



MONTGOMERY COUNTY COUNCIL
OFFICE OF LEGISLATIVE OVERSIGHT
MONTGOMERY COUNTY, MARYLAND

100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850

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Human Relations Commission

A Description and Evaluation of the Montgomery County Human Relations Commission.

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I. SUMMARY AND MAJOR CONCLUSIONS/RECOMMENDATIONS

On July 12, 1960, the County Council established a Commission on Interracial Problems to communicate with those who opposed the integration of facilities such as restaurants, recreation and amusement centers, hotels and hospitals. The Commission was the first such commission in Maryland. Less than two years later, the County Council enacted an Equal Public Accommodations Law and reorganized the original Commission on Interracial Problems, renaming it the Commission on Human Relations. Thus, in January 1962, Montgomery County had enacted the first of several laws against discrimination and created a Commission to oversee and enforce that law two years before the Congress of the United States passed the Civil Rights Act of 1964. In October 1980, the Montgomery County Human Relations Commission celebrated its twentieth anniversary.

This report examines the Commission's policies and procedures to evaluate faithfulness to legislative intent in the Commission organization, administration and activities. The evaluation included personal interviews with current and former Commissioners of the Human Relations Commission (HRC).

The major conclusions/recommendations of this evaluation are:

1. The Montgomery County Human Relations Commission is one of the most vital and constructive agencies serving the community. Through a long history of dedicated effort by community conscious volunteers and staff, the Human Relations Commission has made a significant contribution to the advancement of civil rights in the community.
2. There is a requirement to modify sections of the Human Relations Law and the operation procedures of the Commission so as to reduce the time required to resolve a complaint and to improve the management efficiency and operational effectiveness of the complaint processing system.
3. Authorize the Executive Secretary to make a determination that the complaint lacks reasonable grounds on which to base a violation of the Human Relations Law, with the complainant retaining the right to appeal that determination to the appropriate Commission panel.
4. Institute more decision points during the complaint process which would require the Executive Secretary to review progress and to make a determination of probability that there are sufficient facts available upon which to make a determination in the case.
5. Conduct a more thorough analysis of the complaint before officially docketing to weigh the seriousness of the complaint against the investigating workload and the probability that the facts can be determined.
6. The periodic Commission reports to the County Executive and County Council on its activities, recommendations and the "state of human rights" within the County should be presented in public session.

II. AUTHORITY, SCOPE AND METHODOLOGY

1. Authority. Council Resolution 9-396, subject, FY 80 Work Program of the Office of Legislative Oversight, adopted September 11, 1979.

2. Scope. To examine the Commission's policies and procedures, to evaluate faithfulness to legislative intent in the Commission's organization, administration and activities and make recommendations concerning legislation relating to the Commission.

3. Methodology. The conduct of this evaluation was extended over a course of several months due to Council assigned higher priority projects. In addition to a review of Federal, State and local laws, regulations and reports, information was obtained through interviews and correspondence with Federal, State and local agencies associated with the Montgomery County Human Relations Commission. Among these agencies were the Baltimore District Office of the United States Equal Employment Opportunity Commission, the Maryland State Commission on Human Relations, Montgomery County Public Schools' Department of Human Relations, Rockville Human Rights Commission, Montgomery College Office of Affirmative Action, Fairfax County, Virginia, Human Rights Commission and various departments of the County government.

4. Finally, personal interviews were conducted with current and former commissioners of the Human Relations Commission (HRC), selected members of the HRC staff and others familiar with the organization, operation and services of the HRC. At Exhibit A is a list of persons interviewed during the course of this evaluation.

III. INTRODUCTION AND HISTORY OF THE HUMAN RELATIONS COMMISSION

1. On July 12, 1960, the County Council established a Commission on Interracial Problems to communicate with those who opposed the integration of facilities such as restaurants, recreation and amusement centers, hotels and hospitals. The Commission was the first such commission in Maryland. Less than two years later, the County Council enacted an Equal Public Accommodations Law and reorganized the original Commission on Interracial Problems, renaming it the Commission on Human Relations. Thus, in January 1962, Montgomery County had enacted the first of several laws against discrimination and created a Commission to oversee and enforce that law two years before the Congress of the United States passed the Civil Rights Act of 1964--the federal statute which prohibited discrimination in employment and public accommodations and created the Equal Employment Opportunity Commission (EEOC).

2. In October 1980, the Montgomery County Human Relations Commission celebrated its twentieth anniversary. At Exhibit B is an excerpt of a Civil Rights Chronology which appeared in a supplement to the October 9, 1980, Sentinel, commemorating the anniversary of the Human Relations Commission entitled, Twenty Years of Civil Right Progress.

