



2009 Annual Report

Maryland Commission on Human Relations
6 Saint Paul Street, Suite 900
Baltimore, Maryland 21202

410 - 767 - 8600
800 - 637 - 6247
410 - 333 - 1841

Phone
Toll-Free
Fax

Mission Statement

*I*t 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, housing and commercial non-discrimination; to provide educational and outreach services related to the provisions of these laws; and to promote and improve human relations in Maryland.

State of Maryland

Commission on Human Relations



OFFICERS

Henry B. Ford, Executive Director
J. Neil Bell, Deputy Director
Benny F. Short, Assistant Director
Glendora C. Hughes, General Counsel

Governor
Martin O'Malley
Chairperson
Norman I. Gelman
Vice-Chairperson
John W. Hermina, Esq.
Commissioners
Rabbi Elan Adler
Sambhu N. Banik, Ph.D.
Doris Cowl
Joyce De Laurentis
JoAnn Fisher
Kanan H. Hudhud, M.D.
Shawn M. Wright, Esq.

January 1, 2010

The Honorable Martin O'Malley, Governor
The Honorable Members of the General Assembly of Maryland

Dear Governor O'Malley and Members of the General Assembly:

Our message is little changed from last year's transmittal letter. Once again we are able to report that the Agency has performed its duties effectively under serious budgetary and personnel constraints. In these difficult times, we especially appreciate the efforts of Governor O'Malley, the Department of Management and Budget, the Maryland House of Delegates and the Maryland Senate to minimize the effects of necessary budget reductions on our essential operations.

In spite of making due with less, we continue to provide extraordinary services to the citizens of Maryland. Even though we no longer have a Community Outreach Unit, staff from other units has stepped up to try to fill the gap. We were able to provide technical assistance to both the Maryland business community as well as community groups. This past year more than 154 training sessions on topics such as cultural competence, sexual harassment prevention, conflict resolution, sexual orientation, disability sensitivity and hate crimes awareness was attended by more than 7000 participants.

We also continued to mediate, investigate and litigate complaints of discrimination at a high level. The percent of cases choosing mediation as a first attempt at resolving issues has dramatically increased, which indicates a growing public acceptance of the process. We now have more than 130 trained volunteer mediators performing task at a substantial cost savings to the State of Maryland. Cases that have to go through the investigative and litigation process continue to be resolved for significant amounts and other remedies benefiting citizens. Finally, our website has become a primary source of information and a complaint filing platform for citizens, at tremendous cost savings to the State.

[] MAIN OFFICE
William Donald Schaefer Tower
6 Saint Paul Street, 9th Floor
Baltimore, Maryland 21202-1631
410-767-8600 • 1-800-637-6247
Fax 410-333-1841 • TTY 410-333-1737

[] EASTERN SHORE OFFICE
Salisbury District Court Multi-Purpose Ctr.
201 Baptist Street, Suite 33
Salisbury, Maryland 21801
410-713-3611
410-713-3614 Fax

[] SOUTHERN MARYLAND OFFICE
Joseph D. Carter Center
23110 Leonard Hall Drive
P.O. Box 653
Leonardtown, Maryland 20650
301-880-2740 • 301-880-2741 Fax

[] WESTERN MARYLAND OFFICE
Potomac Plaza
44 N. Potomac St., Suite 202
Hagerstown, Maryland 21740
301-797-8521
301-791-3060 Fax

Home Page Address:
<http://www.mchr.maryland.gov>

E-Mail Address:
mchr@mail.mchr.state.md.us



We have a new financial problem to surmount, however. In the spring of 2009, the federal Equal Employment Opportunity Commission announced a 16 percent across-the-board reduction in work-sharing contracts with all state and local Fair Employment Practices Agencies (FEPAs). Although MCHR has an outstanding performance record with the EEOC, we were treated exactly the same as FEPAs with poor records. We have protested this indiscriminate treatment to the federal Office of Management and Budget which negotiates the budget with the EEOC. We've talked to the EEOC directly. We have also spoken with appropriators on both sides of Capitol Hill.

The issue is unresolved at this writing but, if we fail to win relief, the result could be a serious reduction in the amount of support for employment investigations that the agency receives from the Federal Government, and we will suffer further staff reductions if that were to happen. We will keep you apprised of developments.

Very truly yours,



Norman I. Gelman
Chairperson



Henry B. Ford
Executive Director

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The Commission

The Maryland Commission on Human Relations (MCHR) represents the interest of the State to ensure equal opportunity for all through the enforcement of Title 20, State Government Article (formerly Article 49B) of the Annotated Code of Maryland and the State's Commercial Non-Discrimination Policy. The MCHR investigates complaints of discrimination in employment, housing, public accommodations and commercial discrimination from members of protected classes that are covered under those laws.

The Maryland Commission is governed by a nine-member Commission appointed by the Governor and confirmed by the Maryland State Senate. Commission members are appointed to serve six-year terms. The Commission meets once a month to set policy and review programmatic initiatives.

The Commission is an independent agency that serves individuals, businesses, and communities throughout the State. Its mandate is to protect against discrimination based on race, color, religion, sex, age, national origin, marital status, physical or mental disability, sexual orientation and genetic information. In housing cases, discrimination based on familial status is also unlawful.

In addition, the Commission assists employers in developing bias-free selection, hiring, retention, promotion and contracting procedures; increases equal housing opportunities to all groups in Maryland; ensures equal access to public accommodations and services; and promotes knowledge and understanding of anti-discrimination laws and help to improve human relations within the State.

2009 Commissioners

Norman I. Gelman, Chairperson

John W. Hermina, Esquire, Vice Chairperson

Rabbi Elan Adler

Sambhu N. Banik, Ph. D

Doris Cowl

Joyce De Laurentis

JoAnn Fisher

Thomas E. Owen

Shawn M. Wright, Esquire

Office of the General Counsel

The role of the Office of the General Counsel (the Office) at the Maryland Commission on Human Relations (MCHR) is similar to that of the Office of the Attorney General, the legal representative for most State agencies. The role entails the responsibility of representing and defending a State agency in all claims and issues that may be raised before the Office of Administrative Hearings, State and federal trial and appellate courts, as well as provide advice of counsel to the staff of MCHR. However, the General Counsel is autonomous from the Office of the Attorney General. This fiscal year there was a major change in the law enforced by MCHR. Article 49B was re-codified as State Government Article, Title 20 Annotated Code of Maryland. Re-codification provides significant reorganization of the law, clarification but no substantive changes.

