



State of Maryland
Commission on Civil Rights

2023 ANNUAL REPORT

PROTECTING GAINS GAINING PROTECTIONS



THE WORK CONTINUES

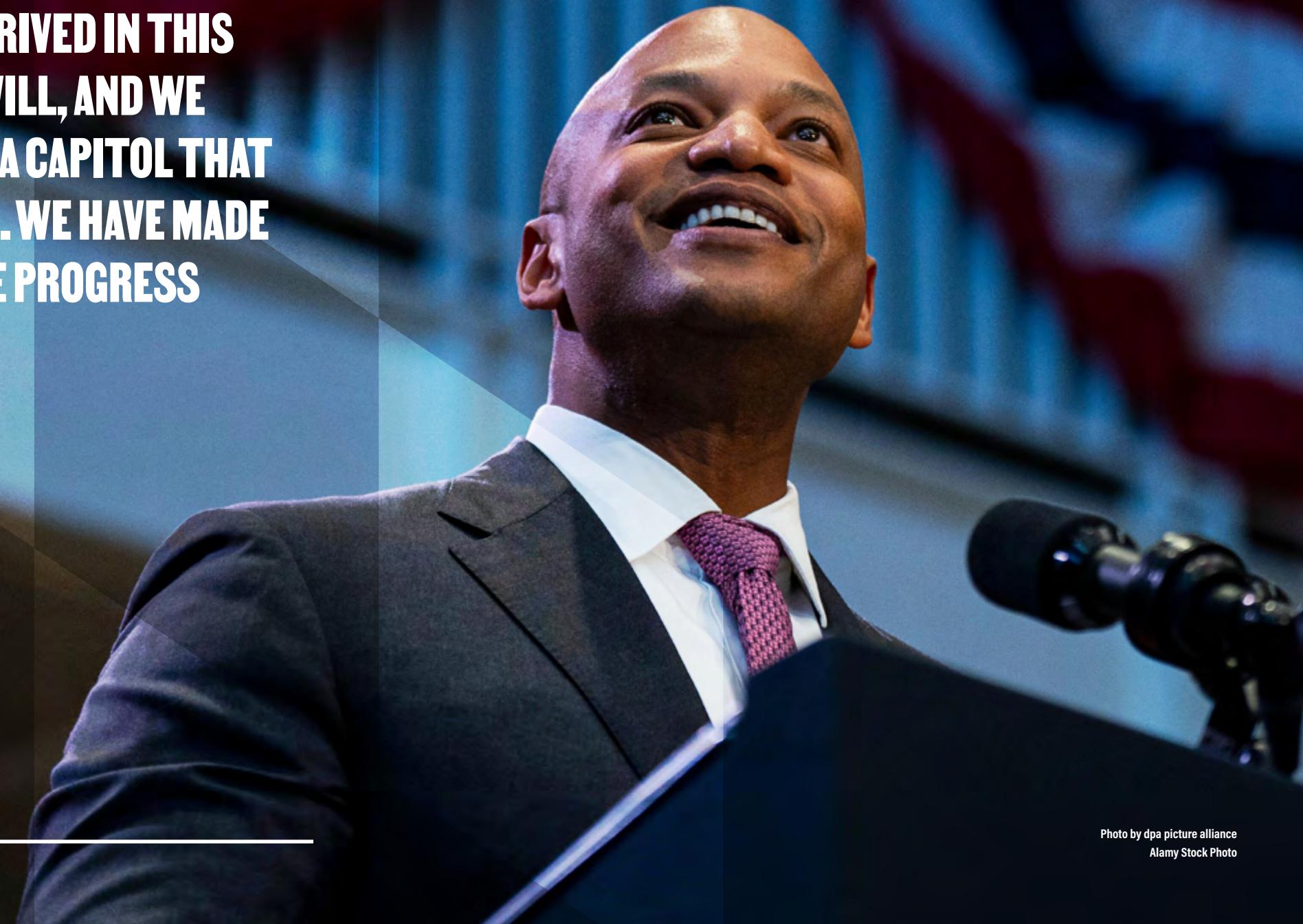
Wes Moore, Governor
Aruna Miller, Lt. Governor

Alvin O. Gillard, Executive Director
Stephanie Suerth, MPA, CCEP, Commission Chair

“IT’S IMPOSSIBLE NOT TO THINK ABOUT OUR PAST AND OUR PATH. WE’RE BLOCKS AWAY FROM THE ANNAPOLIS DOCKS, WHERE SO MANY ENSLAVED PEOPLE ARRIVED IN THIS COUNTRY AGAINST THEIR WILL, AND WE ARE STANDING IN FRONT OF A CAPITOL THAT WAS BUILT BY THEIR HANDS. WE HAVE MADE UNEVEN AND UNIMAGINABLE PROGRESS SINCE THEN.”

**FROM THE INAUGURAL SPEECH
OF GOVERNOR WES MOORE**

On January 18, 2023, Wes Moore was sworn in as the 63rd governor of the State of Maryland—the state’s first African American governor, and only the third Black person ever to be elected governor in the U.S.





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
Wes Moore
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, 2024

Governor Moore, Senate 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 (MCCR) for Fiscal Year 2023. We are pleased to report that the Commission continues to improve its services to enforce Maryland's anti-discrimination laws while advancing and promoting civil rights in our State. The Commission is grateful to Governor Moore, the Department of Budget & Management, the Maryland State Senate, and the Maryland House of Delegates for their assistance and continued support of our mission.

In FY2023, MCCR underwent a rigorous process to identify and adopt its core values. These core values are the ideals and principles that are the heartbeat of this organization and drive the delivery of all of our services and initiatives. Our core values identified through an interactive process that was inclusive of MCCR leadership and staff are:

- Respect - We value one another's differences and varied roles with humility and sensitivity, where all people, perspectives, and positions are heard and valued.
- Integrity - We are committed to the public and each other's ethical behavior that reflects and works for the betterment of the laws we enforce.
- Effective Communication - We promote an inclusive culture of open communication, promoting meaningful and successful interactions.

The Commission fulfilled the obligations of its federal work sharing agreements with both the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing & Urban Development (HUD). Our total case closure numbers were 599 EEOC closures and 159 HUD closures. The EEOC closure number increased by 163 cases from the previous year. The HUD closure number was the highest closure number the Commission has achieved over the past 20 years, and MCCR continues to lead HUD Region III in case closures. The Case Processing Unit has been successful in moving most of the unassigned cases into active investigation status. The number of unassigned cases has been reduced from just under 700 cases down to approximately 67, with many of these unassigned cases being recent transfers from EEOC.

The Commission's Education & Outreach (E&O) Unit continues to promote civil rights by providing education and training support to agencies and individuals throughout Maryland. In FY2023, we held 94 training programs and participated in 79 outreach events. A key highlight in FY2023 was initiating a forum in partnership with the Office of the Attorney General, aimed to provide

OFFICERS

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

Governor
Wes Moore
Lt. Governor
Aruna Miller
Commission Chairperson
Stephanie Suerth, MPA, CCEP
Commission Vice Chairperson
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Gina McKnight-Smith, PharmD, MBA
Isabella Firth Shycoff

community leaders and members of law enforcement with critical information on how to prevent acts of hate/bias and how to report acts of hate/bias. The forum also included presentations from the Maryland Coordination & Analysis Center in understanding its annual Hate/Bias Report for the State of Maryland.

As we continue to promote civil rights for all Marylanders, we saw significant gains in several areas during FY2023. The Commission worked cooperatively with the Office of the Attorney General in response to the introduction and passage of legislation authorizing the Attorney General to investigate, prosecute, and remediate certain civil rights violations under certain circumstances. We look forward to working with the Attorney General's Office in addressing broader, systematic issues of unlawful discrimination. We also applaud the passage of other significant legislation including the creation of the Maryland Commission on Hate Crime Response and Prevention and legislatively mandating that equity be considered when State transportation plans, reports, and goals are developed.

While we celebrate these significant gains, we also recognize the need for diligence and the ongoing commitment of MCCR to maintain civil rights protections already won. Over recent years, we have seen a continuing effort to chip away at civil rights protections nationally. This includes (a) the Supreme Court gutting of key provisions in the Voting Rights Act, (b) the overt censoring of books in our school systems, with many of these books being authored by people of color and/or members of the LGBTQIA+ community, (c) the Supreme Court ruling against using race in college admissions, and (d) the increased number of hate bias incidents in Maryland and hate crimes nationally.

MCCR remains committed to enforcing the State of Maryland's anti-discrimination laws and working to promote equity, inclusion, and opportunity for all Marylanders. Again, thank you for your continued support, as well as your leadership and service to Maryland.

