



2010 Annual Report

Maryland Commission on Human Relations
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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.

Letter of Transmittal

State of Maryland Commission on Human Relations



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Henry B. Ford, Executive Director
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January 1, 2011

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

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:

We are able to report that the Agency has performed its duties effectively under serious budgetary and personnel constraints. We appreciate the efforts of Governor O'Malley, the Department of Budget and Management, the Maryland House of Delegates and the Maryland Senate to somewhat minimize the impact of necessary budget reductions on our essential operations. We are fully aware of the difficult economic environment and its impact on the State's capacity to fund its many programs.

At the same time, we must also report that our situation is not altogether rosy. Consistent with our warnings in the last couple of years, the length of time it takes to complete the investigation of complaints is increasing; though it is still far better than the national average. There has also been a decline in the number of cases that have been resolved through our mediation process. While we cannot be certain of how much it has contributed to the inability to resolve cases voluntarily between the parties, it is a fact that, as legal business has declined in general, more lawyers have entered the field of discrimination law and interactions between complainants and respondents have become more adversarial.

The loss of staff assigned to the mediation unit due to budget constraints has also contributed to the downturn in the number of cases resolved through mediation. It is likely that absent an increase in resources, time-in-process for investigations will continue to increase and that hurdles in the way of successful mediation will not disappear.

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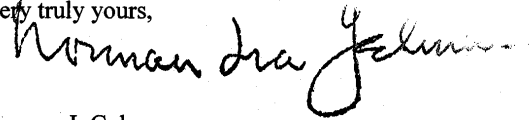
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In spite of these unfavorable developments, however, we believe our overall performance during 2010 has been quite good. We hope that the fiscal picture will improve for the State and this agency, so that we can continue to offer our much needed services to the citizens of Maryland at the high level expected.

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.

2010 Commissioners

Norman I. Gelman, Chairperson

John W. Hermina, Esquire, Vice Chairperson

Rabbi Elan Adler

Sambhu N. Banik, Ph. D

Doris Cowl

Joyce De Laurentis

Gary C. Norman, Esquire

Shawn M. Wright, Esquire

Office of the General Counsel

The Office of the General Counsel (the Office) is the legal representative for the Maryland Commission on Human Relations (MCHR). The Office serves the agency similarly as the Office of the Attorney General represents other State agencies. As an independent agency, MCHR and its General Counsel are autonomous and do not come under the Attorney General's authority.

The responsibilities of the Office are varied; including representing and defending the Agency before the Office of Administrative Hearings, State and federal trial and appellate courts. The Office also provides advice of counsel to MCHR staff and administrators.

In addition to litigation, the Office issues oral and written legal opinions to MCHR commissioners, management and staff. The Office provides training, advice, and guidance to MCHR investigators; technical assistance to businesses, corporations, organizations, non-profits, State and local government agencies; and informs Maryland citizens through programs, advocacy groups, neighborhood and religious organizations about their rights under State Government Article, Title 20.

Another responsibility of the Office is directing the Agency's legislative agenda and monitoring related legislation during the General Assembly's session. This task includes drafting legislation, preparing testimony, attending bill hearings, meeting with legislators, researching and following up on information requests from legislators.

INITIATIVES

A part of the Agency's mission is to develop and further better human relations throughout the State. The General Counsel's Office promoted the mission by engaging in partnerships, creating projects, providing legal technical assistance and establishing programs to prevent and eliminate unlawful discrimination. In FY 2010, the Office initiated and participated in the following activities toward that goal:

- The partnership with the Statewide EEO Coordinator's Office continued with the Office providing several sessions on "Investigative Techniques" and "Discrimination Law and Theories" training for State agencies' EEO and ADA Coordinators.
- The Office continued the partnership with the Governor's Office of Minority Affairs (GOMA) created to assist in promoting and implementing the State's Commercial Non-Discrimination Policy (CND). Through GOMA, the Office provided training to State MBE Liaisons on the CND policy. In addition, the Office participated as a presenter at GOMA's MBE University introductory conference held in Prince George's County.
- Fair Housing technical assistance was provided in partnership with Baltimore Neighborhoods, Inc. at their Fair Housing Boot Camp held in Baltimore City. Also, the Office participated in Baltimore County's Human Relations Commission's Fair Housing Conference.
- The Office conducted sexual harassment training for the Public Service Commission, Department of General Services, St. Mary's College of Maryland and Braddock Construction.
- The General Counsel served on a panel entitled, "The Latest of the Administrative Process the EEOC and the Maryland Human Relations Commission" at the Maryland Employment Lawyers Association Conference.
- At the Metropolitan Washington Employment Lawyers Association Annual Conference, the General Counsel served on a panel entitled, "Navigating the Requirements for Statutory Claims in Maryland, Virginia and Washington D.C.".
- The Office participated in the Transgender Forum held by the Department of Social Services in Prince George's County.
- The Women's Law Center presented the 24th Annual Dorothy Beatty Memorial Award to the General Counsel, Glendora C. Hughes, for significant contributions to improving women rights in Maryland.

TECHNICAL ASSISTANCE & OUTREACH

In addition to the above referenced initiatives MCHR provided additional services to foster better human relations within the State of Maryland. A strategic part of carrying out this mandate was providing educational services to citizens, businesses, not-for-profits, faith communities, academic institutions, and government agencies throughout the State. This effort was executed through training, presentations, written materials, and partnerships with related organizations. The main objective was to provide information about a person's rights under Title 20, best practices and prevention information for businesses to follow to ensure that persons who live, work and visit Maryland have equal opportunity to employment, equal access to housing and public accommodations.