The Office, in addition to litigation, is the Agency's legal counsel. The responsibility of legal counsel includes issuing oral and written opinions to MCHR commissioners, management and staff. It also involves providing training, advice and guidance to MCHR investigators; technical assistance to businesses, corporation, organizations, non-profits and other State agencies; and informing the citizens of the State of Maryland through advocacy groups, neighborhood and religious organizations about their rights under State Government Article, Title 20.

Also included in the Office repertoire of responsibilities is legislation. This task include drafting, monitoring, preparing testimony, attending bill hearings, and following up on information requests from the legislators. This past session, the General Assembly passed HB393, a clarification of the definition for the protected class of "disability". HB393 placed into the statute the expanded definition contained in the "Disability Guidelines". COMAR 14.03.02.02(6). In addition, the General Assembly passed a major piece of employment law legislation, the Lillie Ledbetter Act (HB288). The legislation reversed the Supreme Court decision that required persons to file employment discrimination complaints regarding discriminatory pay at the time the act occurred and not when discovered by the employee. This placed victims of this type of discrimination at a disadvantage since salary information is not openly shared by employers and in many cases employees are forbidden by employers from discussing their salaries.

In addition to legislation, the Office also drafts, evaluates and promulgates the agency's regulations.

INITIATIVES

In furtherance of the Agency's mission to develop better human relations throughout the State, the General Counsel's Office has worked on cooperative partnerships, various projects and events to eliminate unlawful discrimination. In FY 2009 the Office initiated or participated in the following activities to reach that goal:

- In FY09, the Office in partnership with the Statewide Equal Employment Opportunity Office provided training on "Investigative Techniques" and "Discrimination Law and Theory" for the State's EEO Coordinators. This training was also provided by the Office to MCHR investigators, local agency investigators and State ADA Coordinators. In addition the Office participated as a trainer at the 1st Annual EEO Coordinator's Retreat at St. Mary's College.
- The partnership between MCHR and the Governor's Office of Minority Affairs (GOMA) continued to be developed to assist in providing implementation, information and technical assistance regarding the State's Commercial Non-Discrimination Policy. MCHR provided training on the policy to GOMA's staff. In addition, the Office met with GOMA's staff to strategize on training and outreach opportunities in the business community, as well as discuss cooperation in handling possible complaints.
- As previously stated, a major change took place in FY09 for the MCHR. Article 49B, Annotated Code of Maryland went through code revision and emerged as State Government Article, Title 20. The Office was a part of the committee that worked on the revision that started in July 2008 and ended December 2008. The General Assembly passed the code revision bills, HB 51-54, in its 2009 session. The new code came into effect October 1, 2009.
- Fair housing technical assistance and training was provided to the Associations of Realtors located in southern Maryland, the bay area, Prince George's and Howard Counties. In addition fair housing training was provided to the Moss Hill Townhouses.
- The Office provided subject matter training to the Office of Administrative Hearings. Subjects covered by the Office's staff were the new State Government Article, Title 20, Commercial Non-Discrimination Policy law, fair housing, and public accommodations discrimination. In addition, disability discrimination training was provided to Rite Aid, sexual harassment training to the College of Notre Dame and Aldo Management.
- The General Counsel continued as a faculty member with the Maryland Institute for Continuing Professional Education of Lawyers Inc. (MICPEL); memberships on the MSBA Labor and Employment Law Section and National Association of Human Rights Workers; and as a partner with Baltimore Neighborhoods, Inc.

SIGNIFICANT CASES

EMPLOYMENT

Antoinette Butler v. Level Ten/LVL X Clothing Store

The owners of Level Ten operate at least seven stores in Maryland specializing in clothing and other items for petite girls and women. Antoinette Butler and her eight year old daughter visited the Annapolis, Maryland Level Ten clothing store. While entering the establishment, Ms. Butler noticed a sign stating that Level Ten was seeking to hire new employees.

As Ms. Butler completed a purchase of merchandise, she asked the cashier for an employment application considering the sign in the window. The cashier refused to provide Ms. Butler with an application. In fact, the cashier stated that Ms. Butler was “too old” to be employed by the company. Ms. Butler repeated her request for an application and was again denied for the same reason. Ms. Butler filed a complaint. The investigation found probable cause to believe that Level Ten discriminated against Ms. Butler based upon her age. The company refused to conciliate and MCHR filed a Statement of Charges against the establishment.

The matter was proceeding to trial; however, Ms. Butler, MCHR and Level Ten entered into a settlement agreement. The most significant provisions of the agreement included Level Ten providing monetary relief, a letter of apology and promising not to retaliate against Ms. Butler. In addition, the company consented to develop, implement and post within its stores anti-discrimination policies, along with requiring its supervisory staff to participate in training surrounding Maryland’s anti-discrimination law.

HOUSING

Ivan Holman & Farhana Haskett v. Development Projects/Regional Management

Ivan Holman and Farhana Haskett are husband and wife who have six children with an age range of one to seven including twins. Development Projects and Regional Management are the owner and manager of Walden Circle property which is comprised of 302 3-bedroom townhome units.

Mr. Holman visited the leasing office of Walden Circle and began to complete an application for rental of a townhome. Shortly thereafter, his wife came into the office along with their six children. Ms. Haskett was also provided paperwork to complete. During this time, the leasing agent began a telephone conversation with the property manager at Walden Circle. Upon ending the conversation with the property manager, the leasing agent looked at Mr. Holman and Ms. Haskett and stated, "we cannot accept your application you have too many children." Shocked and upset by the statement, the couple ceased completing the paperwork, discarded the forms, and departed with their children.

The couple filed a complaint with MCHR. The investigation found probable cause to believe that Development Projects and Regional Management discriminated against Mr. Holman and Ms. Haskett on the basis of familial status. Development Projects and Regional Management refused to conciliate and MCHR filed a Statement of Charges. Prior to trial, a settlement agreement was reached. As a result of the agreement, Mr. Holman & Ms. Haskett received monetary relief, the promise by Development Projects/Regional management not to retaliate against them, and Development Projects/Regional Management's commitment to abide by Maryland's fair housing law.

Peggy Daniel & Albert Doby v. Bd. of Directors, Cameron Grove Condominium II.

