
*M*aryland Commission
on *Human*
Relations



Annual Report 1999

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Maryland Commission on *Human* *Relations*

IT IS THE MISSION of the Maryland Commission on Human Relations to ensure equal opportunity for all through the enforcement of Maryland's laws against discrimination in employment, public accommodations and housing; to provide educational and outreach services related to the provisions of this law; and to promote and improve human relations in Maryland.



Letter of Transmittal

January 12, 2000

Dear Governor Glendening and Members of the General Assembly,

On behalf of the commissioners and staff of the Maryland Commission on Human Relations, we respectfully submit the Annual Report for Fiscal Year 1999. In this document, you will find a retrospective of the past year's activities and programs, highlighting the progress the Commission has made toward eliminating discrimination in employment, housing, and public accommodations.

At the beginning of a new millennium, the Commission continues to implement the Governor's mandate to bring government services closer to the people in important ways:

By providing leadership in identifying and eliminating discrimination in housing, employment, and public accommodations. The Commission's newest unit enhances its effectiveness in identifying patterns of discrimination. In its first year, the Systemic Unit has already begun to provide valuable research on discrimination in the mortgage lending industry, and identify systemic instances of discrimination that have negatively impacted protected groups under Maryland law.

By serving the public through outreach programs and information. The Commission began a series of public hearings to assess the status of Fair Housing in Maryland, gathering information from testimony regarding the availability of affordable, adequate housing throughout the state, and concerns about discriminatory treatment. We continue to enhance our capacity to inform Marylanders and the nation about our programs and services through the use of technology. In our ongoing effort to eliminate the sources of discrimination, the MCHR offers sexual harassment and diversity training which is used by organizations throughout the state.

Thank you for your continued support of the Commission on Human Relations. We look forward to continuing to work closely with you to inform and educate the public about civil rights and human relations in Maryland.

Very truly yours,



Silvia S. Rodriguez



Henry B. Ford



The Commission

The Commission on Human Relations consists of nine members who are appointed by the Governor for a term of six years, by and with the advice and consent of the Senate. Article 49B of the Annotated Code of Maryland provides that the Commission may make surveys and studies concerning human relations, conditions, and problems, to promote in every way possible the betterment of human relations. On the basis of these surveys and studies, the Commission may recommend to the Governor additional legislation or changes in existing legislation.

When any problem of racial discrimination arises, the Commission may hold a hearing to investigate and resolve the problem promptly by the gathering of the facts from all interested parties, and make necessary recommendations. The Commission serves as an appeal board for the review of decisions of the administrative law judge.

Any time that the Commission believes that appropriate civil action is necessary to preserve the status of the parties, or to prevent irreparable harm while the complaint is brought to its final disposition, it may bring action to obtain a temporary injunction. The action is brought in the circuit court for the county where the alleged discrimination has taken place.

The Commissioners

SILVIA S. RODRIGUEZ, CHAIRPERSON, was appointed to the Commission in 1982, and began her appointment as Chairperson in 1995. Ms. Rodriguez lives in Montgomery County. Her term expires in 2003.

ORETHA BRIDGWATERS, VICE CHAIRPERSON, was appointed to the Commission in 1995. A Prince George's County resident, her term expires in 2001.

YOUNG CHOI, PH.D. was appointed to the Commission in April 1998. Commissioner Choi is a resident of Howard County. His term expires in July, 2005.

BARBARA DEZMON, PH.D. was appointed to the Commission in November 1997. She lives in Baltimore County. Commissioner Dezmon's term expires November, 2001.

NORMAN I. GELMAN was appointed to the Commission October 1998. His home is in Montgomery County. Commissioner Gelman's term expires July, 2005.

ERNEST LEATHERBURY was appointed to the Commission November 1997. He resides in Somerset County. Commissioner Leatherbury's term expired November, 2005.



RUFUS W. MCKINNEY was appointed to the Commission in 1996. He is a Montgomery County resident. Commissioner McKinney's term expires 2003.

J. M. NEVILLE, JR. was appointed to the Commission in November 1997. He resides in Baltimore County. Commissioner Neville's term expires in July, 2005.

THOMAS E. OWEN was appointed to the Commission November 1998. He resides in Harford County. Commissioner Owen's term expires in 2001.

IMPORTANT ADVANCES IN FY99

- **To prevent discrimination through education**, the Commission proposed restoring an MCHR Education/Community Relations unit.
- **To address the status of Fair Housing in Maryland**, the Commission held the first three of a statewide series of public hearings from two regions, Western Maryland and the Eastern Shore.
- **To ensure that all students have optimal opportunities to achieve academic success**, the Commission made a resolution encouraging government and educational agencies, business, and community organizations to support implementation of all recommendations in the report, *Minority Achievement in Maryland: the State of the State*, and urged the Maryland State Department of Education to eliminate gaps in achievement of minority student groups.
- **To join with the state's newly instituted Managing for Results program**, the Commission reviewed MCHR's mission, vision, goals, and objectives with this fresh perspective.

HISTORICAL SUMMARY

In 1927, The Interracial Commission of Maryland was established, adding the new Article 49-1 to the Annotated Code of Maryland to consider the "welfare of colored people residing in the State." The Interracial Commission had no investigative or enforcement powers. Its earliest recommendations on several fronts failed in the legislature. The commission was deactivated in 1943.