A detailed history of HRC is beyond the scope of this report; however, copies of the Sentinel supplement are available at the Human Relations Commission located in the Davis Library in Bethesda.

IV. DESCRIPTION OF THE HUMAN RELATIONS COMMISSION (HRC)

General

1. The Commission on Human Relations is authorized under Article I, Chapter 27 of the Montgomery County Code, 1972, as amended. The roots of the Commission go back to mid-1960 when the County Council created a Commission on Interracial Problems. Over the past twenty years the law (referred to in this report as the Human Relations law) has gone through numerous changes to strengthen the County's efforts to eliminate discrimination, prejudice and intolerance based on a variety of human characteristics and physical conditions in places of public accommodation, employment and housing.

2. Essentially the law creating the Commission on Human Relations (a term used interchangeably with the term Human Relations Commission) covers four major categories: a) a statement of public policy concerning discrimination, prejudice and intolerance and the applicability of that policy; b) a discussion of three specific areas where discrimination is prohibited--places of public accommodation, housing and employment; c) the composition, organization and duties of the Commission; and d) the organization and operations of the Executive Secretary and the support staff. Each of these four will be discussed in detail in subsequent paragraphs.

Statement of Public Policy and Application of the Law

3. The Montgomery County law declares that it is the public policy:

"...to eliminate discrimination, prejudice, intolerance or bigotry of any form that may exist on account of race, color, sex, religious creed, ancestry, national origin, age, marital status or handicap as hereinafter provided. It is further declared to be the public policy of the county that discrimination in housing, employment and places of public accommodation against any person on account of race, color, sex, religious creed, ancestry, national origin, age, marital status or handicap is contrary to the morals, ethics and purposes of a free, democratic society, is injurious to and threatens the health, safety and welfare of persons within this county; and is illegal and should be abolished." (Sec. 27-1).

4. The law acknowledges that the prohibitions contained in the above public policy are similar but not necessarily identical to those contained in the federal and Maryland law. However, they are "...intended to assure that a complaint [of discrimination] filed hereunder

may be processed more promptly than possible under either federal or state law." The County Human Relations law neither creates a process which duplicates federal or state law nor provides for reprocessing a complaint in the County after it has been fully adjudicated under a similar federal or state law.

5. The provisions of the County's law prohibiting discrimination in places of public accommodation, housing and employment is applicable within the corporate limits of the twelve incorporated cities, villages or towns only if the specific incorporated municipality expressly adopts the provisions of the County law. As of this writing only three municipalities, Garrett Park, Somerset and Takoma Park, have adopted the County's law and hence come under the Human Relations Commission.

6. The City of Rockville has its own Human Rights Commission (discussed later in this report) which processes discrimination complaints occurring in that city. For discrimination complaints occurring in any of the remaining eight municipalities, the complainant must file with the appropriate federal or state agency. (Note: Jurisdiction for processing a complaint alleging discrimination is determined by the geographical location where the act of discrimination is alleged to have occurred and not by the residence of the complainant. Thus, if a resident of Gaithersburg wishes to file a complaint alleging employment discrimination against a firm located in Silver Spring, that person could file with the Human Relations Commission. However, if the firm were located within the city limits of Gaithersburg, the person would have to file either with the Maryland Commission on Human Relations or the federal Equal Employment Opportunity Commission because Gaithersburg has not adopted the County's law.)

Acts of Discrimination Prohibited

7. General. The County ordinance prohibits discrimination in places of public accommodation, housing and employment on the basis of nine separate human characteristics or conditions. TABLE I outlines the types of discrimination covered by the County's Human Relations law.

Discrimination in Places of Public Accommodation

8. The County law applies to discriminatory practices in such places of public accommodation as restaurants and places where food and drink are served; inns, hotels and motels; retail stores and service establishments; hospitals; places of amusement and recreation; and other places of public assembly. The law does not apply to "...any accommodations which are in their nature distinctly private or those accommodations which make distinctions based upon sex including such facilities as private schools, rest rooms, dressing rooms, locker rooms, or other dressing facilities." (Sec. 27-8).

