



State of Maryland
Commission on Civil Rights
2022 Annual Report

Larry J. Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Alvin O. Gillard, Executive Director
Stephanie Suerth, MPA, CCEP, Commission Chair

CIVIL RIGHTS

AT

**THE
CROSSROADS**

“I AM HERE STANDING ON THE SHOULDERS OF GENERATIONS OF AMERICANS WHO NEVER HAD ANYTHING CLOSE TO THIS KIND OF OPPORTUNITY. [I HOPE THIS NOMINATION] WILL ... HELP INSPIRE PEOPLE TO UNDERSTAND THAT OUR COURTS ARE LIKE THEM, THAT OUR JUDGES ARE LIKE THEM.”

**SUPREME COURT JUSTICE
KETANJI BROWN JACKSON**

On June 30, 2022, Ketanji Brown Jackson was sworn in as the first Black woman to serve as a justice on the Supreme Court of the United States.



Photo by Rod Lamkey/CNP/ABACAPRESS.COM
via Alamy Stock Photo



STATE OF MARYLAND COMMISSION ON CIVIL RIGHTS

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

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

**The Honorable
Bill Ferguson**
*President,
Maryland State Senate*
State House H-107,
100 State Circle
Annapolis, MD 21401

**The Honorable
Adrienne A. Jones**
*Speaker, Maryland
House of Delegates*
State House H-101,
100 State Circle
Annapolis, MD 21401

January 1, 2023

Governor Hogan, President Ferguson, and Speaker Jones:

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 ("the Commission") for Fiscal Year 2022. We are pleased to report that the Commission continues to improve upon its services to enforce Maryland's anti-discrimination laws while advancing and promoting 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' continued support of our mission.

The Commission staff performed admirably through challenges this past fiscal year. The Commission fulfilled the obligations of its federal contracts with both the U.S. Equal Employment Opportunity Commission ("EEOC") and the U.S. Department of Housing & Urban Development ("HUD"). The total case closure numbers were 463 EEOC closures, and 98 HUD closures. The EEOC closure number decreased by 57 cases from the previous year primarily due to staff turnover. Unfortunately, consistent with some national trends, the Commission was challenged in identifying qualified applicants to fill vacant Investigator positions. Filling existing vacancies while onboarding new staff negatively impacted our overall production efforts, resulting in the decrease in both employment and housing complaint closures. In response to the challenges, the Commission remains optimistic that ongoing efforts to fill vacancies, which include a comprehensive review of our production standards, salary scales, and internal practices, while restructuring the training of new staff, will better position the agency to increase our federal contract closures in the next fiscal year.

In 2022/2023 we stand at the crossroads of civil rights. On one side, the nation has become further polarized in many ways. As a result, there has been a steady uptick in hate speech, rhetoric, and hate bias incidents throughout the country. Our nation has seen troubling hate-fueled violence, court rulings that have resulted in even more division, and intentional efforts to obfuscate our history.

Despite these setbacks, we have also seen civil rights progress. The United States appointed its first Black female Supreme Court Judge, Ketanji Onyika Brown Jackson. The State of Maryland expanded protections by passing the Hate Crimes-False Statement to a Law Enforcement Officer Act, clarifying that making a false statement, report, or complaint to law enforcement may form the basis for a certain hate crime. The State of Maryland also passed a law stating a person or business may be debarred from entering into a contract with the State if they have violated certain provisions of law prohibiting discrimination in employment. The Commission, through its Education & Outreach (E&O) Unit, continues to promote civil rights by providing services, information, and training support to agencies and individuals

OFFICERS

Alvin O. Gillard, *Executive Director*
Cleveland L. Horton II, *Deputy Director*
Martine Chery, *Assistant Director*
Glendora C. Hughes, *General Counsel*
Kara N. Hunt, Ph.D.,
Director of Education & Outreach

Governor

Larry Hogan
Lt. Governor
Boyd K. Rutherford
Commission Chairperson
Stephanie Suerth, MPA, CCEP
Commission Vice Chairperson
Janssen E. Evelyn, Esq.

COMMISSIONERS

Diane E. Bernier
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Gina McKnight-Smith, PharmD, MBA
Isabella Firth Shycoff
Jeff Rosen
Magdalena S. Navarro, MSc
Rabbi Binyamin Marwick

throughout Maryland. The Commission continues to serve as a source of expertise on current and accurate information on issues affecting equal access and opportunity. In Fiscal Year 2022, we held 169 total training programs and participated in 257 outreach events.

Throughout its history, the United States and the State of Maryland have, at seminal moments, always stood at the crossroads of civil and human rights. This year marks the 165th anniversary of the Dred Scott v. Sandford case. This landmark decision of the United States Supreme Court held that the United States Constitution was not meant to include American citizenship for people of Black African descent, regardless of whether they were enslaved or free, so the rights and privileges that the Constitution conferred upon American citizens could not apply to them. It was only through the resolve and mettle of human rights activists of all colors that we have seen the expansion of Constitutional rights to all citizens, regardless of race, color, creed, and national origin.

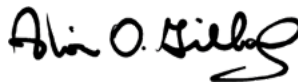
Although we have made significant strides, we still have a long road to travel. We must muster the passion shown by previous generations to reach new heights of human freedom. We must work to completely fulfill the promise of the Declaration of Independence “that all men are created equal, that they are endowed by their Creator with certain Unalienable Rights,” and we are still working to live up to the civil rights statutes that outlawed discrimination by race, religion, gender, national origin, or sexual orientation and other protections. We must be vigilant, and we must stand shoulder-to-shoulder as Marylanders to ensure that every voice is represented in a way that allows everyone equal access to all that our great state has to offer.

We proudly report that the Maryland Commission on Civil Rights remains committed to our mission. 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,



Stephanie Suerth, MPA, CCEP
COMMISSION CHAIR



Alvin O. Gillard
EXECUTIVE DIRECTOR

A YEAR

AT THE



CROSSROADS

Looking back over the past year, it is clear that our state and nation are standing at a crossroads in the struggle to ensure civil rights for all. The polarization we continue to experience in our nation today has deep roots in our history. The year 2022 marks the 165th anniversary of the Dred Scott v. Sandford decision, in which Maryland-born Chief Justice Roger Taney ruled that the United States Constitution was not meant to include American citizenship for people of Black African descent, regardless of whether they were enslaved or free, so the rights and privileges that the Constitution conferred upon American citizens could not apply to them.

Despite barriers such as this, the nation has made great strides in the advancement of civil rights. The most recent step forward for civil rights is when the U.S. appointed its first Black female Supreme Court Justice, Ketanji Brown Jackson.

At the same time, the State of Maryland continued to expand civil rights protections. In 2022 alone, we saw the passage of a number of ground-

breaking laws that strengthen civil rights protections. For example, Maryland now prohibits an employer from failing or refusing to make a certain accommodation for a known disability of an applicant for employment.

At this critical moment, it is essential that we remain true to the passion of previous generations who fought to reach new heights of human freedom.

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LEADING THE CHARGE FOR EQUITY IN MARYLAND FOR NEARLY 100 YEARS

MCCR has been working on behalf of all Marylanders since the Maryland General Assembly formed it as the Interracial Commission of Maryland in 1927.

MARYLAND COMMISSION ON CIVIL RIGHTS

More than 200,000 demonstrators **March on Washington for Jobs and Freedom.**

Protests lead to **desegregation of Gwynn Oak Amusement Park** in Baltimore County.

Race riots erupt in Cambridge, Md.



1963

1964

HIGHLIGHTS FROM NEARLY A CENTURY OF PROGRESS 1927-2022



Civil Rights Act of 1964 prohibits discrimination based on race, color, religion, sex, national origin (and later sexual orientation and gender identity).

MCCR'S ACTIVITIES

- Investigate complaints of unlawful discrimination in employment, housing, public accommodations and state contracts because of race, color, religion or creed, sex, age, ancestry or national origin, marital status, physical or mental disability, sexual orientation, gender identity, genetic information (employment only), familial status (housing only) and/or source of income (housing only).
- Promote awareness and understanding of Maryland's anti-discrimination laws.
- Help to promote and improve civil rights within the state by working with employers to develop bias-free selection, hiring, retention, promotion and contracting procedures; advocating equal housing opportunities for all groups; and working to advance equal access to public accommodations and services.

Maryland passes the **Fair Employment Act**.
U.S. passes the **Voting Rights Act of 1965**.



Established as the **Commission on Human Relations** (Chapter 83 of 1968), and for the first time allotted a budget for paid staff.

Empowered to initiate and investigate complaints of discrimination against state agencies (Chapter 153 of 1969).

1965

1967

1968

1969



Maryland repeals ban on interracial marriage.

Following the assassination of **Dr. Martin Luther King, Jr.**, riots erupt in Baltimore in April.

President Lyndon B. Johnson signs the landmark **Fair Housing Act (Civil Rights Act of 1968)**.





Permitted for the first time to seek certain types of court relief in order to preserve the status of parties or prevent irreparable harm.

Gains increased independence and autonomy in operations and is **empowered to award monetary relief to the victims of employment discrimination.**

1974

Maryland laws amended to ban:

- **housing discrimination** based on marital status and sex;
- certain employment practices and housing discrimination **against people with mental or physical disabilities;**
- **discriminatory practices in public accommodations, employment and housing** due to marital status or physical or mental handicap.

1975

Chapter 333 of 1975 makes it **lawful for employers to set standards for employee dress and grooming that relate directly to the nature of the employment.**

1977

Chapter 907 of 1977 requires employers to treat **disabilities related to pregnancy or childbirth** in the same manner as other disabilities.

Vested with the authority to enforce Maryland's anti-discrimination laws in employment, housing and public accommodation on the basis of gender identity.



Launches the **Western Maryland Advisory Council (WMAC)** to serve Allegany, Frederick, Garrett and Washington counties.

2014

Maryland passes the **Fairness to All Marylanders Act of 2014** (Chapter 474 of 2014), codifying more than a decade of actions that established gender identity as a protected class.

2015

Interns are protected from discrimination and harassment at their place of internship (Chapter 43 of 2015).



2018



Name changed to the **Maryland Commission on Civil Rights** to reflect the anti-discrimination work through enforcement of the state's anti-discrimination laws, as well as through public outreach and education (Chapter 580 of 2011).

1999

Governor Parris N. Glendenning is the first sitting governor to advocate for **banning discrimination on the basis of sexual orientation**.

2001

Protections against discrimination on the basis of sexual orientation codified with Chapter 340 of 2001.

2011



2013

Pregnant employees gain the legal right to request a reasonable accommodation at work (Chapters 547 and 548 of 2013).

The Crown Act passes (Chapters 473 and 474 of 2020) identifying discrimination based on an applicant's or employee's hair texture, style or protective hairstyle as a type of race discrimination under existing Maryland EEO law.



Juneteenth designated a Federal holiday, honoring the date when the last slaves to receive the news learned of the end to slavery in the U.S., June 19, 1865, in Galveston Bay, Texas.



2020

The Housing Opportunities Made Equal Act adds "source of income" as a protected class under Maryland's Fair Housing law (Chapters 116 and 117 of 2020).

