

State of Maryland Commission on Civil Rights



2018 Annual Report

*Building Bridges of
Opportunity & Understanding*

Larry J. Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Alvin O. Gillard
Executive Director

Shawn M. Wright, Esq.
Commission Chair

State of Maryland

Commission on Civil Rights

“Our vision is to have a State that is free from any trace of unlawful discrimination.”



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January 1, 2019

The Honorable Larry Hogan
Governor, State of Maryland
State House, 100 State Circle
Annapolis, Maryland 21401

The Honorable Thomas V. Mike Miller, Jr.
President, Maryland State Senate
State House H-107, 100 State Circle
Annapolis, Maryland 21401

The Honorable Michael E. Busch
Speaker, Maryland House of Delegates
State House H-101, 100 State Circle
Annapolis, Maryland 21401

Governor Hogan, President Miller, and Speaker Busch:

In accordance with §20-207(c) of the State Government Article, *Annotated Code of Maryland*, we hereby submit to you the Annual Report of the State of Maryland Commission on Civil Rights (“MCCR”; “the Commission”) for Fiscal Year 2018. We are pleased to report that the Commission continues to improve upon its services in order to enforce Maryland’s anti-discrimination laws while promoting and improving civil rights in our State. The Commission is grateful to Governor Hogan, the Department of Budget & Management, the Maryland State Senate, and the Maryland House of Delegates for their assistance and continued support of our mission.

Fiscal Year 2018 was another year of successes for the Commission. MCCR is proud to have again met our federal contract goals with our federal partners – the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing & Urban Development – with respect to investigating allegations of unlawful employment and housing discrimination in Maryland. In fact, thanks to the passion, diligence and commitment of MCCR’s case processing staff, the Commission was able to close 109 housing cases in FY2018. This eclipsed both the 94 housing cases closed in FY2017 and the FY2018 goal of closing more than 100 cases. All the while, MCCR completed 540 employment discrimination cases to satisfy the EEOC contract. Looking to FY2019, MCCR is poised to build upon this continued growth by increasing case closures across all enforcement areas under our jurisdiction.

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One alarming trend that MCCR has monitored over the course of FY2018 is the number of retaliation complaints filed with the agency, primarily in the area of employment discrimination. In our FY2017 Annual Report, it was noted that employment retaliation complaints surpassed complaints filed on any other bases for the first time in the Commission's history. That number continued the trend of increasing retaliation complaints, with retaliation being the second most common complaint received by MCCR in FY2016 behind race discrimination complaints. Our numbers are not unique, either. The EEOC, too, has seen retaliation complaints become the most common type of complaint received this year, with similar growth patterns over previous years.

This trend concerns the agency because retaliation occurs when an employee seeks relief from alleged unlawful discrimination by the employer or an otherwise prohibited act under Title 20. Retaliation can be meant to serve as a deterrent to others who believe they have been subjected to similar forms of alleged discrimination and harassment, and may negatively impact the number of complaints filed with MCCR. Witnesses, too, can be retaliated against for cooperating with a pending investigation before MCCR, possibly resulting in an additional complaint being filed against the Respondent. Maryland law is clear – this behavior is unlawful. MCCR will continue to monitor this situation in order to identify the best course of action in the hope of addressing instances of unlawful retaliation throughout our State.

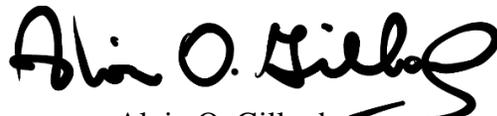
By way of outreach, MCCR is excited to continue building upon our partnership successes heading into FY2019. Throughout FY2018, MCCR Commissioners and Staff researched and developed a pilot program establishing an Advisory Council in an underserved area in Maryland. It is hoped that the initial Advisory Council will be established in the western Maryland region. The Advisory Council will serve as MCCR's "eyes and ears on the ground", allowing MCCR to expand its presence in order to effectively and efficiently carry out our mission.

Overall, we are pleased to report that the Maryland Commission on Civil Rights maintains a strong commitment to the mission of the agency. Again, thank you for your continued support, as well as your leadership and service to Maryland. The State of Maryland Commission on Civil Rights appreciates the priority and commitment placed on the promotion and improvement of civil rights in our great State.

Respectfully submitted,



Shawn M. Wright
Commission Chair



Alvin O. Gillard
Executive Director

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The Commission

The Maryland Commission on Civil Rights (MCCR) represents the interest of the State to ensure equal opportunity for all through enforcement of Title 20 of the State Government Article and Title 19 of the State Finance & Procurement Article (the State's Commercial Non-Discrimination Policy), *Annotated Code of Maryland*. MCCR investigates complaints of discrimination in employment, housing, public accommodations and state contracts from members of protected classes that are covered under those laws.

MCCR 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 current members are:

1. Shawn M. Wright, Esq., Chairperson (*Prince George's County*) - Appointed November 19, 2016.
2. Gary Norman, Esq., Vice Chairperson (*Baltimore City*) - Appointed March 16, 2012.
3. Roberto N. Allen, Esq. (*Baltimore County*) - Appointed March 17, 2016.
4. Hayden B. Duke (*Frederick County*) - Appointed December 19, 2017.
5. Rabbi Binyamin Marwick (*Baltimore County*) - Appointed April 12, 2018.
6. Gina McKnight-Smith, Pharma.D., MBA (*Baltimore County*) - Appointed March 17, 2016.



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 or creed, sex, age, national origin or ancestry, marital status, physical or mental disability, sexual orientation, and gender identity. For employment cases, it is unlawful for an employer to discriminate against an applicant or employee based on that individual's 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; promotes knowledge and understanding of anti-discrimination laws; and helps to improve civil rights within the State.



History

The Beginning

It was for the purpose of considering matters concerning the “welfare of colored people residing in the State..., recommend legislation and sponsor movements looking to the welfare of said people, and to the improvement of interracial relations, and to cooperate with other State agencies to these ends” that the General Assembly created the **Interracial Commission** of Maryland in 1927 (Chapter 559 of 1927). The Commission was originally comprised of eighteen (18) members, nine (9) of which were Black and nine (9) were White. The Commission had no investigative or enforcement powers. However, in the realm of public service, the Commission came out against the Act of 1904. More commonly known as the Kerbin “Jim Crow” Law after its sponsor, Delegate William G. Kerbin of Worcester County, this law required separate seating, dining, and sleeping arrangements for Blacks and Whites on railroads and steamship lines operating strictly within the State’s borders.

In the arena of education, the Interracial Commission brought to light the vast disparities in education between the White and Black communities. Specifically, the Commission found that:

1. Black teachers received a salary of \$640 per year, while White teachers received \$1150.
2. Per pupil spending was \$95 per year per white student, while only \$45 per year per Black students.
3. White schools were open 187 days per year, while Black schools were open 168 days per year.

In 1943, the Commission was renamed the **Commission to Study Problems Affecting the Colored Population** (Chapter 432 of 1943). Their first recommendations were:

1. The school code be amended to provide that the minimum salaries of colored teachers and supervisors be the same as those provided to Whites,
2. An institution of higher learning be established for “Colored people around Morgan College,”
3. That Blacks be represented on all Boards and Commissions appointed by the State.

However, despite their work and recommendations, the Commission lacked staff and funding, and thus any power to positively and proactively affect the public policy at the time.



Then in 1951, the Commission to Study Problems Affecting the Colored Population was rebranded the **Commission on Interracial Problems and Relations** (Chapter 548 of 1951). This change was prompted by nearly a decade of

racial tensions in Maryland, including riots in Baltimore in 1942 and the meeting of the Maryland Congress Against Discrimination in 1946. While still lacking human and financial resources, the Commission found an ally in Governor Theodore R. McKeldin, a strong civil rights advocate.

Transforming Into An Enforcement Agency

Due to the national Civil Rights Movement and the breaking down of numerous barriers, the Maryland General Assembly and Governor established the **Commission on Human Relations** in 1968 (Chapter 83 of 1968). This was the first time that the Commission was allotted a budget for paid staff. By Chapter 153 of 1969, the State waived its sovereign immunity and the Commission was empowered to initiate and investigate complaints of discrimination in State agencies.



The 1974 General Assembly made further amendments to the law. Discrimination in housing on the bases of marital status and sex were prohibited, and exceptions were provided with respect to the application of certain provisions in the Discrimination in Housing subtitle (Chapter 848 of 1974). A second bill provided that it was unlawful for persons and organizations to discriminate in certain employment practices against persons who were mentally or physically handicapped, to prohibit certain discriminatory activities against the physically or mentally handicapped in housing or obtaining loans on dwellings, and to make technical corrections to the language (Chapter 601 of 1974). A parallel bill prohibited discriminatory activities in public accommodations, employment, and housing because of marital status or physical or mental handicaps, and clarifying the language of the law (Chapter 875 of 1974).

By Chapter 419 of 1975, the Commission was permitted to seek certain types of court relief; namely, a temporary injunction if the Commission believed the appropriate civil action is necessary to preserve the status of the parties or to prevent irreparable harm. Chapter 333 of 1975 provided that it was lawful for employers to establish standards concerning an employee's dress and grooming if the standards were directly related to the nature of the employment.

Chapters 937, 907, and 706 of 1977 were important changes that set the Commission on the track to its modern composition. Chapter 937 of 1977 reduced the size of the Commission from twelve (12) members to nine (9), empowered the Commission to designate its own Chairperson, and abolished the previous \$16,000 salary for the Chairperson. The new legislation continued the appointment of the Executive Director by the Governor, but provided that he must choose from a list of up to five names submitted by the Commission, and also provided for the Executive Director's removal by the Governor upon recommendation of two-thirds of the members of the Commission. The authority to appoint and remove the Deputy Director and the General Counsel was transferred from the Governor to the Executive Director with approval by the majority of the Commission members. The law also authorized the appointment of hearing examiners to hear cases under the Human Relations law, and provided for an appeal from the decisions of the hearing examiner to the Commission. Finally, the new legislation expanded the Commission's power to order appropriate relief for victims of discrimination by empowering the Commission to award monetary relief, limited to two years back pay, to the victims of employment discrimination.

Furthermore, Chapter 907 of 1977 required employers to treat disabilities caused or contributed to by pregnancy or childbirth in the same manner as they treat other disabilities; and by Chapter 706 of 1977, the procedures that the Commission must follow in processing employment discrimination complaints against State agencies were altered.

Overall, the Maryland Commission on Human Relations got its true authority beginning with Chapter 83 of 1968. For the next few decades, amendments were adopted on occasion, but the Commission still served a single purpose – to administer and enforce the Maryland Public Accommodations Law, Discrimination in Housing Law, and the Fair Employment Practices Law. In order to effectively achieve this, the Commission has a deferral relationship and funding provided by the Equal Employment Opportunity Commission and the U. S. Department of Housing & Urban Development.

In 1999, Governor Parris N. Glendening made Maryland history as the first sitting Governor to advocate for banning discrimination on the basis of sexual orientation. It wasn't until 2001 that these protections were codified, after the Governor's pushing the bill in the Maryland General Assembly for two years (Chapter 340 of 2001). With that, sexual orientation was added to the already identified protected classes in Maryland law. That same year, genetic information was also included as a protected class.



The Modern Commission

The Commission has continued to build upon this framework as it carries out its superior investigatory procedures in the areas of employment, housing, public accommodations, and state contracts. In 2011, the Commission changed its name to the **Maryland Commission on Civil Rights** to more accurately reflect the anti-discrimination work through enforcement of the State's anti-discrimination laws, and through public outreach and education (Chapter 580 of 2011).

As of October 1, 2013, pregnant employees gained the legal right to request a reasonable accommodation at work if the pregnancy causes or contributes to a disability and if the accommodation does not impose an undue hardship on the employer (Chapters 547 and 548 of 2013).

In October, 2014, the Commission was vested with the authority to enforce Maryland's anti-discrimination laws in

employment, housing, and public accommodations on the basis of one's gender identity. These protections came with the passage of the Fairness for All Marylanders Act of 2014 (Chapter 474 of 2014), and were the results of over a decade's worth of work in the legislature. Passage of this legislation was monumental for many reasons. Previously, steps had been taken within the State to include gender identity and expression as a protected class. In 2002, Baltimore City passed a law prohibiting discrimination based upon gender identity and expression in employment, public accommodations, education, and housing. In 2005, the State hate crimes provision was amended to include gender identity as a protected class. Also, in August, 2007, Governor Martin O'Malley issued an Executive Order in which gender identity and expression were included as a protected class in state government employment. In November, 2007, the County Council for Montgomery County amended its laws to include gender identity as a covered basis under employment, housing, public accommodations, cable television services, and taxicab services anti-discrimination laws. In December, 2011, Howard County joined Baltimore City and Montgomery County in adding gender identity and expression as a protected class. Most recently, on February 21, 2012, Baltimore County included in its anti-discrimination law protections based on gender identity. However, the Maryland Commission on Civil Rights believed that geography should not be the determinative factor for whether a citizen of Maryland is protected from unlawful discrimination. Therefore, the Commission had supported similar versions of the bill introduced in 2007, 2008, 2009, 2010, 2011, 2012, and 2013, while advocating for these protections dating back to as early as the 1990's.

Effective October 1, 2015, interns were protected from discrimination and harassment at their place of internship. Interns may now access MCCR's complaint process and seek non-monetary relief if their internship provider does not have an internal grievance process to investigate and address allegations of discrimination and harassment (Chapter 43 of 2015).

Celebrating Milestones

On Saturday, April 28, 2018, a crowd of 300 from all over the state gathered at the historic Reginald F. Lewis Museum of Maryland African American History & Culture to join the Maryland Commission on Civil Rights in celebrating two incredible milestones - the 50th anniversary of the signing of the federal Fair Housing Act of 1968, as well as the more than 90 years MCCR has been combatting discrimination throughout Maryland.



Guests were treated to a night of empowering words from a line-up of speakers and leaders in attendance, a delicious dinner prepared by Baltimore's own Class Act Catering, and the impassioned talent of spoken word artist Lady Brion.



The evening's keynote speaker Bakari Sellers truly electrified the crowd with a rousing address highlighting the importance of our collective work in eradicating unlawful discrimination in all its forms.



The progress Maryland has seen over the past 90 years has been due in large part to the lifetime commitment of so many public servants to promote and improve civil and human rights in Maryland and beyond. MCCR was pleased to honor Reverend Dr. Douglas Sands (former Executive Secretary), Silvia S. Rodriguez (former Commission Chairperson), Jennifer Burdick (former Executive Director), Oretha Bridgwaters-Simms (former Commissioner), and Thomas E. Owen (former Commission Chairperson) for their years of service in helping MCCR get to its position today as the State's lead civil rights agency.



Case Processing

The Case Processing Department provides intake and investigative services for the complaints filed with MCCR in employment, housing, public accommodations and state contracts (the State's commercial non-discrimination policy). The Department utilizes a number of different tools to attempt to resolve complaints, such as **fact finding conferences**. These services have been very valuable to the Commission and have had a direct impact on the data contained herein. The Case Processing Department is comprised of an **Intake Unit** and two **Investigative Units**. The **Intake Unit** and two **Investigative units** are housed in Baltimore City at the William Donald Schaefer Tower.

MCCR receives complaints directly from individuals who believe they have been victims of unlawful discrimination, and also processes cases for the Equal Employment Opportunity Commission (EEOC) and the U. S. Department of Housing and Urban Development (HUD). MCCR will automatically dual file a complaint of employment or housing discrimination with either the EEOC or HUD when state and federal anti-discrimination laws overlap.

Intake

If you believe that you have been the victim of discrimination and suspect that you have been treated unfairly because of your **race, color, religion, sex, age, familial status, national origin, marital status, disability, genetic information, sexual orientation, or gender identity**, you may file a complaint of discrimination with MCCR. You may also file a complaint if you believe that you are a victim of **harassment or retaliation**. The Commission investigates complaints from anyone who reasonably believes they have been discriminated against in the areas of **employment, housing, public accommodations, and state contracts**. The Commission may also initiate a complaint based on reliable information that any person or business is or has been engaged in a discriminatory practice. Any person may contact MCCR's Baltimore office to inquire about filing a complaint.

To file a Complaint of Discrimination, it is required that the Complainant provide to MCCR a written and signed complaint. Anyone wishing to file a complaint alleging unlawful discrimination in violation of Title 20 of the State Government Article or Title 19 of the State Finance & Procurement Article must file the complaint within: six (6) months of the alleged unlawful incident in cases of discrimination by a place of employment and/or public accommodation, or one (1) year of the alleged unlawful incident in the case of discriminatory housing practices. The Commission strongly encourages anyone wishing to file a complaint to immediately contact MCCR by telephone, e-mail, fax, or mail to begin filing a complaint.

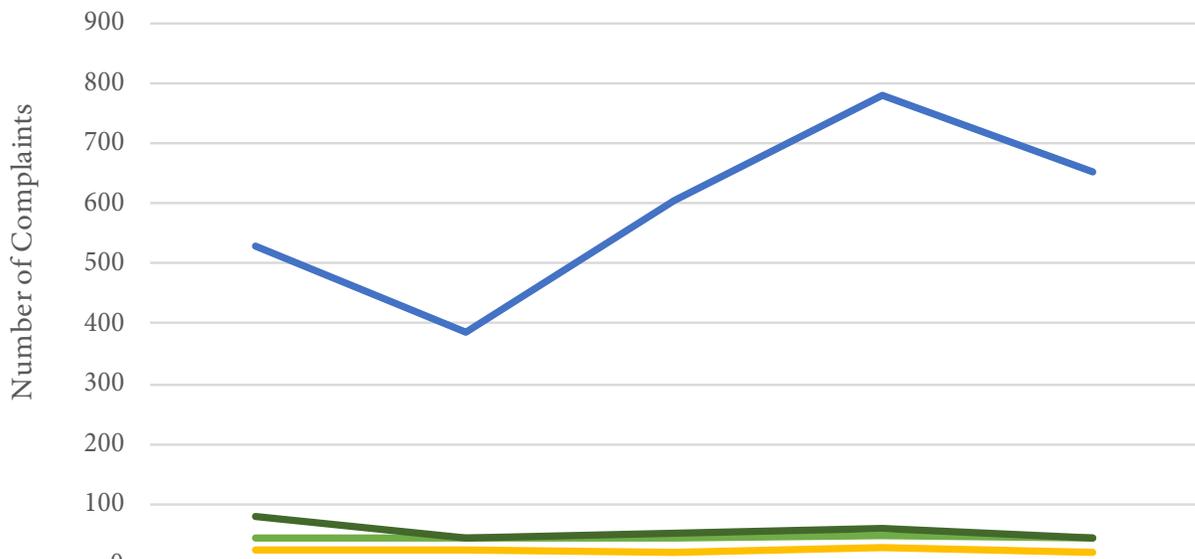
Case Intake Trends - By Region & Type

Anyone who believes they are a victim of unlawful discrimination in the state can file a complaint with MCCR. State law does not require those individuals filing with the Commission to reside in Maryland. Because of this, the location of a complaint is determined by the Respondent's physical address, not the Complainant's home or work address. This enables MCCR to better understand how Maryland's anti-discrimination laws in employment, housing, and public accommodations are being adhered to in the various regions for different employees, residents, and patrons of businesses.

MCCR began seeing in FY2015 a steady increase in the number of complaints received from across the state. In FY2015, MCCR received 518 complaints of unlawful discrimination; in FY2016, that number rose to 765, and in FY2017 it rose again to 989. The agency previously attributed those increases to a number of factors:

- The filling key vacancies in the Intake and two Investigative units.
- A robust and successful education and outreach program across the state.
- The establishment of new relationships and partnerships with key leaders and communities.
- The national political climate piquing the interest of many to better understand their rights and how to protect them.