Reactivated in 1951, the Interracial Commission struck the first several state-supported desegregation blows in the area of public accommodations. These included the integration of Polytechnic Institute, which represented the first time in Maryland history that blacks and whites attended public school together.



By the mid-1960's, the state had passed a Fair Employment Practice Law over which the Commission obtained enforcement jurisdiction, and a state Public Accommodations Law, over which the Commission held statutory authority.

After conducting an extensive survey on the status of race relations in Baltimore in the early 1950's, the Commission published a nationally acclaimed report, entitled *An American City in Transition, The Baltimore Community Self Survey of Intergroup Relations*, which became the basis of a CBS documentary. Its efforts to eliminate color bans in Baltimore businesses began to see results during this period, and the Commission began serious efforts to develop local human rights agencies throughout the state. Montgomery and Wicomico Counties were the first to establish local agencies, quickly followed by Worcester, Frederick, and Dorchester Counties.

Civil rights legislation began gaining momentum in the late 1960's. In the 1970's, sex and age discrimination in employment was banned, and enforcement of the law was transferred to the Commission, now renamed The Maryland Commission on Human Relations. Public accommodation and housing law was extended to prohibit discrimination against the mentally and physically disabled, and employment discrimination prohibitions now applied to employers with 15 employees (reduced from 25). Fair Employment Law was also broadened to prohibit discrimination based on marital status.

In 1970, The Commission published a ground-breaking report on systemic discrimination at Bethlehem Steel's Sparrows' Point plant, and revealed gross injustices in housing with a study of the State's Real Estate Commission, highlighting the need for a Fair Housing Law. The Commission obtained enforcement powers regarding housing discrimination in 1971.

Employment complaints began to escalate, rising to 984 in 1971. In 1974, MCHR's public hearings process was drastically curtailed when the Court of Appeals ruled that the Commission did not have statutory authority to award monetary damages to victims of discrimination; however, during this time, the Commission's investigative efficiency increased. House Bill 458 gave the Commission authority to award back pay for employment discrimination cases, and provided hearing examiners as an alternative to the three-person Commissioner hearing panel.

In the 1980's, the Commission was successful in having passed legislation to amend Article 49B to provide greater back pay remedy to victims of employment discrimination, and issued an *Interim Investigative Report on Discrimination by Private Membership Organizations*, generating substantial public interest.

In the 1990's, the Fair Housing Law was revamped to provide more substantial remedies to victims of housing discrimination. The law now includes Familial Status as a protected class, and provides a private right of action in state court with a jury trial if the complainant or respondent so chooses. The Commission Investigates and processes over 1,000 complaints per year, and the reinstatement of a systemic investigations unit in 1999 has expanded its capability to identify patterns of discriminatory practices at the organization and institutional level. The MCHR actively sponsors and supports legislation that eliminates discrimination, and continually seeks new ways to attack its root causes. Through education, community programs, and outreach, the MCHR strives to reach and serve all citizens of Maryland.



The Commission's Role in Protecting Equal Opportunity

The Commission represents the interests of the State of Maryland to ensure equal opportunity for all through the enforcement of Maryland law. The MCHR hears complaints of discrimination in employment, housing, and public accommodations against members of protected classes under Article 49B.

Protected Classes

Protected classes include race, color, creed, ancestry, religion, age, national origin, familial status, marital status, and physical or mental disability as defined by Article 49B. In order to win a discrimination case, the complainant must prove that he or she was discriminated against *because* of their protected status.

Bringing Action

The MCHR brings action against any person or entity when a complaint is filed or when it has enough evidence to proceed on its own. If probable cause is found to suspect discrimination, a hearing ensues. Frequently, this results in obtaining relief in some form for the complainant. However, unlike a private attorney, the MCHR does not act solely as an advocate for the complainant, but for the State of Maryland, and frequently makes decisions independent of the complainant's wishes. The MCHR's process is aimed at finding resolution between the complainant and respondent, proceeding to litigation only as a final resort.

Steps to Complaint Resolution

In certain cases, the MCHR may offer to bring in a trained outside mediator who attempts to resolve the complaint in a no-fault manner. The mediation process is kept confidential, even from MCHR staff.

If mediation fails to bring about a resolution, MCHR conducts an in-depth investigation to determine whether there is probable cause for the allegation.

If probable cause is found, litigation ensues if the matter cannot be conciliated. If no probable cause is found, MCHR closes the case, though the complainant can pursue litigation privately in the courts.

Conciliation remains possible at any point throughout the proceedings.

Available Remedies

In employment cases, the complainant is entitled to be restored as nearly as possible to the employment position, benefits, and back pay up to 36 months. Federal Law (Title VII) affords more monetary relief including unlimited back pay, compensatory and punitive damages, and attorney's fees.

In public accommodation cases, the respondent, if found not to be in compliance, is required to remedy the discriminatory practice which may include, when applicable, making a facility accessible to the disabled, as well as a penalty payable to the state general fund.

The most extensive remedies are obtained in housing discrimination cases. Available remedies include equitable relief in purchase or rental disputes, compensatory and punitive damages, and other pecuniary loss.