2021

Kamala Harris sworn in as the first woman and first woman of color to serve as Vice President. President Joe Biden's diverse cabinet includes the Pete Buttigieg, the first openly gay U.S. cabinet secretary, and Deb Haaland, the first Native American U.S. cabinet secretary.



Maryland Police Accountability Act of 2021 puts Maryland in the lead in enacting comprehensive police reform in the state.

2021-2022 A YEAR AT THE CROSSROADS

In **Mahanoy Area School District v. B.L.**, the Supreme Court upheld First Amendment rights of young people, ruling that school authorities must respect students' rights to express themselves outside of school, including their right to express dissenting or unpopular views.

**JUNE
2021**



Travis McMichael, Greg McMichael, and William "Roddie" Bryan found guilty of murder in the fatal 2020 shooting of Ahmaud Arbery, an unarmed Black man killed while jogging in broad daylight in a suburban Georgia neighborhood.

**NOVEMBER
2021**

A jury found **Kyle Rittenhouse not guilty** of the fatal shooting of two protestors and injuring of another in last year's demonstrations following the shooting of Jacob Blake by a Kenosha, Wisconsin, police officer.

Archbishop Desmond Tutu dies. The Anglican cleric received the 1984 Nobel Prize for Peace for his role as a unifying leader in the non-violent campaign to eliminate apartheid in South Africa.

**DECEMBER
2021**



“CHANGE WILL NOT COME IF WE WAIT FOR SOME OTHER PERSON OR SOME OTHER TIME. WE ARE THE ONES WE’VE BEEN WAITING FOR. WE ARE THE CHANGE THAT WE SEEK.”

BARACK OBAMA



**MARCH
2022**

165th anniversary of Dred Scott v. Sandford, (60 U.S. 393), a landmark decision of the United States Supreme Court that held that the United States Constitution was not meant to include American citizenship for people of color.

Procurement - Discriminatory Hiring Practices - Debarment (Chapter 159 of 2022) establishes that, as of October 2022, a person or business may be debarred from entering into a contract with the State of Maryland based on violations of certain provisions of law prohibiting discrimination in employment or having been debarred from federal contracts under a certain federal executive order.

**APRIL
2022**

Hate Crimes - False Statement to a Law Enforcement Officer (Chapter 167 of 2022) clarifies that, as of October 2022, knowingly making certain false statements/reports/complaints to a law enforcement officer may form the basis for a hate crime in Maryland.

Ketanji Brown Jackson takes her seat as the first Black female Supreme Court justice.



**JUNE
2022**

Dobbs v. Jackson Women's Health Organization reversed nearly 50 years of federal protection for reproductive rights since the Roe v. Wade decision in 1973. In its landmark 2022 decision, the U.S. Supreme Court held that the Constitution of the United States does not confer a right to abortion.

OUR

FOCUS



The Maryland Commission on Civil Rights (MCCR) is an independent state agency serving individuals, businesses and communities throughout Maryland. MCCR is governed by a nine-member Commission appointed by the Governor and confirmed by the Maryland State Senate to serve six-year terms. The Commission meets once a month to set policy and review programmatic initiatives.

MCCR's mandate is to ensure equal opportunity 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.

Since 1968, the Commission has had authority to administer and enforce the Maryland Public Accommodations Law, the Discrimination in Housing Law and the Fair Employment Practices Law. To achieve this, MCCR has a deferral relationship and funding provided by the Equal Employment Opportunity Commission and the U. S. Department of Housing & Urban Development.

OUR MISSION

is 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.

CASE

PROCESSING



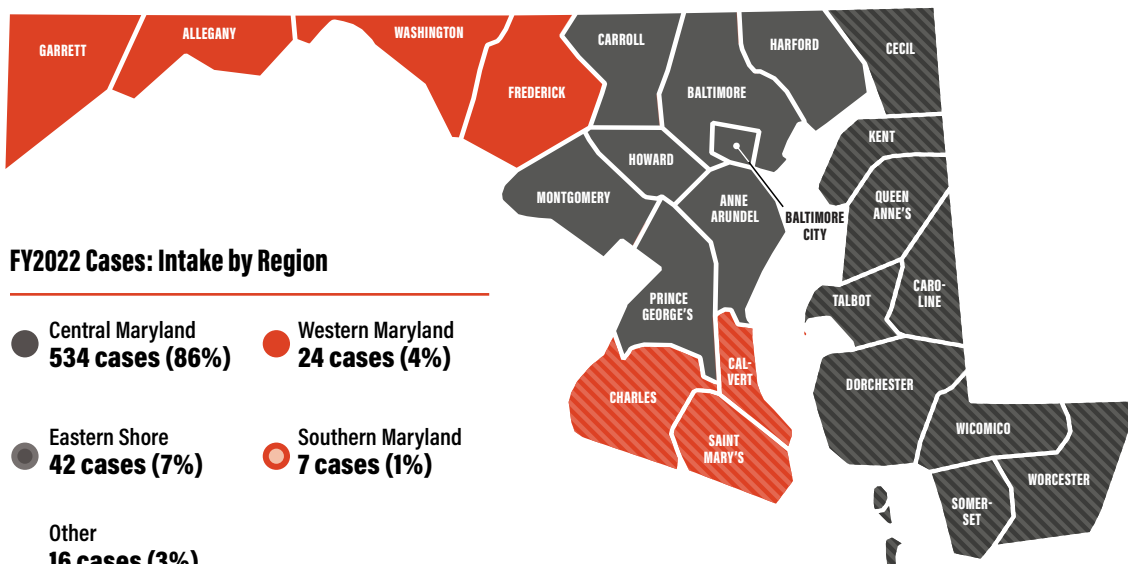
DEPARTMENT

MCCR's Case Processing Department investigates complaints in the areas of employment, housing, public accommodations and state contracts. Our mandate is to protect against discrimination in employment, housing, public accommodations or state contracts because of race, color, religion or creed, sex, age, ancestry or national origin, marital status, physical or mental disability, sexual orientation, gender identity, genetic information (employment only), familial status (housing only) and/or source of income (housing only).

MCCR receives complaints directly from individuals who believe they have been victims of unlawful discrimination and collaborates

with the Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing & Urban Development (HUD).

SERVING ALL OF MARYLAND



Total Intake Aborts

462 **523**
FY2022 FY2021

Total Case Closures

572 **716**
FY2022 FY2021

Monetary Relief

\$645,495
FY2022

Type of Closure

353 (62%) No Probable Cause
148 (26%) Administrative Closure
53 (9%) Withdrawn with Benefits
17 (3%) Settlements
0 Probable Cause
1 (.02%) Successful Conciliation
0 Unsuccessful Conciliation

\$849,995
FY2021

FY2022 CHALLENGES



2 vacant positions
in FY2022

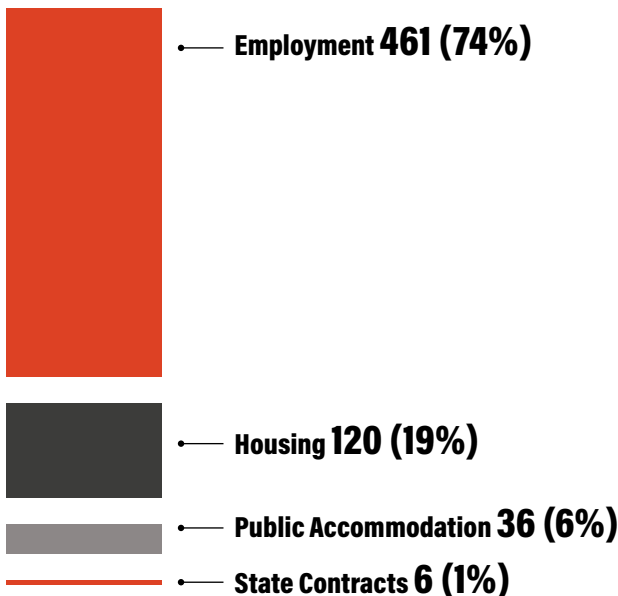


31 COVID-19 related
inquiries received
in FY2022



17 resulted in
charges

Complaints by Area of Discrimination



HOW TO FILE A CASE

Anyone who wishes to file a complaint with MCCR alleging unlawful discrimination in violation of Title 20 of the State Government Article or Title 19 of the State Finance & Procurement Article should:

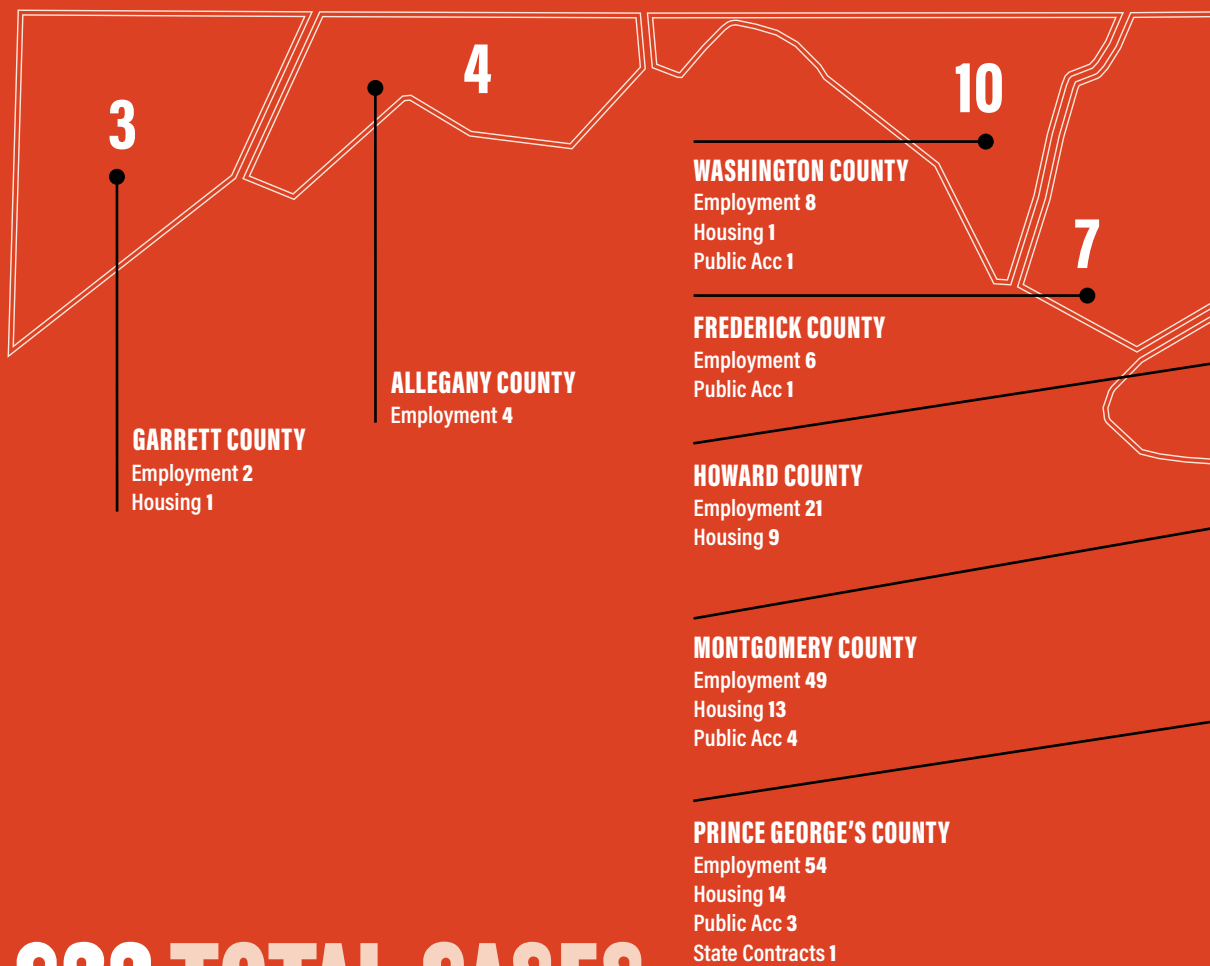
- Complete an [online inquiry form](#) on the MCCR website. Those needing assistance can contact MCCR by telephone, e-mail, fax or mail to begin the process of filing a complaint.
-