Figure 1.1 - Cases Received by Geographic Location Historical Data

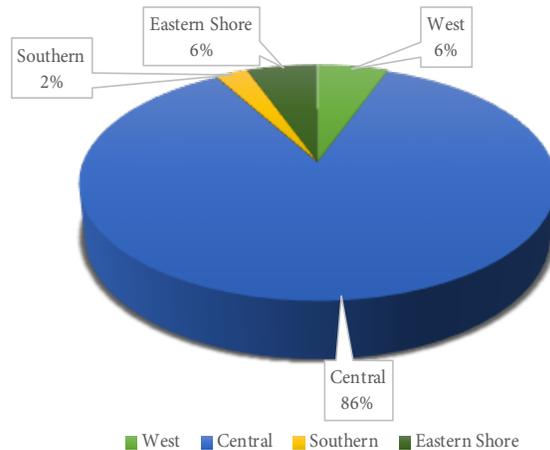


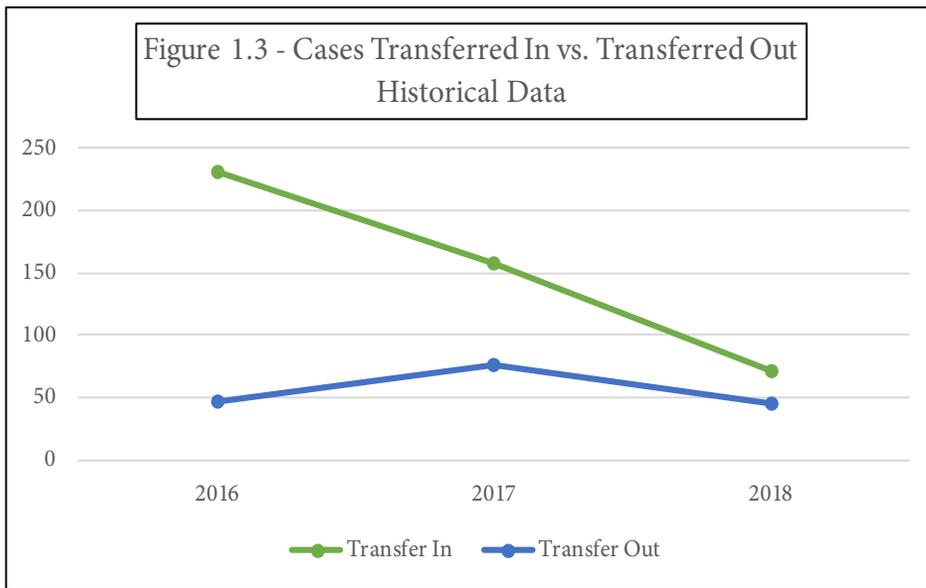
	2014	2015	2016	2017	2018
West	42	45	44	49	43
Central	528	386	604	779	652
Southern	25	24	18	26	20
Eastern Shore	80	45	52	59	43

As Figure 1.1 shows, a total of 758 complaints were received from around Maryland in FY2018. While this is a 231 reduction in the number of complaints received from the previous fiscal year, MCCR believes that this number actually fits the forecast of complaints the agency expected to receive going in to FY2018. Western and Southern Maryland saw slight decreases in the number of complaints, while the Eastern Shore saw a 27% decrease in complaints - from 59 to 43. However, Central Maryland saw the largest decrease in the number of complaints received during FY2018 - from 779 to 652. It is not uncommon for numbers to fluctuate like this between years, especially after the incredible turmoil that Maryland experienced following the 2016 Presidential Election and the spike in reported hate crimes. However, MCCR also knows that there are many complaints of unlawful discrimination that are unreported every year. Because of this, MCCR is looking ahead to the next 5 years with an even stronger focus on outreach, partnerships, and relationship-building in every corner of the state.

Overall, the share of complaints MCCR received from each region of Maryland remained constant in FY2018 from FY2017. Figure 1.2 shows that 86% of the complaints received originated from the Central Region, 2% from the Southern Region, 6% from the Eastern Shore, and 6% from the Western Region; whereas in FY2017 those numbers were 85%, 3%, 7%, and 5%, respectively. Figures 1.4, 1.5, 1.6, and 1.7 that follow will further break down each region to not only identify what counties are included in that region, but also the area of discrimination for each complaint, be it a complaint of unlawful employment, housing, or public accommodation discrimination.

Figure 1.2 - Cases Received by Geographic Location, FY2018





In addition to having complaints filed directly with the Commission, MCCR maintains a contractual relationship with both the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing & Urban Development (HUD). These relationships are possible because federal and state employment and housing anti-discrimination laws, respectively, are “substantially equivalent” - or our laws closely mirror one another. Because of this, discrimination complaints filed with MCCR where the EEOC or HUD shares jurisdiction are automatically

dual-filed with their agencies. Additionally, if an employment discrimination complaint based in Maryland is filed with the EEOC, then it may be transferred to MCCR for investigation; Maryland-based housing complaints filed with HUD are automatically transferred to MCCR for investigation. Figure 1.3 illustrates the number of employment complaints transferred to MCCR from the EEOC, and transferred from MCCR to the EEOC.

The trajectory for both transfer-in’s and transfer-out’s correlates to the decrease in complaints MCCR received in FY2018 from FY2017. Additionally, MCCR did not transfer as many complaints out to the EEOC because the EEOC did not request the case from the Commission, as well as MCCR received fewer inquiries that had to be transferred out to the EEOC because MCCR lacked jurisdiction (such as it was a complaint against a federal agency). Furthermore, MCCR received enough complaints throughout FY2017 and FY2018 to meet its contractual obligation with the EEOC, meaning MCCR had to make fewer requests to the EEOC to transfer cases down for investigation and closure.

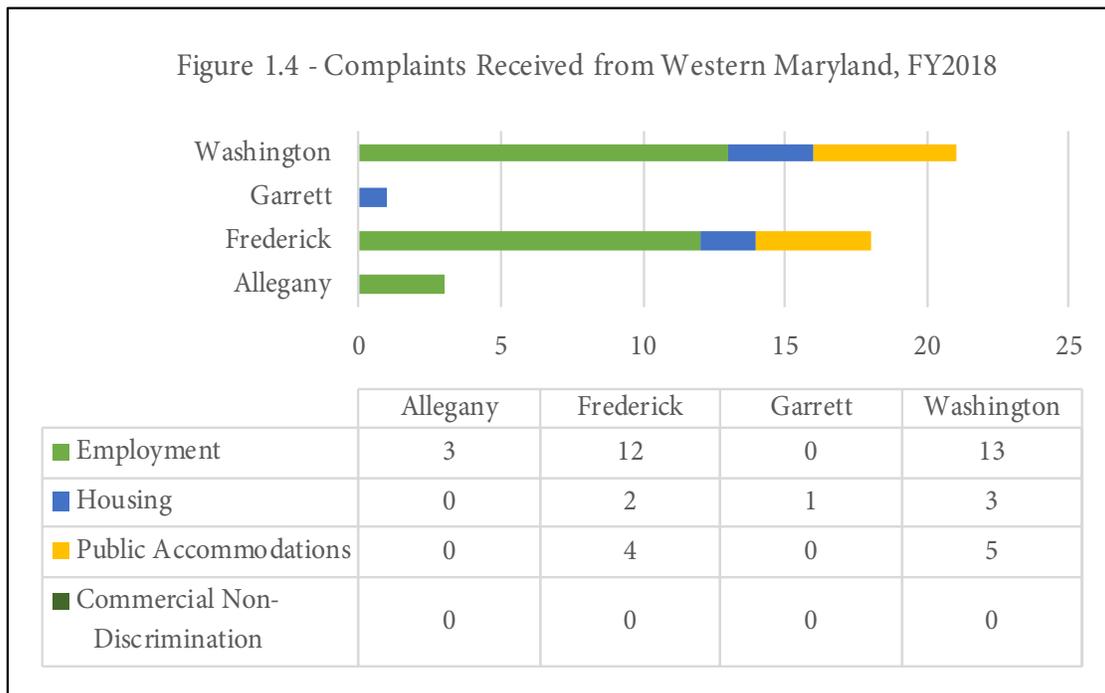
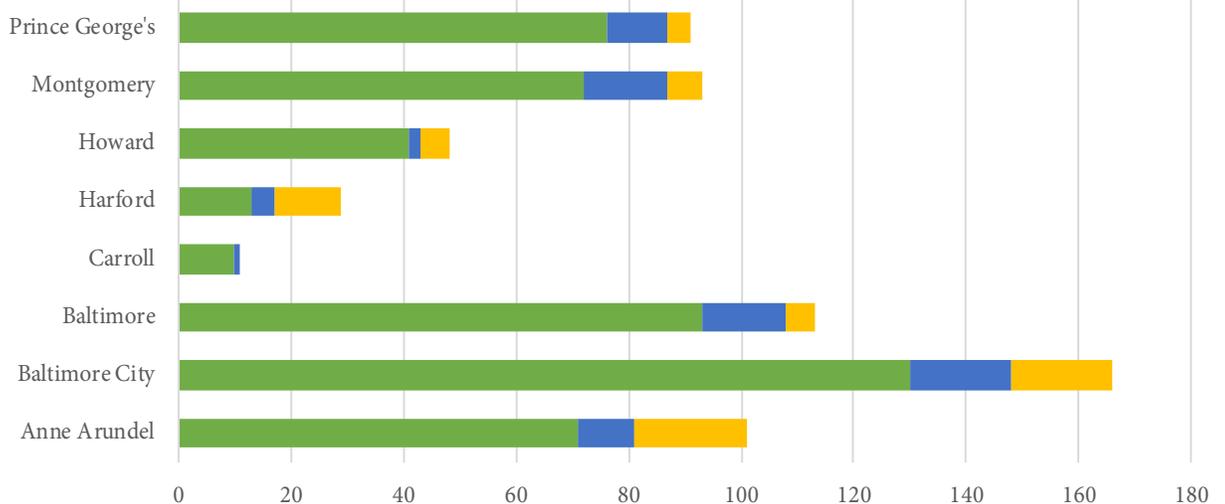


Figure 1.4 illustrates the number of complaints received in Western Maryland, broken down by County and area of discrimination for each complaint. Figure 1.1 showed that the total number of complaints received in FY2018 was 43, which is down from FY2017’s 49 complaints received. Despite this reduction, MCCR believes the primary cause

of the decrease is cyclical fluctuations in the number of complaints received by the agency. However, MCCR knows that the number of discrimination complaints filed annually remains much lower than it should be. Therefore, MCCR Commissioners and Staff are currently exploring an Advisory Council pilot program, with the pilot being focused in the Western Maryland region. The agency believes that having a dedicated group of community representatives that can serve as the eyes and ears on the ground, pressing civil and human rights issues will be brought to the Commission's attention, enabling a rapid response so as to address these issues. Furthermore, such a presence would remind the communities of where they can go to file a complaint of discrimination if they believe they are a victim.

Figure 1.5 - Complaints Received from Central Maryland, FY2018



	Anne Arundel	Baltimore City	Baltimore	Carroll	Harford	Howard	Montgomery	Prince George's
Employment	71	130	93	10	13	41	72	76
Housing	10	18	15	1	4	2	15	11
Public Accommodations	20	18	5	0	12	5	6	4
Commercial Non-Discrimination	0	0	0	0	0	0	0	0

Central Maryland is home to both MCCR's Baltimore City Headquarters and approximately 80% of the State's population. It also is a major hub of commerce (Port of Baltimore, BWI Thurgood Marshall Airport, I-95 Corridor) and tourism (City of Annapolis, National Harbor, Arundel Mills, Baltimore Inner Harbor). These factors continue the trend of 86% of the complaints filed originating from counties in this geographic region. While 127 fewer complaints were filed in FY2018 as opposed to FY2017, the 652 complaints MCCR did receive, proportionally by both County and area of discrimination, largely mirror what was seen in FY2017. The only notable difference is that Howard County did see a larger increase in the number of complaints filed versus other counties, going from 39 in FY2017 to 48 in FY2018. Other counties saw more minor increases or decreases in total complaints filed and by area of discrimination.

Despite any fluctuation in the numbers contained in Figure 1.5 likely being the result of cyclical patterns, MCCR does believe that Education & Outreach efforts in the immediate region (being so close to agency headquarters) is having a sustainably beneficial impact on our presence and relationship with the communities we serve. Indeed, the Maryland Commission on Civil Rights has been fortunate and successful in establishing long-lasting relationships with businesses, institutions, and organizations in and around Maryland, with particular concentration in the central region. These relationships lead to many partnership ventures, serving as the basis for how the Advisory Council pilot program will be built in the future.

Figure 1.6 - Complaints Received from Southern Maryland, FY2018

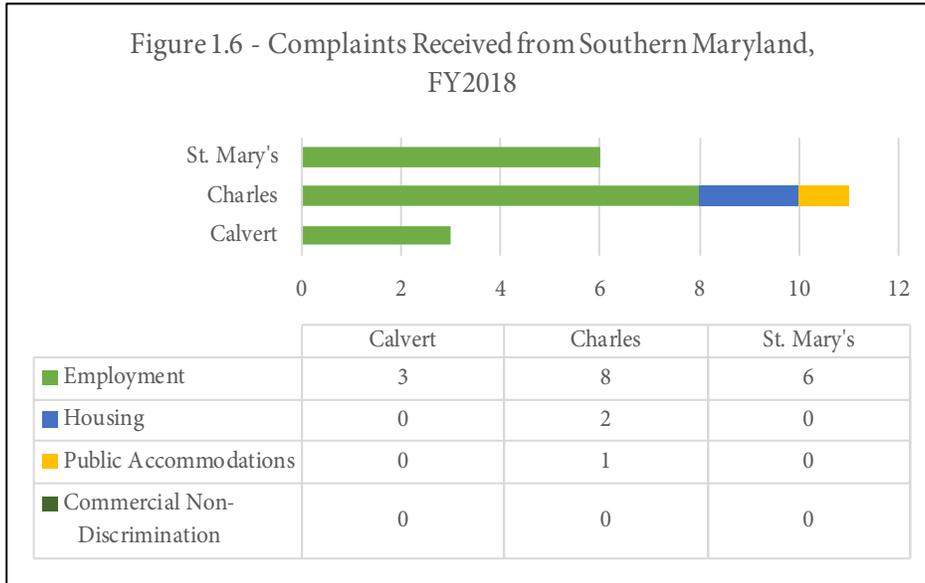
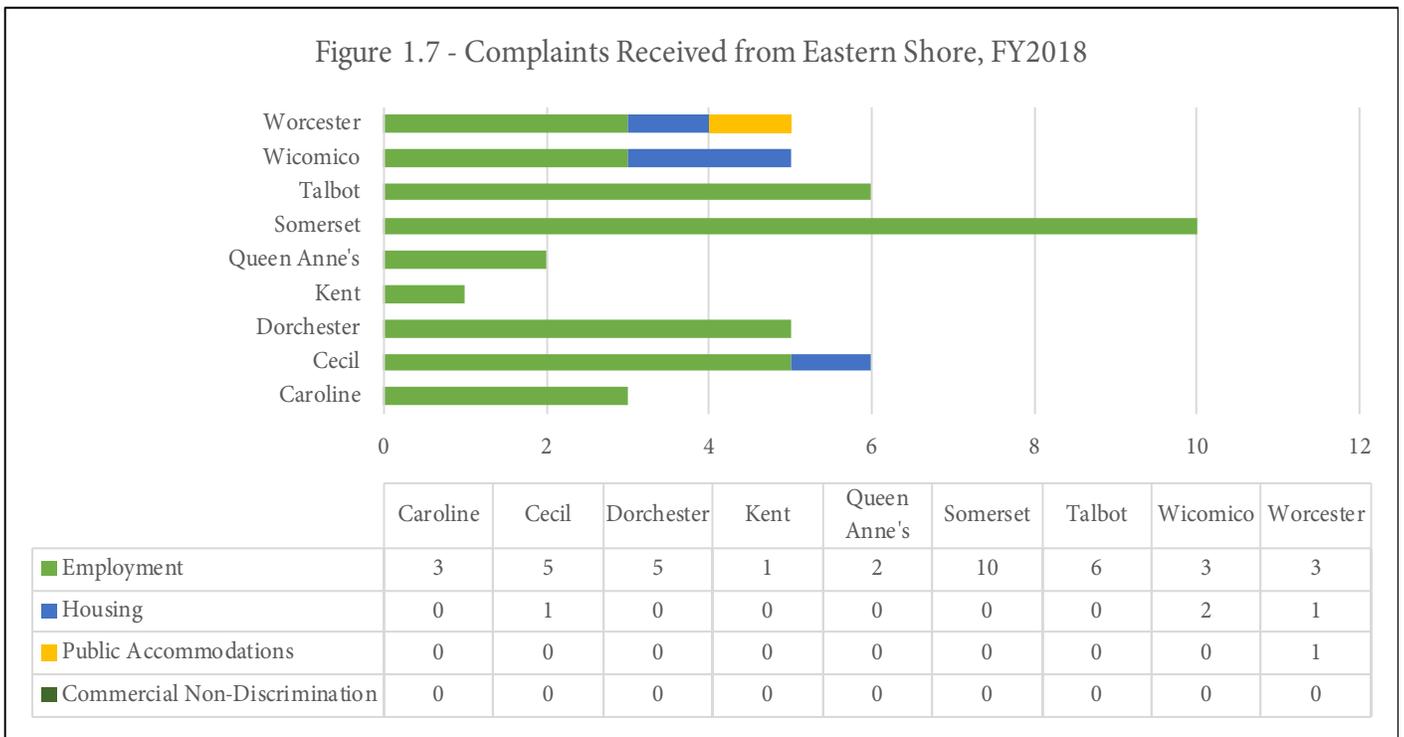


Figure 1.6 reflects the complaints received from those counties in Maryland’s southern region. As in previous years, this remains an area that files the fewest complaints of unlawful discrimination - 20 in FY2018, which is down from 26 in FY2017. However, Southern Maryland is home to a large number of individuals who come from all walks of life. Recently, MCCR has received contact from individuals interested in establishing a regional human relations commission to fill what they believe is a void in the communities having an outlet whereby they can raise and address matters of civil and human rights. Currently, only St. Mary’s County has a human relations commission, but that commission does not have the investigative and enforcement authority vested in the Maryland Commission on Civil Rights. Because of this, aggrieved and concerned individuals can only file a complaint with MCCR, and are forced to go to local organizations - such as the NAACP - in order to engage one another on pressing issues within their communities. MCCR has been fortunate to build many productive relationships in the region, such as with the library system. However, community support for a local commission leads MCCR to believe that if the Western Maryland Advisory Council pilot program is successful, Southern Maryland would be well-served by a similar Council.

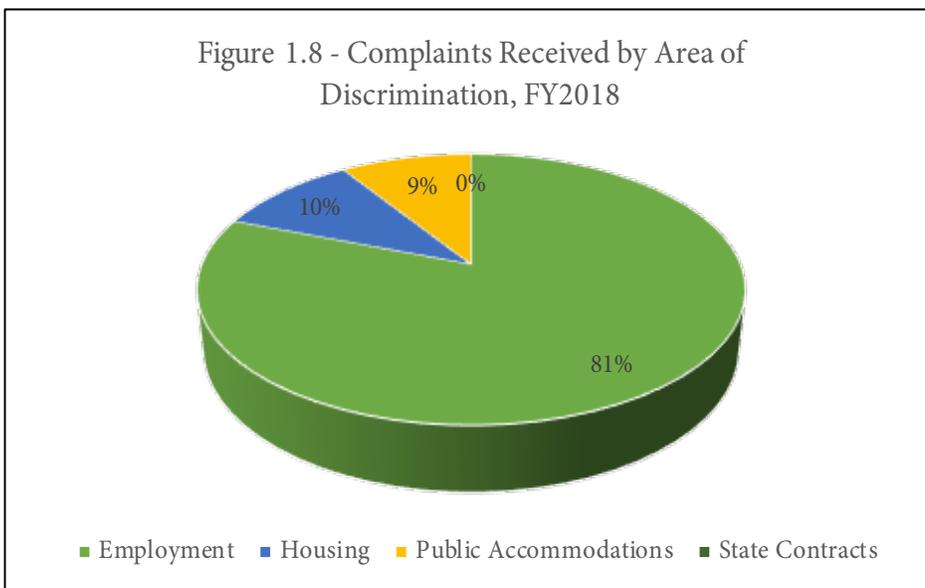
Figure 1.7 - Complaints Received from Eastern Shore, FY2018



Lastly, Figure 1.7 contains the complaints received from the Eastern Shore - 43 in FY2018, down from 59 in FY2017. Despite the aggregate decrease in complaints from this region, three counties - Dorchester, Somerset, and Talbot - saw a sizable increase in the number of complaints filed with MCCR over their FY2017 numbers. MCCR believes that this is the direct result of two factors:

1. Continued Education & Outreach efforts across the entire region, including relationship building in order to directly engage citizens on issues most important to them.
2. The standardization and streamlining of complaint filing procedures housed on MCCR's website in an easy-to-access, user-friendly manner.

Technology affords the Commission an incredible opportunity to make inroads into underserved communities across the State, especially in this area separated by the Chesapeake Bay and connected primarily by the Bay Bridge. MCCR remains committed to harnessing these technological opportunities as an additional tool to build and maintain those connections necessary to ensure the agency is carrying out its mandate to enforce Maryland's anti-discrimination laws, while working every day to promote and improve civil rights in Maryland.