Respectfully submitted,

Stephanie Suerth, MPA, CCEP
COMMISSION CHAIR

Alvin O. Gillard
EXECUTIVE DIRECTOR

PROTECTING GAINS & GAINING PROTECTIONS



Over the past year, the State of Maryland has enacted significant new legislation and policies to expand protections for civil rights in our State. At the same time, we have seen a continuing national erosion of many hard-won civil rights protections that we had long taken for granted in this country.

Two new measures this year offer Marylanders a permanent, long-term mechanism to address hate crimes at the State level. The Attorney General's Hate Crimes Task Force was transformed into a permanent body—the Maryland Commission on Hate Crimes Response and Prevention—which will evaluate state laws and policies on hate crimes and develop strategies to address them. New legislation this year also authorized the Attorney general to investigate, prosecute, and remediate certain civil rights violations under certain circumstances. Finally, a new legislative mandate requires that equity be considered in the development of State transportation plans, reports, and goals.

While Maryland saw significant gains in civil rights protections this year, events nationwide have reinforced the need for diligence in protecting and maintaining civil rights

already won. Recent continuing efforts to chip away at civil rights protections nationally have included the 2013 ruling by the Supreme Court gutting of key provisions in the Voting Rights Act; the overt censoring in school systems across the nation of books often authored by people of color and members of the LGBTQIA+ community, addressing the experiences of those communities; the 2023 Supreme Court ruling against using race in college admissions, reversing decades of educational gains for Black and Latino students through affirmative action; and the increased number of hate bias incidents in Maryland and hate crimes nationally.

We cannot assume that the freedoms and rights won through generations of struggle are written in stone. The work continues.

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LEADING THE CHARGE FOR EQUITY IN MARYLAND FOR NEARLY 100 YEARS

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 COMMISSION ON CIVIL RIGHTS



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



1974

- discriminatory practices in public accommodations, employment and housing due to marital status or physical or mental handicap.

Permitted for the first time since being established in 1968 as the Maryland Commission on Human Relations to seek certain types of court relief in order to preserve the status of parties or prevent irreparable harm.

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.

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

1977

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



1999

- Governor Parris N. Glendening 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

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



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.

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

- 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.



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.

2022–2023 THE WORK CONTINUES

"EVEN IN DARK TIMES, WE NOT ONLY DREAM, WE DO. WE NOT ONLY SEE WHAT HAS BEEN, WE SEE WHAT CAN BE. WE ARE UNDAUNTED IN OUR BELIEF THAT WE SHALL OVERCOME; THAT WE WILL RISE UP. THIS IS AMERICAN ASPIRATION."

VICE PRESIDENT KAMALA HARRIS

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.

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.

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



Wes Moore becomes Maryland's first African American Governor and Aruna Miller, who emigrated from India at age 7, becoming a U.S. citizen in 2000, is the first immigrant to be elected to the post of Lieutenant Governor in the U.S. and the first Asian American elected to statewide office in Maryland.



The Maryland General Assembly passed a bill establishing the **Maryland Commission on Hate Crime Response and Prevention** (Chapter 773 of 2023), and authorized the Attorney General to investigate, prosecute, and remediate certain civil rights violations under certain circumstances (Governor - Chapter 629).

• NOVEMBER
• 2021

• APRIL
• 2022

• JUNE
• 2022

• JANUARY
• 2023

• APRIL
• 2023

• MAY
• 2023

• JUNE
• 2023

A jury found Kyle Rittenhouse not guilty of the fatal shooting of two protesters and injuring of another in the 2020 demonstrations following the shooting of Jacob Blake by a Kenosha, Wisconsin, police officer.

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.



The Maryland General Assembly approves a measure prohibiting a person from discriminating in the sale or rental of, or otherwise making unavailable or denying, a dwelling to an **individual with a disability** who has, obtains, or retains a certain **service dog**. (Chapter 212 of 2023).

The U.S. Supreme Court rules that colleges and universities can **no longer take race into consideration** as a specific basis for granting admission, a landmark decision overturning longstanding precedent that has benefited Black and Latino students in higher education.

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, state contracts, health services, and commercial leasing; 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.

OUR CORE VALUES

These core values are the ideals and principles that are the heartbeat of this organization and drive the delivery of all of our services and initiatives.

- **Respect** - We value one another's differences and varied roles with humility and sensitivity, where all people, perspectives, and positions are heard and valued.
- **Integrity** - We are committed to the public and each other's ethical behavior that reflects and works for the betterment of the laws we enforce.
- **Effective Communication** - We promote an inclusive culture of open communication, promoting meaningful and successful interactions.

CASE PROCESSING



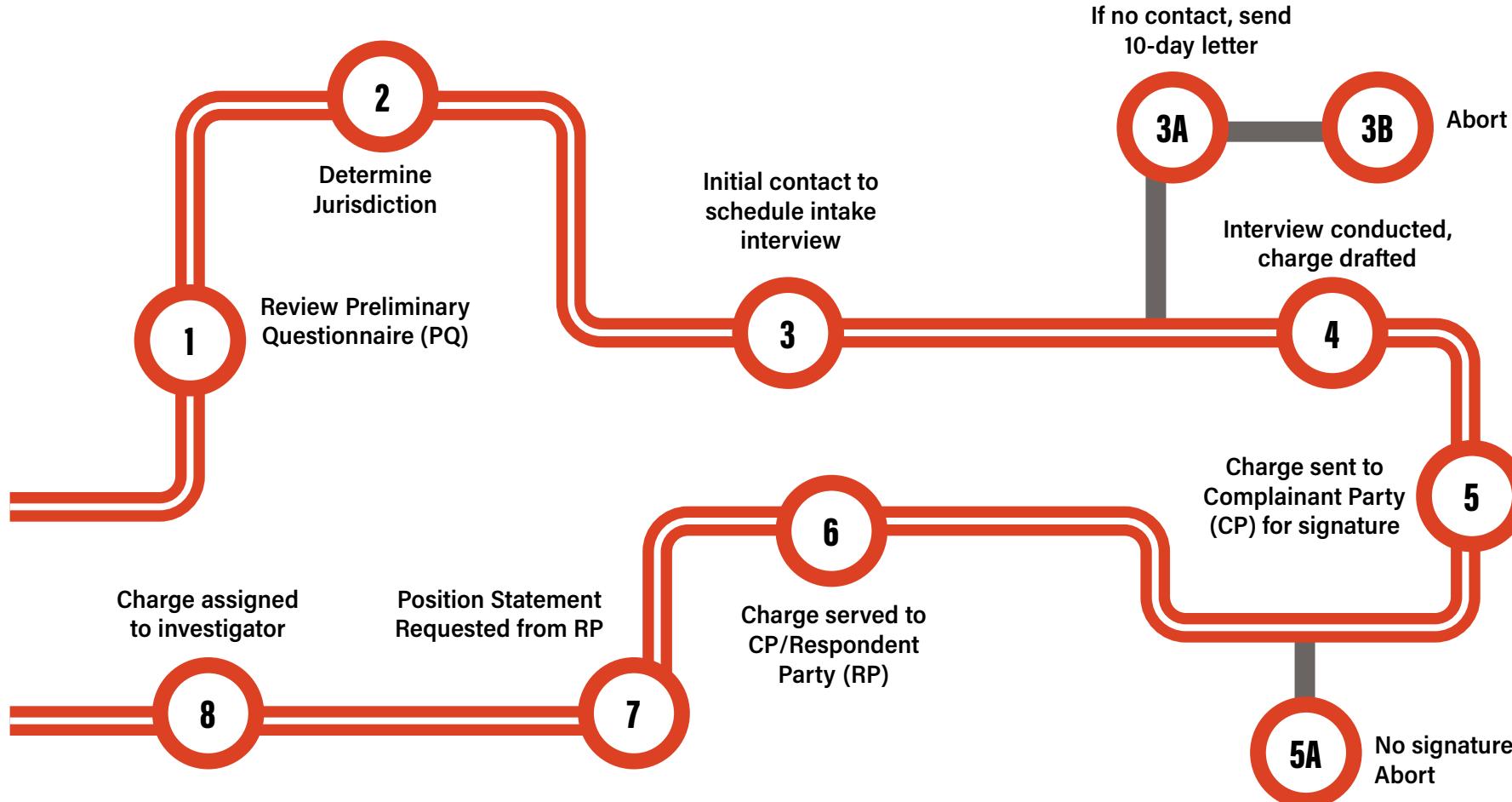
DEPARTMENT

MCCR's Case Processing Department investigates complaints in the areas of employment, housing, public accommodations state contracts, health services, and commercial leasing. 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).