- Follow this timetable from the date of an alleged incident of unlawful discrimination for filing a complaint with MCCR:
 - Employment - within 300 days*
 - Housing - within 1 year
 - Public accommodation - within 6 months

**as of October 1, 2021*

- Learn more or file a complaint online at mccr.maryland.gov/Pages/Intake.aspx
-

DISCRIMINATION REPORTS BY COUNTY



623 TOTAL CASES

461

EMPLOYMENT

120

HOUSING

36

PUBLIC
ACCOMMODATIONS

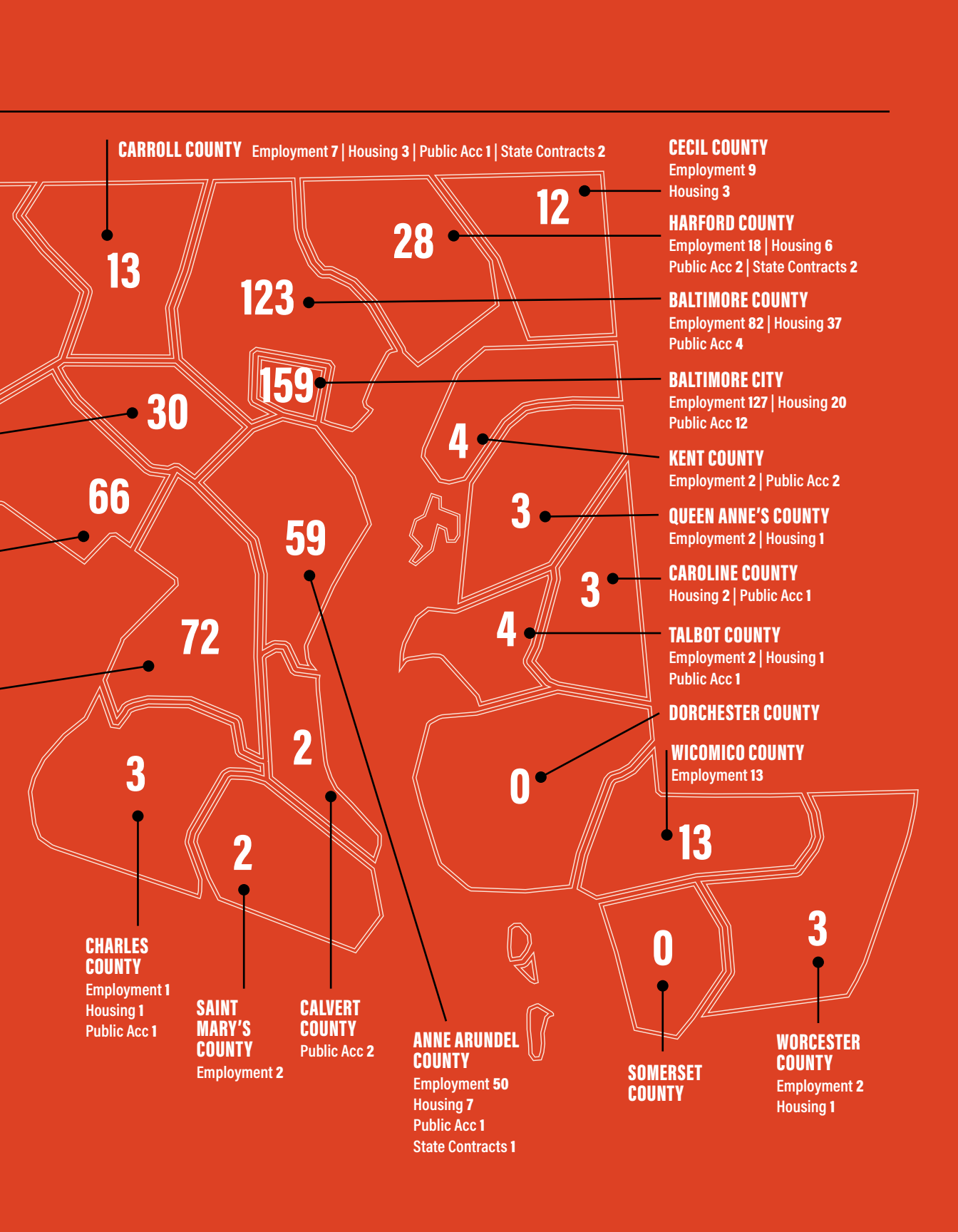
6

STATE
CONTRACTS

OTHER 46

Employment 31
Housing 6
Public Accommodation 9

For the 46 complaints not associated with a jurisdiction, the respondent's headquarters address rather than incident address is listed in MCCR's database.



CARROLL COUNTY Employment 7 | Housing 3 | Public Acc 1 | State Contracts 2

CECIL COUNTY

Employment 9
Housing 3

HARFORD COUNTY

Employment 18 | Housing 6
Public Acc 2 | State Contracts 2

BALTIMORE COUNTY

Employment 82 | Housing 37
Public Acc 4

BALTIMORE CITY

Employment 127 | Housing 20
Public Acc 12

KENT COUNTY

Employment 2 | Public Acc 2

QUEEN ANNE'S COUNTY

Employment 2 | Housing 1

CAROLINE COUNTY

Housing 2 | Public Acc 1

TALBOT COUNTY

Employment 2 | Housing 1
Public Acc 1

DORCHESTER COUNTY

WICOMICO COUNTY
Employment 13

CHARLES COUNTY

Employment 1
Housing 1
Public Acc 1

SAINT MARY'S COUNTY

Employment 2

CALVERT COUNTY

Public Acc 2

ANNE ARUNDEL COUNTY

Employment 50
Housing 7
Public Acc 1
State Contracts 1

SOMERSET COUNTY

WORCESTER COUNTY

Employment 2
Housing 1

CASE PROCESSING DEPARTMENT

EMPLOYMENT

Employment discrimination complaints account for more than 70% of MCCR's total intake. In 2022, for the first time in three years, the number of retaliation complaints began to stabilize, with the agency receiving a total of 906 different retaliation cases as compared to 915 in 2020. Fear of retaliation still continues to have a chilling effect on efforts to encourage reporting of employment discrimination. Since 2017, retaliation has been the #1 employment-related complaint received by MCCR. For the first time in three years, disability is the #2 employment-related complaint, followed by harassment at #3.

CASES TRANSFERRED

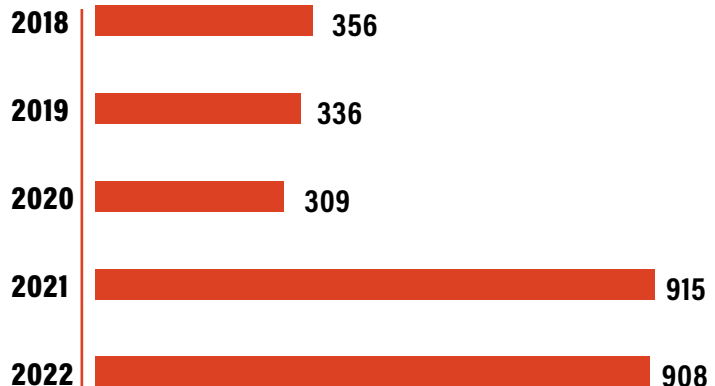
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to EEOC

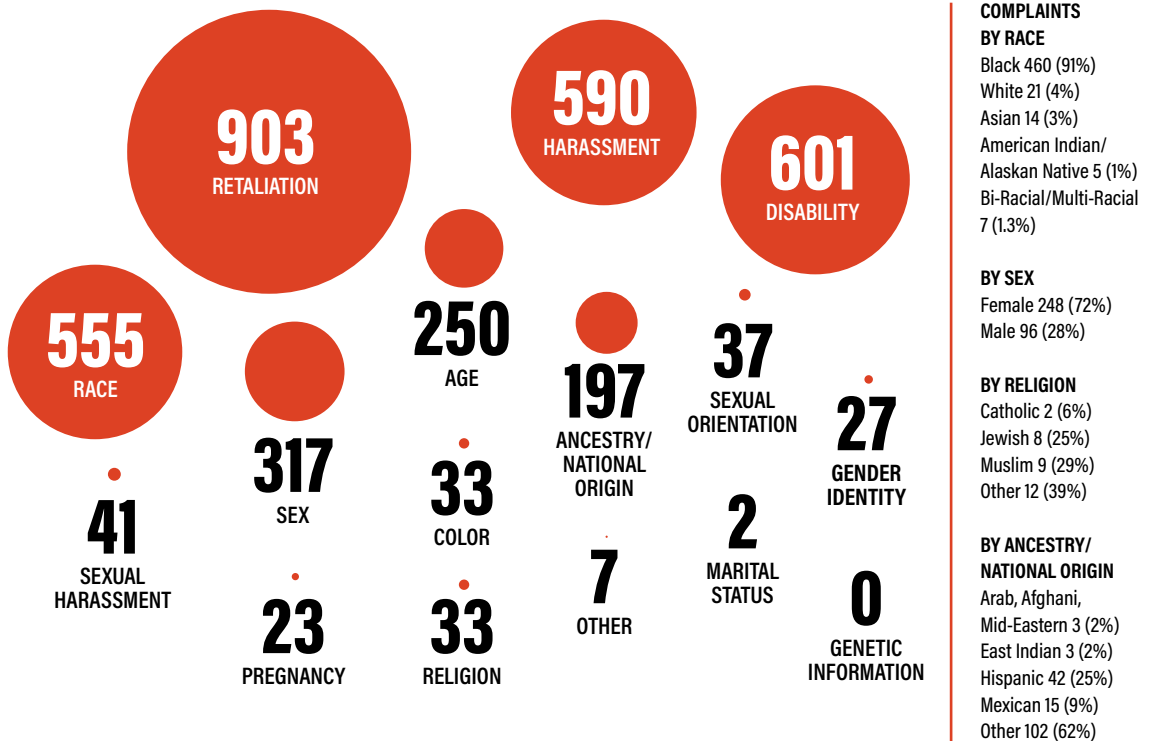
107

from EEOC

RETALIATION COMPLAINTS



Breakdown of Employment Complaints, FY2022



Case Studies: Employment Discrimination

Based on Sexual Orientation *Baltimore City*

Searching for a community service position online, an applicant found an advertisement indicating that only homosexual candidates need apply. Commission staff issued a probable cause finding based on advertisement discrimination. State law prohibits the making, printing, or publishing of any notice, statement, or advertisement indicating any preference, limitation, or discrimination based on a person's protected class. Through the Commission's investigation and conciliation, the respondent agreed to a monetary settlement of \$8,000, and to provide training for personnel responsible for job postings.