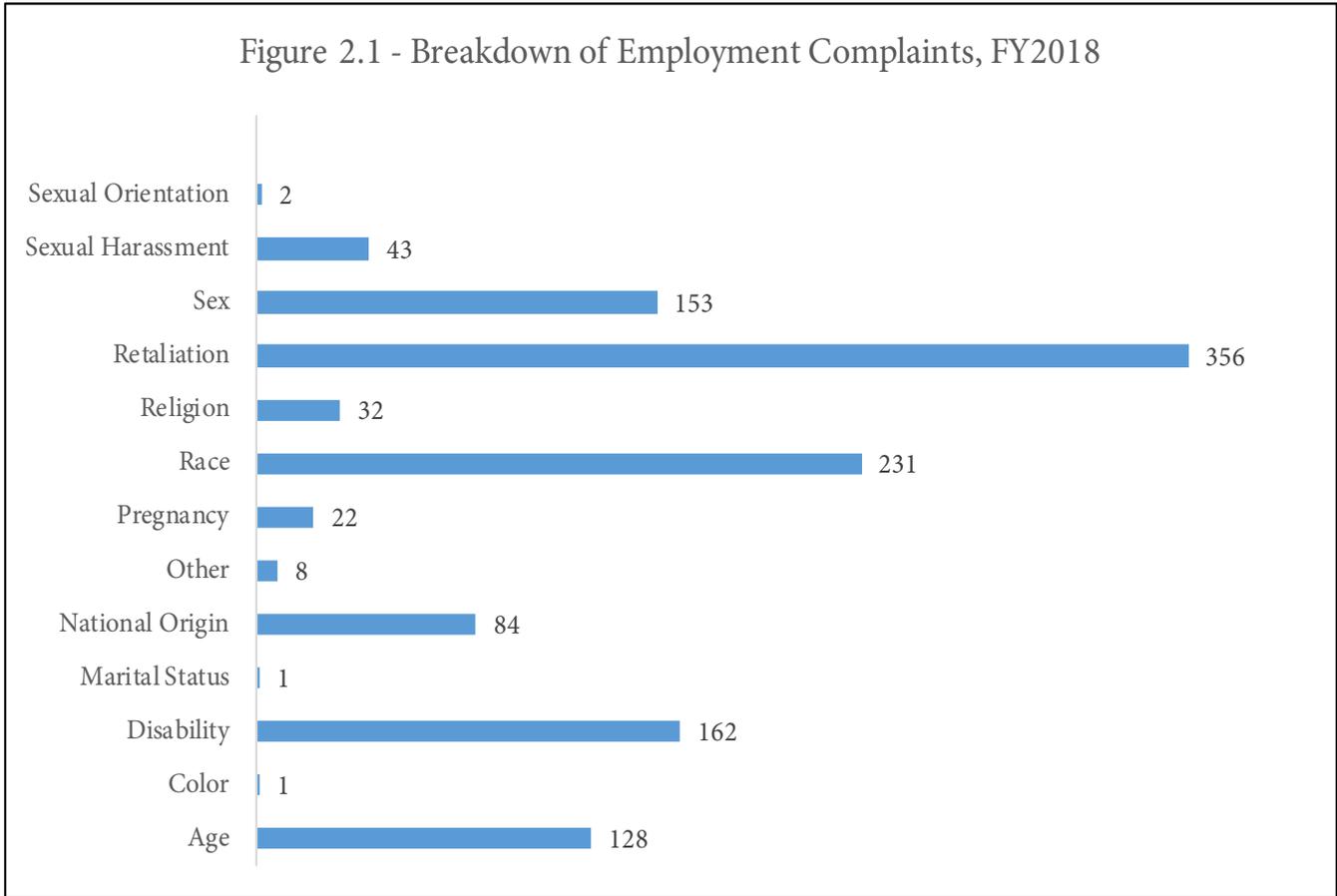
Overall, the Maryland Commission saw approximately 81% of its complaints received being in the area of employment, 10% being in the area of housing, and 9% being in the area of public accommodations in FY2018 (including transfers-in/out). These proportions are nearly identical to the 82%-10%-8% split, respectively, from FY2017. Even though the incredible majority of complaints throughout the agency's history has been in the area of employment discrimination, we believe that there remains chronic underreporting, especially in the area of housing discrimination. MCCR

knows that the well-being and stability of Maryland's residents and workforce are directly dependent upon employers and housing providers sharing the Commission's enthusiasm for and commitment to Maryland's anti-discrimination laws. The Maryland Commission on Civil Rights will continue to explore innovative ways to best guarantee that the agency is receiving and investigating complaints of unlawful discrimination whenever and wherever they occur within Maryland. (Note: For an aggregate chart breaking down the total number of complaints received by both County and Area of Discrimination, please turn to page 26.)

Employment

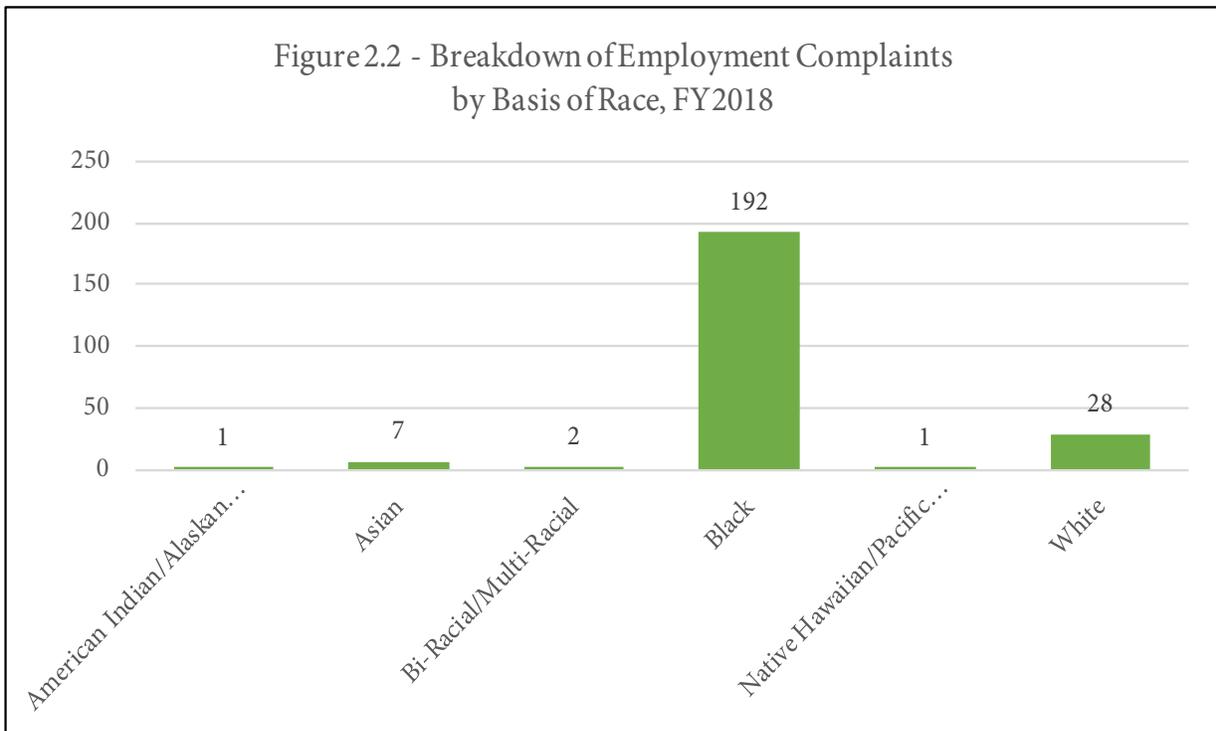
Every year, employment discrimination complaints account for approximately 80% of the Commission's total complaint intake. It comes as no surprise that 81% of the complaints MCCR received in FY2018 were in the area of employment discrimination. While this trend holds true for similar agencies across the country, there are some trends within employment discrimination claims that have emerged over the previous years. These concerning trends have caught the attention of the Maryland Commission on Civil Rights, and are a priority of the agency's efforts to combat unlawful discrimination within our state.

Figure 2.1 - Breakdown of Employment Complaints, FY2018



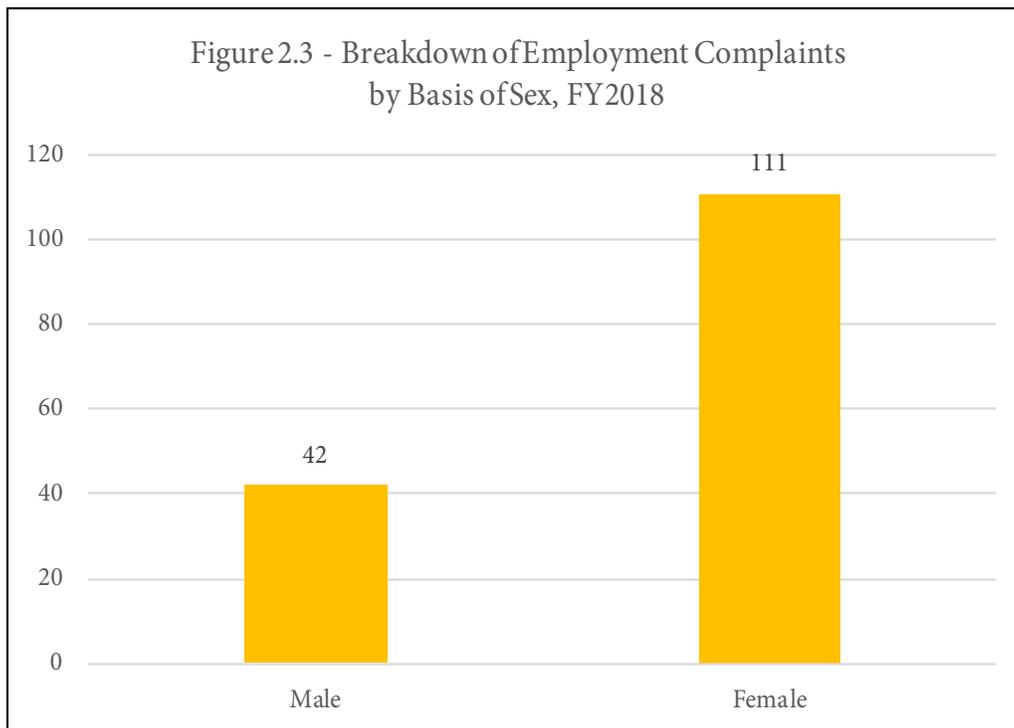
§20-602 of the State Government Article, *Code of Maryland*, prohibits discrimination in employment based on an individual's race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, gender identity, disability, or genetic information. In addition to acts of discrimination, harassment and retaliation against an employee by an employer are prohibited under state law. Figure 2.1 illustrates that among the 707 employment discrimination complaints received by MCCR, 1223 different protected bases/acts were selected across those complaints.

Figure 2.2 - Breakdown of Employment Complaints by Basis of Race, FY2018



“Race” continues to be, as in previous years, the most frequently selected protected class among those individuals filing race-based discrimination complaints. Within race, Figure 2.2 shows that 83% of race complaints were involving Black/African American employees. The same was true in FY2017, with 87% of race-based complaints being filed by Black/African American employees. In previous years, the number of complaints filed by White employees doubled from 12 to 24 in FY2017; however, the growth appears to be level this year, with 28 complaints being filed by White employees.

“Disability” remains the second most frequently selected protected class among employment discrimination complaints filed with MCCR. While the total number of times disability was selected went down in FY2018 – from 231 to 162 – the proportion of complaints remained around the 15% mark. In FY2017, disability complaints accounted for 17% of all selected bases; that portion in FY2018 was 13%. MCCR believes that this decrease is explained most by cyclical trends as well as the drastic increase in the number of retaliation complaints, not necessarily victims being unwilling or unable to file a complaint with the Commission. The effect retaliation complaints have had on the work this agency will be explored in Figure 2.4.

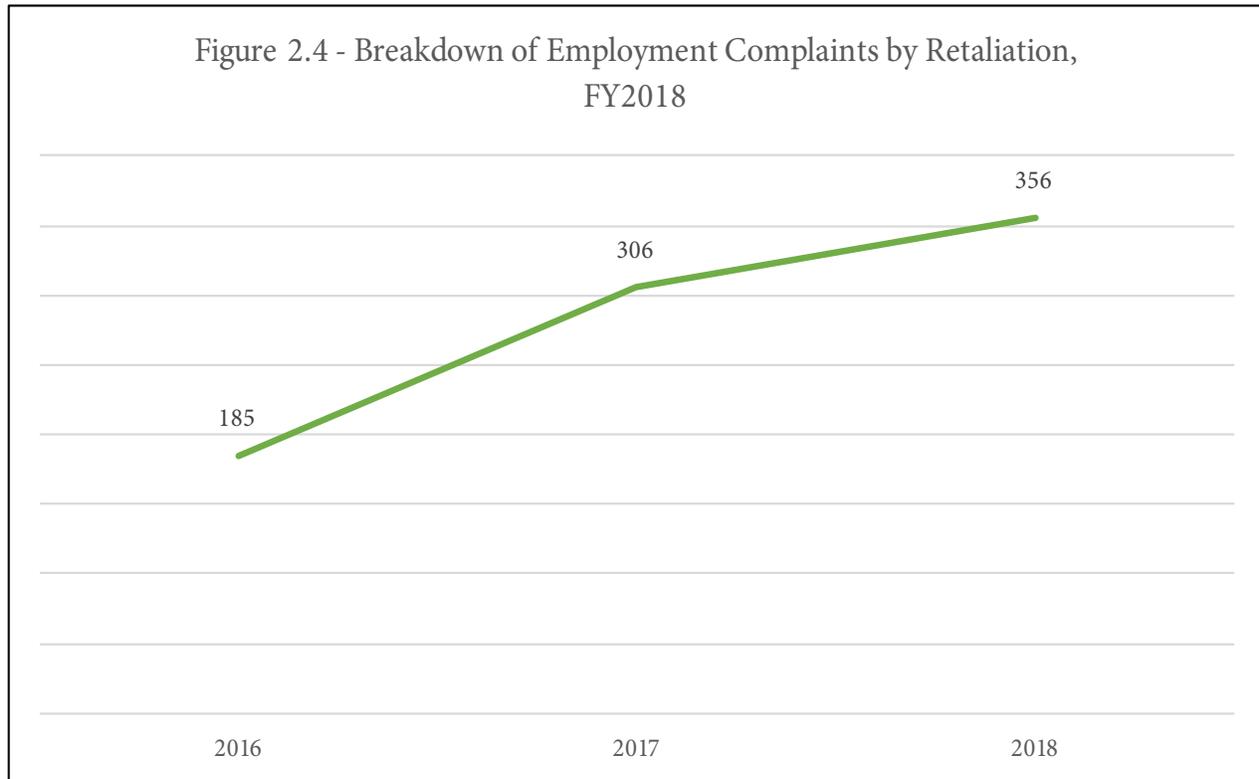


The grim reality that sexual harassment is pervasive in today’s workplaces across the nation has garnered incredible public attention within the past two years. Thanks in large part to the #MeToo Movement and professional women speaking up about the harassment and abuse they have been subjected to under the terms of their employment, the public discourse has recently revolved around what mechanisms must be adopted in order to create parity in the workplace between the sexes. Figure 2.3 shows that roughly 2/3 of the sex discrimination complaints received are filed by women, while 1/3 are filed by men. The 2-to-1 ratio reflects reliable annual trends. Sex discrimination also being among the top three selected bases also continues this annual trend.

It is important to note that many of these sex discrimination complaints include credible allegations of employees not only being treated disparately because of his or her sex, but all-too-often being sexually assaulted by coworkers and supervisors in the workplace.

Fortunately, MCCR has received a large influx of requests from employers and community leaders across the state for assistance with preventing sexual harassment and abuse in the workplace. Alongside this, the General Assembly passed and the Governor signed into law legislation that charges MCCR with training representatives from all units of State government in sexual harassment prevention. This immense demand placed on the agency,

with its limited resources for the Education & Outreach Unit, has proven to be a challenge. However, MCCR is up to the challenge because the agency is committed to the advancement and promotion of civil rights in Maryland. In the event that MCCR is allocated additional resources to support the work of the Education & Outreach Unit, it is our belief that it will have a positive impact on preventing sex discrimination complaints, especially claims of sexual harassment.



The Maryland Commission on Civil Rights is alarmed that despite the decrease in the total number of complaints received, the number of retaliation complaints received has grown for the fifth year in a row. Furthermore, this is the second year in a row that retaliation complaints have outpaced any of the protected classes identified in state law.

Retaliation is when an employer:

- terminates the employee,
- denies an employee/candidate a promotion,
- fails to hire a candidate,
- reduces or adjusts the employee's work hours, work location, or work conditions contrary to the wishes of that employee, and/or
- subjects the employee to additional or alternative adverse actions

after an employee attempts to have concerns about workplace discrimination addressed through proper channels, be it internal to the employer or by filing with MCCR/EEOC. Retaliation is often a knee-jerk reaction by an employer when an employee seeks protection. It generally serves as a punishment for speaking up while sometimes attempting to deter others from doing the same or cooperating with any investigation.

This continued increase in retaliation complaints must be addressed because employees are less likely to seek relief (and, therefore, more likely to be subjected to discrimination and abuse) when tolerating the unlawful act(s) is preferential to the overwhelming adversity of losing a job and benefits needed to provide for his/her family.

Over the years, MCCR has at times encountered difficulty with collecting the necessary evidence to substantiate claims of unlawful employment discrimination. However, as the number of retaliation complaints has risen –

and as charges pending with the agency have had additional retaliation complaints filed alongside them – the Maryland Commission on Civil Rights has had more success substantiating these retaliation complaints, thereby affording victims of unlawful retaliation the relief they so desperately are seeking.

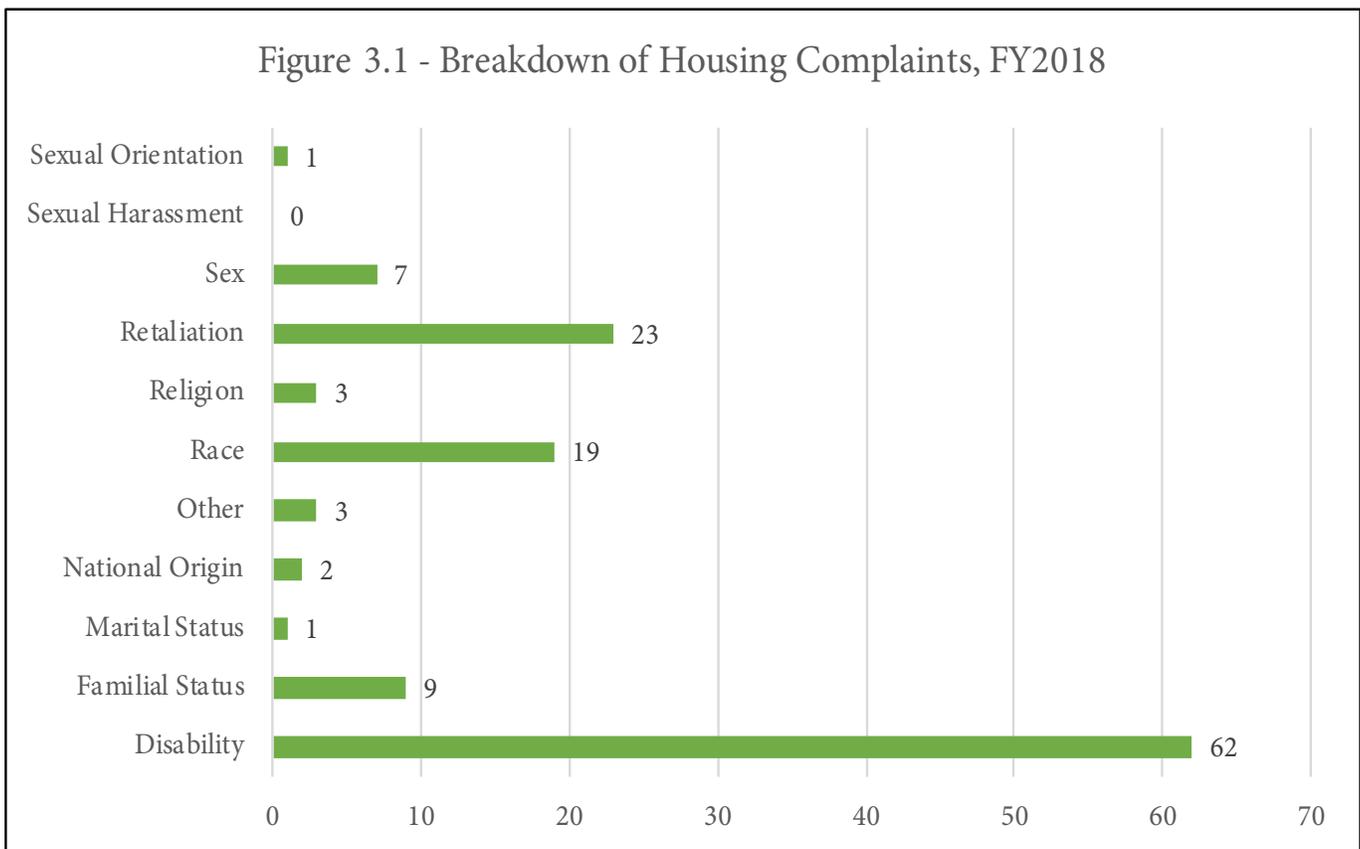
No matter the claim, the Maryland Commission on Civil Rights needs anyone who believes they are a victim of unlawful employment discrimination to file a complaint with this agency. Only after the Commission receives information/evidence of a potentially unlawful act can such a claim be investigated, and corrective action be taken where appropriate. Similarly, MCCR applauds and continues to be available to those employers who remain committed to Maryland law so that we can work collaboratively to eradicate unlawful employment discrimination, thereby increasing opportunity for the State’s dedicated and talented workforce.