INTAKE PROCESS



TOTAL INQUIRIES

1,900
FY2023 **1,146**
FY2022

TOTAL CHARGES TAKEN

661
FY2023 **623**
FY2022

TOTAL INTAKE ABORTS

462
FY2023 **523**
FY2022

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:

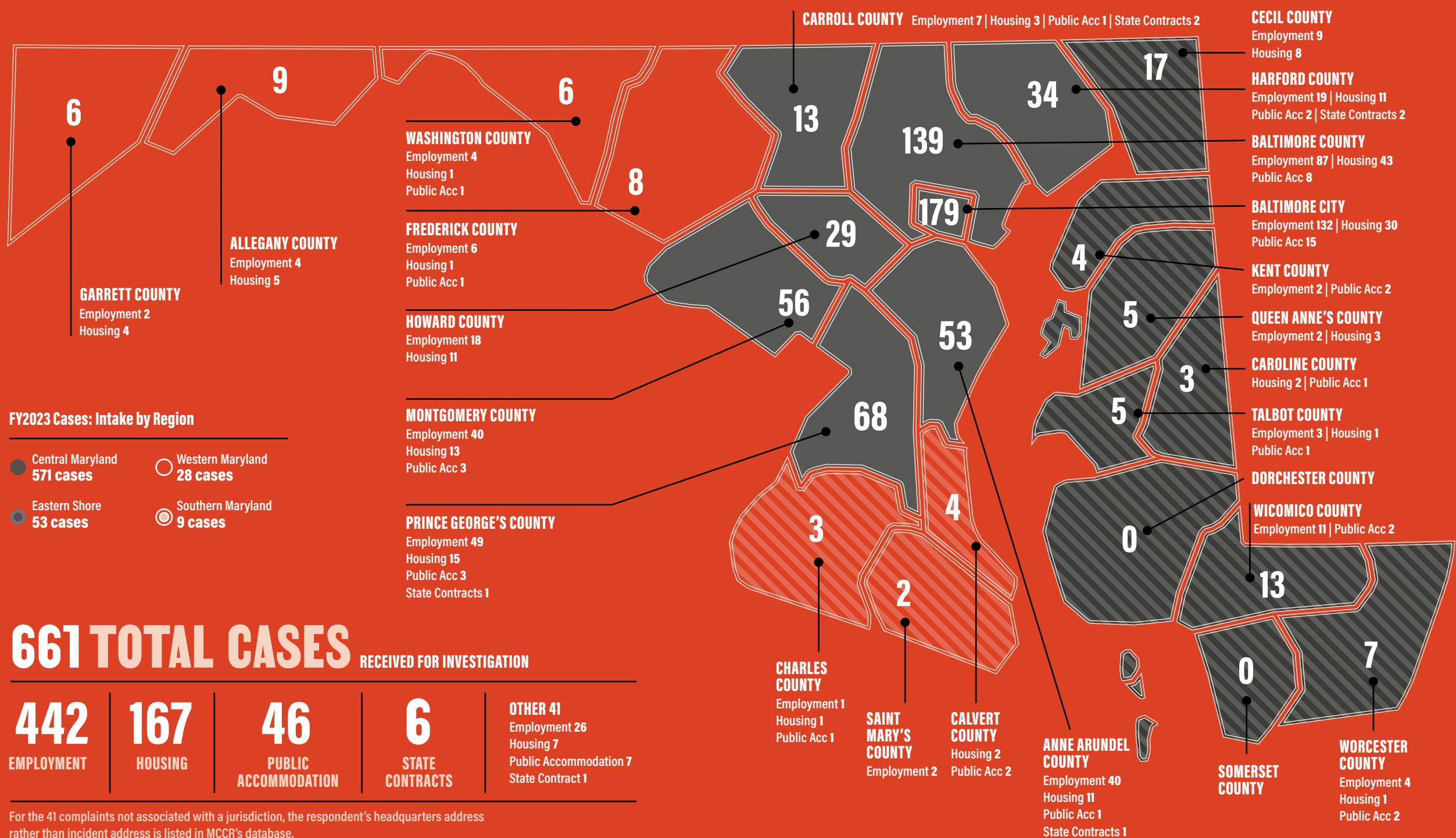
Complete an [online inquiry form](#) on the MCCR website. Those needing assistance can contact MCCR by telephone, e-mail, fax or mail to begin the process of filing a complaint.

Follow this timetable from the date of an alleged incident of unlawful discrimination for filing a complaint with MCCR:

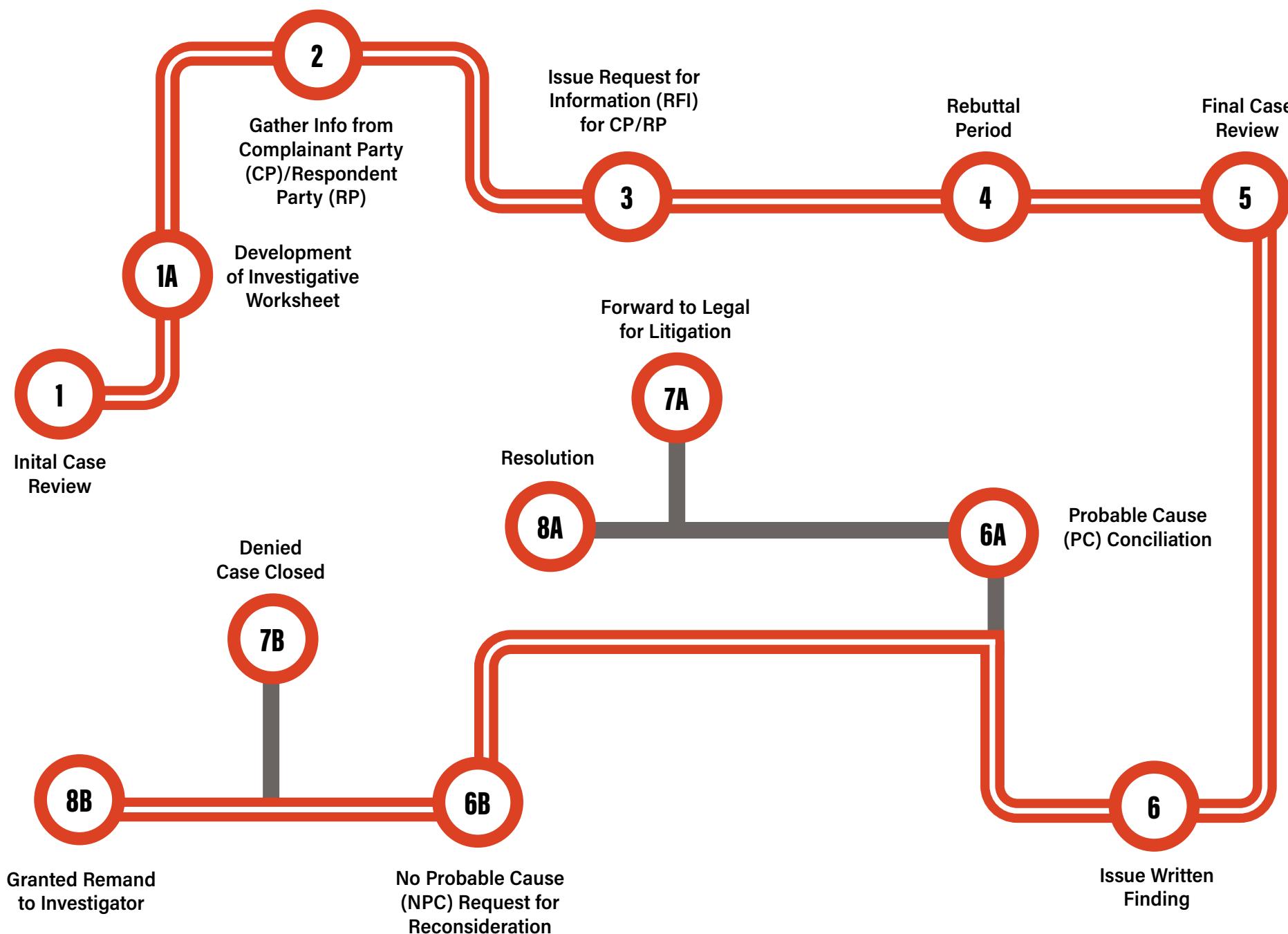
- Employment - within 300 days
- Housing - within 1 year
- Public accommodation - within 6 months

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

SERVING ALL OF MARYLAND | FY2023 CASES: BY REGION & COUNTY



INVESTIGATIVE PROCESS FROM INTAKE TO CLOSURE



Total Case Closures

798

79
FY2023

572

FY2022

Type of Closure

472 No Probable Cause

168 Administrative Closure

82 Withdrawn with Benefits

58 Settlements

1 Probable Cause

17 Successful Conciliation

0 Unsuccessful

Monetary Relief

\$1,083,732

FY2023

\$853.387 Employment

\$228 518 Housing

SE 827 Public Accommodation

\$3,321

\$645,495

FY2022

CASE PROCESSING DEPARTMENT

EMPLOYMENT

Employment discrimination cases account for 67% of MCCR's total cases. In 2023, the number of retaliation inquiries began to stabilize, with the agency receiving a total of 919 different retaliation inquiries as compared to 908 in 2022. 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 inquiry received by MCCR. Disability continues to be the #2 employment-related complaint, followed by harassment at #3.