Based on Harassment and Retaliation *Baltimore City*

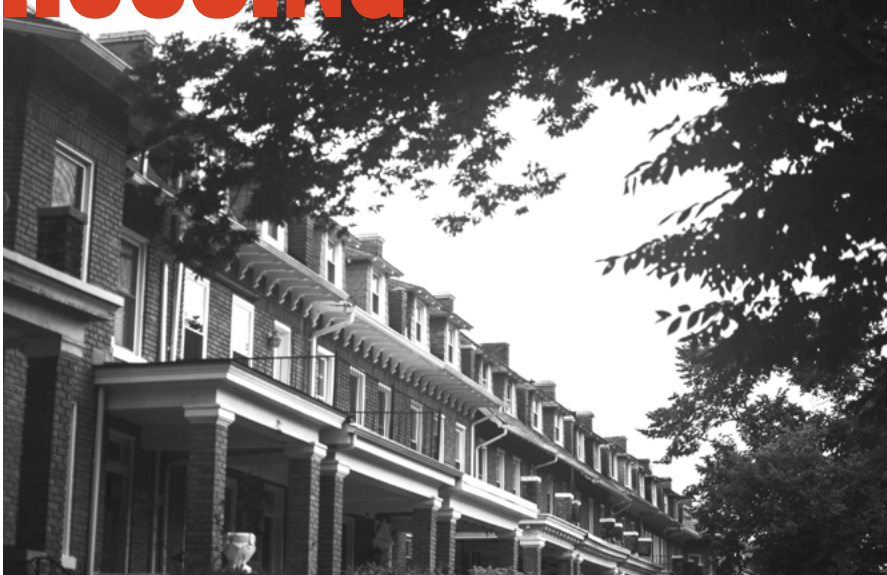
An employee filed an internal sexual harassment complaint with the employer based on behavior of a former coworker. After the matter was resolved internally, the complainant experienced retaliation in the form of harassment, unequal terms and conditions of employment, denial of reasonable accommodation, and discipline, and then filed a complaint of discrimination with MCCR. The Commission's investigation substantiated the Complainant's harassment and retaliation allegations. Through the Commission's conciliation process the complainant was awarded \$64,760.

Based on Gender and National Origin *Baltimore County*

An employee filed a complaint alleging that they were constantly berated by management, called derogatory names, assigned excessive work duties, and denied full compensation for work performed. The complainant also alleged sexual harassment by a male co-worker who offered to pay the complainant to have sex with him. Following the Commission's investigation and conciliation, the parties reached an amicable settlement including a monetary payment of \$10,000 and termination of the employment of the alleged harasser.

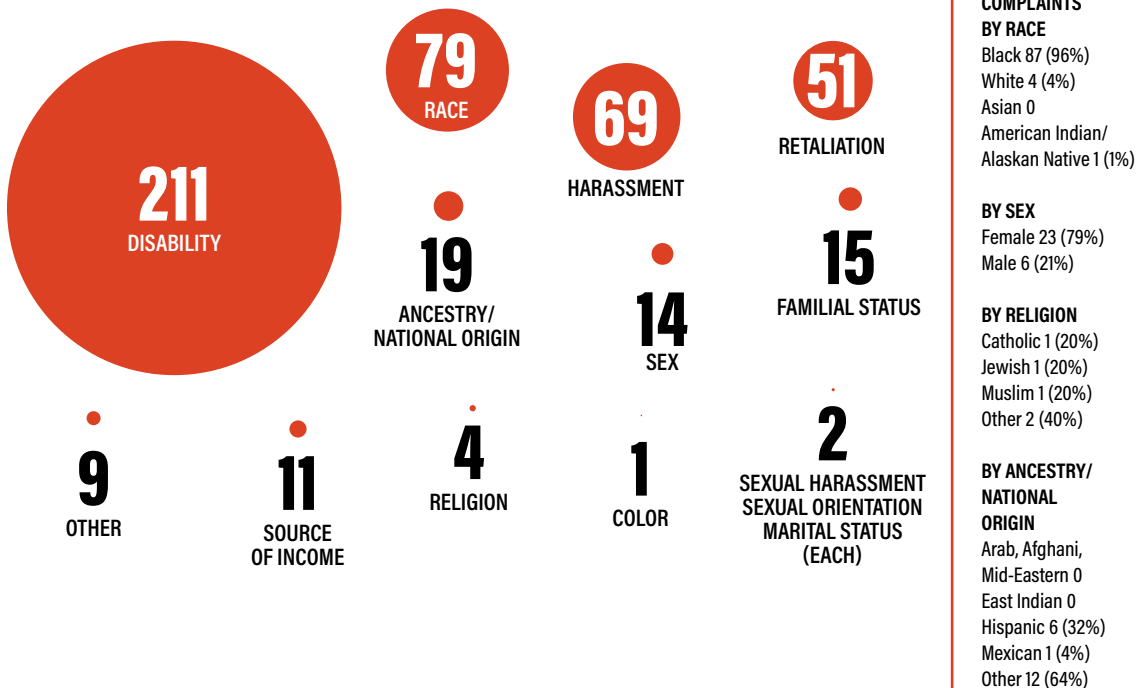
CASE PROCESSING DEPARTMENT

HOUSING



In recent years, MCCR has been concerned that its typical annual caseload of approximately 100 housing discrimination cases is an inappropriately low level of reporting based on the state's population of six million residents. Through targeted outreach, we have actively worked to educate the public about their rights and about MCCR's role in investigating housing discrimination complaints. Understanding the pain and suffering experienced by the victims of housing discrimination, MCCR seeks to investigate and issue a written finding within 100 days of receipt of complaints in this area. In FY 2022, we saw a slight decrease in total cases: from 159 in FY2021 to 120 for FY2022. Disability complaints related to accessibility remained the #1 type of complaint, followed by race.

Breakdown of Housing Complaints, FY2022



Case Studies: Housing Discrimination

Based on Disability (Reasonable Accommodation) *Prince George's County*

A tenant with a disability requested a reasonable accommodation to enable him to use and enjoy his dwelling. His landlord failed to respond to the request in a timely manner, which forced the complainant to file a complaint with MCCR and leave his unit until the requested accommodation could be addressed. The investigation's conciliation attempt was successful and resulted in obtaining the requested accommodation and \$3,000 in monetary relief, as well as training for management staff and policy modifications.

Based on Disability *Anne Arundel County*

A tenant with a disability requested a reserved handicap parking space as an accommodation, which was granted. However, a new management company required residents to pay for such spaces. The complainant repeated her initial request for reasonable accommodation, and when that was denied, she filed a complaint. After MCCR's investigation, the respondents, who had initially claimed that they did not have the complainant's previous request or her supporting documents, found this information. They agreed to a settlement including public policy relief, including but not limited to training. In addition, the complainant received a reserved parking space and a monetary settlement of \$10,000.

Based on Race *Prince George's County*

A tenant noticed that every year his rent increased while the new rentals in his building were being rented for cheaper rates. He filed a complaint citing a rent increase of \$2,021 in February 2021, claiming that the property management subjected him to discriminatory terms or conditions due to his race (African American/Black). MCCR's investigation and successful conciliation attempt resulted in \$2,000 of monetary relief to the complainant as well as training for all on-site employees who have direct contact with tenants.

CASE PROCESSING DEPARTMENT

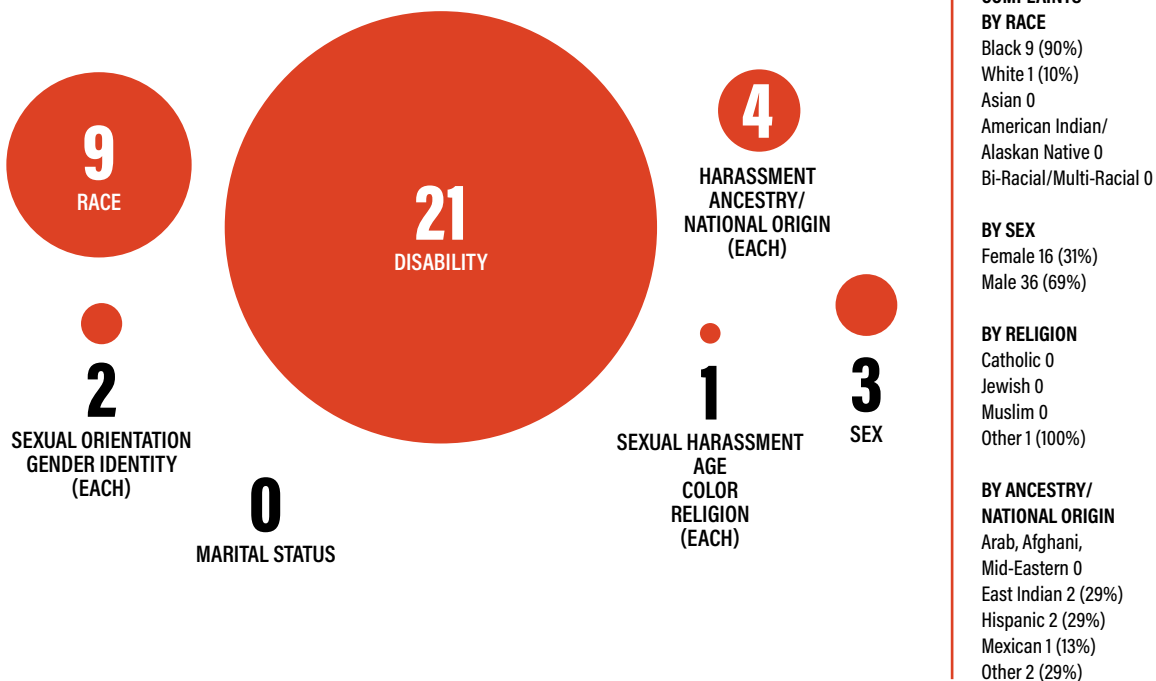
PUBLIC



ACCOMMODATION

Complaints of discrimination against an owner or operator of a place of public accommodation slightly rose in 2022 as a percentage of MCCR's total caseload. The increase can be attributed to increased traffic to retail establishments, restaurants, and other commercial businesses when Maryland's COVID-19 state of emergency was lifted. Consistent with history, disability remained the #1 reported protected class for public accommodation complaints in 2022. Race and national origin complaints were #2 and #3, respectively.