The Board of Directors of a Condominium in Upper Marlboro was found to be in violation of Maryland's Fair Housing Act by an Appeal Board of the State of Maryland Commission on Human Relations. The Board of Directors of Cameron Grove Condominium II was found to have violated the Fair Housing Act by refusing to give two disabled condo owners a key to the back and side doors of their building. The disabled owners needed keys to those doors in order to assist in bringing in their groceries and in reaching the Resort Center without hardship. The Respondents were ordered to pay a civil penalty of \$5,000 to the State of Maryland. The Board was also ordered to pay damages of \$25,000 to one disabled owner, and \$10,000 to the other. The Board installed a key card entry system on the side and back doors after trial, but before a decision was announced. Now every Condo II owner can come and go through any door at any time. Other buildings in the development had automatically given keys to all of their owners.

The disabled condo owners had been asking for a key to the doors for years, and provided medical documentation from their doctors. The Board denied the requests. The Commission investigated their complaints and found probable cause for discrimination, but the Board refused to conciliate.

During a 3-day trial, the Commission presented medical evidence and video proof that keys would reduce the hardship the disabled condo owners have with access to the building and doing other tasks. The Administrative Law Judge found that the Board did not discriminate against the disabled owners as a key was not necessary, but merely a convenience. The Commission appealed the decision. In 2009, the Appeal Board held that the Condo Board discriminated. The keys were necessary to accommodate the disabilities of the owners. The Appeal Board ordered damages and a civil penalty. The disabled owners need not pay into any condo fund to satisfy the award of damages.

The Condo Board filed a Petition for judicial review of the Appeal Board's decision.

PUBLIC ACCOMMODATIONS

Marilynn Phillips v. Town of Sykesville & Baldwin Station Restaurant

Marilynn Phillips is an individual with a physical disability. She utilizes a wheelchair for mobility. Ms. Phillips saw an advertisement for a folk music concert at Baldwin Station restaurant. An avid listener and admirer of folk music, Ms. Phillips telephoned the establishment hoping that she would be able to attend the upcoming concert at the restaurant. She spoke with the owner/manager of the restaurant. She inquired about wheelchair accessibility. The owner/manager stated that the room where the concert was to be held was not accessible. Therefore, Ms. Phillips knew that she could not attend the performance.

Ms. Phillips filed a complaint with MCHR against the Town of Sykesville as the owner of the building, and the tenant Baldwin Station restaurant. The investigation found probable cause that the Town of Sykesville & Baldwin Station restaurant did discriminate against Ms. Phillips based upon her disability. Furthermore, along with the concert room, MCHR's investigation discovered that there was no accessible restroom in the establishment. The Respondents refused to conciliate and MCHR filed a Statement of Charges.

A settlement agreement was reached in the matter. The Town of Sykesville and Baldwin Station restaurant consented to: make the concert room wheelchair accessible, remodel the restroom by widening the door frame of the restroom, install new door handles, install an automatic door closer, install grab bars, install compliant faucet and handles, install a new wheelchair accessible toilet, install insulated pipes and a pivoting mirror set. In addition, the Town of Sykesville and Baldwin Station each paid \$500.00 for a total civil penalty of \$1,000.00 dollars and promised not to retaliate against Ms. Phillips. Finally, MCHR ensured that the Town of Sykesville and Baldwin Station each agreed to send a senior management employee to sensitivity training designed to foster appropriate and non-discriminatory treatment of patrons regardless of physical disability.

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TECHNICAL ASSISTANCE AND OUTREACH

Trainings and Outreach events-July 2008- June 2009

As a significant part of the continuing effort to inform the people of the State of Maryland about their rights under State Government Article, Title 20, MCHR provides training, technical assistance, educational programming, information and other support resources to the businesses, government agencies, not-for-profit organizations, faith communities, and academic institutions throughout the State. The major strategy is to provide information, as well as resources which will ensure persons who live, work, and visit the State of Maryland will have equal access to housing, employment, and public accommodations.

More than **7000** individuals were provided information about equal protection from discrimination found under Maryland law and awareness of issues that affect their quality of life, through MCHR's educational, outreach, and training events. Training workshops in cultural competence, sexual harassment prevention, conflict resolution, sexual orientation, disability sensitivity, hate crimes awareness, MCHR services, investigative techniques, fair housing issues, and the law were presented by the General Counsel's Office, Mediation Unit, and investigative staff.

MCHR assisted, planned, facilitated, and participated in special events throughout Maryland, in conjunction with other organizations and agencies. Through such events as Fair Housing events, Maryland's Gay Pride Festival, and Human Rights Day in Annapolis, MCHR helped to broaden awareness of its services and information on equal access for all Marylanders.

This year **154** training sessions were provided to approximately **7000 +** individuals. These trainings were provided to almost **95** different groups representing a wide diversity of governmental institutions, organizations, non-profits, and businesses including but not limited to:

- U. of M. at College Park
- Catonsville Community College
- Arundel Lodge, Inc.
- Caroline Center
- Rock Creek Foundation
- Greater Baltimore Board of Realtors
- Hospice of the Chesapeake
- Americorps
- Rite Aid Distribution Center
- Unilever/Breyer's Ice Cream
- Prince Georges Board of Realtors
- Edmonston Police Department
- Office of the Public Defender
- Citizen's Care and Rehabilitative Services
- Dept. of Housing and Community Development
- Dept. of Juvenile Services

Educational and collaborative partnerships are an ongoing part of the relationships cultivated with local, state, and federal agencies such as local Human Relations Commissions, HUD, EEOC, and the U.S. Dept. of Justice to enhance the range and scope of MCHR's services and outreach efforts.

CASE PROCESSING DIVISION

The Case Processing Division provides intake, investigation, mediation and processing services for the complaints filed with MCHR in housing, public accommodations and employment. The Division provides those services through an Intake Unit and four Investigative Units. One of the Investigative Units, Field Operations, has full service offices in Hagerstown, Leonardtown, and Salisbury.

The Division receives complaints directly from individuals who believe they have been victims of unlawful discrimination and also processes cases for the U. S. Department of Housing and Urban Development (HUD) and the Equal Employment Opportunity Commission (EEOC).

Intake and Closures

Intake:

During FY 2009, the Division received a total of **834** individual complaints of discrimination as follows:

Employment	709	(85%)
Housing	82	(10%)
Public Accommodations	<u>43</u>	<u>(5%)</u>
Total	834	(100%)

Charts I and II provide the county of origin and bases distribution of the complaints. Chart III provides the basis distribution of the cases closed.

Closures:

During FY 2009, the Division obtained **over \$760,000.00 in monetary benefits** for the people of Maryland.