Office of the General Counsel

The Office of the General Counsel is the legal advisor and counsel to the agency. It is an independent law department created by the legislature in Article 49B § 2 (c), Annotated Code of Maryland. The office is charged with representing the agency at all hearings and judicial proceedings in which MCHR is a party. The attorneys in the general counsel's office handle litigation before the Office of Administrative Hearings, state and federal courts, and makes appeals before Commission appeal panels and state and federal appellate courts. In addition to litigation responsibilities, the general counsel's office provides legal opinions to the agency's staff, responds to legal inquiries from the public, drafts legislation and regulations, provides training to the agency staff and, upon request, to those outside the agency.

NEW UNIT INVESTIGATES SYSTEMIC BARRIERS TO EQUAL OPPORTUNITY

The Systemic Unit, a new unit which was added to the general counsel's office this past fiscal year, is supervised by one of the Assistant General Counsels. The general purpose of this unit is focus resources on discriminatory practices with the most widespread and adverse impact.

Using state-of-the-art computer and statistical technology, the unit analyzes data on class-type cases involving complex facts and large numbers of aggrieved persons, for which traditional case-by-case processing is inadequate.

Through the Systemic Unit, MCHR is able to:

- Identify and target patterns of discriminatory practices;
- Obtain effective relief for classes and individuals;
- Increase public awareness of discrimination and its legal consequences;
- Raise awareness of MCHR as an avenue of redress.

In its first few months of operation, the Systemic Investigations Unit:

- Developed a procedure using data reported under the Home Mortgage Disclosure Act to screen lenders for systematic refusals to lend to minorities, and discriminatory "redlining";
- Began a study of mortgage redlining in the Baltimore metropolitan area;
- Within a large-scale study of financial institutions, the unit has identified statistical evidence of systemic discrimination against African-American and Hispanic-American residential loan applicants.

The unit's actions will directly increase opportunities for members of protected groups to obtain jobs, housing, and economic opportunities that were previously denied them.



General Counsel Staff Provide Training

MCHR attorneys contribute legal expertise to citizen groups, civil rights coalitions, and Maryland businesses in workshops and seminars. They design and perform training that addresses the causes and legal consequences of discrimination, and provide up-to-date information on the law. In FY99, Office of General Counsel provided leadership for the following forums:

- Employment Agencies Seminar. This session given for the Maryland Institute of Continuing Education for Lawyers (MICPEL) gave the Commission, along with local human rights agencies, the opportunity to present its law and procedures for addressing discrimination in the state.
- Employment Law Institute (MICPEL). The presentations covered sexual harassment and disability discrimination, and afforded the Commission the opportunity to address attorneys, human resources, and EEO professionals in the private sector. The General Counsel served on the Planning Committee for the Conference.
- Office of Administrative Hearings. Provided training sessions for administrative law judges entitled “Sexual Harassment After Ellerth & Farragher,” and “The Shifting Burden.”
- HUD’s Fair Housing Summit elaborated on the Fair Housing Law. MCHR’s presentation was entitled “Legal Changes Update.”
- Morgan State University. Sexual harassment training for the faculty and staff of the institution.
- A joint Affirmative Action Workshop was held at Johns Hopkins University. MCHR’s presentation was on sexual harassment.
- At The Black Mental Health Association’s Training Session, MCHR presented on sexual harassment.
- At The United States Civil Rights Commission, Maryland Advisory Council’s Meeting, MCHR reported on the state of human rights in Maryland, and the types and numbers of complaints received by the Maryland Commission on Human Relations.
- At the Maryland Association of Human Rights Advocates Day of Training for staff of member agencies, addressed both Commissioners and investigators, and presented a legal update on sexual harassment and disability discrimination.
- General Council organized and attended monthly meetings of a Study Circle Group; a meeting with the Metro/Hartford Millennium Committee in Hartford, Connecticut, regarding the study circle concept.



Significant Litigation

RETROFITTING A HISTORIC STRUCTURE ACCOMMODATES MOBILITY-IMPAIRED INDIVIDUALS

/// In *Reuter v. Constellation Foundation, Inc.*, OAH No. 98-CHR-CITY-405-1, the parties reached a settlement prior to a public hearing. After engaging in extensive negotiations and soliciting advice from numerous other authorities, including the U.S. Navy, the Maryland Historical Trust and the Baltimore City Fire Department, the visitor's center and two of the U.S.S. Constellation's three publicly open decks have been made fully accessible to disabled visitors who use wheelchairs.

An external wheelchair lift now takes disabled visitors to the second floor of the visitor center where they are able to board the vessel's upper deck by means of an accessible gangway. Once there, they have access to the entire deck and can descend one level down to the distinctive gun deck by means of a specially designed mobile wheelchair lift in the ship's main hatch.

Significance: In this ground-breaking case, MCHR demonstrated that **historic structures can be structurally modified to accommodate those who use wheelchairs for mobility** without necessarily compromising their historical integrity.

BANK ORDERED TO PRODUCE RECORDS ON HOME EQUITY LOANS

/// In *State of Md. Commission on Human Relations v. First National Bank of Maryland*, No. 9825811/CC7999 (Cir. Ct. Balto. City, 1998), the Circuit Court for Baltimore City ordered a national bank to produce records on its home equity loan applications which had been requested by MCHR as part of an investigation of lending discrimination. First National Bank had refused to produce the records on grounds that Maryland Law (Article 49B was preempted by the National Bank Act, and that the records were confidential under the Maryland financial Institutions Article.