Housing

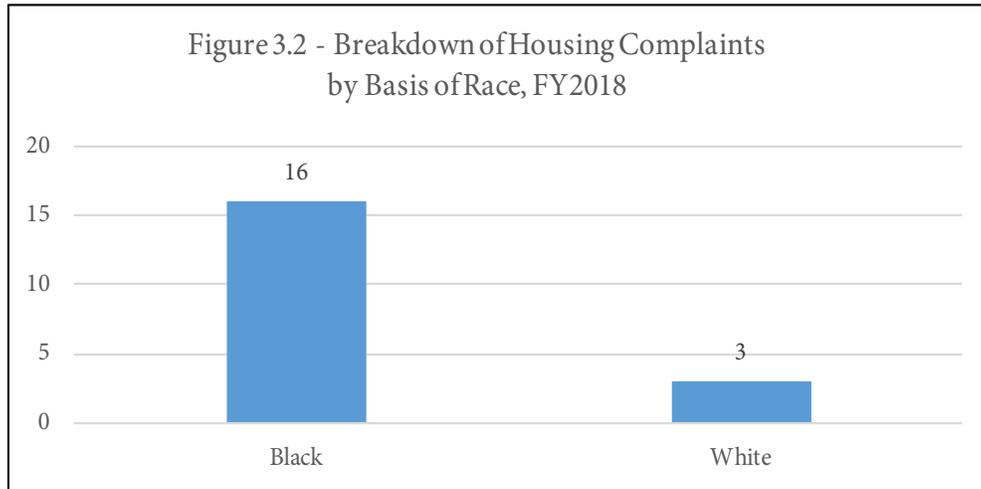
Housing discrimination, much like employment discrimination, is an incredibly threatening reality faced by many around the State that rocks a family’s foundation and can cause incredible pain. The Maryland Commission on Civil Rights is all too familiar with these nightmares. That is why we work tirelessly to investigate fully and issue a written finding for a housing discrimination complaint within 100 days of receipt.

MCCR has typically received fewer than 100 housing discrimination complaints annually. For a state with approximately 6 million residents, this figure has given the Commission great cause for concern knowing that many instances go unreported. To remedy this, MCCR has partnered with HUD to expend partnership funding to advertise the agency’s role as the enforcer of Maryland’s Fair Housing Law across the state. MCCR has also strategically targeted communities in every county across Maryland, as well as worked with advertising vendors to produce materials in both English and Spanish. Through combined radio, print, and digital marketing efforts over the past five years thanks to federal partnership grant funding awarded to MCCR, the agency has been able to reach millions of Marylanders to inform them of their right to fair housing.

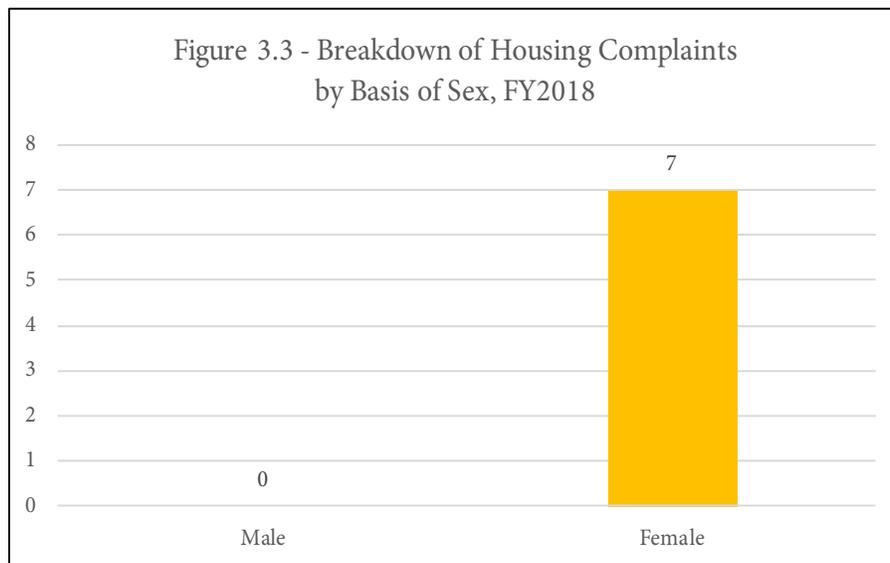
Figure 3.1 - Breakdown of Housing Complaints, FY2018



In FY2018, MCCR received 88 housing discrimination complaints. Within these 88 complaints, 130 different bases were selected. Figure 3.1 shows us that with respect to those bases, the top three selected were disability (48%), retaliation (18%), and race (15%) – similar to FY2017. The major difference between this year and last is that retaliation outpaced race complaints, similar to employment discrimination complaints this year.

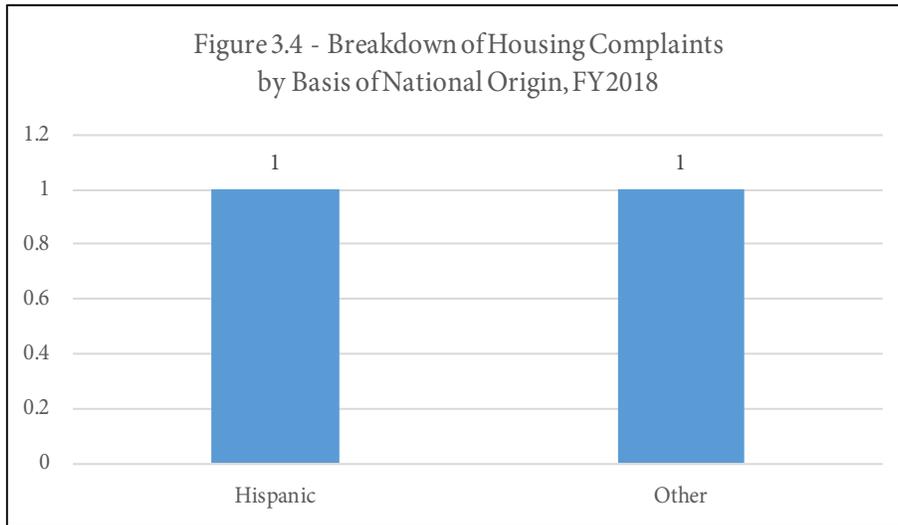


2018 marked the 50th anniversary of the passage of the Fair Housing Act. This landmark legislation was a part of the Civil Rights Act, which was passed days after the assassination of Dr. Martin Luther King, Jr. Its goal was to begin unraveling the decades of societal segregation – some of which was explicitly sanctioned by government law and policy – by affording statutory protections from housing discrimination based on that person’s race, color, religion, or national origin. This federal law has been expanded since then, and Maryland law was amended to guarantee Maryland residents comprehensive protections. As Figure 3.2 shows, race discrimination in housing continues to disparately impact African Americans compared to Caucasians.



Like with employment, sex discrimination is pervasive within housing discrimination. In FY2017, MCCR received 3 complaints by females; that number rose to 7 in FY2018. However, both FY2017 and FY2018 saw zero sex discrimination complaints filed by males. MCCR sees that sex discrimination in housing often manifests as sexual harassment, whereby the landlord makes sexual advances toward a tenant and threatens eviction or other adverse action for noncompliance. MCCR believes that sexual abuse victims speaking up over the last year contributed to the more than doubling of sex discrimination complaints received in FY2018.

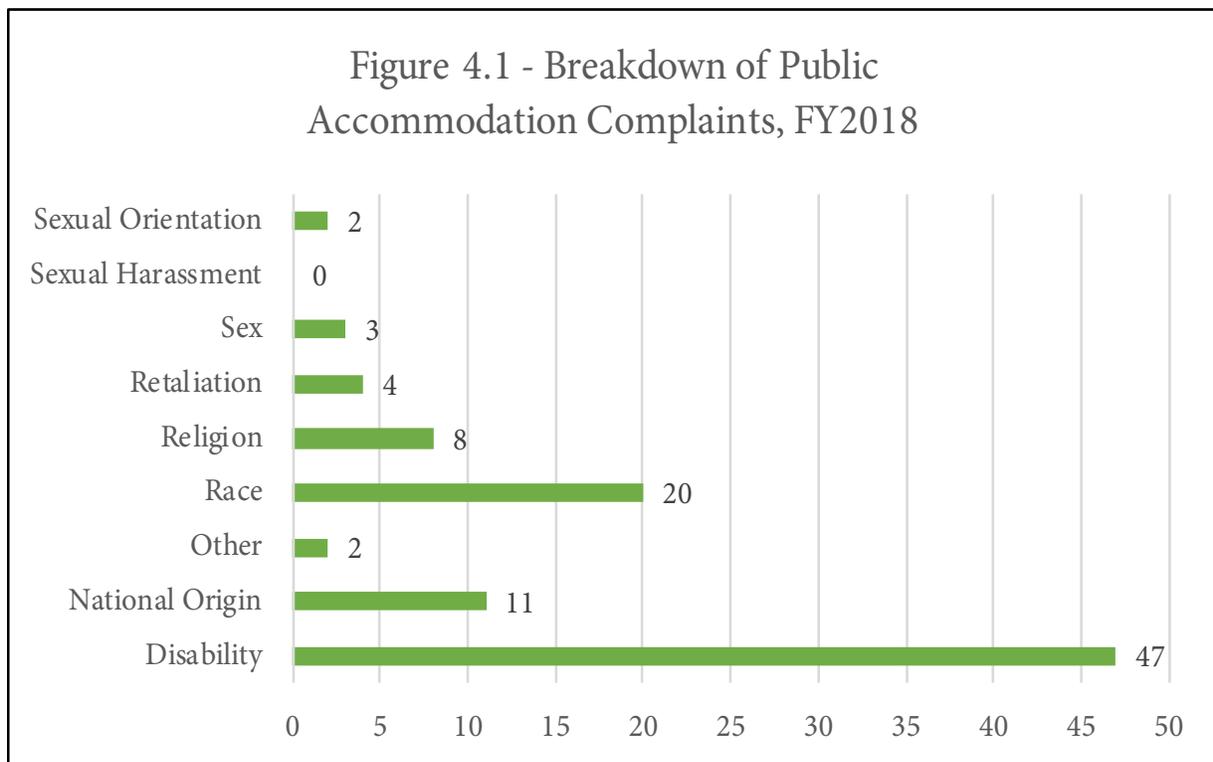
Individuals of different national origin are highly likely to report being the victim of discriminatory housing practices. In FY2018, those of Hispanic and “Other” national origins continue to come forward filing complaints



that they were denied housing or otherwise discriminated against when attempting to enjoy their housing arrangement, as detailed in Figure 3.4. However, MCCR received fewer national origin complaints – 1 by Hispanics, 1 by Other. With fewer complaints received this year based on both race and national origin, these changes could be the cyclical fluctuations seen over the years. However, MCCR knows that race and ethnicity are traditionally the two biggest reasons for allegations of unlawful discrimination. To ensure that MCCR is doing all we can to carry out the agency’s mission, MCCR will continue to focus outreach efforts so that all Marylanders know their rights under state law and where to go if they believe they are a victim of unlawful discrimination.

Public Accommodations

Complaints of discrimination against an owner or operator of a place of public accommodation historically account for roughly 10% of the total complaints received in any given year. As shown in Figure 1.8, public accommodation complaints accounted for 9% of MCCR intake caseload this year, up from 8% in FY2017. Such complaints are generally about the denial of entry to or service at an establishment serving the public, or the existence of barriers that prevent an individual from patronizing such an establishment.



Therefore, it comes as no surprise that, again this year as in the past, the vast majority of complaints have come from those protected because of their disability, with race being the second most frequent basis. Among the 81 complaints of unlawful public accommodation discrimination, 97 bases were selected. 47 (48%) of those bases were lodged by a person with a disability. Disability complaints often center on the issue of accessibility, much like in housing discrimination complaints. As is commonly the case, these allegations are that an owner/operator did not make the place of public accommodation accessible, with some of those complaints being outright denial of service because of that individual’s disability. Despite the American with Disabilities Act and Maryland’s own accessibility laws being on the books for decades, many places of public accommodation refuse to comply with existing law or are unaware of their obligations under law. The refusal to comply is the greatest concern to MCCR, and is one of the primary reasons why the agency continues to support efforts to improve our enforcement authority and remedies under our public accommodations statute so that they are comparable to those found in the employment and housing sections of our law.

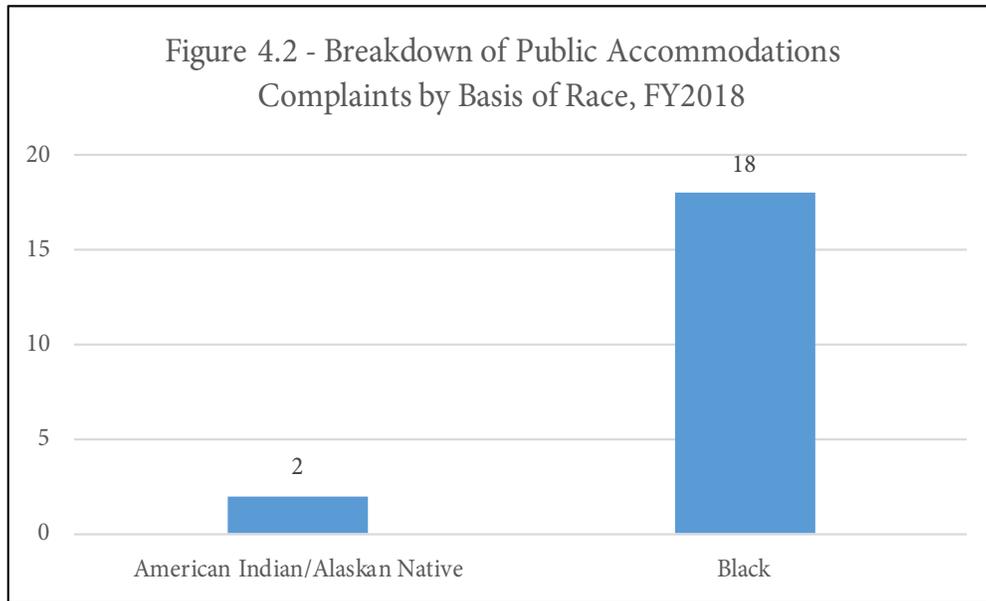


Figure 4.2 breaks down the complaints filed because of alleged discrimination based on an individual’s race. As was seen in both employment and housing, complaints filed by Black/African Americans accounts for nearly every complaint. However, this year MCCR received 10 fewer public accommodation complaints based on race than in previous years – likely the result of cyclical fluctuations in complaint filing between the years, but nevertheless something MCCR will monitor so as to make sure unlawful discrimination doesn’t go unreported.

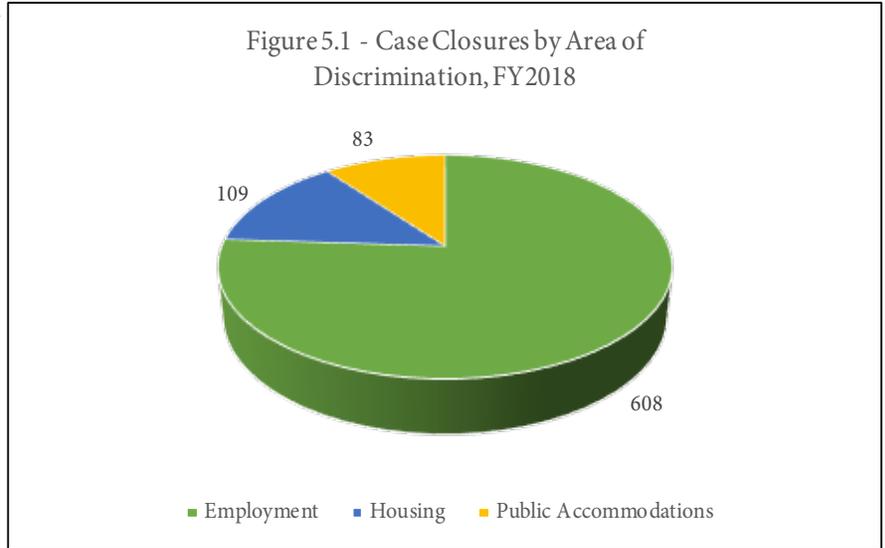
As touched on across this chapter, the absence of widespread public accommodation complaints does not mean that there is an absence of incidents. One of the primary reasons why MCCR believes there is underreporting of complaints is because of a lack of awareness for the existence of our agency and services. That is why MCCR has gone all in on a partnership-centric education and outreach initiative to educate everyone in our State on their rights under the law that this agency is charged with enforcing.

Second to that, and specific to public accommodations complaints, there is a disparate lack of enforcement authority for this agency and relief available for victims of unlawful discrimination in our public accommodation anti-discrimination statute. For years now, the General Assembly has entertained legislation that aims to enhance the enforcement authority of the Commission, as well as the remedies available to Complainants. Those enforcement and remedy mechanisms already exist in employment and housing law, so this legislation seeks to achieve parity between MCCR’s three primary enforcement areas. MCCR remains committed to working with the Governor, the General Assembly, and community stakeholders in an effort to craft legislation that modernizes this section of the law. The Commission has many times seen potential complaints stop short of being filed by Complainants because the law does not afford them what they believe to be adequate relief – the peace of mind that a meaningful and

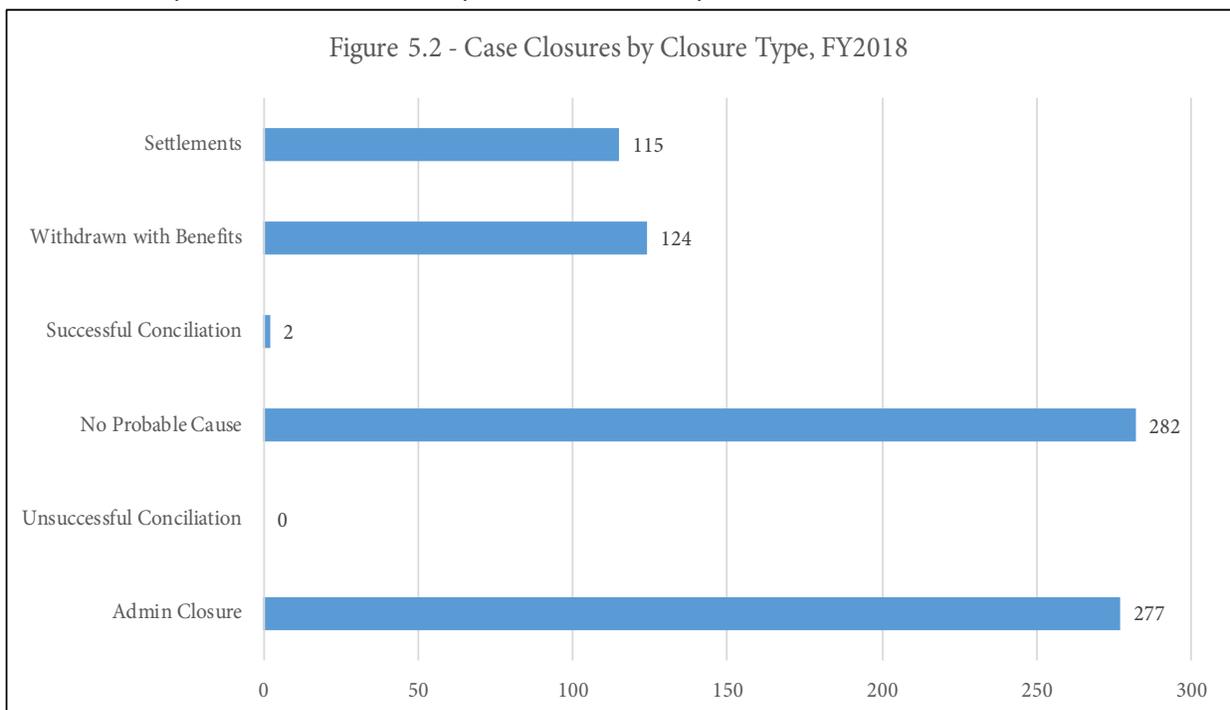
lasting resolution can be achieved so as to prevent this from ever happening to anyone else in the future. While MCCR does not believe this enhancement of the law will cause a deluge of new complaints (nor will it place an onerous burden on Maryland businesses), we do believe that it will be an effective tool to encourage many places of public accommodations to finally become compliant with what is existing Maryland law with respect to fairness, equality, and accessibility.

