civil Rights Section's relationship with District residents. The sessions gave OAG a sense of which civil rights issues concern District residents the most and how the section might prioritize its work. Yet, the engagement is not over: OAG plans to report back to leading advocates and community members on these findings and actions in order to engender further conversation and garner additional insight. This engagement will include a particular focus on Wards 7 and 8, where community members were frustrated by insufficient attention being paid to their concerns. The Civil Rights Section is also actively looking for cases, especially in the issue areas identified in this report. People who feel they have been discriminated against in the District can call, email, or otherwise notify OAG for investigation.

OAG will continue to work hand in hand with community members and activists to complement the work of the Office of Human Rights and target large-scale discrimination that shuts District residents out of opportunity.

## CIVIL RIGHTS RESOURCES

OAG protects the civil rights of District residents by bringing lawsuits to challenge discrimination, advocating for legislation to strengthen antidiscrimination laws, and engaging in educational community outreach so that residents know their rights. Learn more about illegal discrimination and how OAG is working to defend your civil rights.

If you believe you have been a victim of discrimination, you may contact the OAG by:

- Calling OAG at (202) 727-3400
- E-mailing the Civil Rights Section at [OAGCivilRights@dc.gov](mailto:OAGCivilRights@dc.gov)
- Mailing OAG, ATTN: Civil Rights Section at 441 4th Street N.W., Suite 600S, Washington, D.C. 20001

OAG's goal is to ensure equal treatment and meaningful opportunity for all District residents by complementing the work of the Office of Human Rights, the primary District agency that investigates individual complaints of discrimination. You can file a complaint with OHR at <https://ohr.dc.gov/> or call 202-727-4559.

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<sup>1</sup> D.C. Code §2-1401.01; 2-1402.01.

<sup>2</sup> The DCHRA prohibits discrimination based upon the following 21 traits: race; color; religion; national origin; sex; age; marital status; personal appearance; sexual orientation; gender identity or expression; family responsibilities; political affiliation; disability; matriculation; familial status; source of income; genetic information; place of resident or business; credit information; status as a victim of an intrafamily offense; and status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking.

<sup>3</sup> See Metropolitan Police Department, "Bias-Related Crimes (Hate Crimes) Data," <https://mpdc.dc.gov/hatecrimes>.

<sup>4</sup> Urban Institute, "Do Landlords Accept Housing Choice Vouchers? Findings from Washington, DC," (Sept. 20, 2018),

[https://www.urban.org/sites/default/files/do\\_landlords\\_accept\\_housing\\_choice\\_vouchers\\_washington\\_dc.pdf](https://www.urban.org/sites/default/files/do_landlords_accept_housing_choice_vouchers_washington_dc.pdf).

<sup>5</sup> Asha Uprety and Kate Scott, "In The District, Source Of Income Discrimination Is Race Discrimination Too," (Oct. 12, 2018), <https://equalrightscenter.org/source-of-income-and-race-discrimination-dc/>.

<sup>6</sup> The term "cisgender" is used to refer to a person whose personal identity and gender corresponds with their birth sex.

<sup>7</sup> District of Columbia Office of Human Rights, "qualified and transgender: A report on results of resume testing for employment discrimination based on gender identity," (Nov. 2015), [https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/QualifiedAndTransgender\\_FullReport\\_1.pdf](https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/QualifiedAndTransgender_FullReport_1.pdf).

<sup>8</sup> The wards associated with each session correspond with where OAG marketed each listening session. The session labeled "Wards 2 and 6," for example, was held in Ward 6, but was advertised to residents in both Wards 2 and 6. In this way, OAG made significant efforts to reach out to residents in all eight wards.