MCHR contended that an investigation of lending discrimination under Article 49B does not constitute an exercise of "visitorial powers" within the meaning of the National Bank Act or conflict with the purpose of federal banking laws. It also argued that the Housing Discrimination subtitle of Article 49B is substantially equivalent to the Federal Fair Housing Act, and MCHR, as a contractor for the United States Department of Housing and Urban Development, carries out the purposes of the federal law when it investigates complaints of housing discrimination. Production of the documents was authorized by federal law, MCHR argued, and for the bank to refuse to produce them, or require MCHR to serve subpoenas on individual loan applicants would frustrate the purposes of both federal and state law.

Significance: The Court, agreeing with MCHR, entered an order waiving the requirement of service on all loan applicants, thereby opening information access for systemic investigation.



MCHR JOINS ACLU IN SUPPORT OF COUNTIES' AUTHORITY TO AWARD COMPENSATORY DAMAGES FOR EMPLOYMENT DISCRIMINATION

The Commission joined the American Civil Liberties Union of Maryland in filing briefs in support of county human rights commissions in two cases before Maryland's highest court. The cases involved the question of whether Maryland counties have the authority to provide for compensatory damages beyond the restoration of back pay allowed under State law.

/// In *Prince George's County v. Beretta U.S.A. Corp.*, No. 110, Sept. Term, 1998 (Md. Ct. App.), the Court of Special Appeals had ruled that a Prince George's County code provision allowing award up to \$100,000 in compensatory damages for "humiliation and embarrassment" conflicted with Article 49B, § 11(e), which limits awards in cases before MCHR to back pay for a period of 36 months. The Court also held that the Prince George's County code provision was not a "local law" within the meaning of the Express Powers Act which violated the Home Rule provisions of the Maryland Constitution.

/// In *Montgomery County v. Broadcast Equities*, No. 141, Sept. Term, 1998 (Md. Ct. App.), the Court of Special Appeals held that a Montgomery County code provision authorizing awards of up to \$1,000 in compensatory damages in cases before that county's human relations commission was similarly preempted by Article 49B.

Significance: In their joint briefs, MCHR and the ACLU clarified that there was *no conflict between the State and local laws*, which governed the remedial authority of different enforcement agencies. They further maintained that the *Maryland General Assembly in enacting Article 49B did not intend to foreclose the authority of local jurisdictions to enact laws providing for broader monetary relief*, and pointed out that in 1977, when the Legislature first granted back pay authority to MCHR, several County commissions already possessed the authority to award compensatory damages, and the State Legislature was silent on the issue.



THOSE WITH CORRECTABLE PHYSICAL IMPAIRMENTS ALSO PROTECTED UNDER LAW

/// In *Prince George's County v. State of Maryland Commission on Human Relations*, No. 180, Sept. Term, 1998 (Md. Ct. Special App., 1998), the Court of Special Appeals addressed the question of whether persons with correctable physical impairments are still considered "disabled" within the meaning of Article 49B, and therefore protected from discrimination.

A Job applicant was refused employment as a Prince George's County police officer because his eyesight did not satisfy the police department's pre-employment vision standards of 20/100 or better. His vision of 20/200 could be improved to 20/20 with corrective lenses.

The County contended that since his impairment was correctable, the applicant did not have a visual disability, and so did not qualify for protection under 49B. The County also claimed that good uncorrected vision was a legitimate occupational qualification for a police officer. The Administrative Law Judge, on the basis of extensive testimony by expert witnesses and police officers from other departments, rejected these defenses and ruled that the County unlawfully refused to hire the applicant because of his actual or perceived disability. On appeal to the Court of Special Appeals, the only issue raised by the County was whether the complainant had an actual or perceived handicap. **Significance:** The Court held that **Article 49B's broad definition of a disability, which includes "physical reliance on a . . . remedial appliance or device," mandates that physical impairments be considered as uncorrected.** The Court pointed out that without glasses or contact lenses the applicant was substantially limited in his major life activities.

It is important to note that the Appeal Court's decision differed from a recent decision by the United States Supreme Court which reached a different conclusion under the Federal Americans With Disabilities Act, which does not contain the same language in its definition of a disability.

Finally, the Court held that **even if the complainant was not truly disabled, the County "perceived" him as disabled when it "automatically rejected" his application on the basis of the vision test results.**

DECISION IN EMPLOYMENT DISCRIMINATION CASE HIGHLIGHTS CONSEQUENCES OF DISPARATE TREATMENT

/// In *State of Maryland Commission on Human Relations vs. The Kennedy Kreiger Institute*, No. 983161226/cc9960 (Cir. Ct. Balto.City, 1999) The Circuit Court for Baltimore City affirmed a decision by MCHR that Kennedy Kreiger Institute (KKI) had racially discriminated against an African-American employee, and treated her differently from others with the same work record. The Court based its decision on



evidence that the complainant was subjected to racial epithets and other demeaning remarks by her supervisor, told not to miss any more days from work at a time when her son was critically ill, had her probationary period extended, and was finally forced to resign.