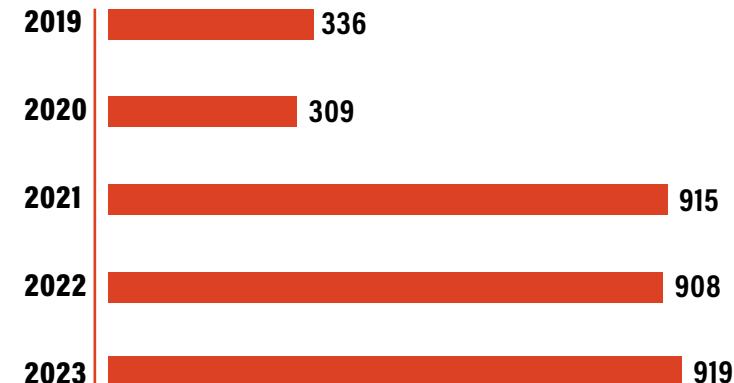
CASES TRANSFERRED

4

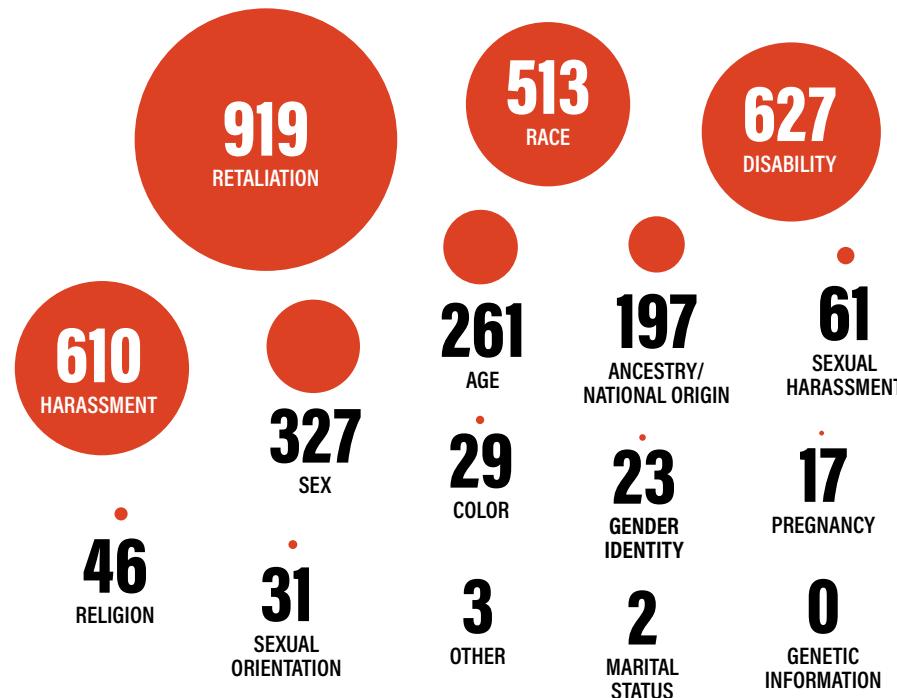
to EEOC

251
from EEOC

RETALIATION INQUIRIES



Breakdown of Employment Inquiries, FY2023



INQUIRIES BY RACE

Black 491 (92%)
White 17 (3%)
Asian 12 (2%)
American Indian/
Alaskan Native 4 (1%)
Bi-Racial/
Multi-Racial 9 (2%)

BY SEX

Female 301 (75%)
Male 98 (25%)

BY RELIGION

Catholic 5 (11%)
Jewish 11 (23%)
Muslim 15 (32%)
Other 16 (34%)

BY ANCESTRY/ NATIONAL ORIGIN

Arab, Afghani,
Mid-Eastern 4 (2%)
East Indian 6 (4%)
Hispanic 65 (37%)
Mexican 34 (20%)
Other 65 (37%)

Case Studies: Employment Discrimination

Based on Sex and Age

Dorchester County

After a COVID-related decrease in sales, a company terminated a number of employees. The only member of the leadership team who was terminated in this process was also the only female and one of the oldest managers working for the supervisor. She filed a complaint with MCCR, and through the Commission's investigation process the parties were able to conciliate the case, providing the complainant with a monetary settlement of \$100,000.

Based on Race

Harford County

An employee alleged harassment through slogans written on their work truck. The Commission's investigation was unable to determine exactly who had written on the trucks, but the parties were able to successfully conciliate the case, with the complainant receiving a monetary settlement of \$38,000.

Based on Sex, Gender Identity, and Religion

Montgomery County

An employee was subjected to harassment after coworkers learned that they identified as a transgender woman. The complainant reported the harassment to management on several occasions, but no corrective action was taken. The parties reached an agreement of a \$35,000 monetary settlement to the complainant.

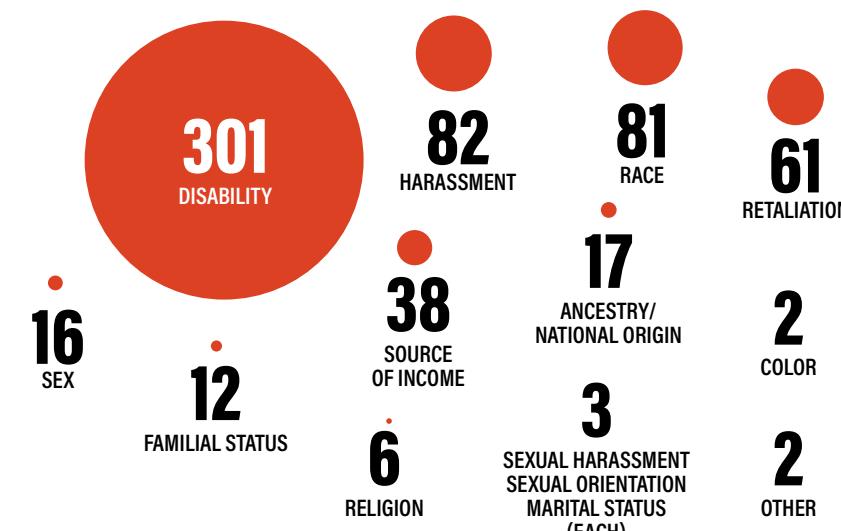
CASE PROCESSING DEPARTMENT

HOUSING



For 2023, the housing closure number was the highest the Commission has achieved in the past three years, and MCCR continues to lead HUD Region III in case closures. Although there was an increase in the number of housing discrimination inquiries made in FY2023, MCCR remains 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. Disability complaints related to accessibility remained the #1 type of complaint, followed by harassment.

Breakdown of Housing Inquiries, FY2023



Case Studies: Housing Discrimination

Based on Race
Cecil County

Tenants, who were Black, resided in an apartment community where 97 percent of the residents and all of the staff were Caucasian. They alleged that the apartments' management subjected them to discriminatory acts: illegally towing their vehicle, charging excessive fees, illegally entering their apartment, and punishing them for violating unwritten rules and regulations that were not enforced on non-minority residents. After MCCR's investigation and successful mediation, all parties entered into a Pre-Determination Settlement Agreement awarding the Complainants \$5,000 in monetary compensation and releasing them from their lease without penalty. The respondents were also required to undergo anti-discrimination and Fair Housing Act training.

Based on Race
Dorchester County

A homebuyer purchased the model home in a new development known as a melting pot of people from various backgrounds and ethnicities. After experiencing flooding inside and outside the home, the homeowner saw that the home's exterior did not match the quality of other homes in the development, lacking a proper foundation, and suspected discrimination because of his race. MCCR's investigation, which included a site visit, confirmed that the home's exterior appeared very different from those of others in the development, but did not find proof of discrimination. However, a successful mediation led to a private agreement in which the respondents hired a contractor to level the property and paid the complainant \$7,000 to hire a landscaper of his choice. The respondents were also required to undergo anti-discrimination and Fair Housing Act training.

Based on Denial of Service Animal
Montgomery County

Prospective tenants with an assistance animal were approved to rent an apartment. When the landlord learned that the assistance animal was a pit bull, the approval was reversed because the apartment complex's existing breed restrictions did not allow breeds like pit bulls in rental units. MCCR's investigation found that the imposition of a breed restriction on the service animal was discriminatory. The case was closed via a Predetermination Settlement Agreement. The respondent agreed to pay each complainant \$6,950, to display a Fair Housing poster on the premises, to delete breed restrictions from their written service and emotional support animal policy, and to undergo anti-discrimination and Fair Housing Act training.