During FY 2009, the Division completed all work on a total of **778** individual complaints of discrimination as follows:

Employment	628	(81%)
Housing	86	(11%)
Public Accommodations	<u>64</u>	(<u>8%</u>)
Total	778	(100%)

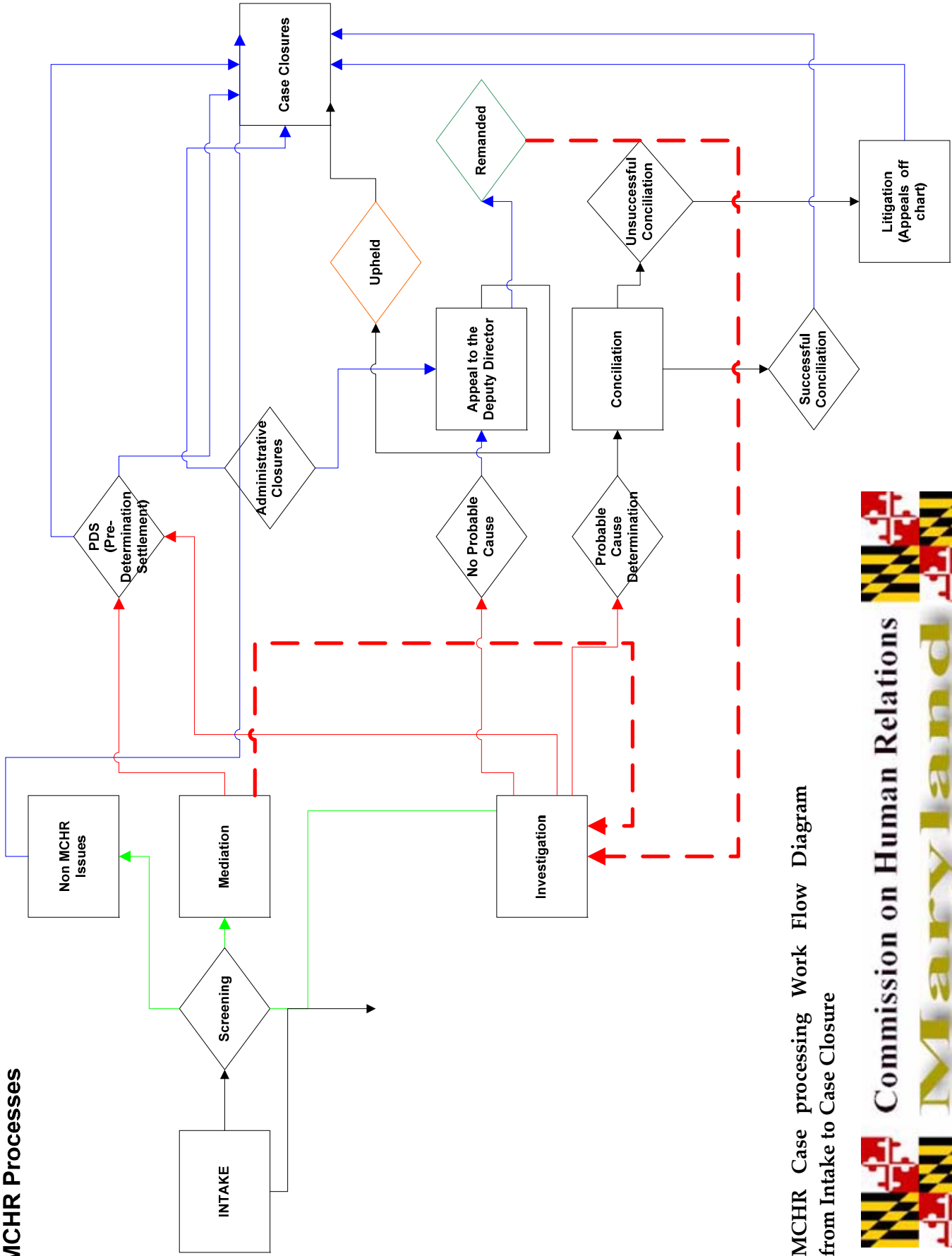
The Case Processing Division was successful in achieving its objectives in spite of a reduction in staff again this year.

An indicator of success is that again, according to federal audits, MCHR demonstrated the superior quality of the investigations with one of the *highest acceptance rates of completed cases in the nation*. In addition, federal audits of other FEPA (Fair Employment Practice Agencies--state and local commissions that have the same or similar contractual relationship with EEOC), *revealed that the MCHR inventory of open cases is approximately one-quarter the age of the national average of open cases*. The age of the pending inventory is an indicator of the time an agency takes to complete a case.

The chart below demonstrates that the age of MCHR's pending inventory is *dramatically lower than the national average*.

MCHR Average Age of Open Case 2009		Average Age of Open Case : National Averages	
Employment	180 days	FEPAS (Fair Employment Practice Agencies)	681 days
Housing	73 days	FHAPS (Fair Housing Assistance Programs)	145 days
Public Accommodations (no national averages)	674 days		

MCHR Processes



2/17/2009

**MCHR Case processing Work Flow Diagram
from Intake to Case Closure**



Case Histories: The Impact on the Lives of People in Maryland

While the statistical analysis of the work of MCHR can provide valuable overall information on the state of human relations in Maryland, it does not present the effect that the MCHR has in terms of *promoting* and *improving* better human relations in the State. A few of the case histories that are presented here are just several of the hundreds of cases where the MCHR has facilitated resolution of the conflicts that give rise to the complaints MCHR receives each year.

SABRINA BATTLE V. HAIR CUTTERY

The charge was filed by an African American Complainant on behalf of her two young daughters. The Complainant's sister took both children to get their hair styled for a special occasion and utilized the Respondent's walk-in policy which states that the next available stylist will take walk-in customers unless the stylist has a previously scheduled appointment arrive at that time. The charge stated that when the next available stylist, who was Caucasian, approached the Caucasian receptionist she stated that she could not style the African American kids' hair because of the texture of their hair. It was alleged that the names of the children were incorrectly removed from the wait list and they did not receive timely service due to discriminatory reasons. All parties attended mediation which resulted in a letter of apology from the Respondent to the Complainants and an arrangement for the Complainant to call the salon manager directly to schedule the children's future hair appointments.

FREDDY BUSTILLO V. DUFFIE DEVELOPMENT

The Complainant filed a charge with respect to issues of harassment, terms and conditions, wages and termination. The Complainant alleged a discriminatory work environment at the Respondent worksites towards Spanish speaking workers. The Commission provided a Spanish speaking interpreter as part of the mediation session and the participants were able to reach a resolution of the charge that resulted in a monetary settlement in the amount of \$18,500.00 for the Complainant.