TABLE I
Types of Discrimination Covered by Human Relations Law

	<u>Public Accommodation</u>	<u>Housing</u>	<u>Employment</u>	<u>Sec 504^b</u>
Race	C	C	C	
Sex	C	C	C	
Color	C	C	C	
Religious Creed	C	C	C	
Ancestry	C	C	C	
National Origin	C	C	C	
Handicap ^a	C	C	C	C
Age	NC	NC	C	
Marital Status	NC	C	C	

C = covered by law

NC = not covered by law

Notes: a) Discrimination on account of handicap (physical, mental and emotional impairment) is specifically prohibited by County law.

b) Sec. 504 of the Federal 1973 Rehabilitation Act states that: "No qualified handicapped individual...shall solely by reasons of his/her handicap, be excluded from, participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving financial assistance." County government, as a recipient of federal financial assistance is, therefore, required to establish a grievance procedure implementing Section 504 of the 1973 Rehabilitation Act. County legislation in July 1978 endorsed the above provisions and the HRC can receive complaints alleging that County citizens are unable to obtain services and benefits from County government because of a physical or mental handicap.

9. As indicated in TABLE I, discrimination based upon age and marital status are not included. Consequently, places of public accommodation such as night clubs, health spas, etc. which limit attendance to a specific age group and/or marital status are permitted.

10. If any person or firm is determined by the Commission's Public Accommodation Panel to have violated the provisions of this law, penalties may be awarded the complainant in the form of damages as compensation for any financial loss resulting from the discriminatory act, reasonable attorney's fees and to compensate for humiliation and embarrassment.

Discrimination in Housing

11. With the exception of discrimination on the basis of age, the County law prohibits discrimination in a variety of activities usually associated with housing to include selling, leasing, subleasing, renting, furnishing, advertising and financing (loans, rates, terms, amount of deposit, etc.). There are two general limitation upon the applicability of the housing provisions of the Human Relations law. First, the provisions do not apply to the rental or leasing of any part of a one or two rental dwelling unit in which the owner is a bonafide resident. (In contrast, Title VIII, the Federal Fair Housing Law, does not apply to rental units of a part of a dwelling of four or less units in which the

owner resides.) Second, the law does not apply to rental or leasing of a dwelling by any religious group whose residence therein is connected with carrying on religious activities.

12. The law also provides that real estate brokers post notices of the County's law against discrimination and submit reports to the Human Relations Commission relating to rental practices.

13. As is the case of complaints of discrimination in places of public accommodation, the Commission's Housing Panel may impose penalties for damages as compensation to the complainant for any financial loss resulting from the discriminatory act, reasonable attorney's fees and to compensate for humiliation and embarrassment.

Discrimination in Employment

14. This portion of the County's Human Relations law applies to acts of discrimination by employers, employment agencies and labor organizations. However, there are limitations. One limitation applies to employment where a specific race, sex, etc. is a bonafide occupational qualification necessary to the normal operation of the particular business. Another limitation applies in the case of a religious organization where employment is either granted or denied on the basis of religious creed when the position requires performance of religious functions or the belief of the religious creed is a necessary prerequisite to conduct the employer's business. Finally, the law is limited to businesses and enterprises which employ more than six employees.

15. Similar to the section of the law on housing, there are specific requirements for the posting of notices, the submission of reports and the maintenance of certain employment records.

16. Also similar to the sections on places of public accommodation and housing, the law authorizes the Commission's Employment Panel to award penalties and monetary compensation where discrimination in employment has been substantiated. Besides reasonable attorney's fees, compensation for humiliation, embarrassment and lost income, the panel may order hiring, reinstatement, upgrading and a variety of other awards (back pay, admission to a labor organization, training, etc.) to the complainant.

Commission Membership, Organization and Duties

17. Membership and meetings. The Commission on Human Relations is composed of fifteen members, the maximum authorized by the law, appointed by the County Executive with the approval of the County Council. Members serve without compensation for a three-year term and appointments are staggered. The qualification for membership, as stated in the law, is simply "...men and women who are broadly representative of racial, religious and ethnic groups of the County." Surprisingly, County residency is not a qualification for appointment. Meetings are held at regular intervals, but not less frequently than once every month with a majority of the members constituting a quorum. As with other County

boards, commissions and committees, a Commission member who is absent from twenty-five percent or more of the scheduled meetings or hearings during any six-month period is deemed to have resigned, with only the County Executive having the authority to waive the resignation for "good cause." At Exhibit C is a current list of Commission members.