Case Closures

As Maryland’s law enforcement agency for state anti-discrimination protections, MCCR’s chief mandate by the Governor and General Assembly is to investigate allegations of unlawful discrimination and work with the parties in an effort to achieve an administrative resolution. Agencies like MCCR exist across the country to relieve pressure placed on the judiciary so that only the most egregious offenses of state law and policy (where the Respondent is being recalcitrant in conciliating) are litigated in the courts.



As seen in Figure 5.1, MCCR closed a total of 800 complaints in FY2018 – an increase of 86 cases over FY2017. Furthermore, case closures in each area of discrimination increased, with 36 more in employment, 15 more in housing, and 35 more in public accommodations over FY2017 closure numbers. A few years ago, MCCR had a large amount of turnover, with a number of long-tenured staff opting for retirement. The agency aggressively filled vacancies within each investigative unit and got each new Civil Rights Officer the training required in a timely manner. The agency also continued to review its protocols to make sure that we were as organizationally efficient as possible. Most importantly, the credit for this increase in the number of closures across the board is a direct result of the commitment by MCCR staff to a Maryland free from any trace of unlawful discrimination.



The closure types in Figure 5.2 are defined as:

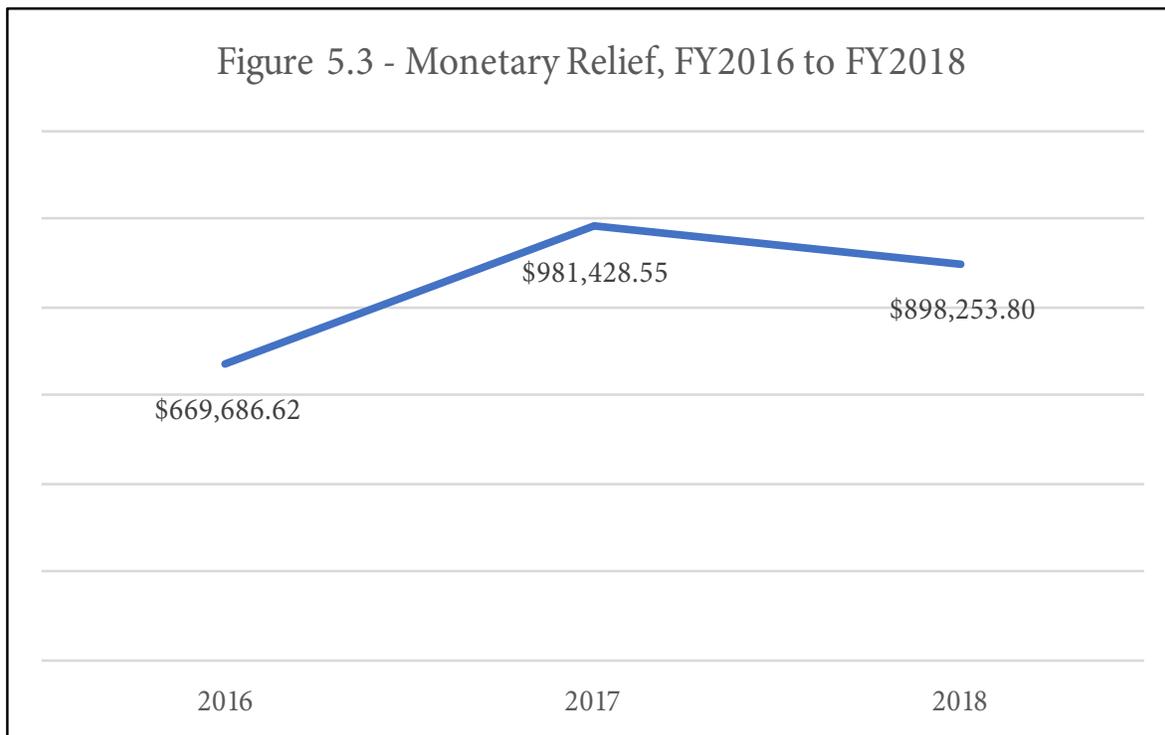
1. Administrative Closure - this happens during the investigation phase. Some examples include the alleged discriminatory act does not fall within MCCR's statutory jurisdiction, the complaint was not filed within the statute of limitations, failure to locate/cooperate by Complainant, the Complainant elected to pursue the matter in court after the statutorily prescribed waiting period, or the Respondent has less than 15 employees.
2. Probable Cause - MCCR deems there is enough evidence provided to suggest that an act of unlawful discrimination occurred against the Complainant.
3. No Probable Cause - MCCR does not have sufficient evidence to suggest probable cause for the complaint of discrimination. As such, MCCR is unable to conciliate or litigate the matter further.
4. Successful Conciliation - After the Probable Cause Finding is issued, the parties enter into negotiations and a settlement is agreed to by both parties.
5. Withdrawn with Benefits - The complaint of discrimination was withdrawn by the Complainant and Respondent because they have settled privately outside of MCCR's services.
6. Settlements - During the investigative phase, both parties reach a mutually agreeable settlement with the help of MCCR's services. This occurs prior to the issuance of a written finding of probable cause/no probable cause.

Make note that the total number of closures may not equal the individual allegations of discrimination illustrated in Figures 1, 2, 3, and 4. That is because an investigation may be looking at evidence to see if an act of discrimination occurred against multiple protected classes. For instance, someone may allege employment discrimination on the basis of both race and sexual orientation, or housing discrimination based on both disability and retaliation. While it may qualify as only one case received by MCCR, the Commission is obligated to tabulate and report all of the relevant areas of protected classes. It is important to note as well that the cases closed in FY2018 may not necessarily have been cases received in FY2018. Due to a number of variables, including when the Charge of Discrimination was signed by the Complainant and served on the parties, as well as how long the investigation/resolution efforts take, a case may have closed in FY2018 when it was received in FY2017. However, most of the closures in FY2018 were for cases received during FY2018, as is demonstrated by the fact that the average "case life" (time it takes from start to finish) is well under 200 calendar days (according to MCCR's internal monitoring tools).

Monetary Relief

As Maryland's law enforcement agency for state anti-discrimination protections, MCCR's chief mandate by the Governor and General Assembly is to investigate allegations of unlawful discrimination and work with the parties in an effort to achieve an administrative resolution.

The Case Processing Department utilizes the Fact Finding Conference (FFC) method of collecting information and investigating cases. FFCs have proven invaluable as Investigators work to bring the parties together early in the investigation process to seek resolution or settlement. All the while, FFCs have enabled MCCR to reduce case processing times and increase the amount of favorable resolutions to Charges of Discrimination. This, in turn, relieves the burden on both MCCR's General Counsel's Office and Maryland's Judiciary. Because cases are either settled privately and/or administratively (facilitated through MCCR's involvement), only the most egregious cases of discrimination where MCCR's Civil Rights Officers have found Probable Cause (and where conciliation efforts have failed) are prepared for public hearing before the Office of Administrative Hearings or the Circuit Court.



For FY2018, MCCR secured \$898,253.80 in monetary relief for Complainants. This figure is down slightly from FY2017 despite the number of case closures increasing, yet remains on par with the recent average of roughly \$1 million in monetary relief secured annually. Monetary relief is not an arbitrary determination; A calculation is made based on the merits of the complaint of discrimination and the damages/loss suffered by the Complainant in order to arrive at a monetary figure.

Monetary relief is just one of the many ways Complainants and Respondents can resolve a case. In addition to this form of resolution, FFCs and thorough investigations have enabled MCCR to work with Complainants and Respondents to reinstate wrongfully terminated employees, secure equitable salaries for employees, and train employers/housing providers on how to adhere to Maryland's anti-discrimination law. As MCCR continues to reevaluate and grow, we will keep an eye on best practices both in Maryland and around the country to determine where MCCR can reform itself to provide the best possible service to every Marylander without increasing the burden on taxpayers.



Case Processing Charts

Breakdown of Complaints Received by County and Area of Discrimination, FY2018					
County	E	H	PA	C-ND	Total
West					
<i>Allegany</i>	3	0	0	0	3
<i>Frederick</i>	12	2	4	0	18
<i>Garrett</i>	0	1	0	0	1
<i>Washington</i>	13	3	5	0	21
Total	28	6	9	0	43
Central					
<i>Anne Arundel</i>	71	10	20	0	101
<i>Baltimore City</i>	130	18	18	0	166
<i>Baltimore</i>	93	15	5	0	113
<i>Carroll</i>	10	1	0	0	11
<i>Harford</i>	13	4	12	0	29
<i>Howard</i>	41	2	5	0	48
<i>Montgomery</i>	72	15	6	0	93
<i>Prince George's</i>	76	11	4	0	91
Total	506	76	70	0	652
Southern					
Calvert	3	0	0	0	3
Charles	8	2	1	0	11
St. Mary's	6	0	0	0	6
Total	17	2	1	0	20
Eastern Shore					
Caroline	3	0	0	0	3
Cecil	5	1	0	0	6
Dorchester	5	0	0	0	5
Kent	1	0	0	0	1
Queen Anne's	2	0	0	0	2
Somerset	10	0	0	0	10
Talbot	6	0	0	0	6
Wicomico	3	2	0	0	5
Worcester	3	1	1	0	5
Total	38	4	1	0	43
Transfers In & Out	118	0	0	0	118
Grand Total	707	88	81	0	876

Breakdown of Complaint Intakes by Type of Discrimination and Protected Class, FY2018				
Class	E	H	PA	Total
Race	231	19	20	270
<i>Black</i>	192	16	18	158
<i>White</i>	28	3	0	31
<i>Asian</i>	7	0	0	7
<i>Bi-Racial/Multi-Racial</i>	2	0	0	2
<i>American Indian/Alaskan</i>	1	0	2	3
<i>Native Hawaiian/Pacific Islander</i>	28	0	0	28
Sex	175	7	3	185
<i>Female</i>	111	7	2	120
<i>Male</i>	42	0	1	43
<i>Pregnancy</i>	22	N/A	N/A	22
Sexual Harassment	43	0	0	43
Sexual Orientation	2	1	2	5
Age	128	N/A	0	128
Retaliation	356	23	4	383
Disability	162	62	47	271
Religion	32	3	8	43
<i>Catholic</i>	1	1	0	2
<i>Jewish</i>	3	0	0	3
<i>Muslim</i>	11	0	0	11
<i>Other</i>	16	2	8	26
<i>Protestant</i>	1	0	0	1
National Origin	84	2	11	97
<i>East Indian</i>	4	0	0	4
<i>Hispanic</i>	15	1	2	18
<i>Arab, Afghani, Mid-Eastern</i>	6	0	0	6
<i>Mexican</i>	1	0	0	1
<i>Other</i>	58	1	9	68
Familial Status	N/A	9	N/A	9
Marital Status	1	1	0	2
Color	1	0	0	1
Gender Identity	0	0	0	0
Other	8	3	2	13
Total	1223	130	97	1450



Case Histories



In the Case Processing section, the numbers demonstrate the extraordinary work that MCCR carries out on a daily basis. However, these numbers do not illustrate the “human element”. At MCCR, every case received is important and is given thorough attention. To help better understand MCCR’s efforts in enforcing Maryland’s anti-discrimination laws while improving the State’s civil rights climate, the following case histories have been compiled.

Employment

Baltimore City

The Complainant filed a complaint of age, race, and sex discrimination, as well as harassment and retaliation, by his employer after he was terminated. The Complainant was a 63 year old African American male who had been with his employer since the 1970’s and was promoted to a supervisory position in the early 2000’s.

The Complainant contacted Human Resources in 2016 because his supervisor was verbally harassing and intimidating him. Upon contacting Human Resources, the supervisor attempted to issue a written reprimand to the Complainant, but Human Resources rejected its issuance. The supervisor retaliated against the Complainant shortly thereafter with further verbal harassment, as well as holding him to different standards of conduct than his Caucasian colleagues.

During the course of the investigation, the Complainant and Respondent decided to enter in to a Pre-Determination Settlement Agreement. The negotiated remedies were:

1. The Complainant will continue his full-time employment at his current salary and position with all benefits he currently enjoys until January 31, 2019; his last day of employment.
2. The Complainant will report a different supervisor until his last day of employment.
3. The Complainant will receive severance equal to six months’ salary.
4. The Respondent will provide and pay for six (6) months of employer-sponsored health plan (COBRA) coverage for Complainant at no cost to Complainant. Coverage will commence on February 1, 2019 and end on July 31, 2019.
5. The Complainant agrees to assist in training his replacement if one is hired prior to January 31, 2019, his last day of employment.

The total monetary relief of this settlement was \$44,954.70.

Baltimore County

The Complainant filed a Charge of Discrimination based on her gender and race when she was terminated after participating in a protected activity against her employer, the Respondent. The Complainant submitted documentation demonstrating disparate pay among similarly situated male and female employees, along with documentation demonstrating that she participated in the EEO process with the Respondent. The Respondent terminated the Complainant after she filed her internal complaint of discrimination.

During the investigation, the Complainant requested \$75,000 to settle the complaint. Commission staff negotiated with the Respondent, who agreed to settle the case for \$43,000.

Talbot County

Two separate complaints were filed against the same Respondent. The Complainants alleged that they were subjected to racial discrimination and harassment, as well as retaliation. The Complainants were both African American who had to endure being called racial slurs by their service manager, in addition to being subjected to unfavorable terms and conditions of employment. The owner of the company had knowledge that these behaviors were occurring, but did not intervene. After the work environment became too hostile and it was clear they were being subjected to different treatment than their Caucasian colleagues, the Complainants informed the service manager that they would no longer tolerate being discriminated against and harassed at work.

The hostile work environment created by this service manager did not cease. The employees were later terminated for an alleged “no show”. However, the evidence demonstrated that the Complainants had previously requested time off due to a previously planned family engagement. The evidence also demonstrated that Caucasian employees who were a “no call, no show” at work were not subjected to discipline or termination.

Both of the complaints were settled by the Respondent for \$50,000 to each Complainant.

Housing

Anne Arundel County

The Complainants filed a Charge of Discrimination based on their sexual orientation when they were denied access to a community room and subjected to differing terms and conditions in a renewed lease after they participated in a protected activity against their landlord, the Respondent. The Complainant’s submitted documentation of email exchanges with the leasing office over the community room and documentation of the differing terms of two separate leases.

During the investigation, the Complainants requested for the Respondent to provide its’ staff updated training on sexual orientation and implement new policies regarding sexual orientation in exchange for a full release of the Charge. Commission staff negotiated with the Respondent, who agreed to implement the new sexual orientation training and policies within the development.

Wicomico County

The Complainant alleges that she and her family were living in a property that had a lot of maintenance issues that were not being repaired. The Complainant also stated “she was being sexually harassed by one of the maintenance employees.” In addition to being sexually harassed, the Complainant alleged that she and her family were being retaliated against by the Respondent because she made complaints on the maintenance worker.

Per the Complainant, the staff member would make repeated unwanted gestures towards or physical contact with her. After the Complainant researched the staff member, she discovered that he was a registered sex offender and was currently going through a litigation proceeding while employed with the Respondent.

The Respondent admitted to having knowledge of his staff member's legal issues but did not think that it mattered because he had known the employee for over 20 years, and he had the employee around his family. The complaint was settled for \$25,000. Furthermore, the Complainants were permitted to break their lease under the negotiated settlement, and the Respondents agreed to complete diversity training.

Public Accommodations

Harford County

The Complainant filed a complaint of discrimination based on her disability - the Complainant is blind and alleged she was denied a reasonable accommodation. The issue was that the Respondent store manager refused to provide the Complainant with an employee to assist her with her shopping needs.

During the course of the investigation, the Complainant and Respondent entered into a Private Settlement Agreement. The terms of the agreement are as follows:

1. The Complainant is granted one hour of personal shopping assistance each week if the Complaint schedules the shopping ahead of time; or, alternatively
2. The Complainant has the option of ordering groceries once per week via telephone without any service or delivery fees,
3. Regardless of which option is used, the Complainant can visit the store with a list of six (6) grocery items that the Respondent's staff will retrieve for the Complainant while the Complainant waits at the front of the Respondent's store,
4. The Respondent agrees to train its management staff within six (6) months of the execution of the Agreement; and
5. The Respondent agrees to provide the Complainant with an apology letter.

The complaint was withdrawn once the Private Settlement Agreement was executed to the satisfaction of both the Complainant and the Respondent.



Office of the General Counsel

The Office of the General Counsel is the Maryland Commission on Civil Rights' legal counsel. State agencies are normally represented by the Maryland Attorney General's Office. However, State Government Article §20-206 creates an independent legal office to represent MCCR. As the enforcer of the State's anti-discrimination law, MCCR is authorized to enforce Title 20 against the State and its agencies when a complaint is filed. Thus, the General Assembly recognized that an independent law office was needed for enforcement.

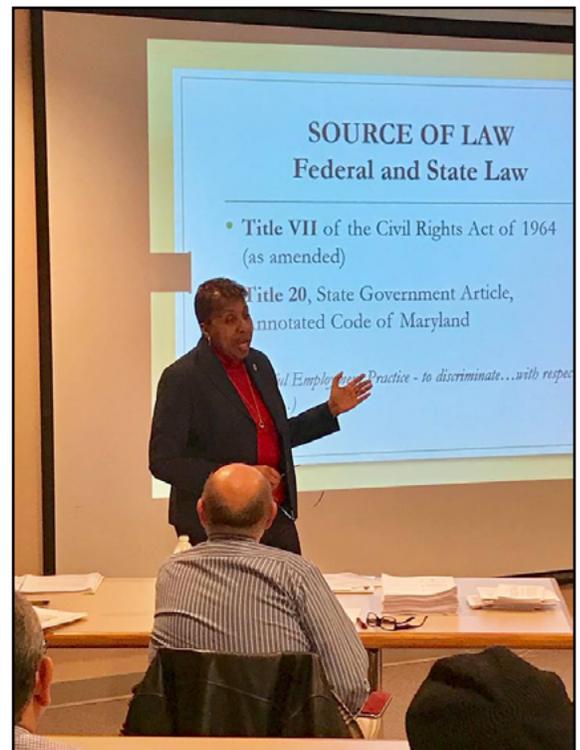


The enforcement of Title 20 is carried out by the General Counsel's Office through a number of ways. Through litigation, negotiation and education, the Office represents the agency. It represents the agency before all tribunals: Office of Administrative Hearings, State district and circuit courts, the Court of Special Appeals, the Court of Appeals, federal district courts and federal appellate courts. Subpoena enforcement, enforcement of MCCR Orders, injunctions, defending MCCR when sued, and personnel grievances are matters also handled by the Office.

In addition to the above stated duties, the General Counsel carries out a multitude of other responsibilities that include but are not limited to: legislation; drafting regulations; and providing written and oral advice letters or opinions to MCCR staff, management and Commissioners. The Office works with MCCR's Education & Outreach Unit to create best practices educational modules which provide technical assistance on Title 20 to employers, property owners, corporations, small businesses, State and local government agencies, non-profits, advocacy groups and Maryland citizens in general.

Legal Technical Assistance

- Sexual Harassment and the #MeToo Movement: Provided Sexual Harassment & Prevention Workshops to multiple local government and private employers, the Department of Housing and Community Development, and MCCR Staff. Provided briefing to the State's Workplace Harassment Commission Task Force. Moderator for Labor & Employment Law Section of the Maryland State Bar Association (MSBA), "#MeToo Movement and Sexual Harassment Law" at the MSBA Summit & Annual Meeting.
- Participated with the planning and presenting of the Statewide EEO Coordinator's Office's bi-annual retreat for the State's EEO Coordinators. Also, provided State EEO Coordinators and staff of the Department of Public Safety and Corrections with Investigative Techniques and Legal Theories training.
- Served on a panel on "Public Accommodation Law/ Legislation and Employment Discrimination" at the Maryland Chamber of Commerce Annual Conference.
- Assisted MCCR Education & Outreach Unit providing multiple workshops on Disability & Reasonable



Accommodation Law and Religion & Reasonable Accommodation throughout the State. Also worked with the Unit to create a Sexual Harassment Train-the-Trainer Module, which is a two day session.

