

State of Maryland Commission on Civil Rights
Commission Meeting
October 10, 2023 – 10am
Meeting held virtually via Google Meet
MINUTES

Commissioners Present: Stephanie Suerth, MPA, CCEP, Chair; Eileen M. Levitt, SPHR, SHRM-SCP; Diane E. Bernier; Angela Scott, Esq.; Gina McKnight Smith

Management Present: Alvin O. Gillard, Executive Director; Cleveland L. Horton II, Deputy Director; Glendora Hughes, General Counsel; Dia Drake Sprague, Director of Education and Outreach

Staff Present: Gerald T. Ford, Executive Associate;

Members of the Public: None

Meeting called to order at 10:05 a.m.

Chairperson's Report

The Chair articulated her intent to meet with the Vice Chair and the Executive Director to strategize on priorities and approaches in preparation for the next legislative session, that can be presented to the Commissioners for further development and approval.

The Chair notified the Commissioners to mark on their calendars the Biennial Gala set for August 24th at the Maryland Live Casino. The Chair also encouraged the Commissioners to volunteer their time and efforts in any way they can to ensure a successful event.

Executive Director's Report

- As MCCR approaches the final quarter of our calendar year. The Executive Director shared with the Commissioners the excellent year MCCR had in closing cases in both the housing and employment units. The housing unit achieved the highest closure number that we've seen in well over the last ten years.
- Our Education and Outreach Unit while going through a significant transitional period, are progressing in the right direction. The unit continues to identify civil rights challenges throughout the state and works to develop programming that addresses those challenges. The E&O Unit is continuing in its role as primary trainers on sexual harassment prevention in the workplace for all state employees. With the support of our General Counsel, our new E&O staffer members are rapidly adjusting to their roles as trainers in this program area and are expected to play a significant role over the next few months.

- The Executive Director thanked the Legal Unit for their legislative work advocating for bills that would strengthen civil rights in Maryland while flagging those bills that were problematic for one reason or another.
- MCCR continues the work to build a positive, balanced relationship with the Attorney General's office through codifying the roles and responsibilities of each agency in carrying out the newly amended law. To that end MCCR staff was able to meet the new Director of Civil Rights in the Attorney General's Office to discuss the relationship and how best to move forward.
- During the year, MCCR increased staff by five positions, bringing the total staff count to 41. The increased staff size will help reduce the case backlog and improve our time and process numbers as we investigate and close cases.
- The leadership team had an excellent discussion about closing the year with focus and productivity. It is critical that we close the calendar year with the same momentum that has allowed us to achieve so much and that we not relax or become complacent. In their reports to the Commission, leadership will touch upon the focus areas they're going to be addressing over this last quarter of the year.

Deputy Director's Report

- The Deputy Director highlighted a few points from the Case Processing Unit's written report.
 - MCCR has pared the cases in unassigned status down to 230 Employment Cases from a high of almost 700 just over two years ago.
 - The average age of employment cases is down to 82 days which is a significant reduction.
- MCCR successfully met its EEOC contract goal of 560 cases.
- MCCR sponsored in partnership with the Attorney General's Office, and the Human Relations Commissions in Prince Georges, Howard and host Montgomery County a Hate/Bias Reporting Forum on September 19th at Montgomery Community College. The next forum is tentatively scheduled for January, 2024 in Baltimore City/Baltimore County.
- The Deputy Director has received a quote for purchasing the case processing database. The next step is to work with the Administrative Unit and our Budget Analyst to procure the database.
- For the final quarter of the calendar year 2023, the Case Processing Unit is working on making sure that our job descriptions (MS22) reflect their duties accurately. Stage one of having the managers review the MS22's is complete. Now, the staff are reviewing these job descriptions and modifying them to ensure they are accurate. This also includes reviewing our existing production standards for investigators and we can shift to focusing

more on time and process, so that cases are investigated and closed in a more timely manner without sacrificing the quality of the investigation.

General Counsel's Report

- The General Counsel highlighted a few points from the Unit's written report.
- Discussions are still ongoing with the Attorney General's Office regarding crafting a memorandum of understanding between the two agencies as a result of the amending of Title 20, expanding the jurisdiction of the AG's Office in certain civil rights areas.
- MCCR held a virtual meeting with Senator Lam's staff on September 6 to discuss the case of 303 Creative LLC v. Elenis. The Supreme Court ruled that websites created by 303 Creative communicated messages through artistic expression and which was protected speech under the First Amendment. But some worry that "free speech" will now be used as a pretext for businesses to discriminate against LGBTQ+ people. The Senator wanted to discuss what the ramifications would be in Maryland if any.
- The General Counsel served as a Panelist for the Baltimore County Bar Association – Affirmative Action Program. The panel's topic was a discussion on Students for Fair Admissions (SFFA) v University of North Carolina and SFFA v Harvard, Supreme Court decisions. These decisions found that Harvard and the University of North Carolina's affirmative action programs violate the Equal Protection Clause of the Fourteenth Amendment.

Education and Outreach Report

- October is Employment Disabilities Awareness Month. E&O will host a training titled "Employment: Disability, Reasonable Accommodations, and the Law".
- October is also Italian American Heritage Month, Polish American Heritage Month, and LGBTQ+ History Month. E&O will highlight these months and identify issues and challenges these communities face on our social media platforms.
- E&O has begun efforts to revitalize its youth programming. The unit is scheduled to present before the "Queen in You" organization at Bowie State University. E&O also has a presentation with the Junior Staff Workforce Development program at the Boys and Girls Club of Annapolis and Anne Arundel County.

New Business

None

The meeting went into executive session at 11:25 a.m.