In FY 2010, the Office, Mediation Unit and investigative staff provided information regarding unlawful discrimination under Maryland law to **7500** individuals. Citizens were made aware of issues that may affect their quality of life. Businesses and other organizations were given valuable instruction on best practices and how to prevent unlawful discrimination. Training and workshops in cultural competence, sexual harassment prevention, conflict resolution, sexual orientation discrimination, Commercial Non-Discrimination Policy, disability sensitivity, hate crimes awareness, investigative techniques, fair housing, MCHR services and procedures were provided.

MCHR partnered with numerous organizations and agencies to increase its outreach and maximize its resources by assisting in planning, facilitating and participating in special events. Some of the events were the Maryland Board of Realtor's Diversity Panel for a fair housing initiative; the Maryland's Gay Pride Festival; and Coalition against Violence and Extremism's annual Human Right's Day in Annapolis.

In FY 2010, MCHR conducted **156** technical assistance sessions for the previously mentioned **7500** individuals. In addition, **94** different groups received services, representing a wide diversity of governmental institutions, organizations, non-profits, and businesses, including but not limited to:

- Catonsville Community College
- Baltimore County Fire Academy
- AmeriCorps
- Family Services of Montgomery County
- Maryland Insurance Administration
- Maryland Department of Juvenile Services
- Maryland Department of Housing and Community Development
- American Technology Corporation
- Goucher College

- Communications Specialists, Inc
- McDaniel College
- Maryland Criminal Justice Associations
- University of Maryland, Baltimore County
- Cecil County Government
- Association of Social Work Professionals
- University of Maryland, College Park
- Potomac Management, Inc.
- NHB Research Center
- Braddock Construction
- Krause Communications
- North County Business Coalition

MCHR's technical assistance and educational outreach are an ongoing strategy enhanced by cultivated partnerships and relationships with local, State, and federal agencies. The agencies, such as local human relations agencies, Governor's Office for Minority Affairs (GOMA), Maryland Department of Housing and Community Development (HCD), U.S. Department of Housing and Urban Development (HUD), U.S. Equal Employment Opportunity Commission (EEOC), and the U.S. Department of Justice (DOJ) increase MCHR's range and scope of providing services throughout the State of Maryland.

SIGNIFICANT CASES

HOUSING

Commission Obtains Judgments in Actions for Judicial Review and Enforcement in Housing Discrimination Case: Austin Scarlett v. Wallace H. Campbell Co., Inc.

In FY 2010, the Commission successfully defended the Appeal Board's Final Order in this housing discrimination case based on disability and obtained a court order requiring the Respondent to comply with the agency's Final Order.

There have been two hearings on the merits of the discrimination case, two appeals by the Commission and two oral arguments before the Commission's Appeal Board. Mr. Scarlett died in 2008. In 2009, the Appeal Board issued a Final Order in the matter. It required the Respondent, a management company of a rental community for seniors and the disabled, to pay \$7,500 in damages to the disabled Complainant. Respondent was also ordered to pay a civil penalty to the State of \$5,000. The Respondent sought judicial review, alleging error by the Appeal Board. After a hearing in April 2010, the Circuit Court for Baltimore City affirmed the Appeal Board's Order.

When the Respondent filed its judicial review action, the Commission filed an action to enforce the Appeal Board's Final Order in the same court. The enforcement matter came to trial after the court had completed its judicial review function. The Court granted the enforcement petition after a hearing and ordered the Respondent to comply with the Appeal Board's Final Order.

The Respondent appealed the Circuit Court's decisions in each action. The appeals have been consolidated by the Court of Special Appeals. The consolidated appeals are pending. Briefing and oral argument will take place in 2011.

The case has its genesis in the efforts of Austin Scarlett, a man with one leg who uses a wheelchair, to get the management company's president to hear his concerns about disability discrimination at the complex. Scarlett had met with the vice president, but nothing was done. Scarlett filed a complaint of discrimination with the Baltimore City Community Relations Commission. President Campbell agreed to mediation, but only if the meeting took place at his office.

When the parties and the mediator arrived, there was no ramp to the office. The entrance was blocked by steps. Scarlett hopped up the steps and his wheelchair was carried in. After an unsuccessful mediation, he asked to use the restroom. He was escorted to one, but his wheelchair could not fit through the door. He hopped in. There were no grab bars. The Vice President held the door open, exposing Scarlett in a state of partial undress. He was out of breath from hopping when he got back in his wheelchair in the hall and went back outside. He hopped down the steps to the mobility van. Scarlett filed a complaint with the Commission, which found he had been discriminated against on the basis of his disability. No resolution of the complaint could be reached. The Commission litigated the case through trial, appeals, enforcement, and to the current step of appeals by the Respondent to the Court of Special Appeals.

Mother Triumphs against Landlord Who Denied Her Apartment Because She Has a Child **Carter v. Baltimore Copy Cat Building**

The Commission proved that the owner of Baltimore's Copy Cat Building, Charles Lankford, refused to rent a loft apartment to an applicant because she had a child, and violated Maryland's fair housing law. After a hearing in 2009, an Administrative Law Judge ruled that Lankford denied her the opportunity to rent a unit there because she had a child. The judge ordered Lankford to pay damages to the victim of housing discrimination and a civil penalty to the State of Maryland.

The Commission appealed to seek a larger award that would compensate the victim for the pain, suffering and humiliation she felt when she was denied housing because she is the parent of a child. She testified that Lankford made her feel that her "child was a liability." A decision of the Commission's Appeal Board is pending.

In 2007, N. Charlynn Carter responded to an advertisement on Craig's List for apartments in the Copy Cat Building in Baltimore. She emailed the information sought in the ad: the size unit she wanted and the rent she would pay, stating that she and her 8 year old child would live there. She listed her employment and salary also. Lankford, residing in Florida, read her application. He emailed his property manager in Baltimore, instructing him to hold the application for a few days, and then tell Carter nothing was available. His email read, "8 year old child". Lankford sent his email to his employee, and he accidentally sent a copy to Ms. Carter also.