Significance: Though KKI's allegations regarding the employee's work performance were not in dispute, the evidence showed that KKI's reasons for the differences in treatment was a pretext for racial discrimination, concluding that **the complainant was, in fact, treated differently from others with the same work record because of her race.**

Further, the Court explained that an **award of prejudgment interest is designed to make the plaintiff whole and to discourage employers from attempting to enjoy an interest-free loan while it delays paying out wages.**

RACIAL HARASSMENT HOUSING CASE CERTIFIED FOR PUBLIC HEARING

/// In *Marcia Price v. Mosetti, et al*, OAH No. 99-CHR-BCTY-301-270, an investigation into an African-American family's allegations of threats of violence and other forms of racial harassment by their white neighbors was certified by MCHR for further processing in May, 1999.

Evidence of the County Police Department and eye witnesses corroborated a Rosedale resident's allegations of ongoing harassment, surveillance, threats, and acts of violence, such as assault with a deadly weapon by her 56-year-old neighbor.

Criminal prosecution of the alleged harasser arose earlier in this matter, and he was convicted in Baltimore County District Court of assault with a deadly weapon, harassment, and a hate crime. The matter remains open on the administrative level as MCHR completes its proceedings against the harasser.



Fair Housing Public Hearings Highlight '99 Outreach

Utilizing existing resources and staff to meet challenges this year, MCHR was active in many arenas. Equal Opportunity Officers in our main and field offices brought government services to the public by conducting training tailored to the needs of their communities, attending and leading seminars, and personally assisting victims of discrimination whenever possible. Attorneys in the Office of the General Council conducted training sessions for public and private sector managers, employers, employees, administrators, and teachers on such topics as sexual harassment and disability law, and facilitated training for approximately 600 teachers in Baltimore County. On the Eastern Shore, sexual harassment training was conducted for Caroline County government employees and some private sector employers.

PUBLIC HEARINGS REVEAL FAIR HOUSING CONCERNS IN WESTERN AND EASTERN-SHORE COUNTIES

MCHR embarked upon an ambitious effort to assess the status of Fair Housing in Maryland, and held the first three of a series of public hearings to gather information on the availability and accessibility of adequate, affordable housing, lending resources, and tenants' rights in Maryland's counties.

Eastern Shore Counties were represented at the first hearing, held in Salisbury on November 10, 1998. Seven of the nine counties were represented. Representatives from Community Development Corporation, the Governor's Commission on Migratory Labor, Housing and Environmental Task Force, Snow Hill Town Council, local NAACP chapters, housing and environmental groups and private citizens were among those who testified.

Witnesses highlighted the lack of affordable housing in many areas of the Eastern Shore, poor condition of available low-income housing stock, and low levels of enforcement of the state's livability code. They also attested to a lack of jobs, and wages too low to afford minimally adequate housing. Witnesses spoke of substandard conditions for which they pay exorbitant rents, predatory lending practices, and the difficulty of clearing title on property passed down through generations, frequently through descendants of slaves.

Hearings took place for Western Maryland Counties In Cumberland on May 25, and Frederick on June 15, 1999. At the Cumberland hearing, testimony from private citizens and representatives from organizations such as the NAACP, Cumberland Community Development, Neighborhood Housing Services, and Housing and Urban Development attested to the difficulty of obtaining financing, retaliation against those who speak out for their rights, availability of complaint procedures, housing discrimination, and the need for an information campaign about housing opportunities.



Represented at the hearing in Frederick included Advocates for Homeless Families, Center for Poverty Solutions, NAACP of Frederick County, Community Development, Interfaith Housing of Western Maryland, Frederick Human Relations Department and private citizens, including two homeless women and a single-parent resident of Frederick. Witnesses testified to discrimination based on source of income (Section 8), racial discrimination, lack of information about housing rights, disparate treatment of group homes in zoning ordinances, inadequate outreach to the Hispanic-American community, lack of affordable housing, and retaliation of landlords against tenants who ask for reasonable maintenance. The County Livability Code was cited as being too cumbersome to be useful, and inadequate public transportation was noted as an issue for low income citizens in this area.

The Commission will conduct housing hearings for Central Maryland counties in November, 1999, and for Prince George's, Montgomery, Charles, Calvert and St. Mary's counties in December, providing an overview of Fair Housing concerns throughout the state. Reports on each hearing will be submitted to Governor Glendening and made available to the public when the hearings have been completed.

MCHR JOINS WITH OTHER HUMAN RIGHTS ORGANIZATIONS

To improve knowledge and skills in human rights and human relations, and to develop broader community resources, the Commission participated in key human rights organizations, including:

- The Maryland Association of Human Relations Agencies
- The National Association of Human Rights Workers
- The International Association of Official Human Rights Agencies
- U.S. Attorney's Maryland Hate Crimes Task Force.
- Coalition Opposed to Violence and Extremism
- Greater Baltimore Community Housing Resource Board

MCHR staff served these organizations in the following capacities: General Counsel serves as president of the National Association of Human Rights Workers; Executive Director serves as first vice-president of the Maryland Association of Human Relations Agencies; Deputy Director serves as Atlantic Region Representative on the Board of Directors of the International Association of Official Human Rights Agencies.



Case Processing Provides “Highest Quality” Services

In concert with the Office of General Counsel, the Case Processing Department enforces Article 49B of the Annotated Code of Maryland prohibiting discrimination in housing, public accommodations, and employment. The department provides services through an intake unit and four investigative units that have individual areas of concentration. The department has a full service office in Baltimore, and field offices that provide services throughout the State.

