

COMMISSION MEETING MINUTES

September 18, 2007

The meeting of the Maryland Commission on Human Relations was called to order Tuesday, September 18, 2007 at 10:15 a.m., in Baltimore, Maryland.

Present Thomas Owen, Rabbi Elan Adler, Sambhu Banik, Jo Ann Fisher and John Hermina.

APPROVAL OF THE MINUTES The minutes of the June meeting were accepted as written.

Transgender and Gender Identity Chairperson Owen informed Commissioners that due to a presentation regarding transgender and gender identity the normal order of the meeting will be changed. The General Counsel introduced Shannon Minter, Esq., Legal Director of the National Center for Lesbian Rights and Dr. Dana Beyer, Special Assistant to Council person, Duchy Trachtenberg of the Montgomery County Council and also a member of the Board of Equality of Maryland the National Center for Transgender Equality.

The General Counsel stated that there was some concern among Commissioners that they needed to be better informed regarding transgender and gender identity issues. Other MCHR staff also attended this presentation. There was a bill during the last legislative session regarding gender identity. MCHR supported the bill.

Dr. Beyer, a physician and surgeon, is capable of answering any questions or concerns regarding any medical and health aspects of this condition. Dr. Beyer informed Commissioners that the transgender community deals with gender variance which is a form of intersex where a person's sense of sexual identity and sense of themselves as male or female does not match up with the sex to which they are assigned at birth based on their genitals. Gender identity is not a mental illness or a psychiatric disorder, it is a medical condition.

Sexual orientation is different from gender identity. Sexual orientation is who you love and gender identity is who you are.

Dr. Beyer and attorney Minter would like MCHR's help and support, with the General Assembly Senate leadership, in getting this legislation passed this year.

The General Counsel informed Commissioners that the bill will add transgender as a protected class and will also have a definition of what gender identity is, gender related identity, appearance, expression or behavior of an individual regardless of the individual's assigned sex at birth.

CHAIRPERSON'S REPORT

Commissioners received copies of the Chairperson's Report (See attached).

Meeting with Lieutenant
Governor

Chairperson Owen informed Commissioners that the Executive Director, the General Counsel and he met with the Lieutenant Governor, his Chief of Staff and also with Secretary Hitchcock, Secretary of Appointments. Chairperson Owen received a call from one of Secretary Hitchcock's staff members, Doreen Riggins, who is now working on filling the vacancies on the Commission.

Hispanic Study

Chairperson Owen asked for suggestions from the Lt. Governor as to how to approach the legislature to get funding to conduct the Hispanic Study.

The Lt. Governor informed Chairperson Owen that Commissioners should not go to the legislature to find funding but select certain departments that have some sympathy for what Commissioners are trying to do. The Lt. Governor assigned Jeannette Ortiz, Director of Policy, to facilitate meeting with other agencies and/or departments MCHR would like to request assistance from in conducting the Hispanic Study.

Chairperson Owen informed Commissioners that he, Commissioner Gelman and the Executive Director met with Dr. JoAnn Schneider to discuss continuing with the study.

Chairperson Owen also stated that Commissioners are going to replace Dr. Hanson, who was going to write the policy statements for the study. Chairperson Owen has been trying to contact Dr. Lenneal Henderson of the University of Baltimore. If Dr. Henderson cannot be reached Chairperson Owen will contact the University of Baltimore Provost, Dr. Wim Wievel.

EXECUTIVE DIRECTOR'S REPORT

Commissioners received copies of the Executive Director's Report (See attached).

The Executive Director informed Commissioners that he was a speaker at the 15th Anniversary Reception of the Department of Americans with Disabilities. The Executive Director met the Secretary of that department. The Secretary of Americans with Disabilities would like to have a partnership with MCHR.

The Executive Director informed Commissioners that the Governor amended the state Code of Fair Practices to add gender identity as one of the protected classes for state employees and for the hiring of state employees.

DEPUTY DIRECTOR'S REPORT

Commissioners received copies of the Deputy Director's Report (See attached).

HUD Contract

The Deputy Director informed Commissioners that MCHR is reaching the end of the contractual year. MCHR completed the HUD contract successfully.

EEEEOC Contract

There are two (2) weeks left to complete the EEOC contract. MCHR will complete the EEOC contract successfully also.

The Deputy Director informed Commissioners that he, along with a number of staff people, have formed an adhoc group to work on MCHR's website. This group is looking at the content, the design and the resources made available to our constituents. In the next several months the group will bring forth some recommendations to the Commissioners on how to improve the website.

ASSISTANT DIRECTOR'S REPORT FY 2007 Budget

The Assistant Director informed Commissioners that MCHR finished out FY 2007 successfully.

FY 2009 Budget

The FY 2009 budget request has been submitted. MCHR is waiting for feedback from the Budget Analyst as to how 2009 will get shaped. Agencies had to also submit a contingency budget in the event that the Governor has to cut the budget further. MCHR is also waiting to hear if further cuts will be imposed.

GENERAL COUNSEL'S REPORT

Commissioners received copies of the General Counsel's Report and the MCHR Training/Education Campaign Report (See attached).

Remedies Bill

The General Counsel requested the Commissioners approval to submit the draft of the regulations that amend the Rules of Procedure as they apply to the new amendments to Article 49B.

Evaluation Report

MCHR received a letter from the Administrative Executive and Legislative Regulation Committee approving the evaluation report. This report gives MCHR the authorization to begin drafting the regulations.

Vice-Chair Hermina moved that the regulations be adopted as drafted, motion seconded by Rabbi Adler. Motion passed.

Commercial Non-Discrimination Regulations

The General Counsel informed Commissioners that they will be receiving the Commercial Non-Discrimination Regulations for review, prior to the next Commission meeting.

The General Counsel informed Commissioners that there was an article in the Daily Record issued on September 14, 2007 regarding the immigrant population (See attached).

The Commission meeting was adjourned at 12:05 p.m.

Barbara Wilson