Carter was outraged by Lankford's email. She emailed him back, stating that she thought he was refusing to rent to her because she had a child and she would report him. She filed a complaint of housing discrimination with the Commission. The investigation found that Lankford discriminated against her on the basis of familial status. Lankford refused to conciliate. The Commission filed a Statement of Charges to initiate a hearing.

Carter was interested in the Copy Cat Building because of its reputation as a haven for artists and musicians. She wanted her artistic daughter to grow up in an atmosphere that fostered creativity. If she lived there, Ms. Carter could walk to her job in the City and her daughter could attend a school with an advanced art curriculum. Carter was forced to seek housing elsewhere due to Lankford's denying her an apartment. She feared further discrimination, so she took the first unit that was offered to her.

Lankford defended his refusal to rent by stating that the apartments are in a crime infested and unsafe area. There was noise (music) at night. Because he had failed to rid the building of lead pursuant to consent orders he reached with the Maryland Department of the Environment, he said it was not safe for a child. Carter and the Commission assert that it is the applicant's right to choose whether to rent there. Lankford also had a practice of discouraging potential tenants with children from renting there because of lead. He testified that those parents usually thanked him. The Commission introduced a lease expressly reading, "Children are not allowed to occupy the Building." Lankford also evicted any tenant who became pregnant while living there, evidence showed.

PUBLIC ACCOMMODATIONS

Marilynn Phillips v. Mayor & Town Council of Ocean City et.al.

Marilynn Phillips is an individual with a physical disability. She utilizes a wheelchair for mobility. Ms. Phillips attempted to enjoy a day at the beach in Ocean City similar to the thousands of tourist that visit the location each summer. Unfortunately, she was unable to navigate her wheelchair more than one city block of the Coastal Highway (MD Route 528) due to obstructions and impediments along its sidewalks.

Therefore, Ms. Phillips filed a complaint with the MCHR against the Mayor & Town of Ocean City, the Ocean City Planning & Community Development Department, and the Maryland State Highway Administration. The investigation found probable cause that the parties did discriminate against Ms. Phillips based upon her disability. Conciliation failed and the case was certified for public hearing.

However, prior to the MCHR filing its Statement of Charges, a Consent Order was reached in the case. According to the Consent Order, the Respondent is to perform the following: make the public sidewalks and crosswalks along Route 528 from 30th street north within Ocean City toward the Delaware state line reasonably accessible to wheelchairs, modify obstructions permitting a clear and continuous path of travel, modify the path of travel with space at reasonable intervals for wheelchair users to be able to turn around and avoid one way traffic patterns, modify slopes, heights, curb cuts, and ramps along sidewalks, crosswalks and driveways. In addition, the Respondent is also to obtain an easement or otherwise in the real property of third parties to make the public sidewalks along Route 528 accessible to mobility impaired wheelchair users pursuant to Maryland anti-discrimination law. Finally, the Respondent will provide the MCHR with an annual report of its progress in meeting the requirements of the Consent Order until all terms are satisfied.

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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 2010, the Division received a total of 717 individual complaints of discrimination as follows:

| | | |
|------------------------------|------------------|---------------------|
| Employment | 598 | (83%) |
| Housing | 75 | (11%) |
| Public Accommodations | <u>44</u> | <u>(6%)</u> |
| Total | 717 | (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 2010, the Division obtained **over \$639,000.00 in monetary benefits** for the people of Maryland.

During FY 2010, the Division completed all work on a total of **845** individual complaints of discrimination as follows:

| | | |
|------------------------------|------------------|---------------------|
| Employment | 717 | (85%) |
| Housing | 82 | (9%) |
| Public Accommodations | <u>46</u> | <u>(6%)</u> |
| Total | 845 | (100%) |