During FY 1999, the Case Processing Department received a total of 893 individual charges of discrimination:

Employment	-	739 (83%)
Housing	-	82 (9%)
Public Accommodations	-	72 (8%)

(See Chart IV for the County distribution of charges received)

And completed all work on a total 1004 individual cases that were closed:

Employment	-	824 (82%)
Housing	-	107(7%)
Public Accommodations	-	73(11%)

(See Charts I-III for the bases distribution of cases closed)

The Case Processing Department obtained \$568,389 in funding from federal sources (EEOC and HUD) through contracted services in FY99. According to federal audits, the department continues to provide the highest quality investigations in employment and housing cases compared to other state and local agencies.

During FY 1999 the Department obtained directly or jointly with the Office of General Counsel over \$337,000 in benefits on behalf on the citizens of Maryland.

THE FIELD OFFICES UNIT maintains full-service offices in Hagerstown, Cambridge, Salisbury and Leonardtown, and satellite offices in Prince Frederick, Hughesville, Frederick, Cumberland and Oakland. The unit has a supervisor and five investigators. The MCHR field offices unit offers the greatest diversity of services, providing all of MCHR's intake, investigations, and settlement services, and education programs outside the central Maryland corridor. The Field Offices Unit's caseload consists primarily of employment cases.

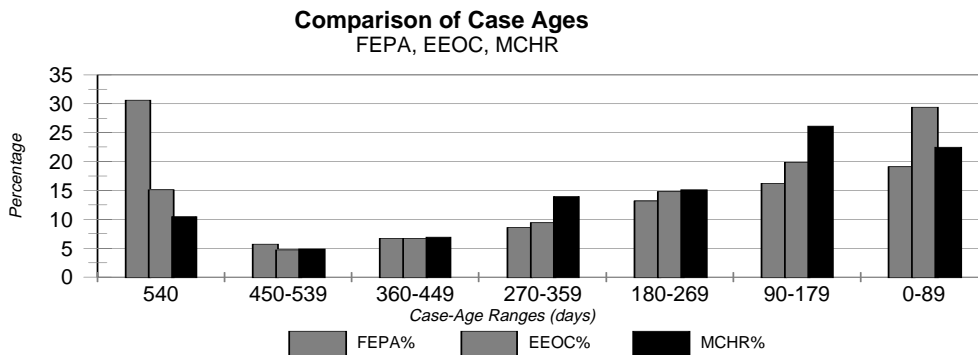


THE HOUSING UNIT, with a supervisor and five investigators focuses on cases of alleged housing discrimination. **The unit has developed a productive relationship with The United States Department of Housing and Urban Development (HUD), and, as a result, the contractual work performed for HUD provided over \$230,000 in funding to promote fair housing in Maryland.** The unit also conducts nearly all of the investigations of cases filed under the Public Accommodations provisions of Article 49B. The significant progress in making public facilities accessible throughout the state is largely due to the efforts of this unit.

TWO EMPLOYMENT DISCRIMINATION INVESTIGATIVE UNITS headquartered in the Baltimore office conduct approximately 70% of total MCHR investigations. Each unit has a supervisor and six investigators. The units are responsible for providing all employment intake, investigative and settlement services to the central Maryland region.

THE CASE CONTROL UNIT has a supervisor and three technicians. Case Control provides clerical support to the other units, reception, and information and support services for the Commission's Mediation program.

A continuing focus of the Case Processing Department has been to maximize the available resources in order to render the case processing services in a thorough and efficient manner. The chart below compares the age of open employment cases in the caseloads of the department, EEOC and other state and local agencies. The department has been successful in establishing shorter case processing times than either our state or federal counterparts.



This chart shows comparisons of case-processing times between **The Maryland Commission on Human Relations (MCHR)**, other **Fair Employment Practices Agencies (FEPA)**, and the **Equal Employment Opportunity Commission (EEOC)**.

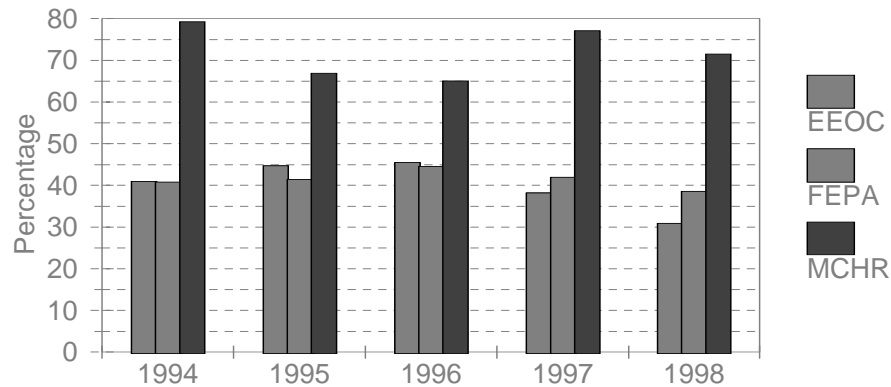


Cases Completed Within 360 Days as a Percent of Total Cases

This chart shows the percentage of total cases that are completed within 360 days for The **Maryland Commission on Human Relations (MCHR)**, other **Fair Employment Practices Agencies (FEPA)**, and the **Equal Employment Opportunity Commission (EEOC)** for 1994 through 1998, as follows:

<i>FISCAL YEAR</i>	<i>MCHR</i>	<i>EEOC</i>	<i>FEPA</i>
1994	69.3	40.9	40.8
1995	66.86	44.7	41.4
1996	65.1	45.5	44.6
1997	71.53	38.2	41.9
1998	77.11	30.9	38.6

360 Day Resolutions as Percent of Total Resolutions

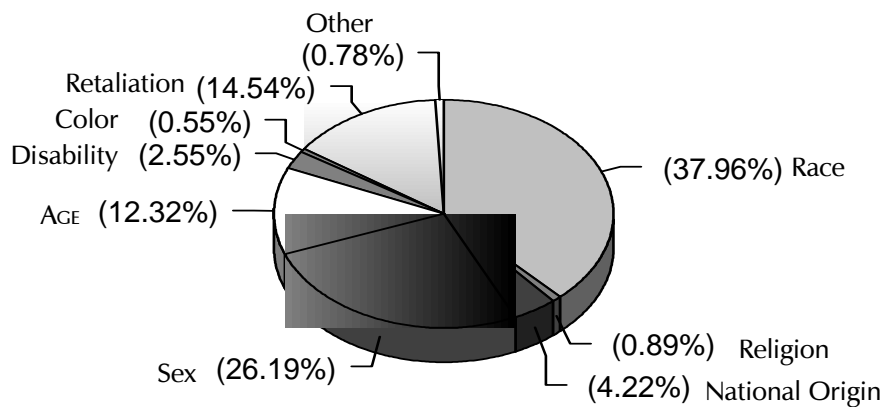


Employment Discrimination

Bases Distribution

*TOTAL CASES CLOSED: 824**

In Fiscal Year 1999, the MCHR closed 824 employment cases. The highest percentage of employment discrimination cases continues to be racially-based, and predominantly African-American. Sex discrimination comprised the next highest percentage, consisting of roughly two-thirds female, and one-third male sex discrimination actions. Retaliation and Age Discrimination accounted for the next highest proportions of approximately 15 and 13 percent of total complaints, respectively.



Race African American- 303 White- 32 Native American- 2 Other- 5

Sex Female- 172 Male- 64

Religion: Jewish- 3 7th Day Adventist- 2 Other- 3

Chart 1

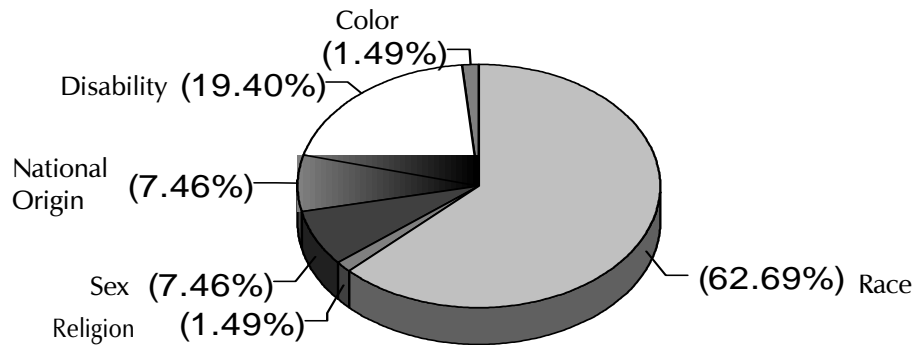


Public Accommodation

Bases Distribution

TOTAL CASES CLOSED: 73

In Fiscal Year 1999, the MCHR closed 73 Public Accommodation cases. The highest percentage of public accommodation cases continues to be racially-based, and predominantly African-American. Disability actions accounted for the second highest percentage, sex discrimination national origin cases third.



Race: African-American-38 White- 1 Other- 4

Disability: 13

Sex: Female- 3 Male- 2

Chart II

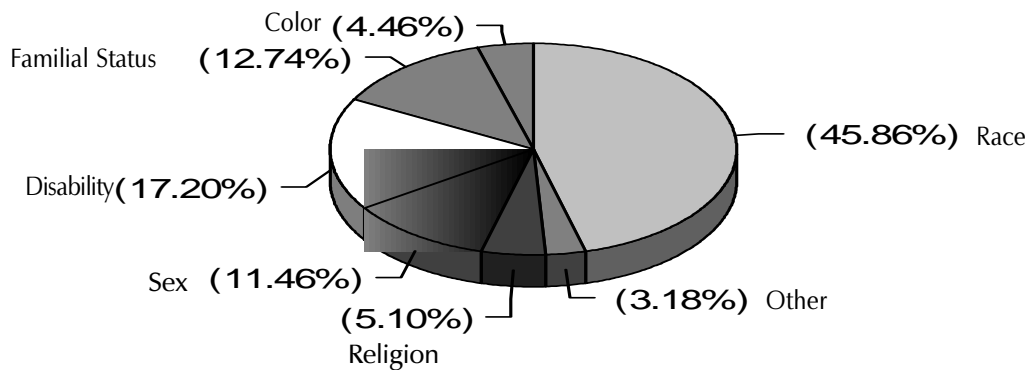


Housing Discrimination

Bases Distribution

TOTAL CASES CLOSED: 107

In Fiscal Year 1999, the MCHR closed 107 Housing Discrimination cases. The highest percentage of housing discrimination cases continues to be racially-based, and predominantly African-American. Disability actions accounted for the second highest percentage, with Familial Status and Sex discrimination third and fourth.