ATHERINE BONDS V. ATLANTIC BROADBAND CABLE CO.

The Complainant filed a charge regarding issues of promotion, termination and retaliation. The Complainant alleged many instances of what she believed to be disparate treatment of herself and other African American employees. All participants attended mediation and were able to reach a resolution that resulted in the Complainant receiving a monetary settlement of \$17,500.00.

RAPHEL & ELNA REGGIES vs. PENNINGTON PARK APARTMENTS

The Complainants in this matter saw an advertisement on Craigslist for a two-bedroom apartment at Pennington Park Apartments located at 6211 Green Field Road in Elkridge Maryland. On or about April 22, 2009, Complainant Elna Reggie had an email exchange with Respondent's property manager about available apartments. The Complainants allege that Ms. Reggie informed Respondent's property manager that her family consisted of two adults and three children, two of whom were 16 month old twins. The Complainant's allege that Respondent's property manager informed them that the maximum occupancy of any apartment was four people. The Complainants submit on or about April 25, 2009, they made an appointment to see a model apartment with Respondent's property manager. The Complainant's maintain upon arrival the Respondent's property manager reiterated her earlier position that the Complainant's family size was too large for one of their units and refused to show them the model. As a result of the Respondents position the Complainants filed a complaint with MCHR alleging discrimination based on familial status. During the investigative process the Commission's investigative staff negotiated a monetary settlement which the Complainant's accepted. In addition, the Commission's investigative staff provided the Respondent with valuable information about Title 20 and county codes and the fact that county codes do not supersede State and Federal fair housing laws.

ELIZABETH CORBIN vs. COUNTRY WIDE INSURANCE
SARAH SWIFT vs. COUNTRY WIDE INSURANCE

These two cases involved allegations of sexual harassment of two females by their male supervisor. The Complainant's were also subjected to differential treatment based on their sex, female, in that the terms and conditions of their employment was compromised; with respect to lost of wages and being required to report directly to the incident doer when comparable male employees were treated differently.

Investigation revealed, through direct witness testimony, that the supervisor was subjecting the Complainant's to sexual harassment; such as lewd remarks and innuendo directed at the affected female employees only. Investigation revealed that senior management was aware of its supervisor's inappropriate behavior, but ignored the issue due to the relationship between senior management and the incident doer and therefore failed to take any corrective action.

Investigative information revealed that the incident doer, had a history of drug abuse and erratic behavior in the workplace; which was eventually investigated by the organization which ultimately led to his dismissal. However no action was taken by senior management at the time the internal complaints were filed by the Complainants.

The commission's staff contacted the Employee Relations Department of Country Wide Insurance and, through direct negotiations, reached settlements in the amount of \$40,000 for Elizabeth Corbin and \$42,500 for Sarah Swift. The Complainants were extremely grateful to the Maryland Commission on Human Relations for assisting them with holding Country Wide accountable for their discriminatory actions.

Chart I: Total Intake 2009 Basis Distribution

Employment, Public Accommodations and Housing
Charges filed in Fiscal Year 2009 according to alleged Basis of Discrimination

Basis	E	PA	H
Race:			
Black	202	19	26
White	27	1	4
Asian/Pacific Islander	3	0	1
American Indian/Alaskan	0	1	0
Other	5	0	0
Sex:			
Female	140	3	6
Male	33	1	3
Sexual Orientation	23	2	0
Age	142	2	NA
Retaliation	169	2	0
Disability	176	17	16
Religion:			
7th Day Adventist	0	0	0
Muslim	2	1	0
Jewish	2	0	0
Protestant	2	0	0
Catholic	0	0	0
Other	8	0	2
National Origin:			
Hispanic	25	1	2
East Indian	0	0	0
Other	50	1	17
Familial Status	NA	NA	18
Marital Status	5	0	0
Color	5	1	1

**Chart II: Intake of Cases FY 2009:
Frequency by County
Employment, Public Accommodation and Housing**

County	E	PA	H	TOTAL
West				
Allegany	2	0	2	4
Frederick	16	0	2	18
Garrett	1	0	1	2
Washington	18	1	1	20
Central				
Anne Arundel	78	6	2	86
Baltimore City	147	9	11	167
Baltimore County	110	9	8	127
Carroll	19	1	1	21
Harford	21	0	3	24
Howard	36	2	5	43
Montgomery	50	3	21	74
Prince George's	81	9	16	106
Southern Maryland				
Calvert	12	0	0	12
Charles	11	1	1	13
St. Mary's	13	0	1	14
Eastern Shore				
Caroline	6	0	1	7
Cecil	13	0	1	14
Dorchester	12	0	0	12
Kent	3	0	1	4
Queen Anne's	4	0	2	6
Somerset	7	0	0	7
Talbot	24	0	1	25
Wicomico	19	1	1	21
Worcester	6	1	0	7
Totals	709	43	82	834

Chart III: Closed Cases 2009

Employment, Public Accommodations and Housing

Cases closed in Fiscal Year 2009 according to alleged Basis of Discrimination

Basis	E	PA	H
Race:			
Black	196	23	26
White	23	0	3
Asian/Pacific Islander	2	0	0
American Indian/Alaskan	0	0	2
Other	7	0	0
Sex:			
Female	130	3	8
Male	45	1	3
Sexual Orientation	22	0	0
Age	121	0	NA
Retaliation	137	0	0
Disability	179	37	38
Religion:			
7 th Day Adventist	0	0	0
Muslim	1	0	3
Jewish	2	1	0
Protestant	2	0	0
Catholic	0	0	0
Other	12	0	1
National Origin:			
Hispanic	12	0	1
East Indian	1	0	0
Other	54	0	4
Familial Status	NA	NA	14
Marital Status	3	0	2
Color	5	1	0

Note: Cases may be filed on more than one basis; therefore totals exceed number of charges received.

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MEDIATION UNIT

In November 2001, the Commission hired a new Program Director to spearhead an innovative mediation initiative. The new MCHR Mediation Program formally began in January 2002 as an alternative to investigation and litigation for disputing parties. Since then, the Unit has grown to three staff members and maintains a roster of over 130 trained volunteer mediators who continue to pioneer an agency-wide dispute resolution program that has been an overwhelming success.

The Mediation Unit receives many case referrals directly at the intake level when a charge is first filed. Cases are also referred to mediation from investigations staff and from the General Counsel's Office when mediation may become appropriate at a later phase in case processing.