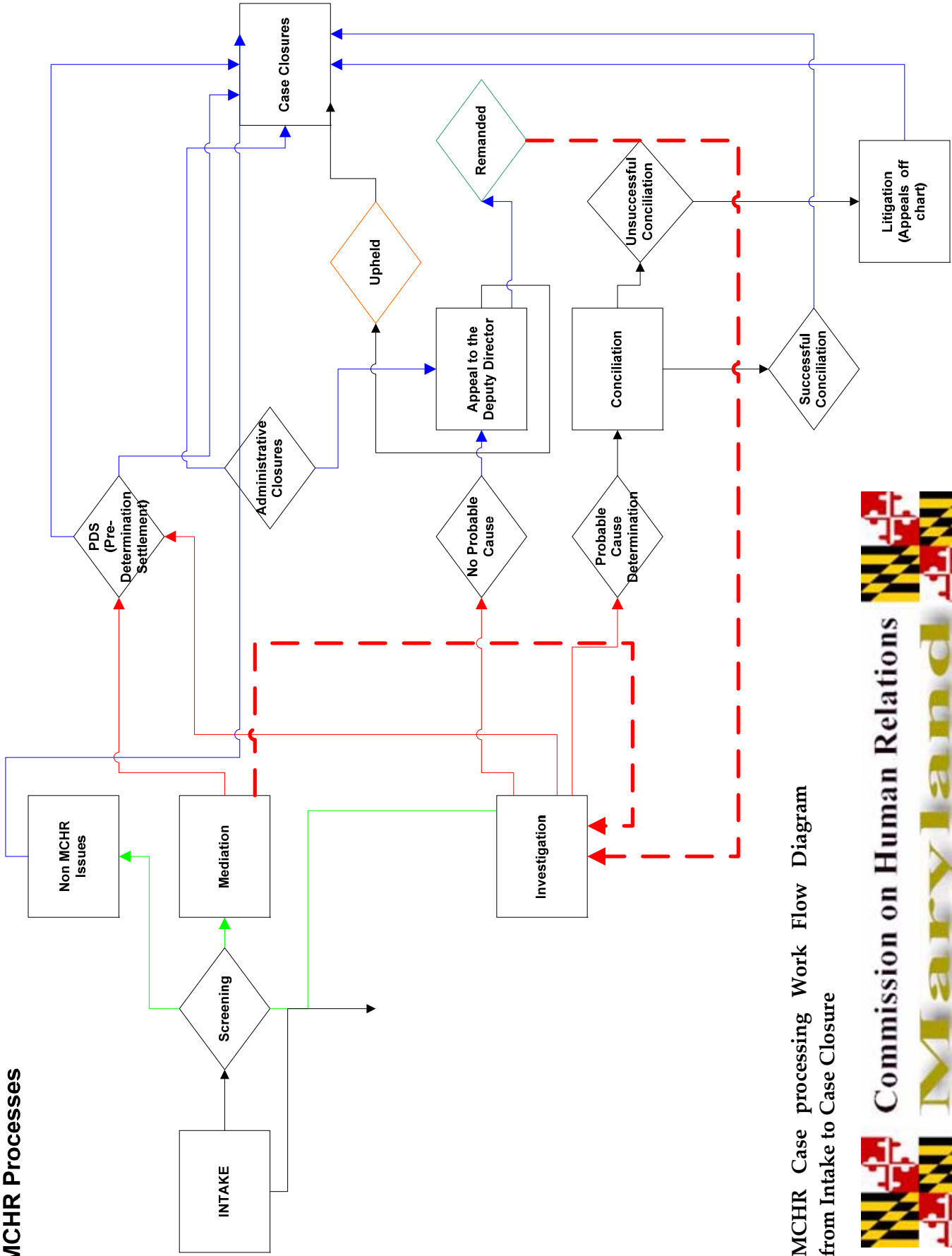
The Case Processing Division was successful in achieving its objectives in spite of a reduction in staff again this year.

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-third 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 | 240 days | FEPAS (Fair Employment Practice Agencies) 726 days |
| Housing | 106 days | FHAPS (Fair Housing Assistance Programs) 160 days |
| Public Accommodations (no national averages) | 472 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.

DAWN HOWARD vs. LOWES STORE 0720

The Complainant filed an employment charge of discrimination against her employer on the basis of sex/pregnancy. The Complainant worked as a cashier for the Respondent and became ill at work due to her pregnancy and was hospitalized. She alleged in her charge that when she was later discharged from the hospital and allowed to return to work she was told by Respondent's human resources staff that they did not have a position available that would meet her work restrictions, which required her to sit on a stool while cashiering. The Complainant was placed on 30 days of unpaid leave and was told she would be reevaluated after the leave and that if a position was not available at that time, she could be terminated. Through the MCHR mediation process, the parties were able to reach an agreement whereby the Complainant returned to work in the same position with the same pay rate and was granted the accommodation needed for her to perform her job duties. Her length of service was also restored, not reflecting the amount of time she was placed on unpaid leave and she received a settlement check in the amount of Ten Thousand Dollars .

TAWA MOONBLOODE vs. MARYLAND DEPARTMENT OF HEALTH & MENTAL HYGIENE (SPRINGFIELD HOSPITAL)

The Complainant filed a charge of discrimination against her employer based on disability, race, sex and retaliation. The Complainant alleged that she made several requests to the Respondent to accommodate her disability and that although the requests were approved, the Respondent took a long period of time to meet the requests. After filing an internal grievance, the Complainant also

alleged that she was retaliated against by being placed on an unpaid suspension. The parties participated in the MCHR mediation process and reached an agreement. The Complainant was reimbursed half of the 5 day suspension and the Respondent agreed to provide a variety of on-going accommodations including: providing resources to the Respondent's ADA Coordinator, providing the Complainant with written or printed notes reflecting any training classes they provide, and providing closed captioned training material when available. The Complainant also agreed to serve as a resource person in helping the Respondent obtain closed captioned material and to give advance notice when an interpreter is needed for training.

KATHERINE PEELING vs. BALTIMORE COUNTY PUBLIC SCHOOLS

Katherine Peeling, a white female, filed a complaint with the Commission alleging that Respondent denied her employment based on her race. Ms. Peeling opined that a black male with no experience in the risk management field was hired instead of her. Complainant had over 20 years of experience in the risk management field and had applied for the position on two other occasions. The matter was settled for \$40,000 dollars. Complainant currently has a job in the Anne Arundel County school system.

VITO MASILOTTI vs. CITIGROUP MORTGAGE

In October, 2009 Mr. Vito Masilotti alleged that his employer, Citigroup Mortgage had discriminated against him based on Respondent's regarding him as being disabled and subsequently discharged him. Over the next few months several attempts were made with the Respondent to restore Complainant to his former position. In January, 2010, Complainant was restored to his position with a settlement amount of \$32,960.00 plus all benefits that he had previously been entitled to.

BARBARA McEACHERN vs. DOLLAR TREE, INC.

Complainant alleges that she, an African American female, requested an application for employment at Respondent's establishment and was told that there were no openings. However, within a very short time, she stopped back at the same location and observed a Caucasian male, being interviewed for a job by the African American male store manager. When she questioned the fact that she had very recently been told that no jobs were available, the manager stated emphatically " he is a guy, I am hiring him to unload trucks and stock the shelves; are you interested in unloading trucks?" The initial evidence suggests that the manager intentionally discriminated against the Complainant based upon her gender. The manager's statement " he's a guy" in response to the female's inquiry about available positions expressed unlawful preference based upon gender. After Commission staff investigation into Complainants allegations a Probable Cause Finding was issued and the complaint was settled.