INQUIRIES BY RACE

Black 91 (94%)
White 5 (5%)
American Indian/
Alaskan Native 1 (1%)

BY SEX

FEMALE 41 (85%)
MALE 7 (15%)

BY RELIGION

Catholic 2 (18%)
Jewish 2 (18%)
Muslim 6 (55%)
Other 1 (9%)

BY ANCESTRY/ NATIONAL ORIGIN

Hispanic 11 (41%)
Mexican 9 (33%)
Other 7 (26%)

CASE PROCESSING DEPARTMENT

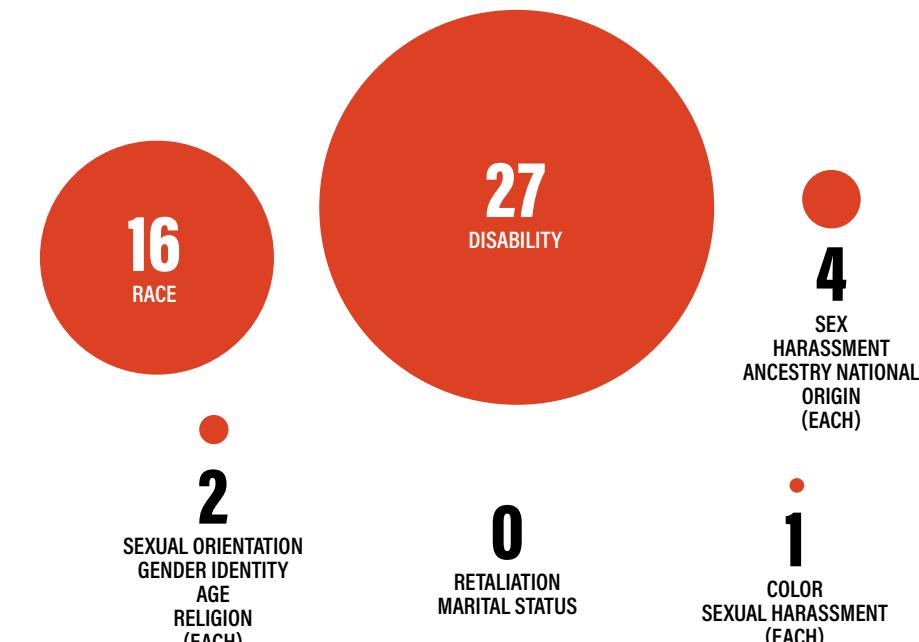
PUBLIC



ACCOMMODATION

Inquiries of discrimination against an owner or operator of a place of public accommodation slightly rose in 2023 as a percentage of MCCR's total caseload. Consistent with history, disability remained the #1 reported protected class for public accommodation complaints in 2023 while race was #2.

Breakdown of Public Accommodation Inquiries, FY2023



INQUIRIES BY RACE
Black 16 (89%)
White 2 (11%)

BY SEX
Female 11 (30%)
Male 26 (70%)

BY RELIGION
Other 1 (100%)

BY ANCESTRY/
NATIONAL ORIGIN
East Indian 1 (11%)
Hispanic 3 (33%)
Mexican 4 (44%)
Other 1 (11%)

Case Studies: Public Accommodation Discrimination

Based on Sexual Orientation
Baltimore City

A customer arrived at a dealership to complete the purchase of a luxury vehicle. While conducting the transaction, the finance manager made a derogatory comment about the complainant's sexual orientation, refused to speak with him further, and denied his preapproval. The customer was offended and filed a complaint with MCCR. After the investigation, the parties entered a settlement for a \$2,000 monetary award to the complainant.

Based on Disability
Talbot County

A customer with visual impairment was unable to review dining options at a restaurant due to the online format of the restaurant's menu. Following MCCR's investigation, the parties entered into a settlement agreement. The complainant and his wife have since had the opportunity to enjoy dining at the restaurant with a \$750 monetary remedy.

CASE PROCESSING DEPARTMENT

HEALTH CARE, COMMERCIAL LEASING, AND STATE CONTRACTS

In FY2023, sex and race were the leading protected class complaints in commercial leasing discrimination. Sex, national origin, and race were the leading protected class complaints in health care. Sex and then race were the leading protected class complaints in state contracts.

State Government Article, §19-355 (c) and (d), Annotated Code of Maryland, prohibits a hospital or related institution from discriminating in the provision of medical care because of an individual's race, color, religion, sex, age, national origin, marital status sexual orientation, gender identity, or disability.

State Government Article, §20-504, Annotated Code of Maryland, prohibits an owner or operator of commercial property, an agent or employee of the owner or operator of commercial property, or a person licensed or regulated by the State from discriminating in the terms, conditions, or privileges of the leasing of property for commercial use.

State Finance & Procurement Article, §19-101, Annotated Code of Maryland, prohibits the State of Maryland from entering into contracts with businesses that have discriminated in the solicitation, selection, hiring, or commercial treatment of vendors, suppliers, subcontractors, or commercial customers on the basis of race, color, religion, ancestry or national origin, gender/sex, age, physical or mental disability, sexual orientation, or marital status.

TOTAL INQUIRIES

36
FY2023

TOTAL CHARGES TAKEN

5
FY2023

MONETARY RELIEF

\$0
FY2023

BREAKDOWN OF THE 16 COMMERCIAL LEASING INQUIRIES IN FY2023



BREAKDOWN OF THE 12 HEALTH SERVICES INQUIRIES IN FY2023



BREAKDOWN OF THE 8 STATE CONTRACTS INQUIRIES IN FY2023



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 OGC 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) provides extensive technical assistance to the general public, State and local governments, private employers, non-profits, and to a wide range of agencies and organizations, including bar associations and the Office of the Attorney General, among others. The primary focus of these activities is to educate and inform on the State's anti-discrimination law, enforcement, and civil rights challenges.

2023 OGC Outreach Highlights

Presentations:

- Medical Cannabis in the Workplace Symposium II – organized and facilitated by the OGC with the Deputy Director at the University of Maryland Francis King Carey School of Law in advance of Maryland's new recreational cannabis law becoming effective on July 1, 2023. The symposium was attended by numerous employers, organizations, and attorneys. Cannabis Symposium Part I was held when the State passed its medical cannabis law in 2013.
- Maryland State Bar Association's (MSBA) Diversity, Equity & Inclusion Plan was presented by the OGC to the MSBA's Sections. The OGC also moderated Labor & Employment Section's panel entitled "Post COVID-19 Employment Issues" at MSBA's Legal Summit & Annual Meeting.
- A panel on proposed human rights legislation for the Maryland Association of Human Rights Agencies (MAHRA) at Human Rights Day during the General Assembly's legislative session was moderated by the OGC.

Trainings:

- Investigative Techniques and Legal Theories Training – presented in collaboration with the Statewide EEO Coordinator's Office and offered frequently this fiscal year, including sessions for State Fair Practices Officers, EEO Officers, and ADA Coordinators. In addition, the OGC presented an update on new laws and recent court decisions to the same audiences.
- Technical assistance training conducted by the OGC in collaboration with MCCR's Education and Outreach Unit included "Religious Accommodations and the Law"; "Disability, Reasonable Accommodation & the Law"; "MCCR Fair Housing Forum"; and "Fair Housing Legal Update."
- Trainings for MCCR staff by the OGC included "Legal Updates"; "New Employee Orientation"; "Mandatory Sexual Harassment Training"; and "Disability, Reasonable Accommodations and the Law."

Legislative Consultation:

- The OGC led MCCR collaborations with the Office of the Attorney General in drafting legislation authorizing the Attorney General to have enforcement power to investigate and litigate certain types of civil rights cases. The OGC also testified with the Attorney General in support of the legislation.



SIGNIFICANT LEGISLATION FROM THE 2023 MARYLAND STATE LEGISLATIVE SESSION

HB0772 (SB0540) Civil Rights Enforcement *Powers of the Attorney General*

Authorizes the Attorney General to investigate, prosecute, and remediate certain civil rights violations under certain circumstances and in a certain manner as well as authorizes the Attorney General to intervene in certain causes of actions under certain circumstances.

HB0309 (SB0574) State Employees Rights and Protections *Personnel Actions and Harassment - Complaints*

Authorizes an applicant for State employment or a State employee to file a complaint alleging harassment by an employer within 2 years after the alleged violation that is the basis of the complaint. It also increases the period an applicant or employee can file a complaint alleging certain prohibited personnel actions from 30 days to 1 year.

HB0608 (SB0535) Housing Discrimination *Service Dogs and Guide Dogs*

Prohibits a person from discriminating in the sale or rental of, or otherwise making unavailable or denying, a dwelling to an individual with a disability who has, obtains, or retains a certain service dog.