Breakdown of Public Accommodation Complaints, FY2022



Case Studies: Public Accommodation Discrimination

Based on Race

Anne Arundel County

A customer who was denied service when attempting to purchase a rifle alleged discrimination based on race (African American). According to the complaint, the complainant presented the necessary documentation to make the purchase to a Caucasian sales associate, but was denied service. The complainant later purchased a rifle from another vendor using the same documentation. Through the Commission investigation process, the respondent agreed to reimburse the complainant \$229, the price the complainant paid for the rifle purchased from another vendor. The respondent also agreed not to violate Title 20, which prohibits providers of public accommodation from refusing, withholding from, or denying to any person any of the accommodations, advantages, facilities, or privileges of the place of public accommodation because of the person's race, sex, age, color, creed, national origin, marital status, sexual orientation, or disability.

Based on Disability

Talbot County

A customer researching dining options at a restaurant, hotel, and spa in advance of an upcoming visit to the destination found that the respondent's website was unreadable and inaccessible to blind and visually impaired users. He filed a public accommodation charge, and, following MCCR's investigation, the parties entered into a settlement agreement providing \$750 in monetary relief for any inconvenience he and his wife had experienced. In addition, the respondent agreed to increase the font size of the dining options listed on the menu online. Ultimately, the complainant and his wife were able to enjoy dining at the respondent's restaurant, and this accommodation benefits all users of the restaurant's website who are legally blind or visually impaired.

OFFICE

OF THE



GENERAL

COUNSEL

The MCCR's Office of the General Counsel (OGC) is an independent legal department serving as the Commission's chief legal counsel. The OGC represents MCCR in litigation and negotiations and provides legal advice to the agency's commissioners, management and staff. In addition, the OGC manages MCCR's legislation and regulation activities—drafting bills and regulations, testifying and providing technical assistance to legislators.

Because the OGC operates independently from the Office of the Attorney General, which represents most state agencies, OGC is able to pursue legal action in discrimination charges the Commission might bring against the State of Maryland under the state's anti-discrimination statute, Title 20 of the State Government Article.

The General Counsel is a member of the Maryland Equal Pay Commission and the OGC represents MCCR on the Office of the Attorney General's Hate Crimes Workgroup. The Assistant General Counsel participates in the Maryland Volunteer Lawyers Service and the Pro Bono Resource Center.

OFFICE OF THE GENERAL COUNSEL

The Office of the General Counsel (OGC) does extensive outreach to the general public, state and local governments, and to a wide range of agencies and organizations, including bar associations and the Office of the Attorney General, among others. The focus of these activities is on providing technical assistance on anti-discrimination law and civil rights challenges.

2022 OGC Outreach Highlights

Presentations and co-presentations: co-presented with Free State Justice on legal protections under Maryland law and theories of discrimination with an emphasis on sexual orientation and gender identity, including notable cases and court decisions and a conversation on best practices to prevent workplace discrimination; presented at the 2021 Mid-Atlantic ADA Conference in Baltimore “Legal Review: Fair Housing Act & the ADA,” focusing on the differences between the federal Fair Housing Act, the State Fair Housing Act, Title 20, and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA); participated in a virtual panel discussion sponsored by the Howard County Office of Human Rights & Equity entitled “Until I Am Free: A Conversation on Women in Leadership Championing Civil Rights.”

Trainings & workshops: presented an in-depth review of disability-related laws and reasonable accommodations in the workplace targeted for employers, managers, supervisors, human resource and employee relations staff in the private, non-profit, and public sectors—covering statistics, trends, and appropriate etiquette, language, and behavior when interacting with persons with disabilities; offered the webinars “Reasonable Accommodations During the Pandemic” and “Public Accommodations & Disabilities” in partnership with the MCCR Education & Outreach Unit.

Bar association activities: represent MCCR on the Equal Pay Commission, the Maryland State Bar Association’s (MSBA) Labor & Employment Law Council, and the MSBA’s Diversity & Inclusion Committee; participated in an online conversation with membership of the Montgomery County Bar Association about MCCR procedures, regulations, and the enforcement of Title 20; participated in a Q&A session with representatives from EEOC regarding the relationship between the two agencies and their different processes during MSBA’s bi-annual Employment Law Institute as part of the MSBA’s Legal Excellence Week.



SIGNIFICANT LEGISLATION FROM THE 2022 MARYLAND STATE LEGISLATIVE SESSION

HB13 (Chapter 159 of 2022) Procurement *Discriminatory Hiring Practices*

Establishes that a person (business) may be debarred from entering into a contract with the State if a certain finding is made that the person (business) or certain related individuals have violated certain provisions of law prohibiting discrimination in employment or been debarred from federal contracts under a certain federal executive order.

HB78 (Chapter 325 of 2022) Discrimination in Employment *Reasonable Accommodations for Applicants with Disabilities*

Prohibits an employer from failing or refusing to make a certain accommodation for the known disability of an applicant for employment; and establishing that an employer is not required to accommodate an applicant for employment's disability if the accommodation would cause an undue hardship on the conduct of the employer's business.

SB151/HB645 (Chapter 167 of 2022) Hate Crimes *False Statement to a Law Enforcement Office*

The amendment clarifies the Criminal law, Section 9-501, 10-306, and 10-307, that the making of a certain false statement, report, or complaint that a person knows to be false as a whole or in material part to a law enforcement officer of the State, of a county, municipal corporation, or other subdivision of the State, or of the Maryland National Capitol Park & Planning Police may form the basis for a certain hate crime.

NOTE: MCCR does not enforce the Hate Crimes Law nor does this bill amend Title 20.

SB450/1393 (Chapter 657 of 2022) Harassment & Sexual Harassment *Definitions - Employment Discrimination & Sexual Harassment Prevention Training*

Alters the definition of "harassment" for purposes of certain provisions relating to discrimination in employment to include sexual harassment and certain unwelcome and offensive provisions relating to State government sexual harassment prevention training.

A SAMPLING OF CASES LITIGATED BY THE OFFICE OF THE GENERAL COUNSEL JULY 1, 2021, THROUGH JUNE 30, 2022

Anthony Evans v. Landex Development, LLC, et.al.

Anthony Evans ("Mr. Evans") filed a complaint against his property management company and owner of his apartment complex based on disability in fair housing.

Mr. Evans, who is blind, resided in a high-rise building in Baltimore City. As a person with an obvious disability, he requested two accommodations from his property management company. First, as he prepared to sign a new lease, he asked the property manager on site to read aloud certain provisions in the lease. Second, when he was scheduled to be moved to another unit due to a faulty tub inside his apartment, he asked to schedule the move at a time when he was prepared for it. Instead, the workers came to move his belongings without notice and refused to reschedule, leaving Mr. Evans feeling helpless. His personal property was delivered to his new apartment in an unorganized manner, and Mr. Evans had no idea where specific things were because of his blindness. He filed a complaint with the Commission, and following an investigation, the Commission filed a Statement of Charges with the Office of Administrative Hearings. The case settled July 8, 2021, prior to a public hearing. Mr. Evans received \$25,000 in monetary relief. The public interest relief for the State mandated that the property manager and senior management attend fair housing compliance training and pay a \$2,500 civil penalty to the State of Maryland.

Watkins Estate v. AMS and Prosperity Management

Nafiz Watkins ("Mr. Watkins") filed a fair housing complaint against his property management company based on the refusal to grant a reasonable accommodation.

Mr. Watkins had a disability that hampered his mobility and requested a parking spot close to his residence. His request was refused, and Mr. Watkins filed a fair housing complaint with the Commission. Unfortunately, Mr. Watkins passed away during the investigation, on April 9, 2019. His wife Rhonda Watkins became the personal representative of his estate. After the investigation concluded, the Commission filed a Statement of Charges with the Office of Administrative Hearings. A settlement was reached on November 24, 2021, before the case went to a public hearing. The estate of Mr. Watkins received \$15,000 in monetary relief. Regarding relief in the public interest, the Commission mandated the respondents complete fair housing training, develop a reasonable accommodation policy, and pay a civil penalty of \$2,000, to the State of Maryland.



Tamierra Brewer v. Holy Redeemer Charity Trust, Inc., et.al.

Tamierra Brewer ("Ms. Brewer") filed a fair housing complaint against a nonprofit based on disability discrimination.

Ms. Brewer was a single parent with a disability and four minor children participating in an emergency shelter pilot program in Baltimore City for persons experiencing homelessness. She applied for a home and was initially accepted by the landlord. However, when the landlord discovered that she had a disability, he rescinded the offer, stating that her disability and her inability to read meant that Ms. Brewer was considerably challenged and would need additional help on a daily basis. Following a complaint filed by Ms. Brewer's attorney on her behalf, the Commission found probable cause of disability discrimination. The Commission filed a lawsuit with the Office of Administrative Hearings. On April 19, 2022, the case settled. Ms. Brewer received \$18,000 in monetary damages. In the public interest, the Commission obtained fair housing compliance training for the property manager/owner of the dwelling. Additionally, the respondents created a Fair Housing Antidiscrimination Policy including provisions consistent with the May 2004 Joint Statement on Reasonable Accommodations under the Fair Housing Act. The Respondents also paid a \$1,000 civil penalty to the State of Maryland.

Jannie Prophet v. Headen House Associates, LP, et.al.

Ms. Jannie Prophet ("Ms. Prophet") filed a fair housing complaint with the Commission because she alleged that her landlord refused to provide her a reasonable accommodation, and later filed a complaint based on retaliation.

Ms. Prophet wanted to transfer to a ground floor apartment unit because of her disability. Ms. Prophet filed a fair housing complaint with the Commission, and its investigation found no probable cause regarding this particular case. However, in response to her filing the complaint, the landlord sent Ms. Prophet an invoice for \$1,600 in legal fees related to the case. The Commission was made aware by Ms. Prophet's attorney that she was being retaliated against by landlord. The Commission investigated the charge of retaliation and found that Ms. Prophet did suffer retaliation. As a result, the Commission filed a Statement of Charges with the Office of Administrative Hearings. The respondents filed a motion to dismiss the Statement of Charges. The Administrative Law Judge granted the respondents' motion to dismiss the Statement of Charges. The Commission filed a Notice of Appeal with the Maryland Commission on Civil Rights' Appeal Board. On August 8, 2022, the parties reached a settlement in the matter. Ms. Prophet received \$5,000 in damages. The respondents also agreed to attend Fair Housing compliance training as part of the public interest relief for the State of Maryland.

EDUCATION & OUTREACH



MCCR's Education & Outreach Unit (E&O) develops and offers educational materials, resources and support to businesses, state and local government agencies, nonprofit and community organizations, faith groups, academic institutions and the citizens of Maryland. Each training workshop is an opportunity to reach out to audiences and educate them about the agency and their rights.

The E&O Unit's outreach services focus on educating the public on their civil rights and responsibilities under the law. Outreach activities include attending public events statewide; publicizing our educational information online, on local TV and radio stations and in print; and collaborating with partner organizations to ensure that everyone who lives, works and visits the State of Maryland has equal access to employment, housing, public

accommodations and state contracts. The E&O Unit also takes the lead in planning and hosting MCCR's 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 promote and improve civil rights in Maryland.

EDUCATION & OUTREACH UNIT

169

TRAINING PROGRAMS OFFERED


257

OUTREACH EVENTS ATTENDED
BY THE E&O UNIT

22,626

ATTENDEES

17

NEW PARTNERS
ENGAGED

The lifting of the state of emergency for COVID-19 resulted in increased attendance to E&O events this year; however, many people were still nervous about attending public gatherings in 2021-2022, so we believe that attendance numbers could/should be even higher for 2022-2023.