MARIO RAMEIREZ vs. WORLD RECYCLING

In this case, the Complainant was terminated by his supervisor for not following the rules concerning the lunch break. The Complainant needed to take his medication for diabetes and he needed to get "off the line" for five minutes to go to the lunch room for water. During the investigation, Commission staff interviewed the parties involved as well as the President of the company. The President of the company agreed to reinstate the Complainant and to pay back wages (\$25,680), and to also accommodate his disability so that the Complainant could take his medication on time. The Complainant is still working for the Company.

Chart I: Total Intake 2010 Basis Distribution
Employment, Public Accommodations and Housing
Charges filed in Fiscal Year 2010 according to alleged Basis of Discrimination

| Basis | E | P A | H |
|---|------------|----------------|-----------|
| Race: Black | 142 | 15 | 24 |
| White | 38 | 2 | 2 |
| Asian | 4 | 0 | 1 |
| Pacific Islander | 0 | 0 | 1 |
| Bi Racial ,Multi -Racial | 4 | 0 | 0 |
| American Indian/Alaskan | 0 | 0 | 0 |
| Other | 5 | 0 | 0 |
| | | | |
| Sex: Female | 129 | 3 | 10 |
| Male | 59 | 1 | 2 |
| | | | |
| Sexual Orientation | 22 | 1 | 0 |
| Age | 145 | 4 | NA |
| Retaliation | 138 | 0 | 3 |
| Disability | 153 | 22 | 30 |
| | | | |
| Religion: 7th Day Adventist | 1 | 0 | 0 |
| Muslim | 3 | 1 | 0 |
| Jewish | 1 | 0 | 0 |
| Protestant | 1 | 0 | 0 |
| Catholic | 1 | 0 | 0 |
| Other | 5 | 0 | 1 |
| | | | |
| National Origin: Hispanic | 19 | 1 | 3 |
| East Indian | 1 | 0 | 0 |
| Mexican | 4 | 0 | 0 |
| Arab, Afghani, Mid-Eastern | 3 | 0 | 0 |
| Other | 31 | 4 | 11 |
| | | | |
| Familial Status | NA | NA | 3 |
| Marital Status | 2 | 0 | 0 |
| Color | 5 | 1 | 1 |

Note: Charges may be filed on more than one basis, therefore the total exceeds the number of charges filed.

**Chart II: Intake of Cases FY 2010:
Frequency by County
Employment, Public Accommodation and Housing**

| County | E | PA | H | TOTAL |
|--------------------------|------------|-----------|-----------|--------------|
| West | | | | |
| Allegany | 10 | 0 | 1 | 11 |
| Frederick | 18 | 0 | 1 | 19 |
| Garrett | 0 | 0 | 0 | 0 |
| Washington | 20 | 0 | 1 | 21 |
| Central | | | | |
| Anne Arundel | 60 | 5 | 3 | 68 |
| Baltimore City | 103 | 7 | 10 | 120 |
| Baltimore County | 97 | 9 | 8 | 114 |
| Carroll | 10 | 2 | 1 | 13 |
| Harford | 29 | 3 | 2 | 34 |
| Howard | 27 | 1 | 4 | 32 |
| Montgomery | 40 | 6 | 21 | 67 |
| Prince George's | 46 | 5 | 16 | 67 |
| Southern Maryland | | | | |
| Calvert | 10 | 2 | 0 | 12 |
| Charles | 10 | 0 | 1 | 11 |
| St. Mary's | 11 | 0 | 1 | 12 |
| Eastern Shore | | | | |
| Caroline | 6 | 0 | 0 | 6 |
| Cecil | 4 | 1 | 1 | 6 |
| Dorchester | 20 | 0 | 0 | 20 |
| Kent | 8 | 0 | 1 | 9 |
| Queen Anne's | 13 | 0 | 1 | 14 |
| Somerset | 3 | 1 | 0 | 4 |
| Talbot | 21 | 0 | 1 | 22 |
| Wicomico | 20 | 2 | 1 | 23 |
| Worcester | 12 | 0 | 0 | 12 |
| Totals | 598 | 44 | 75 | 717 |

| Chart III: Closed Cases 2010 | | | |
|--|------------|-----------|-----------|
| Employment, Public Accommodations and Housing | | | |
| Cases closed in Fiscal Year 2010 according to alleged Basis of Discrimination | | | |
| Basis | E | PA | H |
| Race: Black | 194 | 10 | 28 |
| White | 24 | 1 | 1 |
| Asian | 4 | 0 | 0 |
| Pacific Islander | 2 | 0 | 0 |
| American Indian/Alaskan | 0 | 1 | 0 |
| Bi-Racial, Multi Racial | 4 | 0 | 0 |
| Other | 6 | 0 | 0 |
| | | | |
| Sex: Female | 150 | 2 | 3 |
| Male | 43 | 0 | 2 |
| Sexual Orientation | 20 | 2 | 0 |
| Age | 157 | 0 | NA |
| Retaliation | 172 | 1 | 3 |
| Disability | 163 | 19 | 26 |
| | | | |
| Religion: 7th Day Adventist | 1 | 0 | 0 |
| Muslim | 3 | 1 | 1 |
| Jewish | 2 | 0 | 0 |
| Protestant | 2 | 0 | 0 |
| Catholic | 0 | 0 | 0 |
| Other | 6 | 1 | 1 |
| | | | |
| National Origin: Hispanic | 20 | 1 | 5 |
| East Indian, Arab, Afghani, Mid Eastern | 3 | 0 | 0 |
| Mexican | 3 | 0 | 0 |
| Other | 54 | 0 | 4 |
| Familial Status | NA | NA | 12 |
| Marital Status | 4 | 0 | 1 |
| Color | 4 | 0 | 1 |

Note: Cases may be filed on more than one basis, therefore totals exceed the number of charges closed.

