



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

TOMMY WELLS
Councilmember, Ward 6
Chairperson
Committee on Judiciary and Public Safety

Committee Member
Education
Transportation and the Environment
Human Services
Workforce and Community Affairs

December 24, 2013

Mónica Palacio, Acting Director
Office of Human Rights
441 4th Street NW, Suite 570 North
Washington, DC 20001

Dear Ms. Palacio:

Residents of the District of Columbia are routinely passed by when trying to hail taxicabs – not because there aren't taxis available, but because of the resident's race or disability. WUSA9 has been investigating this issue within the taxicab industry for more than a year, reporting several times about how this failure to haul disproportionately impacts African-Americans.¹ The most recent report, filed this past Thursday, reiterates this outrage, documenting 33% of cabs passed by black passengers, while zero passed by white passengers.

The DC Taxicab Commission (DCTC) Chairman Ron Linton claimed this is not the result of racism, but "economics."² This response causes me grave concern: The DCTC's role is to ensure that drivers follow the law, not the least of which is the Human Rights Act, which prohibits discrimination in public conveyances.

I understand that the Office of Human Rights (OHR) is aware of this discriminatory behavior; the OHR website even includes a separate page outlining how to report taxicab discrimination. However, the reality for many of our residents is that this type of discrimination has become so commonplace that reporting it to OHR likely seems futile. I do not believe the number of complaints filed with OHR even begins to scratch the surface of what happens in a single day in the District. Those who are inclined to report likely call the DCTC instead, but even then, what, if any, change comes of it? This is a long-term, systemic problem that remains unaddressed.

¹ See, e.g., Russ Ptacek, WUSA9 Undercover: Cabs strand blacks - official says it's not racism, WUSA 9 NEWS, Dec. 19, 2013, <http://www.wusa9.com/investigation/article/286584/455/DC-cabs-Racial-disparity-in-WUSA9-year-undercover->.

² *Id.*


Accordingly, I am requesting that you utilize OHR's authority to undertake its own investigation into discrimination and review the DC Taxicab Commission's handling of this discriminatory practice.³ My request is three-fold:

- 1) Open an investigation into how DCTC handles complaints it receives for failure to haul. This should include, at a minimum, a review of the number of complaints DCTC receives, the resulting investigations and disposition of those investigations, as well as its record keeping and procedures; OHR should then make appropriate recommendations for action;
- 2) Review current regulations, policies, and procedures related to DCTC's education and training for the taxi industry as it relates to the Human Rights Act; and
- 3) Provide the Committee on the Judiciary and Public Safety with a summary of the number of complaints on this topic that OHR has received over the last three years, along with the disposition of those complaints, and any action OHR has taken to reform the taxi industry.

WUSA 9 interviewed one resident after the news team watched three taxis displaying "for hire" signs pass him by. He stated that this failure to haul happens every day. This practice is absolutely unacceptable and must change.

I appreciate your attention to this matter and look forward to your response. Please feel free to contact me should you have any questions or concerns.

Sincerely,



Tommy Wells, Chairperson
Committee on the Judiciary and Public Safety

³ D.C. Official Code § 2-1403.01(b).