HB1066 Hate Crimes *Commission on Hate Crime Response and Prevention - Establishment*

Establishes the Commission on Hate Crime Response and Prevention to develop strategies to prevent and respond to hate crimes activity and evaluate the State laws and policies relating to hate crimes. In addition, it requires the Commission to report to the General Assembly on or before December 1 each year on legislative recommendations to address hate crimes in the State.

HB0339 (SB0478) Maryland Lynching Truth and Reconciliation Commission *Reporting and Sunset Extension*

Extends the time for the submission of the final report of the Maryland Lynching Truth and Reconciliation Commission to December 1, 2024, and extends the termination date for the Commission to June 30, 2025.

HB0009 (SB0019) Equity in Transportation Sector *Guidelines and Analysis*

Requiring that equity be considered when State transportation plans, reports, and goals are developed; alters the membership of the advisory committee on State transportation to conduct transit equity analysis, cost benefit analysis, and consult with certain communities before announcing or proposing any major service change or any reduction or cancellation of a certain capital expansion project in the construction program.

SB0842 (HB1244) Maryland Holocaust Remembrance Day

Requires the Governor to annually proclaim January 27 as Maryland Holocaust Remembrance Day and requires the proclamation to include a declaration of the purposes of Maryland Holocaust Remembrance Day.

A SAMPLING OF CASES LITIGATED BY THE OFFICE OF THE GENERAL COUNSEL JULY 1, 2022, THROUGH JUNE 30, 2023

Tammy Davis et al. v. Board of Directors of Bayshore Condominium Association et al.

Tammy Davis, a tenant renting a condominium located in Ocean City, requested a reasonable accommodation from the Board of Directors ("Board") of Bayshore Condominium Association. Ms. Davis wanted to have her emotional support/service animal named Sheba reside with her in the unit. The dog assists Ms. Davis by alerting her to sounds that could impact her safety. The Board not only denied this request, it also voted to fine Ms. Davis if the canine remained in the dwelling. The Board also planned to penalize the owners of the condominium Ms. Davis rents, Charles and Teresa Bradford. In response, Ms. Davis filed a fair housing complaint with the Commission on the basis that the Board interfered with the use and enjoyment of the condominium by denying her service animal request. The Commission conducted an investigation and found probable cause that the Board did discriminate against Ms. Davis and the condominium's owners. This resulted in the Commission filing a Statement of Charges against the Board. A settlement agreement was reached in the case prior to the public hearing. Ms. Davis received \$25,000, and the Bradfords \$12,000, in monetary relief. The public interest relief for the state of Maryland included a \$3,000 civil penalty assessed against the Board. In addition, the Board and management company were required to complete fair housing anti-discrimination training, and the condominium association was mandated to develop a reasonable accommodation anti-discrimination policy.

Patty Harvey v. Cromwell Fountain II Condominium Association et al.

Patty Harvey became a condominium owner at the Cromwell Fountain II complex located in Glen Burnie in 2006. Because Ms. Harvey has been physically disabled since 2020, she requested an assigned parking spot as an accommodation due to her impaired mobility. The Board of Directors for the condominium association denied her request, and Ms. Harvey filed an administrative fair housing complaint with the Commission. During the investigation of the complaint, the Commission discovered that the entrance to Ms. Harvey's building was inaccessible. Therefore, when the Statement of Charges was filed with the Office of Administrative Hearings, accessibility was added to the refusal of a reasonable accommodation in the listing of violations of Maryland's Fair Housing Act by the condominium association's Board of Directors. A settlement agreement was entered into before a trial in the case. Ms. Harvey received \$28,000, an assigned parking space, and a letter of apology from the Board of Directors. Additionally, the condominium association agreed to make the exterior of Ms. Harvey's building accessible by removing the steps and constructing a ramp. The Board of Directors also had to pay the state of Maryland a \$2,000 civil penalty, attend fair housing compliance training, and create a reasonable accommodation policy and procedure to prevent any similar allegation.

MCCR – RESPECT, INTEGRITY AND EFFECTIVE COMMUNICATION IN ACTION



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

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.

- Know Your Civil Rights
- Conflict Resolution
- Dimensions of Diversity
- Disability Issues, Awareness & the Law
- Employment Discrimination Prevention
- Housing Discrimination Prevention
- Public Accommodations/Services Discrimination Prevention
- Race in America: Systemic and Structural Discrimination
- Religious/Spiritual Awareness, Accommodation & the Law
- Sexual Harassment Prevention
- Sexual Orientation, Gender Identity and Expression

2023 Education & Training Highlights

**3,993
INDIVIDUALS TRAINED**

**94
TRAINING PROGRAMS**

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 worked with the second cohort of students to attend the Young Scholars Program (YSP). 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 quarterly to coincide with the Prince George's County Public Schools (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. The program takes place in three units with three sessions per unit (learn, act, and reflect). FY2023 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.

FY2023 posed unique challenges in making the public aware of our training programs and outreach events. While individuals were initially excited about re-engaging post-pandemic, that excitement waned as people had grown accustomed to attending training and social events virtually, and this had an impact on attendance at in-person events. MCCR's Education and Outreach Unit (E&O) mitigated that issue by focusing our programming around heritage months and hosting several large events. Additionally, E&O developed unique programs for target audiences, such as the Hate Bias Reporting forum.

The Hate Bias Reporting Forum, hosted in partnership with the Maryland Office of the Attorney General, provided community leaders and members of law enforcement with important information in response to the 2022 Hate Bias Report for the State of Maryland. In addition, the forum led discussions and information-sharing on methods to facilitate more effective reporting and response to bias incidents and hate crimes.

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

Sampling of 2023 Partner/Outreach Events

253,595
MATERIALS DISTRIBUTED
AT OUTREACH EVENTS

79
EVENTS ATTENDED

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 forums such as:

- Fair Housing
- Service Animals and the Americans with Disabilities Act (ADA)
- Conflict Resolution
- Disability, Reasonable Accommodations, and the Law
- Sexual Orientation and Gender Identity
- Discrimination and Sexual Harassment in the Workplace (Baltimore County Public Library)
- Sexual Harassment, Train the Trainer
- Religious Accommodations and the Law

MCCR was grateful to be able to support our partner organizations and local community organizations. We were proud to support:

- Older American Month
- Hispanic Heritage Month Festival
- Asian American Heritage Festival
- Baltimore City PRIDE event
- Trans PRIDE
- Juneteenth Festivals

10 New Partnerships in 2023

- Conflict Resolution Center of Montgomery County
- Asbury Communities
- Chesapeake College
- Eastern Shore Housing Committee
- Greater Baltimore Board of Realtors
- Taneytown Police Department
- Interfaith Works
- Baltimore Jewish Council
- Village of Friendship Heights
- Maryland State Department of Education Division of Rehabilitation Services

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. mcac.maryland.gov/wp-content/uploads/2023/09/2022-Maryland-Hate-Bias-Report.pdf

HATE CRIMES REPORT

There were a total of 465 hate bias incidents reported by Maryland law enforcement agencies during the 2022 reporting period. Maryland experienced an average of 412 hate bias incidents each year from 2020-2022. The average number of verified incidents for the same period was 111. In 2022, Race, Ethnicity or Ancestry (R/E/A) as a category, was the most common hate bias motivation, accounting for 61.5% of all incidents. On average, R/E/A accounted for 67.3% of all incidents reported from 2020-2022.

As noted on page 13 of the 2022 Hate Bias Report, between 2013-2022, only two counties have reported no hate bias incidents. This does not suggest that having zero hate bias incidents means no hate bias incidents have occurred.