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MEDIATION UNIT

The Mediation Unit receives most 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.

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 and is the new Chair of the MPME Mediation Trainers Guild. 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 \$10,000 in grant funding to continue to enhance program services. With the grant funding MCHR was able to offer a basic mediation course for 22 new volunteer mediators in the Fall of 2009; host orientations for new volunteer mediators; create and offer more advanced training for current mediators and hire several external trainers to provide other advanced mediation training for our volunteer mediators.

The MCHR Mediation Program Director and other contracted trainers created and presented courses this fiscal year including: *Ethics & Confidentiality in Mediation*, *Communication Styles for Mediators and Mindfulness in 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 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: *"A better way to find a resolution"; "A chance to be heard"; "Having them finally hear what I was trying to say"; and "Finally having someone hear my side of the story".*

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

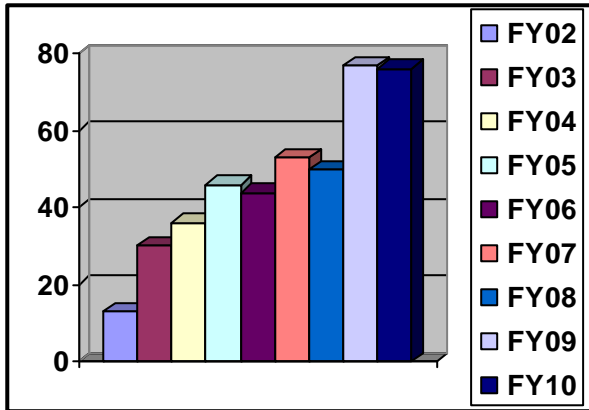
Mediation Unit

FY10 Statistics

Percentage of Total Authorized Cases Processed by Mediation Unit:

Fiscal Year 2002: 13%
Fiscal Year 2003: 30%
Fiscal Year 2004: 36%
Fiscal Year 2005: 46%
Fiscal Year 2006: 44%

Fiscal Year 2007: 53%
Fiscal Year 2008: 50%
Fiscal Year 2009: 77%
Fiscal Year 2010: 76%

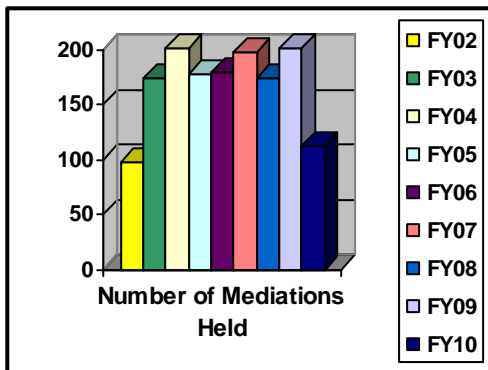


Number of Mediations Held:

Fiscal Year 2002: 98 mediations
Fiscal Year 2003: 174 mediations
Fiscal Year 2004: 208 mediations
Fiscal Year 2005: 177 mediations*

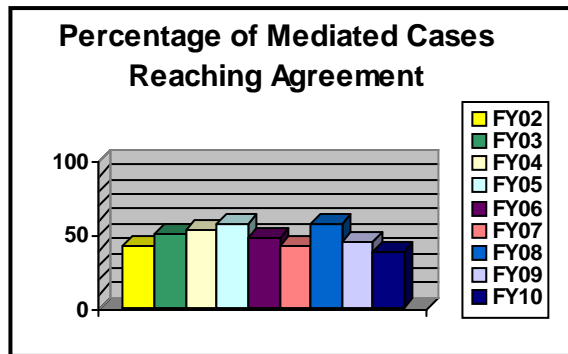
(* more cases were resolved by Mediation Staff in addition to this number than in previous years)

Fiscal Year 2006: 179 mediations (3 cases were mediated in FY 06 but are pending closure in FY07)
Fiscal Year 2007: 197 mediations (17 cases were mediated In FY07 but are pending final closure in FY08)
Fiscal Year 2008: 173 mediations (15 cases were mediated in FY08 but are pending final closure in FY09)
Fiscal Year 2009: 207 mediations (4 cases were mediated in FY09 but are pending final closure in FY10)
Fiscal Year 2010: 112 mediations (2 cases were mediated in FY10 but are pending final closure in FY11)



Percentage of Mediated Cases that Reached Agreement:

| | |
|-----------------------|-----------------------|
| Fiscal Year 2002: 42% | Fiscal Year 2007: 43% |
| Fiscal Year 2003: 51% | Fiscal Year 2008: 57% |
| Fiscal Year 2004: 53% | Fiscal Year 2009: 45% |
| Fiscal Year 2005: 57% | Fiscal Year 2010: 38% |
| Fiscal Year 2006: 48% | |



***FY10 TOTAL UNIT RESOLUTION RATE = 51%**

**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 2008: 67% |
| Fiscal Year 2006: 58% | Fiscal Year 2009: 55% |
| Fiscal Year 2007: 57% | Fiscal Year 2010: 51% |