Race: African-American -67 Asian/Pacific Islander- 2 Native American- 1 White- 1

Disability: Mental- 7 Physical- 6 Both- 4

Familial Status: 20

Sex: Male- 9 Female- 9 Religion- 5

Color: 7

Chart III



DISCRIMINATION CASES BY COUNTY

Shown below are discrimination cases which were filed with MCHR from each county in **Employment**, **Public Accommodation**, and **Housing**. Cases may be filed under more than one charge.

COUNTY	E	PA	H
Allegany	16	0	0
Anne Arundel	58	8	5
Baltimore	116	6	16
Calvert	13	0	2
Caroline	4	1	0
Carroll	11	0	2
Cecil	4	1	0
Charles	31	1	4
Dorchester	22	3	0
Frederick	27	2	5
Garrett	11	0	0
Harford	16	0	7
Howard	21	1	0
Kent	3	0	0
Montgomery	32	6	9
Prince George's	42	1	14
Queen Anne	2	0	0
St. Mary's	32	1	3
Somerset	11	1	0
Talbot	16	1	0
Washington	69	1	0
Wicomico	36	3	0
Worcester	14	2	0
Baltimore City	142	3	15

Chart IV



Annual Operating Budget

THE MARYLAND COMMISSION ON HUMAN RELATIONS' BUDGET appropriation for FY99 included a fourteen percent increase in State General Funds. Because of this increased funding by the Governor and Legislature, the agency was able to reinstate a four-person Systemic Investigations Unit, upgrade both its central and field offices' computer systems, and initiate the convening of regional fair housing hearings throughout the state. The agency applauds the Governor and General Assembly for the funding increase and looks forward to working with them in FY2000 to reinstate an education/community relations unit in the agency.

<i>FISCAL YEARS</i>	<i>1997</i>	<i>1998</i>	<i>1999</i>
TOTAL STATE GENERAL FUNDS	\$1,980,724	\$1,957,759	\$2,272,659
<i>FEDERAL FUNDS</i>			
HUD	364,027	314,703	230,059
EEOC	308,220	497,621	338,330
TOTAL FEDERAL FUNDS	\$ 672,247	\$ 812,324	\$ 568,389
<i>GRAND TOTAL</i>	<i>\$2,652,971</i>	<i>\$2,770,083</i>	<i>\$2,853,548</i>
<i>EXPENSES</i>			
STAFFING	\$2,123,124	\$2,255,405	\$2,424,255
OPERATING	\$ 529,847	\$ 514,678	\$ 429,293
<i>GRAND TOTAL SUMMARY</i>	<i>\$2,652,971</i>	<i>\$2,770,083</i>	<i>\$2,853,548</i>

<i>STAFF POSITIONS</i>			
<i>AUTHORIZED MERIT SYSTEM</i>	45	45	49
<i>CONTRACTUAL</i>	3	1	1
<i>TOTAL POSITIONS</i>	48	46	50



MCHR Staff

Staff listing is current as of January 12, 2000.

Executive Director Henry B. Ford
Administrative Assistant, Anne Cook-Vines

Deputy Director James Henson
Administrative Assistant, Anne Cook-Vines

Assistant Director Benny F. Short
Administrative Assistant, Barbara Wilson

Personnel Coordinator John Sybert

Information Systems Manager James Watkins

Computer Network Specialist Keith Witte

Administrative Services: Renee Hickman, Kathy Stewart

Public Affairs Manager/Legislative Liaison Martha Dickey

General Counsel Glendora C. Hughes
Administrative Assistant, Anne Cook-Vines

Attorneys:

Tracy Ashby

Elizabeth Colette

Lee Hoshall

Patricia Wood

Law Clerks: Philip Cronan, Anh Nyugen

Systemic Unit Supervising Attorney Lee Hoshall

Equal Opportunity Officers: Adrena Bundy, Carol Uhler-Ford

Research Statistician David Spottheim

Operations Manager Neil Bell

Investigations Unit Supervisors:

Employment

Linda Mason

Employment

Mary Starke

Housing/Public Accommodations

Charles Blue

Equal Opportunity Officers:

Kathy Green

Gary Monroe

Frieda Morgan

Jonathan Riddix

Elaine Sykes

Michele Romney

Cynthia Johnson

Priscilla Johnson

Valeri McNeal

June Powell

Paul Sorrentino

Lisa Turpin

Terry Fulton

Karen Koger

Willie Owens

Deanna Zavala

Case Control/Mediation Services Supervisor Joann Cole

Administrative Services : Patrice Carter, Joann Mayes, Rusty Spry

Field Operations Supervisor Pamela Jenkins-Dobson

Cambridge: Linda Watkins-Henry, Ervina Johnson

Leonardtwn Bonnie Hernandez

Salisbury Barbara Green

Hagerstown: Catherine Skaggs, Linda Weeks



Maryland Commission on *Human* *Relations*

State of Maryland Commission on Human Relations

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FOR MORE INFORMATION ON ANY OF THE MATERIAL PRESENTED IN THIS ANNUAL REPORT, PLEASE CALL (410) 767-8600, OR 1-800-637-6247, OR VISIT OUR WEBSITE AT [HTTP://WWW.MCHR.STATE.MD.US/](http://www.mchr.state.md.us/)

Our vision is to have a state that is free of any trace of unlawful discrimination.