SOCIAL MEDIA OUTREACH

EXTENDS OUR REACH TO NEW AND WIDER AUDIENCES.



EDUCATION & OUTREACH UNIT

EDUCATION & TRAINING

The Education & Outreach Unit continues to conduct custom training programs in response to issues arising from ongoing and completed investigations into complaints of discrimination. MCCR continually updates our education and training offerings and regularly customizes training programs to meet the specific needs of an organization or audience.

A Sampling of MCCR's Core Curriculum Topics

MCCR offers monthly informational sessions free to the public on a wide range of topics. A calendar with information on upcoming sessions is available on the Education & Outreach Events page at: mccr.maryland.gov/Pages/Events.aspx.

- Understanding Fair Housing
- 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
- Disability Awareness & Etiquette
- Employment Discrimination Prevention
- Hate Crime Prevention
- Know Your Civil Rights in the Workplace
- Know Your Civil Rights in Housing
- Religious Discrimination Prevention

2022 Education & Training Highlights

Maryland Equity and Inclusion Leadership Program (MEILP)

The Maryland Equity and Inclusion Leadership Program is offered jointly by the Schaefer Center for Public Policy at The University of Baltimore and the Maryland Commission on Civil Rights. The 8-week program combines asynchronous and live online instruction. It is comprehensive, academically grounded, and job-relevant. Participants interact online and in peer groups. They complete a project focused on diversity, equity, and inclusion. Live sessions occurred weekly, and topics include:

- Race and Racism
 - Diverse Generations
 - Religion & Spirituality
 - Group Discrimination, Disability & Reasonable Accommodation
 - Sexual Orientation & Gender Identity
 - Economic Disadvantage
 - Creating a Diverse and Inclusive Organizational Culture
-

Civil Rights Leadership Program (CRLP)

The Maryland Commission on Civil Rights Leadership Program (CRLP) is a free three-day academy designed to provide training and insight to emerging leaders by fostering a comprehensive and supportive educational environment wherein program participants will engage with experienced civil rights leaders, scholars, and practitioners to learn more about career paths and opportunities in the field. Topics include:

- Training on Maryland's Anti-Discrimination Laws and MCCR Enforcement
 - Legal Overview/Investigative Practices
 - Civil Rights Career Forum
-

Young Scholars Program

E&O prepared for the second cohort of students to attend the Young Scholars Program (YSP), offered in partnership with the Prince George's County Public Schools (PGCPS). This three-part series provided targeted workshops for teens and young adults in the areas of employment discrimination, housing discrimination, and public accommodations discrimination. The training sessions were held quarterly to coincide with the PGCPS schedules and provided participants with the opportunity to earn up to 24 total service-learning hours. Each training session involved interactive activities, community action, and reflective forums. The training series was tailored to educate Maryland youth about their rights and was appropriate for individuals ages 14–20. FY22 involved developing the curriculum for this current cohort of students and working with PGCPS to recruit student participants.

EDUCATION & OUTREACH UNIT

OUTREACH & COLLABORATION



MCCR participates in a wide array of events each year. Our presence and active involvement raises the Commission's visibility, fosters goodwill with our partners, and allows us to educate the public and expand our network within local communities.

The lingering impact of COVID lockdowns in FY2022 offered unique challenges for making the public aware of our training programs and outreach events. MCCR's Education and Outreach Unit (E&O) addressed the issues by focusing our programming around heritage months and hosting several large events, as well as developing unique programs for target audiences, such as equal employment opportunity and fair housing professionals.

E&O takes great pride in our ability to foster dialogue on promoting healthy and inclusive spaces with the community. An example of this is the LBGTQIA Safe(r) Spaces workshop. This workshop is designed to help people reduce the often unwelcoming and even hostile environments in which lesbian, gay, bisexual, transgender,

queer/questioning, transgender, intersex, and asexual/ally (LGBTQIA) people navigate in their daily lives. From the classroom bully to the unintentional exclusion by use of certain language, LGBTQIA people frequently find themselves excluded and uncomfortable in many situations. Using a hands-on approach, participants examine their role and responsibility in creating a more welcoming environment at work, school, and civic or social organizations.

With programs such as this, the E&O Unit offers relevant programming that is aligned with current events and culturally relatable as well as programming geared specifically toward human resources and equal employment opportunity practitioners.

Sampling of 2022 Partner/Outreach Events

The E&O unit has attended events in every region of Maryland and almost every county. The unit has been able to reach each representative population in Maryland with outreach events such as:

- Housing Issues in the Midst of a Pandemic: Violence and Bias in our Homes
- Removing Ableist Language from Our Lexicon
- LGBTQ+ Workplace Protections and the Law
- The Shadow Pandemic
- Racial Justice at Work: Combatting Anti-Blackness and Racism in the Workplace
- MCCR Housing Roundtable, State, What Now? Housing Resources in Southern Maryland During the Pandemic
- LatinX Heritage and Civil Rights Protections: Understanding Class, Race, and National Origin Definitions and Protections
- Reasonable Accommodations During the Covid-19 Pandemic

As in person events became more frequent this year, MCCR was grateful to be able to support our partner organizations and local community organizations by participating in events like the following in 2022:

- Older American Month "Aging My Way"
- Asian American Heritage Festival
- Prince George's County Juneteenth event
- Baltimore City PRIDE event

New Partnerships in 2022

- Enoch Pratt Free Library
- Queen Anne's County Department of Health
- Upward Bound
- Maryland State Library Agency
- Hagerstown Housing Authority
- Southern Maryland Regional Library Association
- Arundel Lodge Inc.
- Frederick Community College
- Diakoinia Services, Wicomico County
- Prince George's County Public Schools
- Independence Now
- Perry Hall Apartments
- NAIAD Dynamics
- Jewish Community Center
- Prince George's County Department of Aging
- Spanish Speaking Community of Maryland, Inc.
- Maryland Latinos Unidos

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. A summary of MSP's findings is provided here; please refer to the full report for further details. www.mcac.maryland.gov/resources/Hate_Bias_2021.pdf

HATE CRIMES REPORT

There were 388 total hate bias incidents reported by Maryland law enforcement agencies during the 2021 reporting period. Maryland experienced an average of 385 hate bias incidents each year from 2019 to 2021. Verified incidents decreased from 29.1% in 2020 to 26.0% in 2021. In 2021, Race, Ethnicity or Ancestry (R/E/A), as a category, was the most common motivation for all hate bias incidents, accounting for 68.7%. On average, R/E/A accounted for 68.7% of all incidents reported from 2019 to 2021.

As noted on page 12 of the 2021 Hate Bias Report, between 2012 and 2021, only one county has reported no hate bias incidents. Please note that the reporting of zero hate bias incidents in a specific county does not mean that no hate bias incidents have occurred there.

Similar to acts of unlawful discrimination in employment, housing, and public accommodations, the most reported incidents appear to have been motivated by Race/Ethnicity/Ancestry, with the majority of those incidents targeting those who are Black/African American. The full table of incidents by bias motivation can be found on page 8 of MSP's report.

Similar to previous years, the top three bias motivation sub-categories remain Anti-Black/African American, Anti-Jewish and Anti-Male Gay. The trend continues to remain that racial minorities, religious minorities, and members of the LGBTQ+ community are more likely to be targets

of hate and bias than those Marylanders who are Caucasian, Christian, and/or heterosexual.

The challenges represented by the current data are not new, and there continue to be strong efforts statewide to address incidents of hate and bias and a desire to eradicate it from our communities. MCCR is proud to work alongside the Maryland State Police, 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 improve reporting throughout all of Maryland.

388

HATE/BIAS REPORTS IN 2021

+6 REPORTS OR 1.57% INCREASE FROM 2020
385 AVERAGE OF HATE BIAS INCIDENTS PER YEAR SINCE 2019
32 AVERAGE REPORTS PER MONTH

TOP 3 BIAS MOTIVATION CATEGORIES

68.7%

RACE/ETHNICITY/ANCESTRY
43.8% BLACK | 8.2% ASIAN
4.7% HISPANIC OR LATINX

15%

SEXUAL ORIENTATION

15%

RELIGION

TOP BIAS MOTIVATION SUB-CATEGORIES

43.8%

ANTI-BLACK OR
AFRICAN AMERICAN

11.9%

ANTI-JEWISH

9.7%

ANTI-GAY
(MALE)

8.2%

ANTI-ASIAN

4.7%

ANTI-HISPANIC
OR LATINX

REPORTED VICTIMS

47.5% BLACK

25.6% WHITE

13.5% ASIAN

7.5% HISPANIC

5.7% UNKNOWN R/E/A

58% MALE

41% FEMALE

1% UNKNOWN GENDER

OFFENDERS

33% WHITE

18.5% BLACK

4% HISPANIC

41% UNKNOWN R/E/A

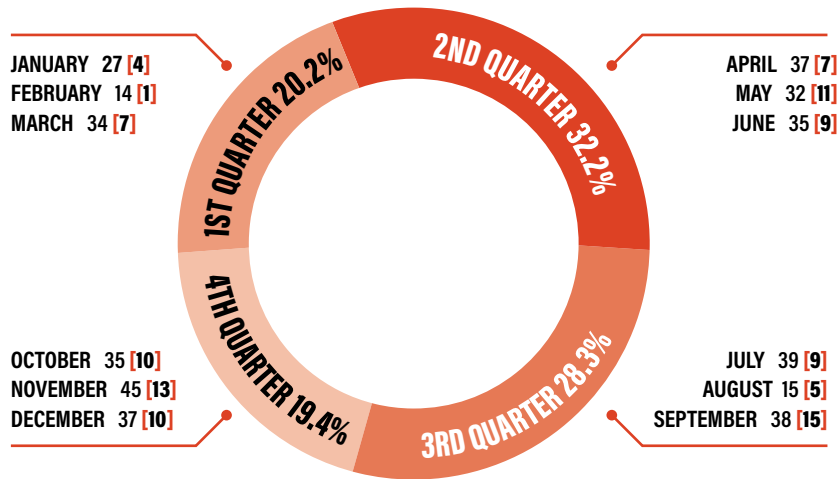
46% MALE

17% FEMALE

37% UNKNOWN GENDER

HATE CRIME REPORTS IN 2021 - BY MONTH

All Reports [Verified Reports]



BIAS MOTIVATION REPORTS IN 2021

All Reports [Verified Reports]

276 [75]

Race/Ethnicity/
Ancestry

57 [9]

Religion

59 [15]

Sexual Orientation

9 [3]

Gender Identity

0 [0]

Gender

1 [1]

Homelessness

0 [0]

Disability



402 [103]

TOTAL*

* Incidents with more than one bias motivation are counted in all relevant categories
45 incidents (11.5%) occurred at elementary/secondary school or college/university
Juveniles = 9.5% of known victims | 7.7% of known offenders

INCIDENT LOCATIONS IN 2021

Including locations with greater than 1% of incidents reported

	Residence/Home	100 [23]		School College or University	9 [4]
	Highway/Road/Alley/Street/Sidewalk	80 [21]		Department/Discount Store	8 [1]
	School Elementary/Secondary	36 [11]		Field/Woods	5 [1]
	Parking Lot/Garage	27 [6]		Government/Public Building	5 [2]
	Other/Unknown	16 [3]		Hotel/Motel	4 [1]
	Restaurant	14 [7]		Air/Bus/Train Terminal	3 [1]
	Church/Synagogue/Temple/Mosque	13 [1]		Bank/Savings and Loan	3 [1]
	Grocery/Supermarket	12 [2]		Convenience Store	3 [1]
	Park/Playground	12 [5]		Liquor Store	3 [1]
	Commercial/Office Building	11 [2]		Locations with 2 or fewer incidents	14 [5]
	Specialty Store (TV, Fur, etc)	10 [2]		TOTAL	388 [101]

Over 80% of all hate bias reporting in Maryland during 2021 was received from four counties:

Anne Arundel (39), Baltimore (83), Howard (65), and Montgomery (130).