465 HATE/BIAS REPORTS IN 2022

+77 REPORTS OR 20% INCREASE FROM 2021
412 AVERAGE OF HATE BIAS INCIDENTS PER YEAR SINCE 2020
32 AVERAGE REPORTS PER MONTH

TOP 3 BIAS MOTIVATION CATEGORIES

61.5% **23%** **15%**

RACE/ETHNICITY/ANCESTRY
47% BLACK | 5% HISPANIC
OR LATINX | 5% ASIAN

SEXUAL ORIENTATION

RELIGION

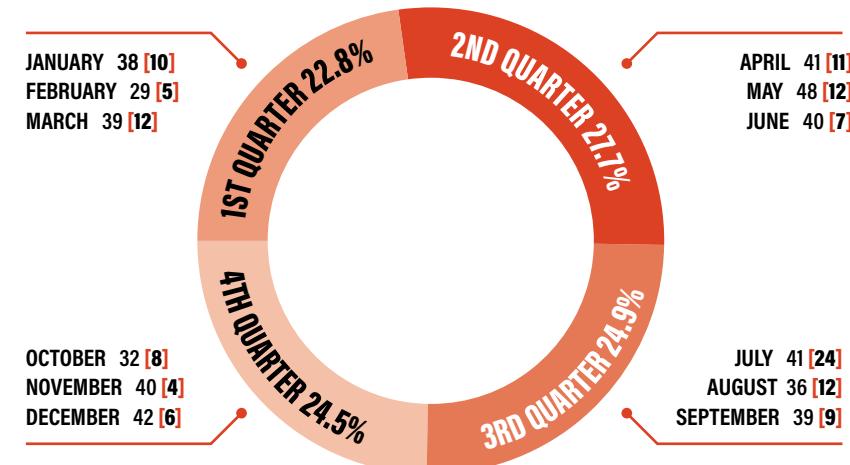
TOP BIAS MOTIVATION SUB-CATEGORIES	REPORTED VICTIMS	OFFENDERS
61.5% ANTI-BLACK OR AFRICAN AMERICAN	45% BLACK 32% WHITE 8% ASIAN 10% HISPANIC 5% UNKNOWN R/E/A	37% WHITE 19% BLACK 6% HISPANIC 2% ASIAN 36% UNKNOWN R/E/A
7% ANTI-LGBT (MIXED GROUP)	57% MALE 41% FEMALE 2% UNKNOWN GENDER	51% MALE 18% FEMALE 31% UNKNOWN GENDER
6% ANTI-GAY (MALE)		
5% EACH: ANTI-MULTIPLE RACES/GROUP, ANTI-ASIAN, ANTI-HISPANIC/LATINX		

SOURCE: STATE OF MARYLAND 2022 HATE BIAS REPORT

For multi-year comparative data, see the Maryland State Police's full report.

HATE CRIME REPORTS IN 2022 - BY MONTH

All Reports [Verified Reports]



BIAS MOTIVATION REPORTS IN 2022

All Reports [Verified Reports]

311 [79]	105 [18]	68 [18]	15 [6]
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Race/Ethnicity/
Ancestry

Religion

Sexual Orientation

Gender Identity

2 [1]

3 [2]

2 [0]

Gender

Homelessness

Disability

506 [130]

TOTAL*

* Incidents with more than one bias motivation are counted in all relevant categories
 93 incidents (20%) occurred at elementary/secondary school or college/university
 Juveniles = 19% of known victims | 17% of known offenders

SOURCE: [STATE OF MARYLAND 2022 HATE BIAS REPORT](#)

INCIDENT LOCATIONS IN 2022

Including locations with greater than 1% of incidents reported

	Residence/Home	100 [43]		Community Center	5 [1]
	School Elementary or Secondary	90 [10]		Convenience Store	4 [0]
	Highway/Road/Alley/Street/Sidewalk	71 [23]		Shopping Mall	4 [0]
	Other/Unknown	31 [3]		Air/Bus/Train Terminal	3 [1]
	Parking Lot/Garage	29 [9]		Bar/Night Club	3 [0]
	Church/Synagogue/Temple/Mosque	25 [6]		Liquor Store	3 [1]
	Park/Playground	16 [4]		School College or University	3 [1]
	Restaurant	14 [1]		Service or Gas Station	2 [0]
	Grocery/Supermarket	13 [0]		Auto Dealership New/Used	1 [0]
	Commercial/Office Building	10 [6]		Bank/Savings and Loan	1 [0]
	Drug Store/Drs. Office/Hospital	8 [2]		Department or Discount Store	1 [0]
	Government/Public Building	8 [3]		Gambling Facility/Casino/Race Track	1 [0]
	Field/Woods	6 [3]		Shelter-Mission/Homeless	1 [0]
	Hotel/Motel	6 [1]		TOTAL	465 [120]
	Specialty Store (TV, Fur, etc)	6 [2]			

Over three-quarters (78.9%) of all hate bias reporting in Maryland during 2022 was received from four counties:

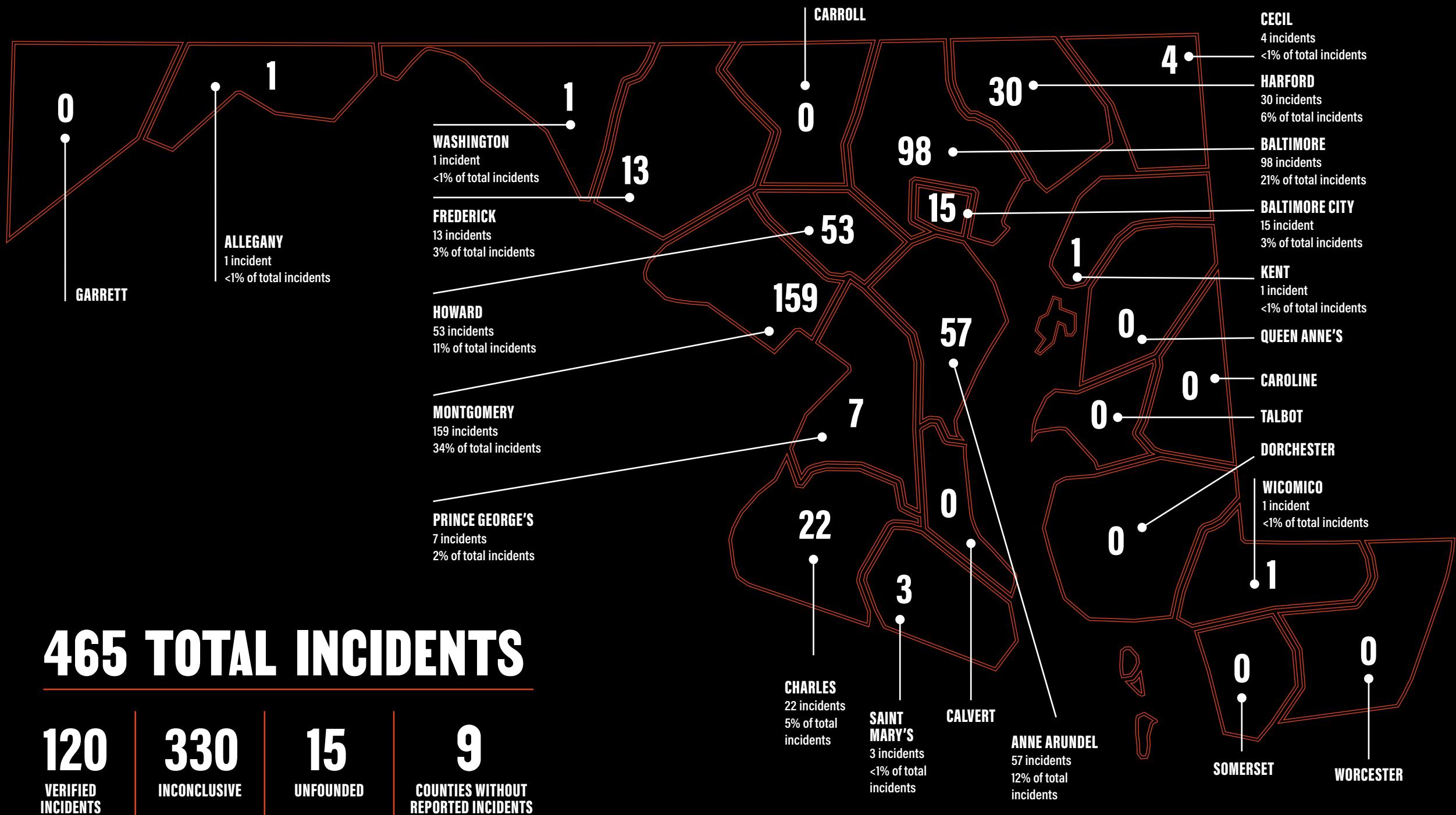
Anne Arundel (57), Baltimore (98), Howard (53), and Montgomery (159).

No hate bias reports were submitted by the following counties:

Calvert, Caroline, Carroll, Dorchester, Garrett, Queen Anne's, Somerset, Talbot, and Worcester.

The ZIP Code with the highest number of hate bias incidents reported in 2022 was 21222 in Baltimore County with 19. The next three zip codes with the highest number of hate bias incidents reported were Montgomery County ZIP Codes: 20852 (17), 20817 (16), and 20910 (14).