- The Office continued assistance to Montgomery County by participating in its “One Stop Shops” on Fair Housing and employment discrimination workshops.
- Continued service on the Maryland Equal Pay Commission and MSBA Diversity & Inclusion Committee.



Significant Litigation

Pregnancy Discrimination in Employment

An employer in Charles County that works in the area of procurement and consulting services with corporate/government customers was charged by the Maryland Commission on Civil Rights with discrimination based on sex in employment. Discrimination based on sex violates State Government Article Subtitle 6. The statute forbids employers from discrimination in employment based on gender or retaliating against employees for opposing discriminatory treatment.

The employee/Complainant began work for the company as an administrative assistant preparing correspondence, answering telephone calls, and distributing mail. She performed her work in an above average manner for the corporation. In fact, one of her co-workers commented that she was an exceptional employee who went above her normal job duties to fulfill the mission of the company. After working for the employer for about 1 year, the Complainant and her husband learned that they were expecting their first child. However, she was afraid to inform the owner of the business about her pregnancy because she knew the owner's position about work-place pregnancy

and/or woman in the workplace with children. For instance, on one occasion the owner sent a text message to the company's job recruiter in which she made her preference known that she preferred a male employee instead of a woman with a child.

Still, the Complainant informed her supervisor and the owner about her pregnancy. The meeting was not encouraging. The owner and supervisor started to treat her differently. Unlike before, suddenly, she was given a written notice for insubordination, she was suspended from work, her work hours were sliced in half from 40 to 20 hours, and her keys to the office were taken. Further, prior to the Complainant informing the owner that she was pregnant, the Complainant planned and participated in office events. This ended following her announcement. The office culture was toxic and stressful and it began to have a negative impact on the Complainant's pregnancy. The employer's actions created a hostile working environment for the Complainant. She felt isolated and ostracized in the office, and that her pregnancy was a liability. It affected her morale.

The Commission filed a Statement of Charges against the employer based on sex discrimination as a result of pregnancy. The case settled with the Complainant receiving monetary relief, and the employer agreeing to complete fair employment classroom training, and create/implement a policy surrounding sex/pregnancy anti-discrimination in the workplace.

A Reasonable Accommodation for a Disability

A Baltimore County employer was charged by the Maryland Commission on Civil Rights with disability discrimination in employment. Discrimination in the workplace violates Annotated Code of Maryland, State Government Article, Subtitle 6.

In this case, the employee/Complainant began work for the employer as a bus attendant. Unfortunately, after working as a bus attendant for six (6) years, the employee's leg was amputated below the right knee. She did not continue working in the position because the employer questioned her ability to still handle the essential functions of the position. She was placed in a temporary clerical position and informed that efforts would be made to transition her into a permanent position. However, the employer did not keep its promise. Instead, she was referred to another program which actually seemed to curtail the number of employment options she would be able to qualify for with the employer. Although the employee was cleared by a physician to return as a bus attendant, the employer would not allow her to return unless she passed a practice program. She fell once during the practice program but desired to press forward. Still, based upon her mistake in practice, the employer determined that she could not obtain the bus attendant position again. The employer did not completely engage in an individualized assessment of the employee or look for vacancies for which the Complainant could qualify. She was terminated shortly thereafter.

The Commission filed a Statement of Charges against the employer. The filing was based on disability discrimination because the employer failed to provide a reasonable accommodation in permitting the employee to complete the practice program. The case settled with the Complainant receiving the equivalent of nearly one year's worth of her bus attendant salary. The employer also agreed to complete training in the area of anti-discrimination in employment surrounding a request for a reasonable accommodation.



Education & Outreach

The Commission's Education & Outreach Unit (E&O) provides services and programming to further the Commission's mission "to ensure opportunity for all through the enforcement of Maryland's laws against discrimination in employment, housing, public accommodations, and state contracts; to provide educational outreach services related to provisions of this law; and to promote and improve civil rights in Maryland."

The E&O Unit has a variety of responsibilities including creating and providing educational programming, materials, resources and support for businesses, state and local government agencies, non-profit and community organizations, faith groups, academic institutions and the citizens of Maryland. The E&O Unit also coordinates a variety of outreach services to educate the public on their civil rights and responsibilities under the law. Outreach services include attending public events and fairs; publicizing educational information online, on local TV and radio stations and in print; and collaborating with partner organizations to ensure that all persons who



live, work and visit the state of Maryland have equal access to housing, employment, public accommodations and services, and state contracts. Additionally, the Unit takes the lead in planning and hosting special events; fostering relationships with other civil/human rights and diversity organizations; identifying the needs of underserved populations; facilitating public dialogue and reducing conflict related to equity and human rights issues; and connecting people across their differences to improve and promote civil rights in Maryland.

Education

Approximately 4,100 individuals attended statewide educational programming (training, seminars and workshops) provided by the Commission's E&O Unit this fiscal year. Examples of programming topics include:

- *Conflict Resolution & Prevention*
- *Dimensions of Diversity*
- *Disabilities & Reasonable Accommodations in the Workplace*
- *Know Your Civil Rights*
- *Religion & Reasonable Accommodations in the Workplace*
- *Sexual Harassment Prevention*
- *Understanding Fair Housing*
- *Understanding Sexual Orientation & Gender Identity*

The Commission also offers several different versions of popular training topics tailored to specific public audiences including:

- *Disability Awareness & Etiquette*
- *Employment Discrimination Prevention*
- *Hate Crime Prevention*
- *Know Your Civil Rights in the Workplace/Know Your Civil Rights in Housing*

- *Preventing Ageism in the Workplace*
- *Religious Discrimination Prevention*

The E&O Unit also conducts in-house trainings for Commission staff, including a Sexual Harassment Prevention workshop that all Agency staff attended in Spring 2018.



Dimensions of Diversity – Deeper Discussions

One of the most common requests that the E&O Unit receives is to provide “diversity” training for public, private, not-for-profit and community organizations. For some organizations, this request comes after one or more incidents of employee conflict, workplace tension or other related disputes. For other organizations the request comes from a general and genuine interest in better understanding identity, difference and cultural diversity. And still for others, these requests can seem like an easy way for them to “check the box” of addressing equity and inclusion in their organizations.

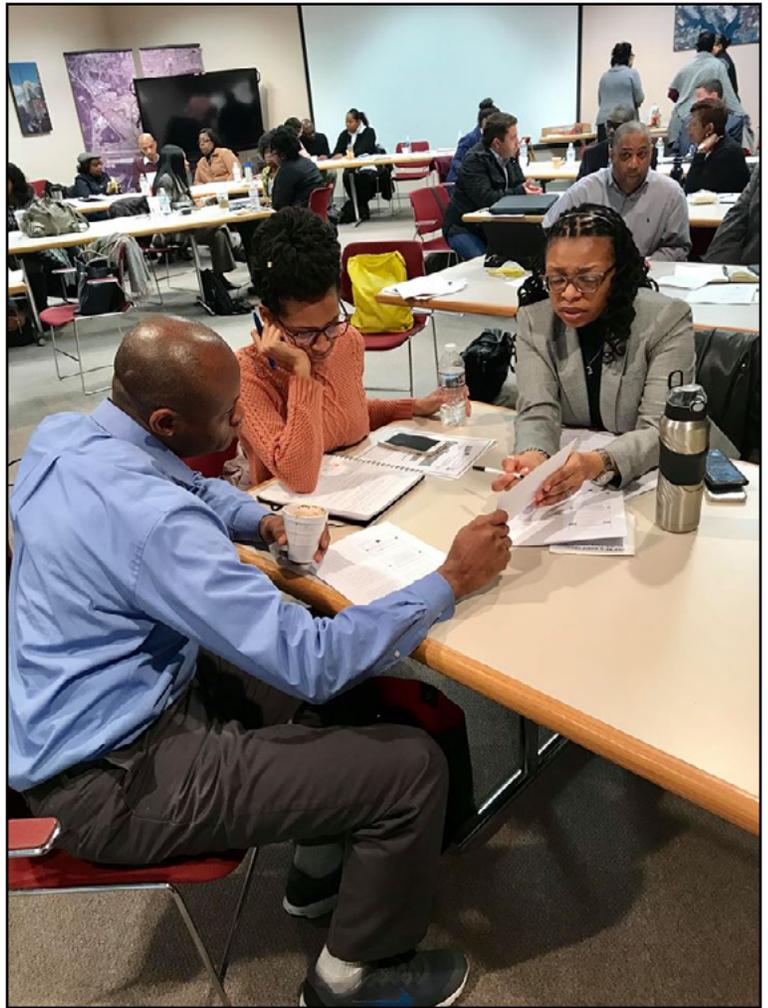
The E&O Unit has adapted training over the years to address intergroup relations, racial equity, cultural diversity and now has a course entitled, *Dimensions of Diversity*, intended to give an introduction to the concepts of identity and difference and how to prevent illegal discrimination. This workshop was provided to numerous audiences in FY18 including Anne Arundel Medical Center; Baltimore City Community College; Maryland Department of Labor, Licensing & Regulation; the Universities at Shady Grove; Maryland Public Television; Maryland Transportation Authority; Springfield Hospital Center; Washington County Library; and many others.

In FY18, the Commission participated in a variety of programming meant to further the groundwork laid by the *Dimensions of Diversity* workshop and delve deeper into this work. Please refer to the Outreach section on page 42 of this report for more details.

Employment Discrimination Prevention

Every year, allegations of employment discrimination are the largest category of cases received by the Commission. Unfortunately, individual bias, poor management, structural inequities and shifts in the political landscape have only added to the conflicts that exist in workplaces across the State. Increasingly, public, private and not-for-profit employers request training from the E&O Unit for management and employees on how to prevent and respond to situations involving workplace discrimination and disputes.

In FY18, the E&O Unit provided many Employment Discrimination Prevention workshops tailored for specific organizations including Anne Arundel Public Schools; Frederick County Public Schools; Harford County Public School Administrators & Leadership; Maryland Nonprofits; the Maryland Department of Labor, Licensing & Regulation; Maryland Public Television; as well as many private companies. This workshop also included vital information on hate crimes, retaliation, the case processing system, and best practices for any type of employer.



Know Your Civil Rights

Last year, the Commission created a series of *Know Your Civil Rights* workshops tailored for various public audiences. Workshops were initially conducted in Summer 2017 in state office buildings to reach out to state employees, state contractors and vendors to provide information about the Commission and its services. In FY18, the Agency continued to offer more of these informative workshops for the general public through partnership with many county public libraries. These workshops also served as unique outreach opportunities to engage the public and answer questions regarding the Commission's services. Workshops were also provided to other requesting organizations such as the Howard County Library System, the League for Persons with Disabilities, Maryland Nonprofits, the Maryland State Department of Education Division of Rehabilitation Services, and the Maryland State Police Training Commission.

LGBTQ+ Inclusion

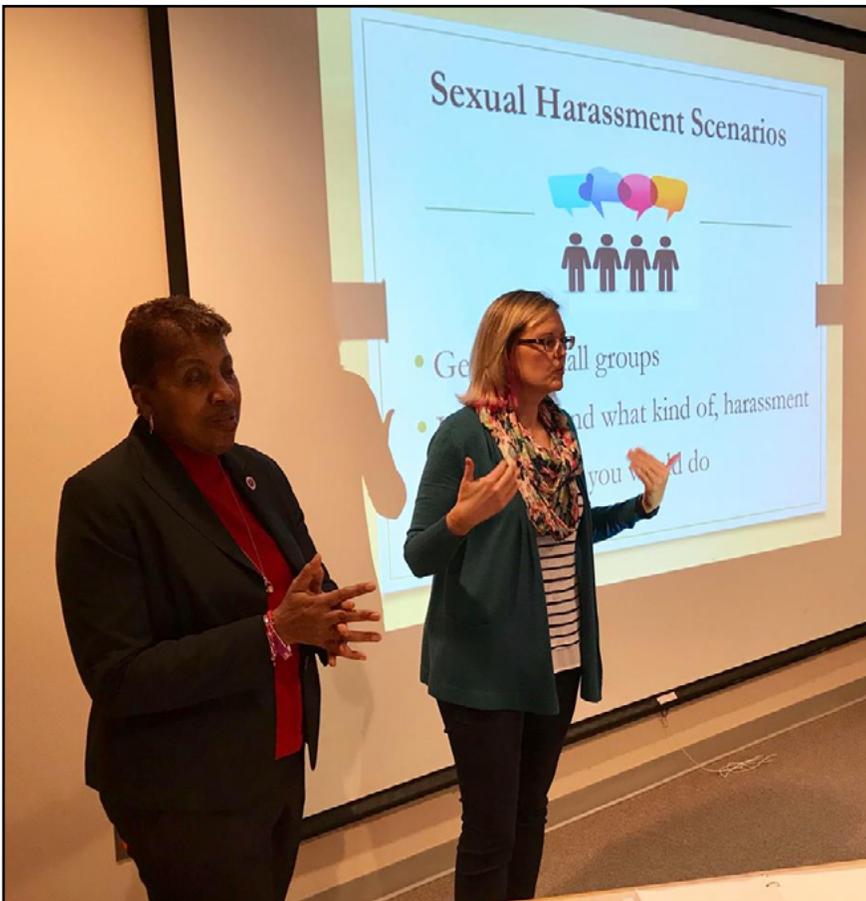
Through passage of the *Fairness for All Marylanders Act of 2014*, gender identity was added as the newest protected class in Title 20 of Maryland's Annotated Code. Since then the public, service organizations and workplaces throughout the State have sought the Commission's assistance in understanding the law and understanding the differences between terms such as sexual orientation, gender identity, biological sex and gender expression. The Commission also receives regular requests for assistance in facilitating discussions around gender-inclusive employment practices that promote a welcoming atmosphere for LGBTQ+ (Lesbian, Gay, Bisexual, Transgender,

Queer & Questioning and other sexual minority identity) employees. The Commission offers interactive training specific to sexual orientation and gender identity diversity and continues to provide resources for organizations looking for best practices in this area.

In FY18, the Commission provided sessions on this topic for a variety of new audiences including the Baltimore City Community College, Calvert County Government, City of College Park, Conflict Resolution Center of Montgomery County, the Maryland Department of Juvenile Services, McDaniel College, Prince George's County Government, several county library systems, and several other local community colleges in Maryland.

In addition, the E&O Unit continues to provide a growing number of the advanced level workshops focused on this topic area that is entitled "Creating Safe Spaces for LGBTQIA Individuals: Becoming an Ally". These "Safe Spaces" workshops are conducted in partnership with the Salisbury University Foundation and the Salisbury University Center for Extended & Lifelong Learning, and are specifically for individuals and organizations hoping to learn more about how to create safe and inclusive spaces for Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex and Asexual persons. Due to the increasing demand for these sessions, in July 2017 the Safe Spaces leadership team conducted a 2-day Train-the-Trainer session to expand the number of certified Safe Spaces trainers throughout the State. It is anticipated that more train-the-trainer sessions will also be offered in FY2019 to continue to expand the Safe Spaces training program's reach across the State.

This year for the first time, the Commission partnered with the International Public Management Association for Human Resources (IPMA-HR) in the Baltimore-Washington metro region to offer the *Understanding Sexual Orientation & Gender Identity* workshop for Maryland human resource professionals. The E&O Unit was also invited and presented this workshop at the annual Maryland Common Ground Conference, a leadership and professional development conference for education organizations and professionals across the State.



Sexual Harassment Prevention

Year after year, the Commission receives multiple requests to provide Sexual Harassment Prevention training for state agencies, private employers, community organizations and others. Along with all those requests, in 2018 the Maryland General Assembly passed House Bill 1423 – *State Personnel – Sexual Harassment Prevention Training – Required*, effective on October 1, 2018. In sum, the new law requires: all state employees to complete a minimum amount of sexual harassment prevention training on a regular rolling basis; all state units to designate a representative to coordinate with the MCCR to implement the training for their employees; and the Maryland Department of Budget & Management Statewide Equal Employment Opportunity (EEO) Coordinator to enforce certain requirements through audits and other measures.

In anticipation of House Bill 1423 going into effect in early FY19, the Commission began to prepare for

implementation in FY18. The E&O Unit (1) worked closely with the Commission's General Counsel to create and enhance its Sexual Harassment Prevention training curriculum, (2) launched a bi-monthly training schedule specifically for Sexual Harassment Prevention workshops, (3) coordinated with the Maryland Department of Budget & Management Statewide EEO Coordinator's Office to plan joint outreach efforts to all state agencies, and (4) designed, planned and facilitated the first of a new two-day Sexual Harassment Prevention Train-the-Trainer course in June 2018 for state agency representatives responsible for rolling out training in their respective organizations.

Due to an increase in training requests and the pending effective date of the new law, the E&O Unit is coordinating with General Counsel and the Statewide EEO Coordinator to plan the most effective ways to provide coordination with state units to implement the new training requirements.

The Commission continues to receive strong feedback from training participants and organizations who attend various E&O educational programs. Below are some selected comments from FY18 training evaluation surveys:

"Wow! What can I say...I was expecting to sit through 2-3 hours of stuff I already knew but it was so different. I feel like I have a different appreciation for how we can look at diversity and ways it impacts me and my behavior. Thanks you so much!!"

"I wish we had more time - the information as well as the teacher were great and the time flew by. It did not feel like the other trainings I have been in before. I hope we have other trainings from MCCR."

"The class really made me think about what I have been taught and how that affects my behavior toward other people. It really has me thinking about what I can do to be more aware."

"I wish this session was required of all participants. Everyone would have benefitted from hearing the information both from the trainer and from other participants."



Outreach

In partnership with several other organizations/agencies, the Commission also attended, facilitated and/or assisted in planning several outreach events throughout Maryland in FY18. Events included state and regional conferences, county fair housing and disability fairs, regional cultural celebrations and commemorative events as well as local fairs, festivals and parades. Participation in these events raises the visibility of the Commission and opens the door for more proactive opportunities to educate the public and build networks of trust in local communities.

The Commission connected with approximately 6,655 individuals in FY18 at various outreach events to provide information about the agency and its services.



In fact, MCCR participated, facilitated and/or presented at several new partner outreach events this year. A few examples include:

- July 2017 – Hagerstown Gay Pride Festival (first time participation in the local event) - MCCR staffed an information table at this event hosted by local LGBTQ advocacy centers to celebrate and commemorate the history and pride of the local LGBTQ community in Western Maryland.
- July 2017 – NAACP Annual Convention hosted in Baltimore City – MCCR staffed an information table at this 3-day event to provide attendees with information and outreach services.
- September 2017 – Harriett Tubman Day Community Festival – MCCR staffed a resource table at this first-time event in Howard County in partnership with local community groups and the public school system.
- September 2017 – 8th Annual Hispanic Health & Community Resource Fair – MCCR staffed a resource table at this popular Anne Arundel County event.
- October 2017 – U.S. Department of Justice & Baltimore Police Department One Stop Re-Entry Resource Fair – MCCR staffed a resource table at this inaugural event.
- November 2017 – Religion & Reasonable Accommodations in the Workplace training and outreach event at the Rosenbloom Jewish Community Center in Baltimore County – MCCR presented a training workshop and conducted outreach with a new community partner.
- November 2017 – MCCR presented and participated in roundtable discussion with University of Baltimore School of Public Policy graduate students and staff on civil rights topics.
- March 2018 – State of Maryland Annual Warden’s Conference for correctional officers, leadership and vendors – MCCR presented and staff a resource table for educating attendees on preventing employment discrimination.
- March 2018 – Women’s Empowerment Day with the Madeit! Foundation in honor of Women’s History Month – MCCR staffed a resource table for educating women leaders in Maryland on their rights and MCCR services.
- April 2018 – Baltimore Neighborhood’s Inc. Community Resource Fair in Baltimore City – MCCR participated in a fair housing panel discussion and staffed a resource table for Baltimore city residents.
- May 2018 – Mid-shore Multicultural Community Resource Fair – MCCR presented a short *Know Your Civil Rights* session and staffed a resource table at this annual event in Easton, MD.
- June 2018 – St. Mary’s County Juneteenth Celebration & Community Fair – MCCR staffed a resource table at this first-time event.