There were no hate bias reports submitted by the following counties:

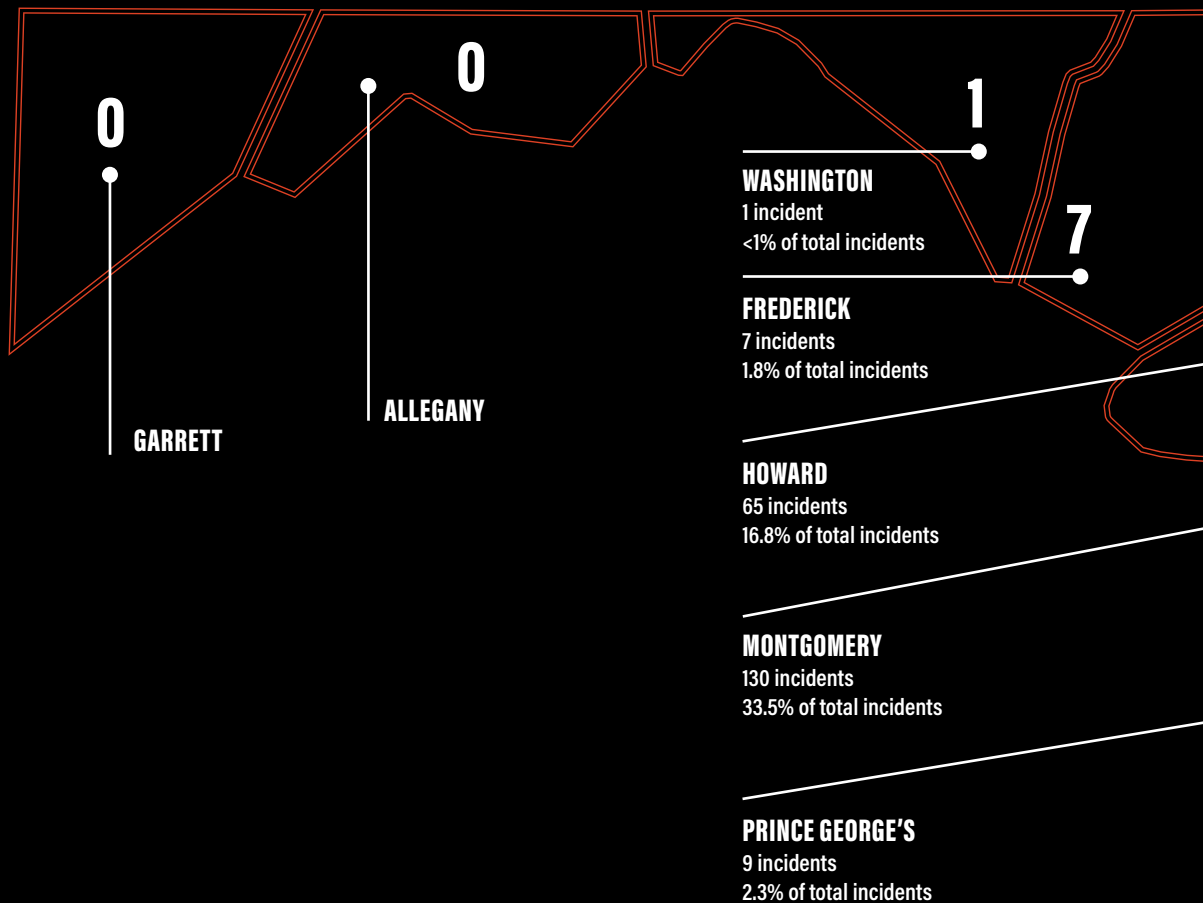
Allegany, Calvert, Caroline, Dorchester, Garrett, Somerset, Talbot, and Worcester.

Two ZIP Codes reported the highest number of hate bias incidents in 2021 at 13 incidents each.

They are 21222 in Baltimore County and 21044 in Howard County.