REPORTING BY COUNTY



SERVING ALL OF



MARYLAND

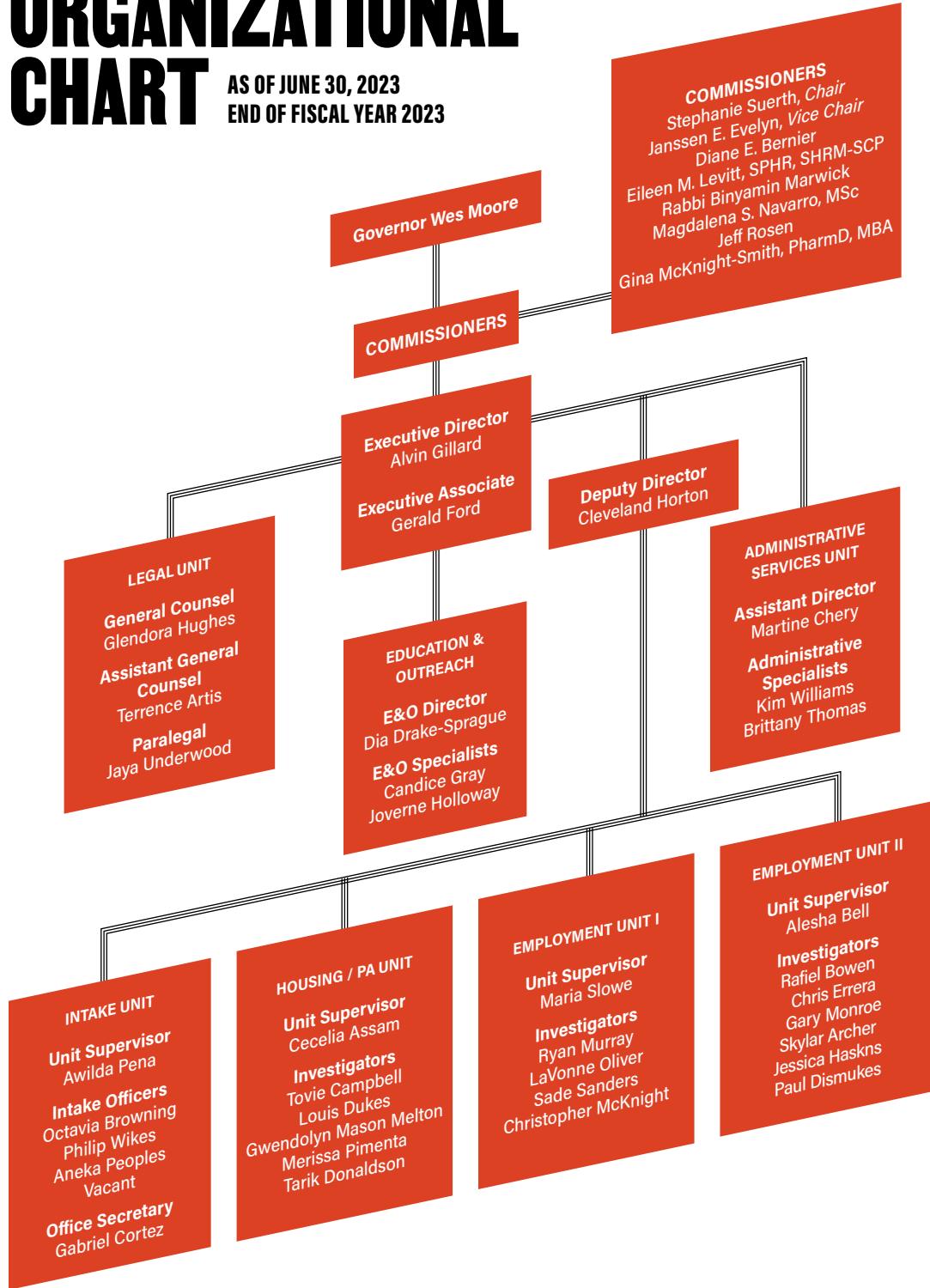
MCCR BUDGET REPORT FOR THE LAST THREE FISCAL YEARS

FUNDING SOURCE	2020	2021	2022	2023 Working Appropriation
Federal Funds	\$622,062	\$980,660	\$1,329,467	\$1,238,943
HUD	\$247,800	\$439,805	\$596,237.47	\$528,947
EEOC	\$374,262	\$540,855	\$733,229.53	\$709,996
Reimbursable Funds	-	-	\$10,000	
Special Funds	\$15,701	-	\$3,350	\$65,000
State General Funds	\$2,632,008	\$2,626,438	\$2,470,769	\$2,836,817
GRAND TOTAL	\$3,269,771	\$3,607,098	\$3,813,586	\$4,140,760

STAFF POSITIONS	2020	2021	2022	2023
Authorized Permanent	31	33	33	33
Contractual Positions	2	1	1	1
TOTAL POSITIONS	33	34	34	34

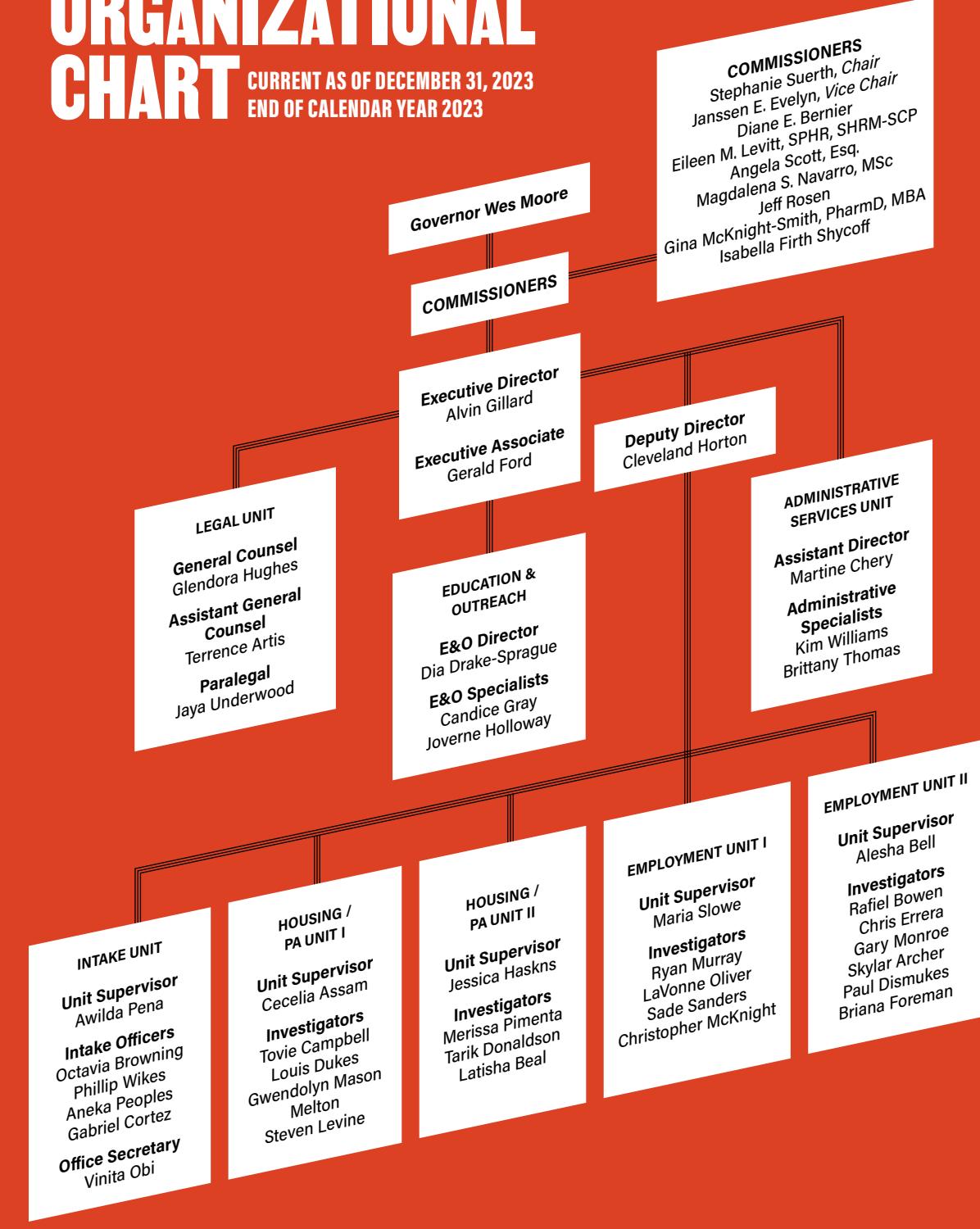
ORGANIZATIONAL CHART

AS OF JUNE 30, 2023
END OF FISCAL YEAR 2023



ORGANIZATIONAL CHART

CURRENT AS OF DECEMBER 31, 2023
END OF CALENDAR YEAR 2023



MCCR held its pandemic-delayed biennial Civil Rights and Fair Housing Gala Celebration on August 20, 2022. It featured a keynote by civil rights icon Dr. Mary Frances Berry, and it celebrated the centennial of women's right to vote and 30 years of the Americans with Disabilities Act.

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