Collaboration

Education and outreach services go hand in hand at the Commission. Each training workshop is also an opportunity to reach out to new audiences who may not know about the agency or understand their own rights. Each outreach event is also an opportunity to educate the public about their legal protections and responsibilities related to civil rights in Maryland.

Through our Investigations and Legal Units we are able to provide responsive assistance to individuals filing charges of discrimination. Through the E&O Unit, the Commission is able to assess needs, track trends and provide proactive services that not only aide in preventing discrimination but also promote and improve the climate of civil rights in our State. Our collaborative partnerships also allow the Commission to rapidly respond to critical situations when needed. In this year following a contentious political election season with a rising tide of issues in the media around immigration and travel bans, and an increase in racial, religious and ethnic hate crimes across the country, the Commission has continued to reach out to local communities to offer assistance and support. Filing charges, investigating cases or going to court may not always solve the underlying conflicts for many people. In fact, the same diversity that makes our communities unique and dynamic is also the source of much misunderstanding and strife among our citizens. With that in mind, the Commission has made a strident effort to continue building our network of partner relationships and to connect people across their differences by encouraging civil, meaningful discussions about issues related to civil rights, systemic inequities, identity and difference.

In that vein, the Commission's E&O Unit collaborated with state and local partners on several unique programs and events in FY18:



Maryland Equity & Inclusion Leadership Program

In 2017 MCCR, in partnership with the University of Baltimore Schaefer Center for Public Policy, launched the Maryland Equity & Inclusion Leadership Program (MEILP). This innovative pilot leadership program aimed to

engage, educate and support current and emerging leaders across the State to take a deeper dive into learning about structural and systemic inequities and to develop diversity-based initiatives within their respective organizations. The 2017 program successfully graduated 34 participants from public, private and non-profit organizations and across all sectors of industry. The program was sponsored in part by the M&T Bank, PNC Bank, the Annie E. Casey Foundation, and the T. Rowe Price Foundation. Program partners also included the Baltimore Jewish Council, Bon Secours Healthcare, Johns Hopkins Medicine Office of Diversity & Inclusion, Maryland Nonprofits, and the Reginald F. Lewis Museum of Maryland African American History & Culture.



Through a series of expert diversity and inclusion speakers, group discussions, interactive activities, small group meetings and networking, the 2017 cohort of participants built connection and community amongst one another and dared to delve into tough but meaningful discussions around topics like unconscious bias, identity, systemic racism, privilege, gender identity, sexual orientation, religion, ethnicity, microaggressions, and workplace inequities. The program also provided personal leadership style assessments, project development and evaluation workshops, best practices for developing diversity and inclusion policies and practices, and leadership skill-building for participants.

Due to the success of the pilot program, MCCR and the University of Baltimore will launch the next cohort of the program in 2019. MCCR recruited an Advisory Committee of committed educators, social justice advocates and diversity experts to plan the 2019 year-long program. In the meantime, the 2017 class graduates formed an Alumni Committee with three co-chairs to continue sharing, learning and challenging one another to bring effective DEI work to their organizations. The Alumni Committee has hosted several meetings along with educational events for program graduates and is currently planning events to welcome the incoming 2019 program class.

The following quote from one of the 2017 program graduates offers an insight to the true impacts of participating in this innovative program:

“This program provided total immersion into the issues of diversity, equity, and inclusion in today’s culture. We had the opportunity to interact and work with others, who do not look or think like each other, who had an interest in changing their work environments for the better. The MEILP was challenging and not for the faint of heart. Completion of the program required emotional fortitude, self-study and reflection, action planning for your sponsoring organization, and a considerable commitment of time and energy. However, it was without a doubt the best opportunity I have ever had to really delve into the issues with those who have experienced it all and it really did change the way I think and act

about these important issues. The program wasn't just classroom learning; it was field trips, work groups, expert speakers, and deep personal interaction with other members of the group. Even if you think you are already a champion of, or an expert in, equity and inclusion issues, you will learn and grow from your participation in this program."

~ Jill R. Clements, 2017 MEILP Graduate
Director of Human Resources
City of College Park, MD

Arts & Humanities – Foundations for Civil Rights Discussions

Through the years, MCCR has partnered with various organizations to utilize art, theatre and other platforms to engage the public in discussion around civil and human rights issues. These events not only serve as an opportunity to reach out to new and varied audiences, but they also offer venues for participants to reflect and engage in thoughtful dialogue with one another. This year the Commission hosted or partnered to host several timely film screenings and discussions including:

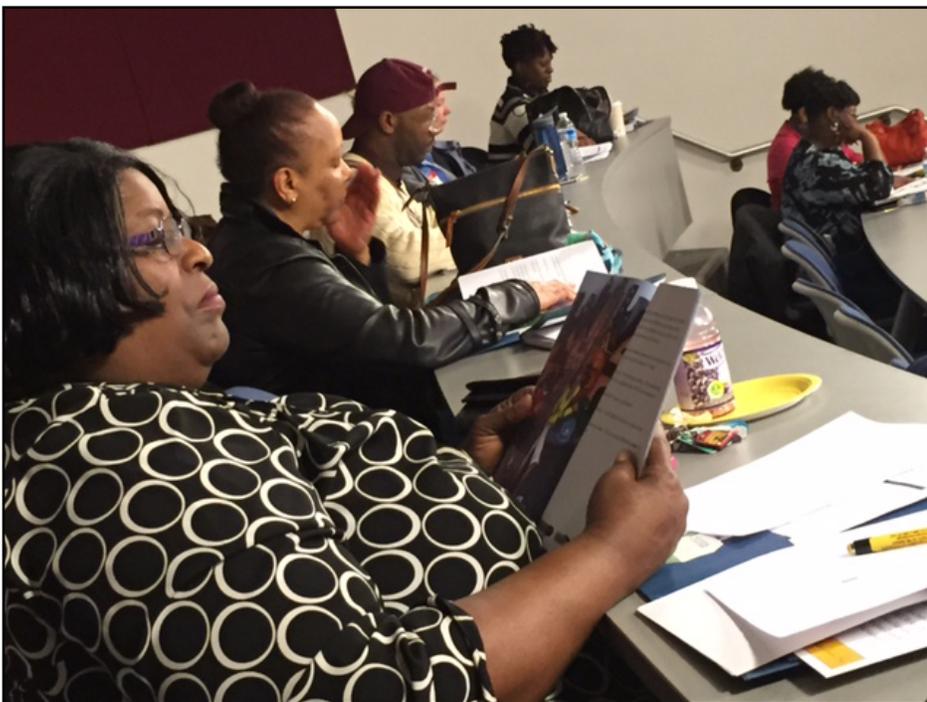
- *August 2017 – Film Screening & Discussion of the documentary film “13th”* in partnership with the Calvert County Library and local Community Conversations group.
- *October 2017 – Film Screening & Discussion at the historic Senator Theatre in Baltimore* for the newly released film “Marshall” about the life of Supreme Court Justice Thurgood Marshall.
- *February 2018 – Film screening and discussion in partnership with the Reginald F. Lewis Museum of Maryland African American History & Culture* of the documentary film “We Will Rise” about the history of historically black colleges and universities across the country.



Dimensions of Diversity – Deeper Discussions

As mentioned above in the Education section, this year the Commission participated in a variety of programming meant to further the groundwork laid by the MCCR introductory *Dimensions of Diversity* workshop. After providing this training, MCCR then assisted several organizations in delving deeper in to diversity, equity and inclusion work in their workspaces and communities. A few examples include:

- *January 2018 – Maryland Department of Natural Resources (DNR) - Unconscious Bias training* and facilitated discussions with Agency’s leadership and management team. E&O staff assisted DNR to plan, host and facilitate a day-long Unconscious Bias workshop for its entire management team. The session was followed by small group facilitated strategic planning sessions for managers to explore how to improve the work they do through an equity lens. This event was a direct result of DNR’s Deputy Secretary and Human Resources Director participating in the 2017 MEILP program. By deepening relationships across Maryland state agencies, MCCR is building capacity for state government leaders to protect and improve civil rights statewide.
- *January – March 2018 – Universities at Shady Grove (USG) – Training and Strategic Planning.* After providing the MCCR *Dimensions of Diversity* workshop, USG’s campus Diversity Council approached MCCR to assist with their visioning and strategic planning to create a shared strategic Diversity Plan for all 16 colleges/universities that are part of the USG campus system. MCCR provided facilitation and guidance for USG to create their vision and mission statement, strategic plan and goals and to start to deepen the connection across all Council members. Again, this type of work is building capacity within Maryland organizations who want to make diversity, equity, and inclusion part of the fabric of their work.



Fair Housing Children & Family Education

In FY15, the Commission launched a pioneering education program using the acclaimed children’s book, *The Fair Housing Five & the Haunted House*, written by the Greater New Orleans Fair Housing Action Center. The book provides young people and their families with important opportunities to engage in discussion and activities related to themes from the book including discrimination, social justice, fairness and equity. Since then the Commission has continued to host several book readings, discussion and accompanying activities for school-age children and their families. It is a

unique program that allows MCCR to connect with families across Maryland to discuss fair housing issues.

Every year since the program’s launch, MCCR partners with new and different organizations to donate copies of the books to libraries, schools and youth programs. MCCR has also partnered with local county human relations commissions to educate their staff and commissioners on how to lead these interactive book discussions with their county residents.

In FY18, the Commission received a partnership grant from the U.S. Department of Housing & Urban Development to purchase more copies of the English version of the books and copies of the newly released Spanish version of the books. The Commission has trained adults and donated books to several local public libraries and public schools and the YMCA of Central Maryland’s Before & After Care School Programs. This year the Commission also partnered with Maryland REALTORS® to donate copies of the books to all Frederick County public elementary schools.

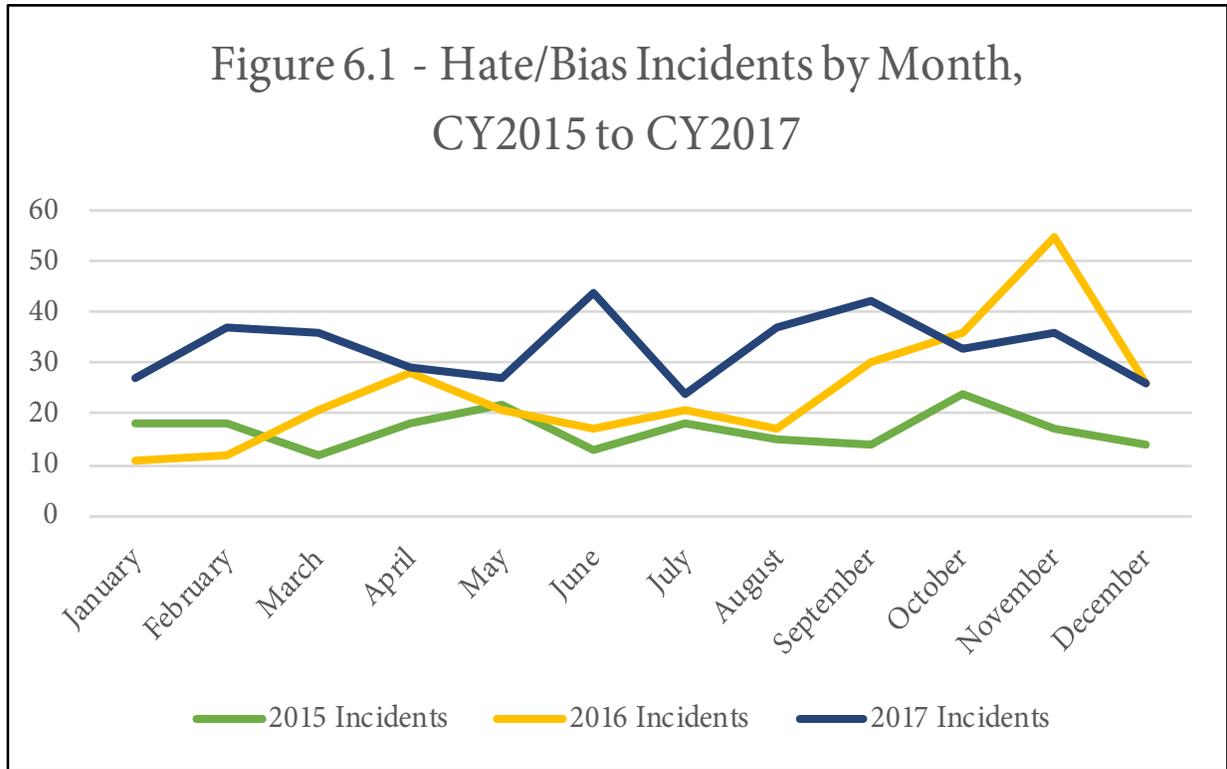
By better educating the public, raising awareness about the Commission and building strong collaborative partnerships we are providing the best chance of realizing our vision, to have a State that is free from any trace of unlawful discrimination.





Hate Crimes Report

Per Public Safety Article § 2-307(b)(4), *Annotated Code of Maryland*, MCCR receives a copy of every Maryland Supplementary Hate Bias Incident Report Form filed by law enforcement officials around the State and compiled by the Maryland State Police (MSP). These forms are completed when there is evidence to initially suggest that a hate-motivated crime may have occurred against a victim. However, even if an investigation results in no evidence of a hate crime, the report is still retained by MSP and copied to MCCR. MCCR thanks MSP for their continued partnership in sharing hate crimes data.



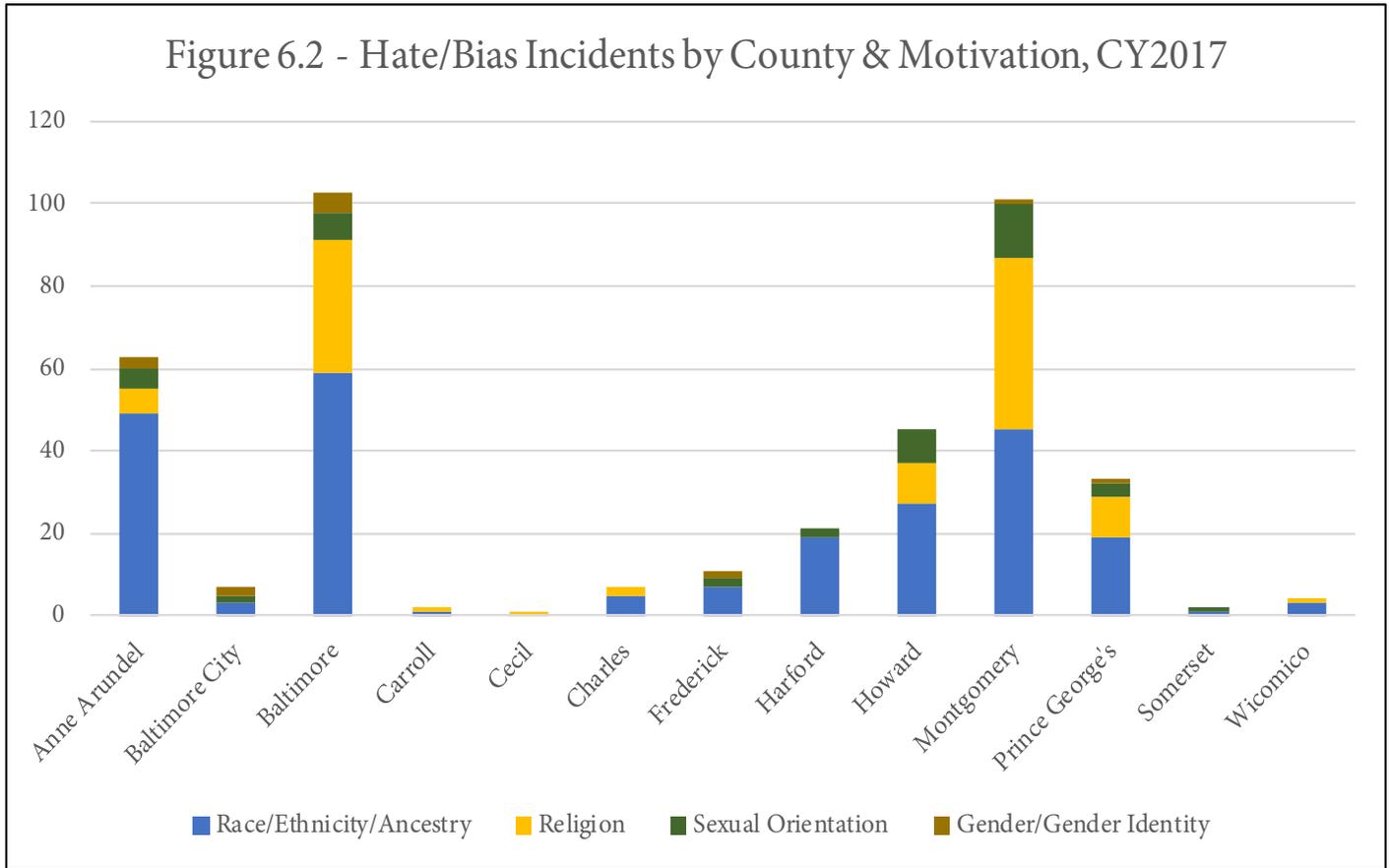
To begin, a total of 398 Hate/Bias Incident Reports were submitted throughout the entirety of Calendar Year 2017, a 103 (35%) report increase from CY2016's 295 reports. Furthermore, submitted Hate/Bias Incident Reports increased for every month of the calendar year except for the final quarter (October through December). However, it is important to note that in CY2016, the rhetoric of the national presidential election saw a drastic increase in the number of reported incidents, especially around the November election. While reported incidents did drop considerably between November and December 2016, Figure 6.1 shows us that the number of reported incidents leveled out - and in some cases rose again before dropping slightly - following the election and through 2017.

While a 35% increase in the number of reported acts of hate/bias is alarming, MCCR believes that the chronic underreporting across the State can help to explain this jump. It is true that the national climate has fueled more acts of hate and bias from individuals. However, it is also true that society is now paying more attention to these acts, and speaking out more frequently when they occur. Not only does the public call police more readily when these incidents arise, they have also been taking to social media to document these incidents and hold the offenders accountable. This increased attention by the public has led many law enforcement agencies to reevaluate their policies and operations in order to better identify and capture these incidents.

Despite local law enforcement agencies stepping up and doing a better job reporting acts of hate and bias in Maryland, there is still much more that remains to be done in order to guarantee that the reported data accurately and completely reflects the reality across our State. Only with the full picture can our State and counties work together to effectively combat and eradicate hate.