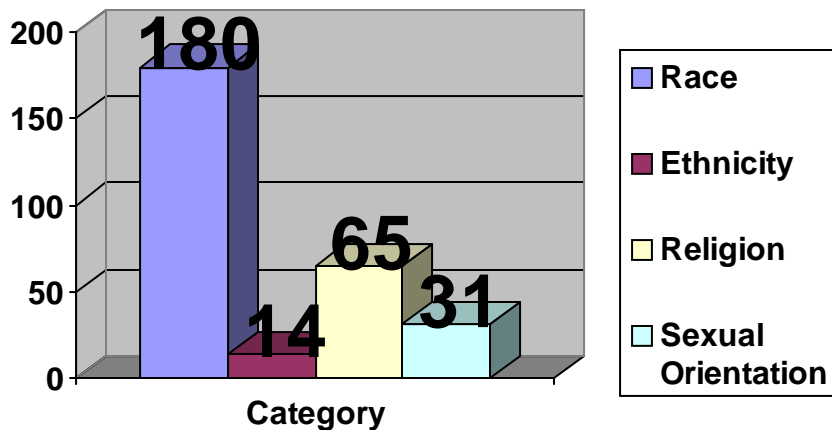
Hate Crimes Monitoring

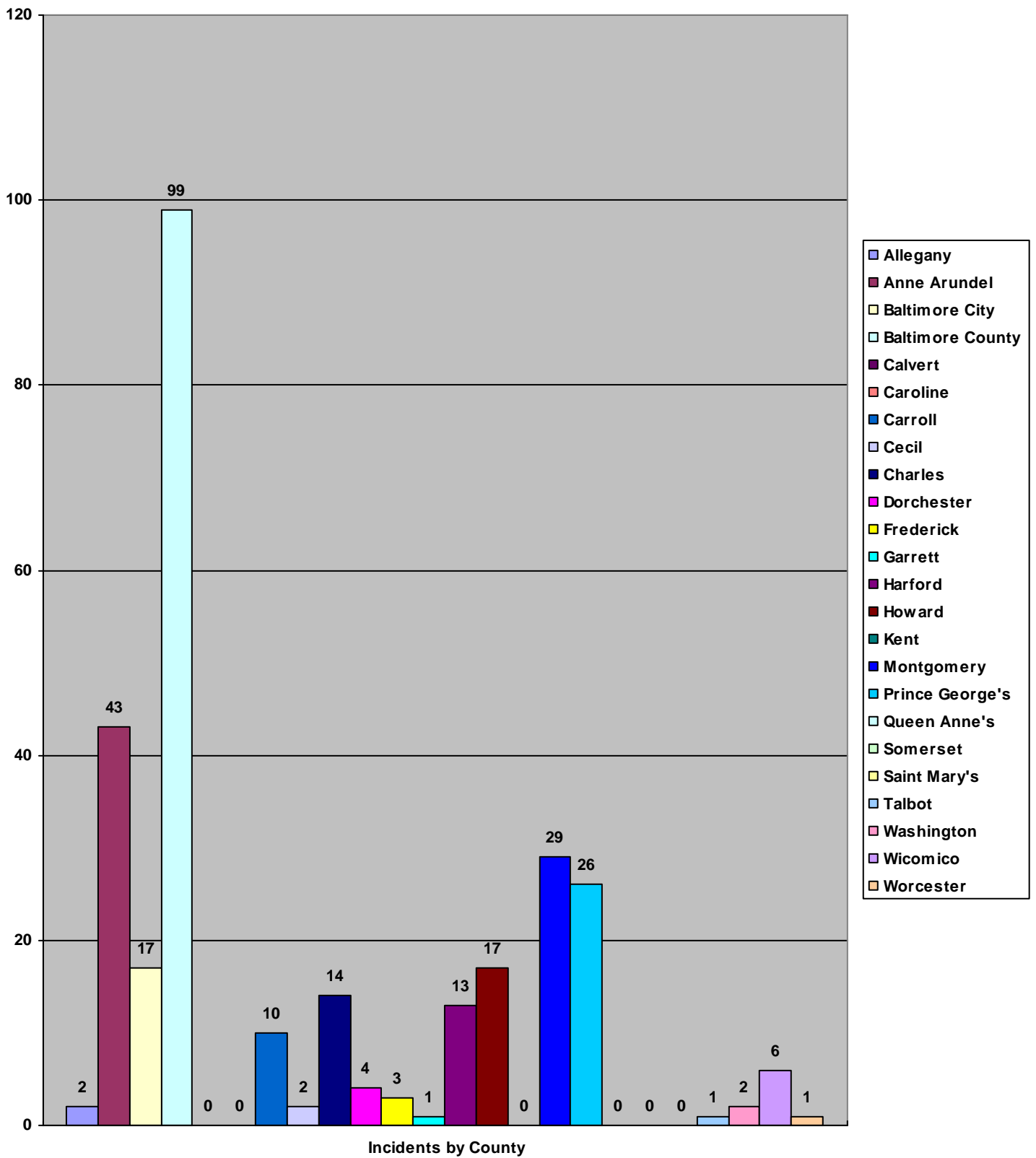
Under Title 20, of the Annotated Code of Maryland, hate crimes are prohibited under housing provisions. Additional hate crimes protections are found under Criminal Law volume—Annotated Code of Maryland. The MCHR, as part of its mission and mandate to eliminate discrimination in Maryland, believes that 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 2009, a total of 290 hate related incidents were reported to the MCHR. 180 of the reported incidents were race-based. There were 65 reported incidents based on religion.

Hate Crimes by Category





Total Reported Hate Related Incidents by County

2009

| | | | |
|------------------|----|--------------|----|
| Allegany | 02 | Queen Anne's | 00 |
| Anne Arundel | 43 | Somerset | 00 |
| Baltimore City | 17 | Saint Mary's | 00 |
| Baltimore County | 99 | Talbot | 01 |
| Calvert | 00 | Washington | 02 |
| Caroline | 00 | Wicomico | 06 |
| Carroll | 10 | Worcester | 01 |
| Cecil | 02 | | |
| Charles | 14 | | |
| Dorchester | 04 | | |
| Frederick | 03 | | |
| Garrett | 01 | | |
| Harford | 13 | | |
| Howard | 17 | | |
| Kent | 00 | | |
| Montgomery | 29 | | |
| Prince George's | 26 | | |

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Information Technology Unit

In FY 2010, 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 well organized and reliable information technology environment for the staff to resolve complicated discrimination complaints.