Mediation allows cases to be processed effectively while saving the parties involved and the State money and time often spent on investigations and possible future litigation. Mediation focuses not only on resolving individual charges but also on repairing the relationships between disputing parties in all cases. The goal is to close cases quickly and efficiently and to also continue to promote a State free of discrimination by teaching the public to have a direct hand in resolving their own disputes. The program has become known state wide for its creative recruitment efforts, cutting edge training classes, and continuous quality assurance.

In fiscal year 2004, the Mediation Unit Director was asked to join the Maryland Mediator Excellence Council sponsored by the Maryland Mediation and Conflict Resolution Office (MACRO). MACRO is a court related agency chaired by Hon. Robert M. Bell, Chief Judge of the Maryland Court of Appeals, that serves the State by supporting and expanding conflict resolution services in Maryland. The Mediator Excellence Council developed the statewide Maryland Program for Mediator Excellence (MPME) and opened membership to mediators in late 2006. The MPME is unique in the country since it is providing mediators and other related professionals across the entire State with a network to access standards for quality mediation training, mentoring, ethical standards for practice, a formal grievance process and other programs to promote high quality mediation services in all programs.

The Mediation Unit Director has been serving on the Mediator Excellence Council as the representative for all mediation program roster managers in Maryland since 2004 and has also chaired the Maryland ADR Roster Managers Committee since 2007. She also serves on several state task groups to ensure that MCHR mediators will meet the State's standards for quality practice. In particular, the Director's participation on the MPME's Mediation Training Standards Task Group and the Mediation Mentoring Task Group as well as the Maryland State Government Shared Neutrals Pilot Program has given MCHR mediators access to the most up-to-date training and mentoring opportunities. Participation in these efforts has raised the public's awareness of MCHR mediation services, garnered greater attention from other government agencies and has set the MCHR Mediation Program in line early for any mediator standards that may become mandatory in the future in Maryland.

This year, the Mediation Program Director applied for and was awarded over \$12,000 in grant funding to continue to enhance program services. With the grant funding MCHR was able to initiate a number of projects including offering more extensive training for staff and volunteer mediators and hiring training coaches for one-on-one mentoring for new mediators.

In addition to the quality assistance efforts with the MPME, in fiscal year 2009, the Mediation Unit trained an additional 24 new volunteer mediators and offered continuing education courses for all current volunteers to enhance their mediation skills. The Mediation Unit offered a 42 hour Beginner Mediation Course in Fall 2009 and once again developed and presented several in-house training courses and hired external trainers to present courses this fiscal year including: *Making the Most out of Co-Mediation, Ethics & Confidentiality in Mediation* and *Neurological Nuggets for Mediation*. The Mediation Unit continues to partner with several experienced private mediators, county community mediation centers and the Center for Dispute Resolution at the University of Maryland School of Law to offer more new training topics every year to its volunteer mediators.

In an effort to expand mediation services throughout the State and make these services accessible even in rural areas, the Mediation Unit has continued to develop its partnership with Community Mediation Maryland to recruit local mediators in several counties outside of the Commission's office locations. Through this collaborative effort, MCHR now offers mediations in accessible locations through local community mediation centers that serve counties in Western and Southern Maryland and on the Eastern Shore as well as the northeastern part of the State. The Mediation Unit will continue to expand its services to more rural locations throughout the State.

Through its strong mediator recruitment efforts, innovative training programs, and outreach to the public the Mediation Program continues to set an example in state government of an effective and efficient model for helping Maryland citizens resolve their own disputes. The program maintains a high level of participants that elect to voluntarily participate in mediation and continues to hold more mediations each year. The high quality of services is clear from the feedback received from mediation participant surveys collected at the end of all mediation sessions. *Again this year, most mediation participants stated that they would use the mediation process again in future disputes and that they would recommend the mediation process to others even if they weren't able to reach an agreement in their particular case.*

When asked what was most helpful about the mediation process, survey comments from participants included: *"An opportunity to talk through the issues and find common ground"; "A chance to have my views heard"; "Getting my side of the story out and hearing what they had to say as well"; and "The willingness for them to listen and get a settlement in our case".*

The program promises to be a continued success for the Commission and to set a standard of excellence for alternative dispute resolution throughout Maryland.

Mediation Unit

FY09 Statistics

Percentage of Eligible Cases Processed by the Mediation Unit:

Fiscal Year 2002: 13%

Fiscal Year 2006: 44%

Fiscal Year 2003: 30%

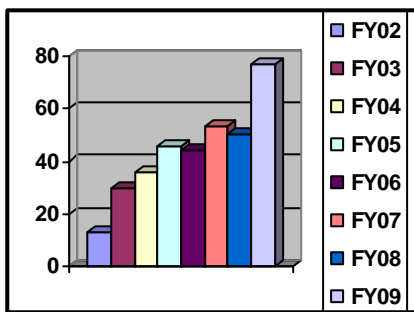
Fiscal Year 2007: 53%

Fiscal Year 2004: 36%

Fiscal Year 2008: 50%

Fiscal Year 2005: 46%

Fiscal Year 2009: 77%



Number of Mediations Held:

Fiscal Year 2002: 98 mediations

Fiscal Year 2003: 174 mediations

Fiscal Year 2004: 208 mediations

Fiscal Year 2005: 177 mediations*

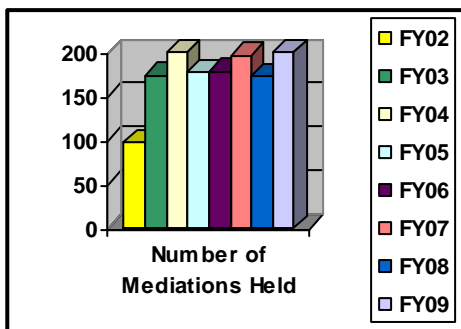
(* more cases were resolved by Mediation Staff in addition to this number than in previous years)

Fiscal Year 2006: 179 mediations (3 cases were mediated but are pending closure in FY07)

Fiscal Year 2007: 197 mediations (17 cases were mediated but are pending final closure in FY08)

Fiscal Year 2008: 173 mediations (15 cases were mediated but are pending final closure in FY09)

Fiscal Year 2009: 207 mediations (4 cases were mediated but are pending final closure in FY10)



Percentage of Mediated Cases that Reach Agreement:

Fiscal Year 2002: 42%

Fiscal Year 2006: 48%

Fiscal Year 2003: 51%

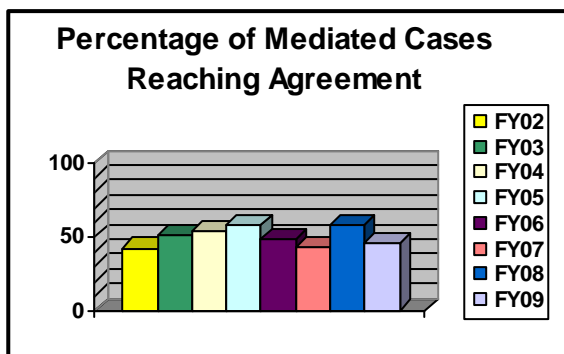
Fiscal Year 2007: 43%

Fiscal Year 2004: 53%

Fiscal Year 2008: 57%

Fiscal Year 2005: 57%

Fiscal Year 2009: 45%



***FY09 TOTAL UNIT RESOLUTION RATE = 55%**

**This number includes cases resolved by volunteer mediators in a formal mediation session as well as cases closed by Mediation Unit staff.*

Total Unit Resolution Rate:

Fiscal Year 2005: 62%

Fiscal Year 2006: 58%

Fiscal Year 2007: 57%

Fiscal Year 2008: 67%

Fiscal Year 2009: 55%

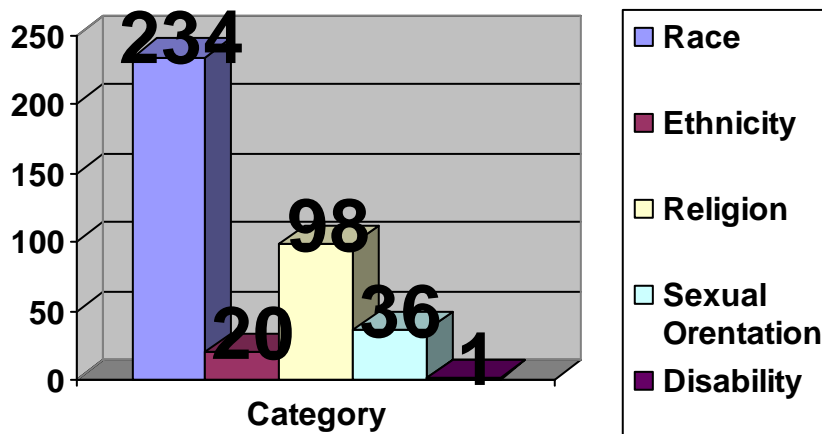
Hate Crimes Monitoring

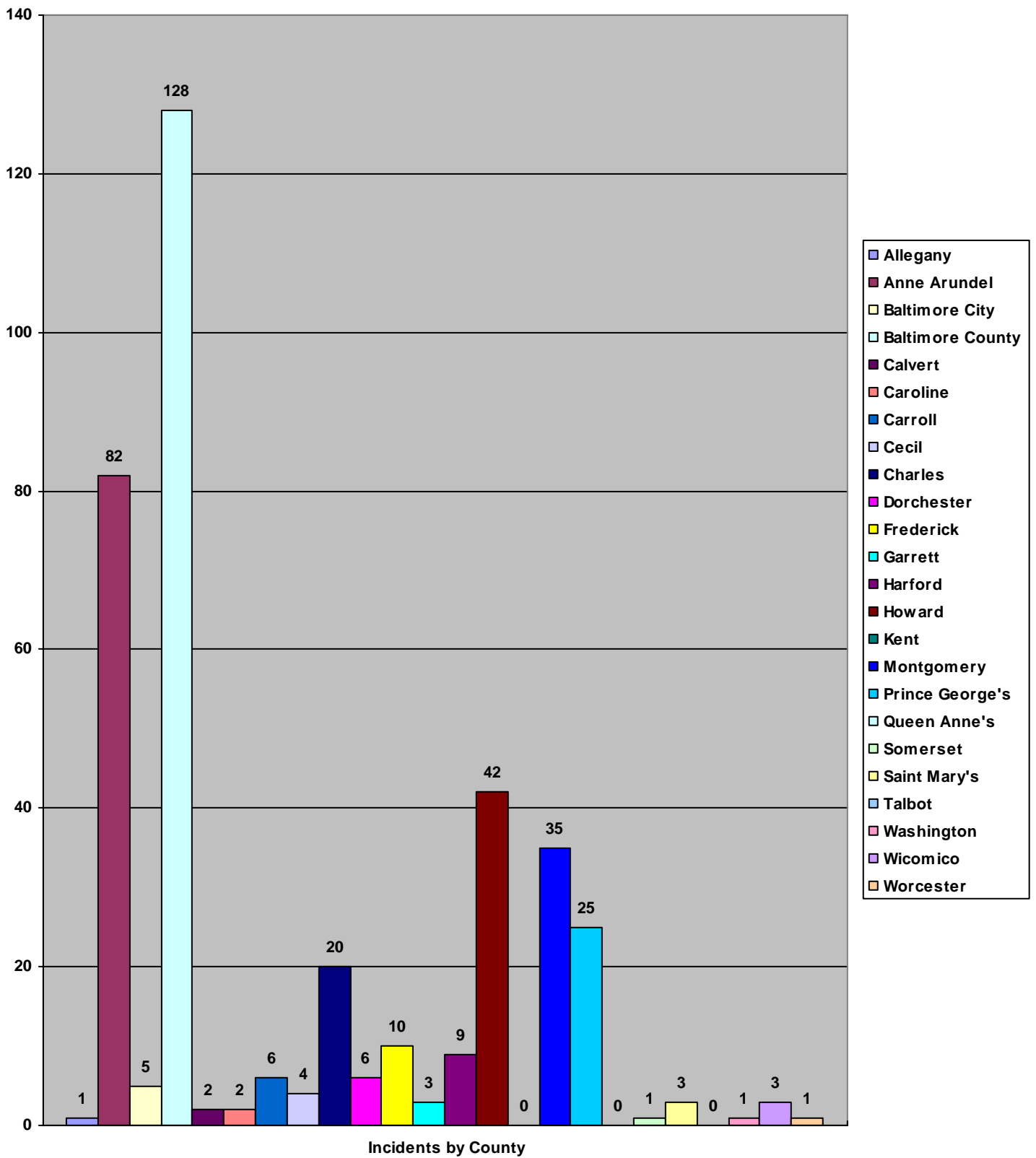
Under Title 20, of the Annotated Code of Maryland, hate crimes are prohibited under housing provisions. Additional hate crimes protections are found under Criminal Law volume—Annotated Code of Maryland. The MCHR, as part of its mission and mandate to eliminate discrimination in Maryland, believes that it is important to raise awareness and assist Marylanders to recognize and address hate crimes. Therefore, the MCHR provides reporting and classification of hate incidents in cooperation with the Maryland State Police. The MCHR offers leadership by investigating hate crimes and providing victim assistance.