In calendar year 2017, 13 of Maryland's 24 jurisdictions submitted 398 Hate/Bias Incident Reports. As identified

Figure 6.2 - Hate/Bias Incidents by County & Motivation, CY2017

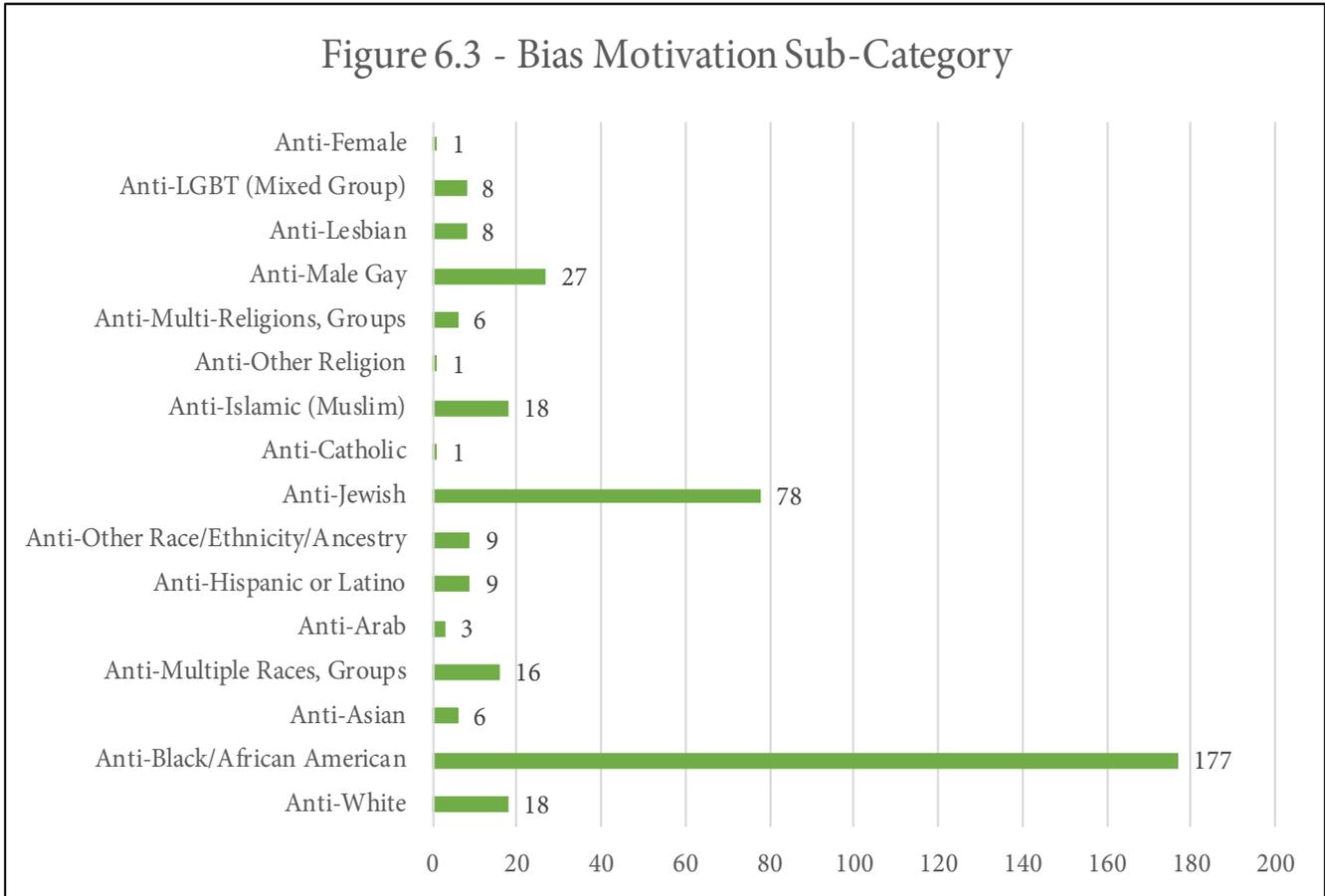


in previous Annual Reports, these 13 jurisdictions primarily consist of those that MCCR classifies in Maryland's central region. Figure 6.2 illustrates those jurisdictions that submitted Hate/Bias Incident Reports, broken down by their category as identified in MSP's annual Hate/Bias Report. Any inclusion/removal of jurisdictions from Figure 6.2 occurs primarily when one of Maryland's rural jurisdictions does/does not submit Hate/Bias Incident Reports. Similarly, with most of Maryland's population residing in Montgomery, Prince George's, Howard, Anne Arundel, and Baltimore counties, as well as the City of Baltimore, it naturally follows that the most reports of both alleged acts of hate/bias and acts of unlawful discrimination in violation of MCCR's Title 20 would originate in these areas.

Figure 6.2 demonstrates visually that the reporting practices across jurisdictions are inconsistent and highly subjective. Take, for example, the number of incidents reported by Baltimore City (7 in CY2017) and Baltimore County (103 in CY2017). Despite their geographic proximity and relative populations sizes, Baltimore County submitted 96 more incident reports than Baltimore City. In CY2016, Baltimore County submitted 73 incident reports to Baltimore City's 7, a difference of 66. The data, on its face, suggests that Baltimore City is relatively free from acts of hate and bias while Baltimore County has a chronic problem that is in dire need of a solution. However, the reality, as MCCR has learned over the years, is that Baltimore County makes a much more concerted effort to identify and log hate/bias incidents via this reporting mechanism than Baltimore City.

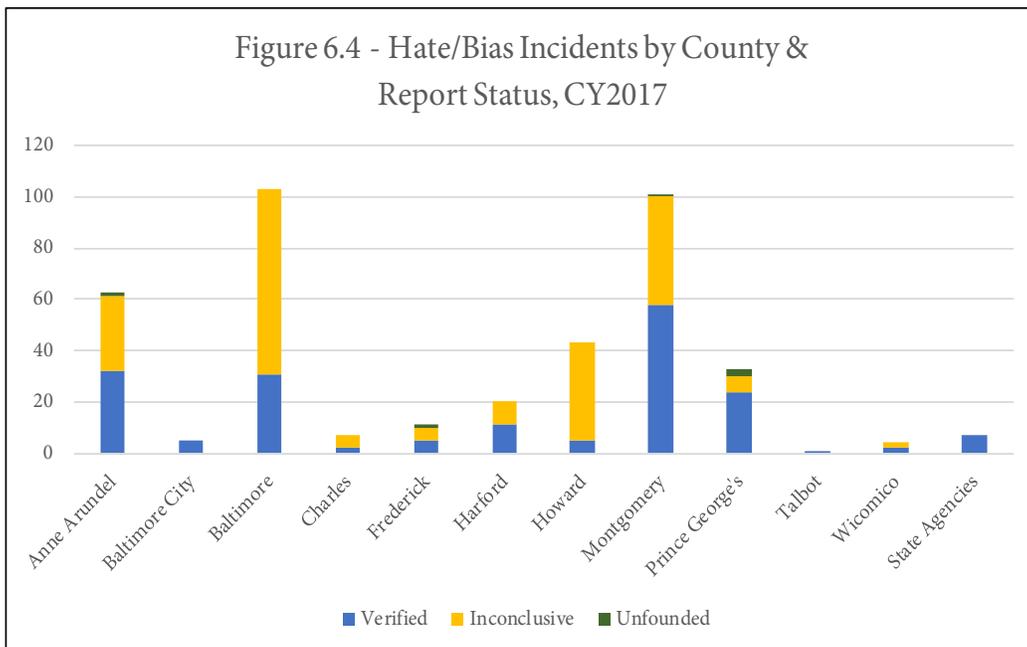
To this end, MCCR has long advocated that our state and local law enforcement agencies work together to adequately train their officers to identify and report these incidents, while establishing a procedure by which reporting across the State's dozens of law enforcement agencies becomes more uniform. Over the last year, Superintendent of State Police Colonel William M. Pallozzi joined MCCR in this call. The Superintendent made it a point to meet with MCCR leadership to discuss issues of mutual concern, as well as possible next steps. The Superintendent has also included MCCR in meetings with representatives from all law enforcement agencies throughout the State to engage them in this very same conversation. These first steps are incredibly promising, and the Maryland Commission on Civil Rights thanks Superintendent Pallozzi for building this partnership alongside us.

Figure 6.3 - Bias Motivation Sub-Category



As with acts of unlawful discrimination in employment, housing, and public accommodations, the most reported incidents appear to have been motivated against those who are Black/African American. Figure 6.3 breaks down the aggregative categories from Figure 6.2. It also shows that the top three bias motivation sub-categories - Anti-Black/African American, Anti-Jewish, and Anti-Male Gay - are the same as in previous years, with each category seeing an increase in their respective number of reported incidents. Other categories in Figure 6.3 may have seen a small increase or decrease in their numbers from CY2016, but the overall trend remains that racial minorities, religious minorities, and members of the LGBTQ+ community are the most likely to be the targets of hate and bias than those Marylanders who are Caucasian, Christian, and heterosexual.

Figure 6.4 - Hate/Bias Incidents by County & Report Status, CY2017



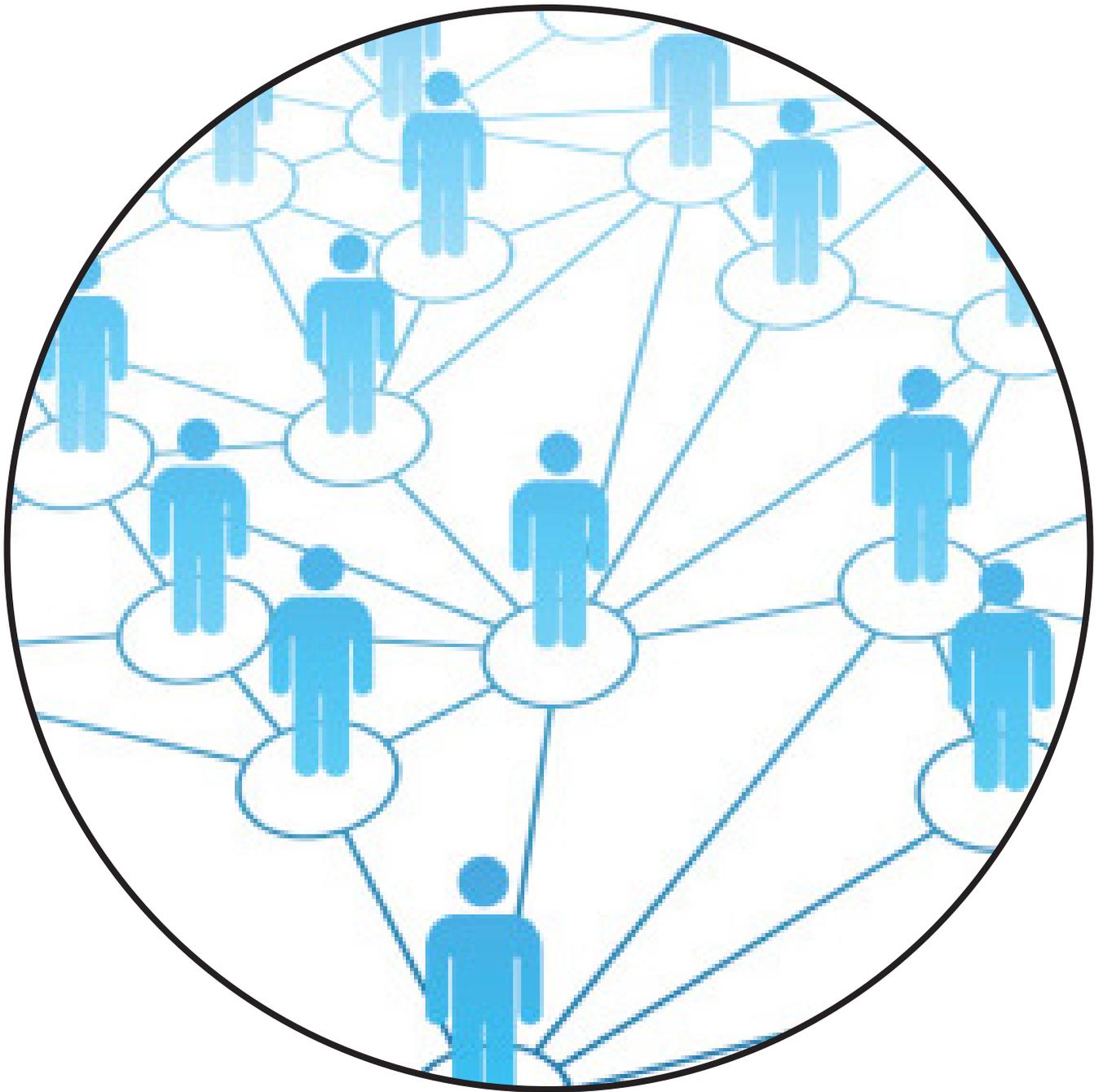
Law enforcement completing and submitting the Hate/Bias Incident Report is only the beginning of the process. Throughout their investigation, they are looking for evidence to substantiate the allegations contained in their report because, if substantiated, it could result in a hate crime charge being added to any counts being faced by the perpetrator. In CY2017, approximately half of the 398 reports - 183, or 46%, to be exact - were deemed “verified” by the investigating law enforcement agency. This is a drastic increase in comparison to CY2016 where only 93 of the 285 incidents, or 32%, were deemed “verified” by the agency.

While the challenges today are nothing new, there remains strong efforts statewide to address incidents of hate and bias in a desire to eradicate it from our communities. MCCR is proud to be working alongside MSP, the Office of the Attorney General, the U.S. Department of Justice, the Coalition Opposed to Violence & Extremism (COVE), Maryland’s local human relations commissions, and many other community organizations and leaders to figure out how together we can improve reporting throughout all of Maryland.



Annual Operating Budget

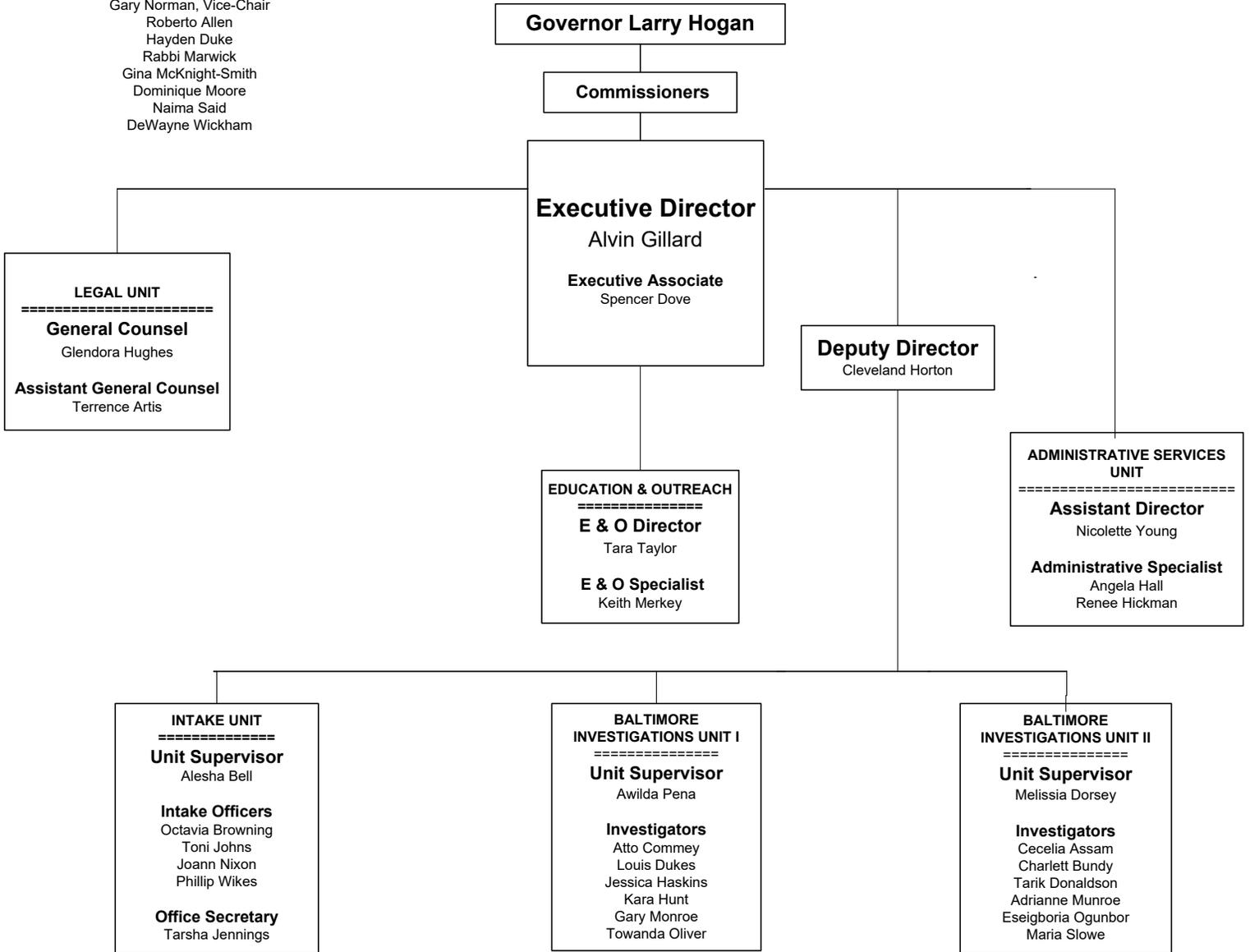
MCCR Budget Report for Last Three Fiscal Years			
Fiscal Year	2016	2017	2018
Federal Funds	\$609,671	\$625,003	\$582,153
<i>HUD</i>	\$255,300	\$338,433	\$275,143
<i>EEOC</i>	\$354,371	\$286,570	\$307,010
Reimbursable Funds	--	--	\$10,000
Special Funds	--	--	\$61,060
State General Funds	\$2,404,029	\$2,565,108	\$2,461,714
Grand Total	\$3,013,700	\$3,190,111	\$3,114,927
Staff Positions			
Authorized Permanent	33.5	31.0	31.0
Total Positions	33.5	31.0	31.0



Organizational Chart

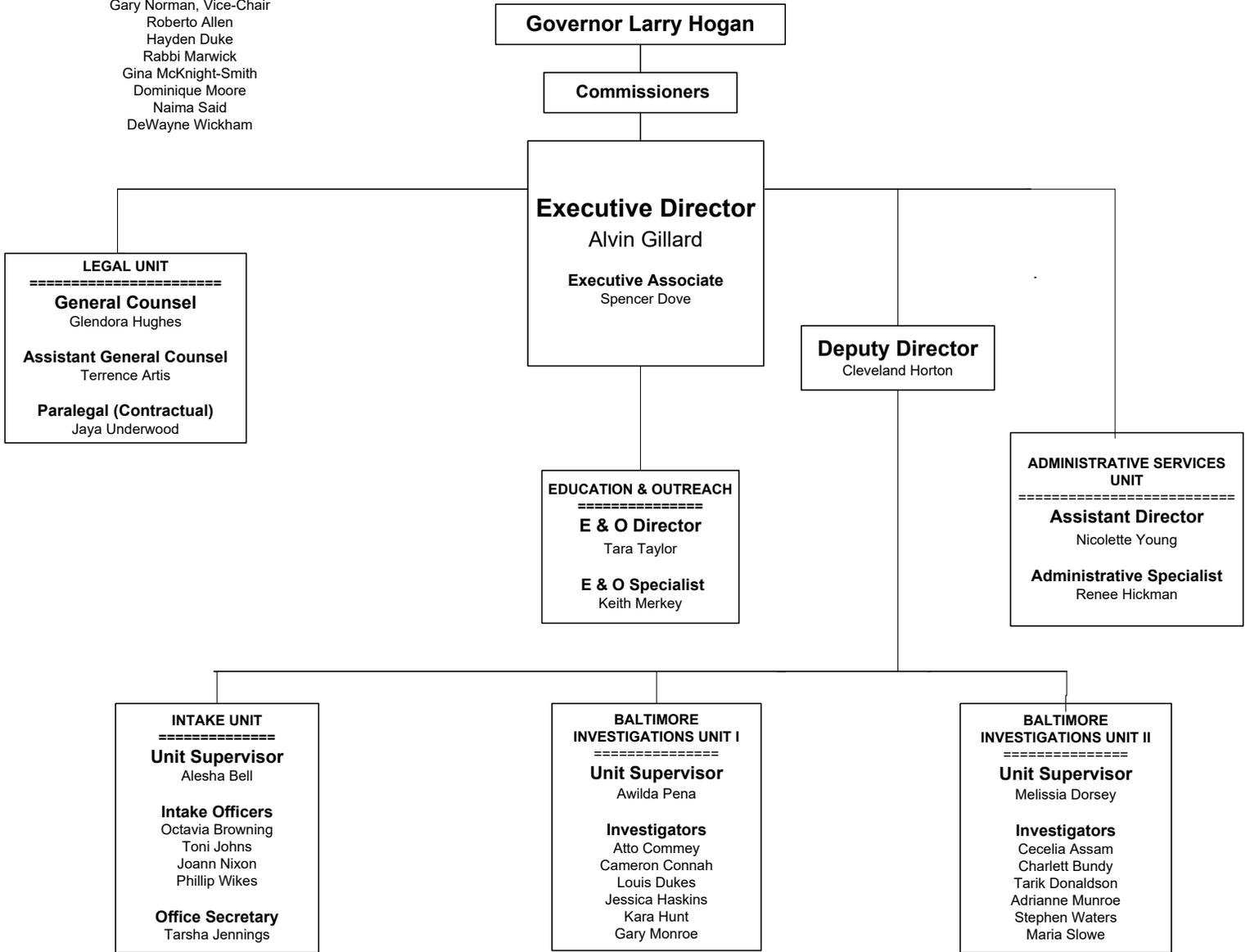
MCCR Organizational Chart
Current as of June 30, 2018 – End of Fiscal Year 2018

COMMISSIONERS
 Shawn Wright, Chair
 Gary Norman, Vice-Chair
 Roberto Allen
 Hayden Duke
 Rabbi Marwick
 Gina McKnight-Smith
 Dominique Moore
 Naima Said
 DeWayne Wickham



MCCR Organizational Chart
Current as of December 31, 2018 – End of Calendar Year 2018

COMMISSIONERS
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 Gary Norman, Vice-Chair
 Roberto Allen
 Hayden Duke
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Thank you!

It is the mission of the Maryland Commission on Civil Rights to ensure opportunity for all through the enforcement of Maryland's laws against discrimination in employment, housing, public accommodations, and state contracts; to provide educational outreach services related to provisions of this law; and to promote and improve civil rights in Maryland.

Our vision

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

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