With limited funds in 2010, the department worked diligently to:

- Find cost effective solutions
- Maintain a stable & secure network
- Provide quality hardware & software support
- Maintain and support applications & databases
- Improve and maintain 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 streamline some of our client/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 MCHR web based applications from any browser, anytime or anywhere. On the support side, it is easier for the Information Technology Department to distribute, maintain and provide support for these newly web based applications.

In 2009 the Information Technology Department launched a completely redesigned website. The redesigned website has an incredibly user-friendly layout which helps visitors quickly browse information and submit a complaint. During the Fiscal year 2010, the website recorded 131,113 visitors. To further improve accessibility; in 2010 the agency launched a Spanish language version of the MCHR website. This will allow the Spanish-speaking residents to access valuable information in their native tongue and submit complaints.

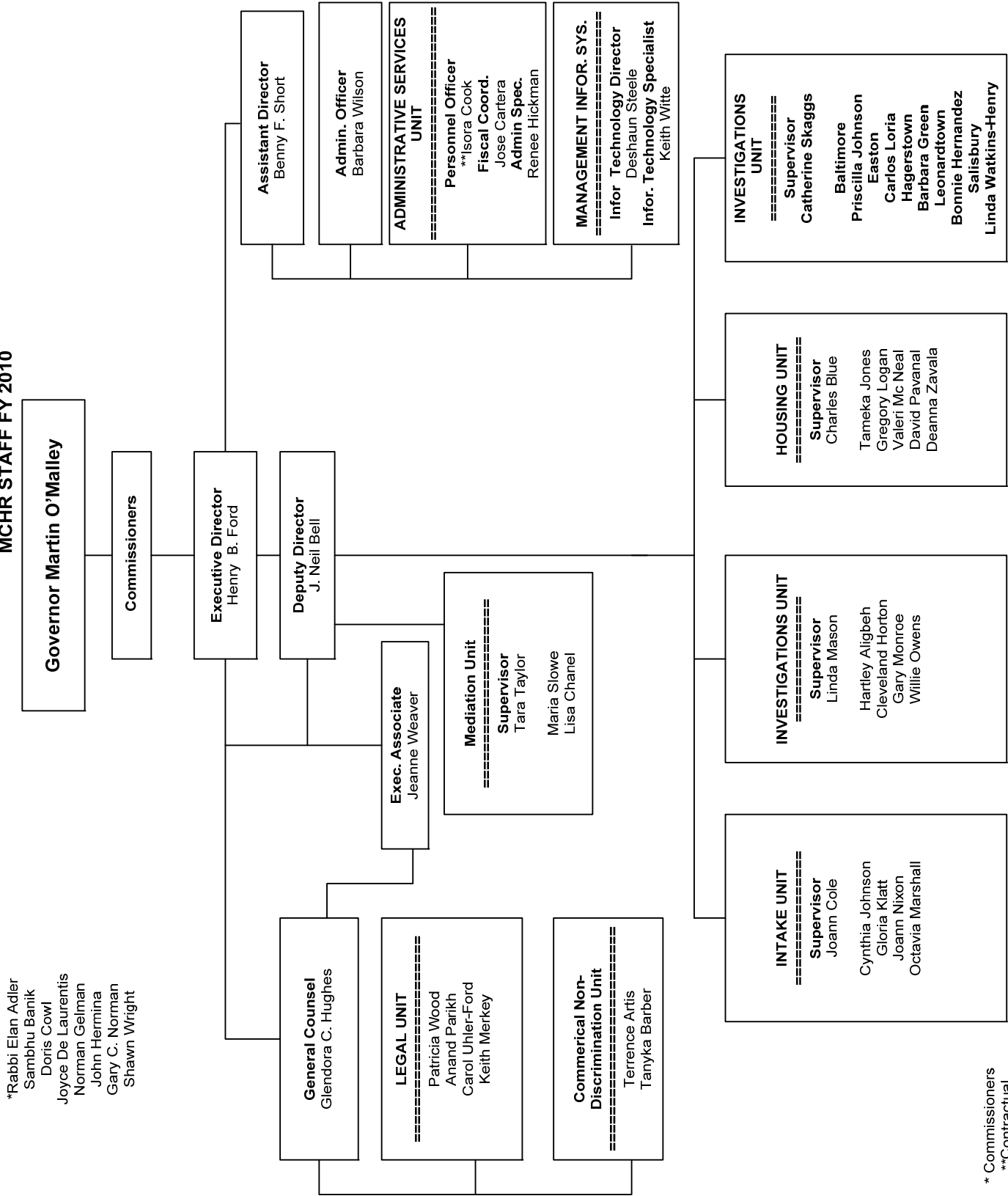
Additionally, we are currently developing a new Commercial Non Discrimination website. This will give the agency an opportunity to increase the public awareness in the State of Maryland Commercial Non Discrimination Policy.

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 | 2008 | 2009 | 2010 |
| Federal Funds | | | |
| HUD | \$268,778 | \$328,200 | \$441,315 |
| EEOC | \$403,168 | \$355,550 | \$314,850 |
| Total Federal Funds | \$671,946 | \$683,750 | \$756,165 |
| General Funds | \$2,674,125 | \$2,677,211 | \$2,544,329 |
| Grand Total | \$3,346,071 | \$3,360,961 | \$3,300,494 |
| Staff Positions | | | |
| Authorized Permanent | 40.1 | 40.1 | 41.6 |
| Contractual | .5 | .5 | .5 |
| Total Positions | 40.6 | 40.6 | 42.1 |

MCHR STAFF FY 2010



- *Rabbi Elan Adler
- Sambhu Banik
- Doris Cowl
- Joyce De Laurentis
- Norman Gelman
- John Hermina
- Gary C. Norman
- Shawn Wright

* Commissioners
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