SOURCE: STATE OF MARYLAND 2021 HATE BIAS REPORT

REPORTING BY COUNTY



388 TOTAL INCIDENTS

101

VERIFIED
INCIDENTS

272

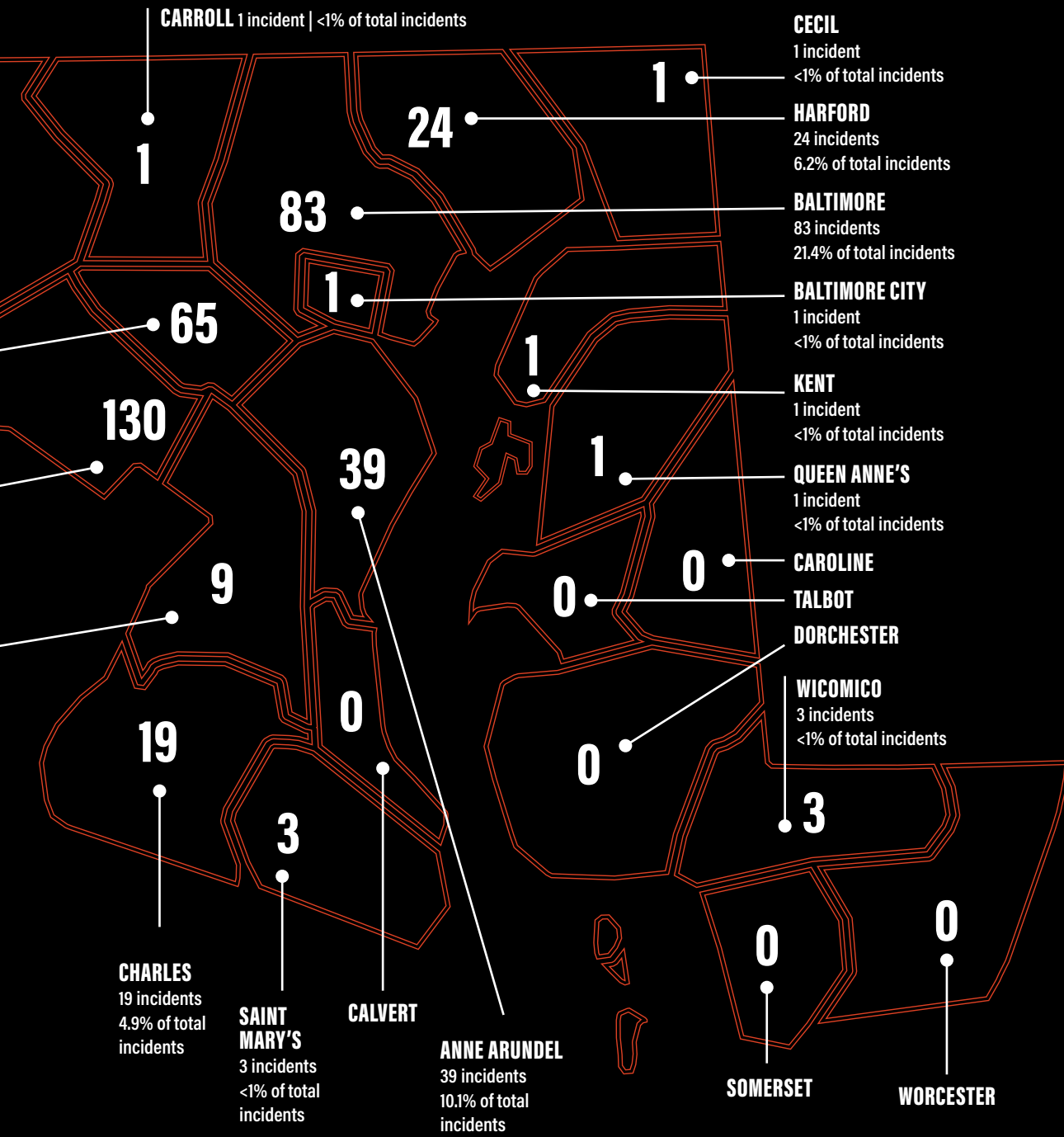
INCONCLUSIVE

15

UNFOUNDED

8

COUNTIES WITHOUT
REPORTED INCIDENTS



SERVING

ALL OF



MARYLAND

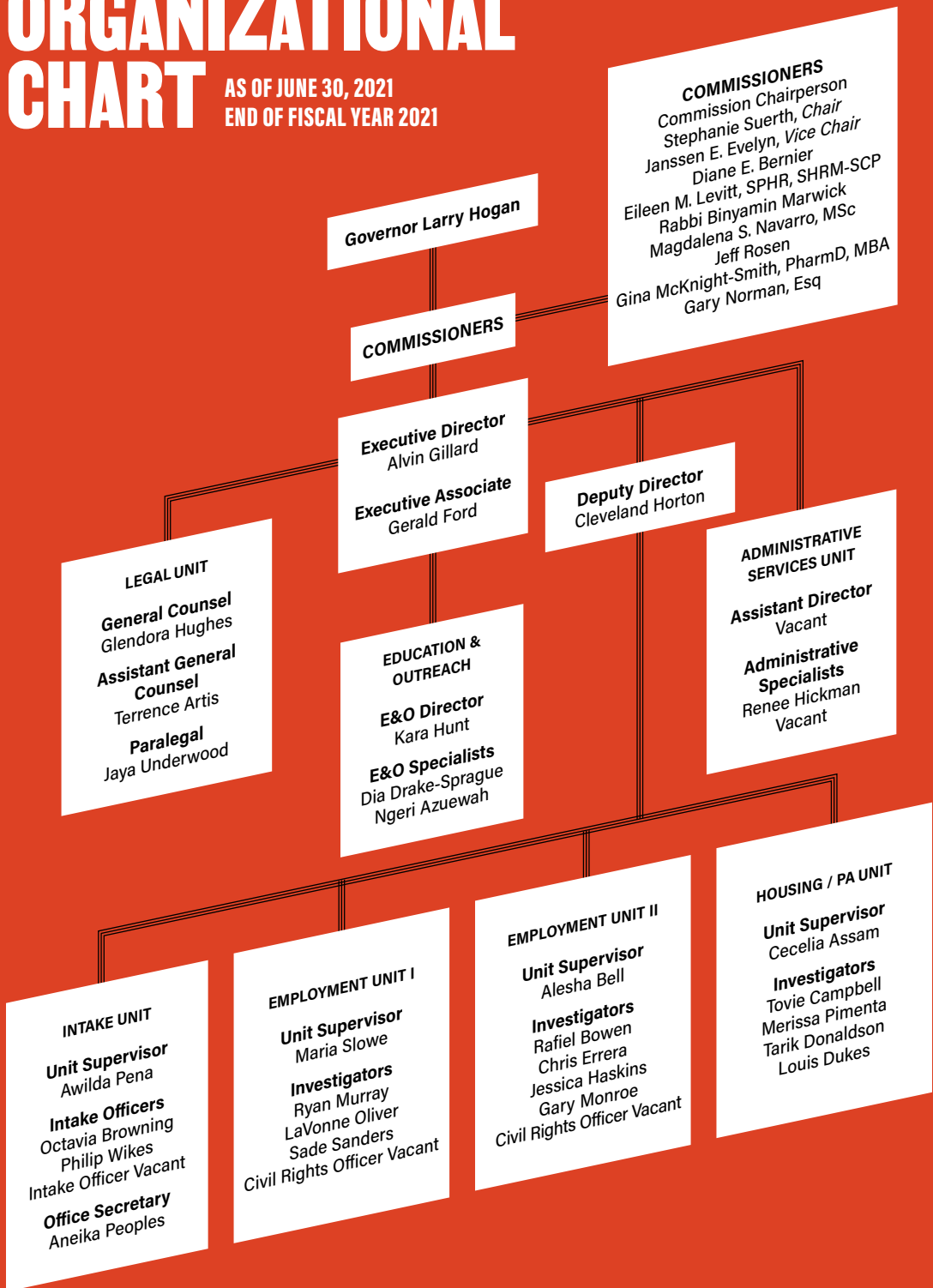
MCCR BUDGET REPORT FOR THE LAST THREE FISCAL YEARS

FUNDING SOURCE	2020	2021	2022
Federal Funds	\$622,062	\$980,660	\$1,230,153
HUD	\$247,800	\$439,805	\$688,886
EEOC	\$374,262	\$540,855	\$541,267
Reimbursable Funds	-	-	-
Special Funds	\$15,701	-	\$95,000
State General Funds	\$2,632,008	\$2,626,438	\$2,409,854
GRAND TOTAL	\$3,269,771	\$3,607,098	\$3,735,007

STAFF POSITIONS	2020	2021	2022
Authorized Permanent	31	33	33
Contractual Positions	2	1	1
TOTAL POSITIONS	33	34	34

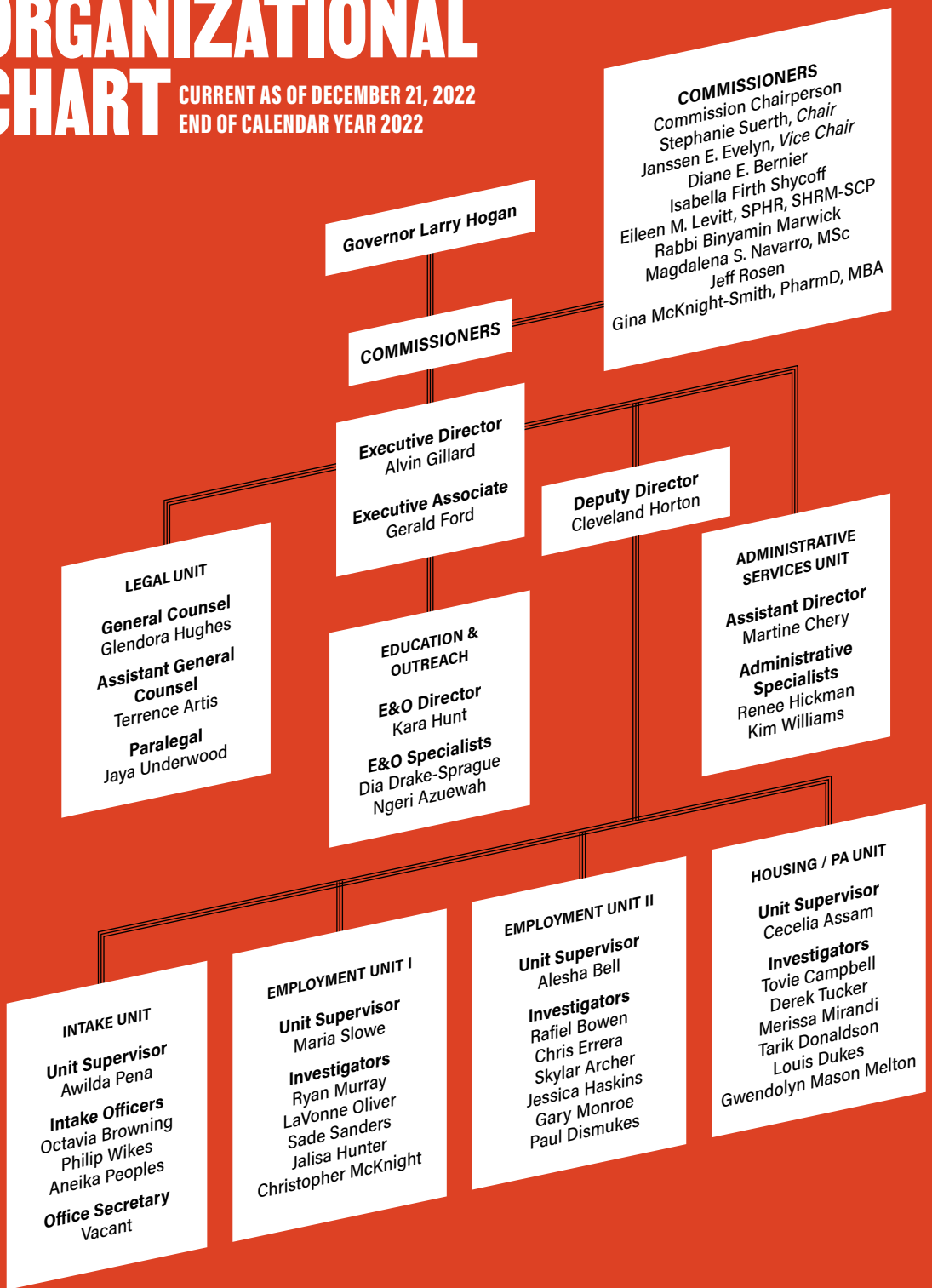
ORGANIZATIONAL CHART

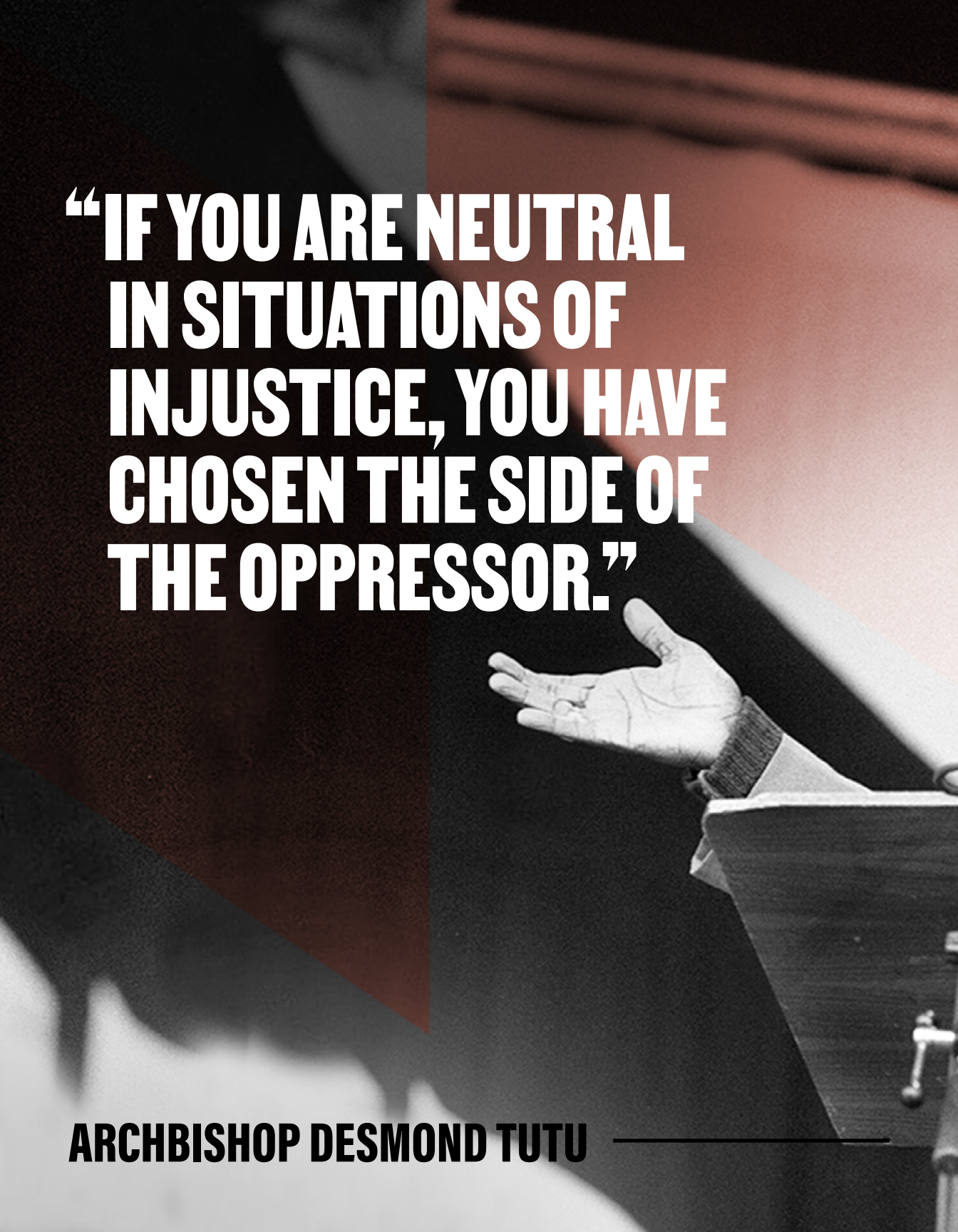
AS OF JUNE 30, 2021
END OF FISCAL YEAR 2021



ORGANIZATIONAL CHART

CURRENT AS OF DECEMBER 21, 2022
END OF CALENDAR YEAR 2022





**“IF YOU ARE NEUTRAL
IN SITUATIONS OF
INJUSTICE, YOU HAVE
CHOSEN THE SIDE OF
THE OPPRESSOR.”**

ARCHBISHOP DESMOND TUTU

Archbishop Desmond Tutu received the Nobel Peace Prize in 1984 for his role as one of the driving forces behind the movement to end apartheid in South Africa. He died in December 2021.



CONSERVING MARYLAND'S RESOURCES

MCCR limits the print runs of this and other publications as a measure to conserve both the environment and taxpayer resources. To download and share a PDF of this report, find expanded 2022 data and access up-to-date information on MCCR events and activities, please visit www.mccr.maryland.gov. Reports and publications can be found under the "Publications" tab. Thank you!

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