Each law enforcement agency in the State of Maryland reports hate related incidents on a monthly basis to the Maryland State Police. The Maryland State Police forwards a copy of the reports of all hate related incidents to the Maryland Commission on Human Relations.

In FY 2009, a total of 389 hate related incidents were reported to the MCHR. 234 of the reported incidents were race-based. There were 98 reported incidents based on religion.

Hate Crimes by Category





Total Reported Hate Related Incidents by County

2008

Allegany	01	Queen Anne's	00
Anne Arundel	82	Somerset	01
Baltimore City	05	Saint Mary's	03
Baltimore County	128	Talbot	00
Calvert	02	Washington	01
Caroline	02	Wicomico	03
Carroll	06	Worcester	01
Cecil	04		
Charles	20		
Dorchester	06		
Frederick	10		
Garrett	03		
Harford	09		
Howard	42		
Kent	00		
Montgomery	35		
Prince George's	25		

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Information Technology Unit

In FY 2009, the Maryland Commission on Human Relations Information Technology Department successfully met the technology needs of the agency. The IT staff, which consists of a DP Director and DP Technical Support Specialist II, provided a cohesive, contemporary and reliable information technology environment for the staff to resolve complicated discrimination complaints.

With limited funds in 2009, the department worked diligently to find:

- Cost effective solutions
- Maintain a stable & secure network
- Provide quality hardware & software support
- Maintain, support and automate applications & databases
- Support an informational web site

The MCHR web server continues to be one of the most beneficial and cost-effective tools managed by the Information Technology Department. In 2009, we decided to simplify some of our server based applications by moving them to a Web-based platform. The benefits on the user side are greater mobility for field and telecommuting workers. Users can log into any MCHR web based application from any browser, anytime or anywhere. On the support side, it is easier for the Information Technology Department to distribute, maintain and provide support these newly web based applications.

Also in 2009, the Information Technology Department launched a completely redesigned website. This new website not only exceeds the new guidelines from the Maryland State Government but the improved layout will help visitors find seamless information and submit complaints quickly. Judging from the feedback we have already received, this site has already proven to be an asset to Marylanders seeking reliable information in a quick and easy-to-use format. During the Fiscal year 2009, the website recorded 97,125 visitors.

In order to increase accessibility, we will soon launch a Spanish language version of the new MCHR website. This will allow the growing Hispanic population to access valuable information in their native tongue.

Additionally, we are in the planning stages of building a mobile specific version of our web site that will cater to mobile visitors only. This will give us the opportunity to connect with the growing number of mobile Internet users whom do not have access to a computer or would prefer using their mobile device to receive information.

It is our pleasure to serve the citizens of Maryland. Each year our goal is to meet and exceed the needs of all internal and external customers. As technology changes, we will stay open minded to feedback when looking for cost-effective solutions.

Annual Operating Budget

MCHR Budget Report for the Last Three Fiscal Years			
Fiscal Years	2007	2008	2009
Federal Funds			
HUD	\$402,469	\$268,778	\$328,200
EEOC	\$406,950	\$403,168	\$355,550
Total Federal Funds	\$809,419	\$671,946	\$683,750
General Funds	\$2,586,756	\$2,674,125	\$2,677,211
Grand Total	\$3,396,175	\$3,346,071	\$3,360,961
Staff Positions			
Authorized Permanent	41.6	40.1	40.1
Contractual	1	.5	.5
Total Positions	42.6	40.6	40.6

MCHR STAFF FY 2009

Governor Martin O'Malley

Commissioners

Executive Director
Henry B. Ford

Deputy Director
J. Neil Bell

Assistant Director
Benny F. Short

Admin. Officer
Barbara Wilson

ADMINISTRATIVE SERVICES UNIT

Personnel Officer
**Isora Cook
Fiscal Coord.
Jose Cartera
Admin Spec.
Renee Hickman

MANAGEMENT INFOR. SYS.

Infor. Technology Director
Deshaun Steele
Infor. Technology Specialist
Keith Witte

Exec. Associate
Jeanne Weaver

Mediation Unit

Supervisor
Tara Taylor
Maria Slowe
Lisa Chanel

General Counsel
Glendora C. Hughes

LEGAL UNIT

Patricia Wood
Anand Parikh
Carol Uhler-Ford
Keith Merkey

Commerical Non-Discrimination Unit

Terrence Artis
Tanyka Barber

INTAKE RECORDS CONTROL UNIT

Supervisor
Joann Cole

Cynthia Johnson
Priscilla Johnson
Gloria Klatt
Joann Nixon
Octavia Marshall

INVESTIGATIONS UNIT

Supervisor
Linda Mason

Hartley Aligbeh
Cleveland Horton
Gary Monroe
Willie Owens
Michele Romney

HOUSING UNIT

Supervisor
Charles Blue

Tameka Jones
Gregory Logan
Valeri Mc Neal
David Pavalan
Deanna Zavala

INVESTIGATIONS UNIT

Supervisor
Catherine Skaggs

Easton
Carlos Loria
Hagerstown
Barbara Green
Leonardtown
Bonnie Hernandez
Salisbury
Linda Watkins-Henry

- *Rabbi Elan Adler
- Sambhu Banik
- Doris Cowl
- Joyce De Laurentis
- JoAnn Fisher
- Norman Gelman
- John Hermina
- Shawn Wright

* Commissioners
**Contractual



MARYLAND

Baltimore

6 Saint Paul Street, Suite 900
Baltimore, Maryland 21202
Telephone: (410) 767-8600
Fax: (410) 333-1841

Easton

301 Bay Street
Suite 301
Easton, Maryland 21601
Telephone: (410) 822-3030 extension 345

Hagerstown

44 North Potomac Street, Suite 202
Hagerstown, Maryland 21740
Telephone: (301) 797-8521
Fax: (301) 791-3060

Leonardtown

Joseph P. Carter Center
23110 Leonard Hall Drive
Post Office Box 653
Leonardtown, MD 20650
Telephone: (301) 880-2740
Fax: (301) 880-2741

Salisbury

Salisbury District Court Multi-Purpose Center
201 Baptist Street, Suite 33
Salisbury, Maryland 21801
Telephone: (410) 713-3611
Fax: (410) 713-3614

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