18. Commission Panels. In addition to appointing members to the Commission, the County Executive, with the approval of the Council, appoints the members to a three-year term on three commission panels: places of public accommodation, housing and employment. The composition of the panels differ:

a) The public accommodation and housing panels consist of at least two Commission members and one member of the community at large or an additional Commission member.

b) The employment panel consists of at least two Commission members, one member of the Commission for Women and two members of the community at large or two additional Commission members. The panels carry out the adjudicatory functions in their respective areas of responsibility. However, no panel member may participate in any investigation or conciliation proceedings concerning any alleged violation coming before that panel. The particular duties and activities of the panels relate to the processing of complaints, which is discussed in detail later in this report.

19. Commission Committees. In addition to the three panels, Commissioners, augmented by membership from the community at large, serve on five special committees created by the Commission: housing, education, community relations, employment and justice, to examine general problems in those five areas.

20. Commission Duties and Responsibilities. The County law authorizes broad powers and duties to the Human Relations Commission. The salient duties include:

a) Assemble and disseminate educational materials and data relating to activities and programs which will assist in the elimination of prejudice, intolerance, bigotry and discrimination, and conduct educational programs and meetings to promote equal rights and opportunities;

b) Study and investigate conditions which may result in discrimination, prejudice, intolerance and bigotry;

c) Advise the County Executive, Council, residents and governmental departments on matters involving racial, religious or ethnic prejudice and to recommend legislation and programs to insure equal rights;

d) Initiate or receive and investigate complaints of discrimination, seek conciliation and, if warranted, hold hearings and make recommendations on such complaints;

e) Make quarterly reports and an annual report to the County Executive and Council; and

f) Finally, the Commission is authorized to proceed with other programs to relieve group tension and/or adverse intergroup activities which may result from causes not related to race, sex, religious creed, etc., provided the County Executive does not disapprove such programs.

The Commission Staff

21. Composition and Budget. For FY 81, the Human Relations Commission (HRC) is authorized a merit staff of fifteen positions (for a total of 14.8 work-years) and a budget of \$386,140 (less fringe). One of the 15 positions (Investigator) has been vacant and frozen throughout the current fiscal year. HRC recently received a HUD grant of \$39,000, which will fund one Investigator and certain training activities. In FY 77, nine merit positions were authorized. In FY 78 two new County-funded merit positions were added to the compliance staff, to enforce the County's passage of handicap rights legislation, while EEOC funded an additional four compliance positions, providing a total of 15 positions (11 County-funded). When EEOC reduced its funding in FY 79, HRC lost an investigator position, reducing the staff to 14. In FY 1980 the County added an Investigator and an Office Manager, but an EEOC Administrative Aide position was lost due to further reduction in EEOC funding, providing 15 merit staff positions. By FY 1981 EEOC withdrew its funding completely. The County assumed the remaining two EEOC positions, but froze a vacant County-funded Investigator position, leaving a staff of 14, all County funded. Throughout the last five years, the Commission has relied on the additional staff services provided by one CETA funded position and by a significant number of volunteers and interns whose donated service is estimated to equal contribution of over \$15,000 per year.

22. Organization. The staff of the Human Relations Commission is organized into three major activities: administration and direction, compliance (complaint processing) and public education, information and research.

a) Administration and direction. Directing the staff is an Executive Secretary, who, in addition to normal management functions, is assigned specific responsibilities under the law in the processing of complaints. A Deputy Executive Secretary is responsible for staff oversight and numerous programs and activities. The staff operates under a detailed procedures manual.

b) Compliance and public education, information and research, the major activities of the HRC staff, are discussed in detail below.

Complaint Processing Procedure

23. General. The largest expenditure of time by the HRC staff is involved in the administration and processing of complaints of discrimination in employment, housing or places of public accommodation. Accordingly, the Compliance Section represents two-thirds of the staff positions. The extent of this effort is illustrated by reviewing the complaint caseload for the past ten years. In the decade from FY 70 through FY 79 a total of 1,224 formal complaints were docketed (filed) and 1,009 were closed. The number of cases docketed in FY 70 was 29, and the number in FY 79 was 115, with FY 77 recording the high of the

decade with 288 cases docketed. In processing complaints, the HRC staff works independently of the three Commission panels in filing, investigating and, where possible, conciliating a complaint. This staff effort is called the "rapid charge processing system," which was originally adopted by the Equal Employment Opportunity Commission (EEOC) from the New York City Human Relations Commission and perfected by our HRC under a grant from that federal agency. Once a determination or finding is made where the complaint must go to public hearing, the staff provides support to the appropriate Commission panel. In the following subparagraphs the individual steps in the complaint processing procedure are discussed in detail; at Exhibit D is a schematic of the complaint processing procedure.

a) Intake Step. The HRC receives on the average 25 inquiries per work day from people who have a problem and feel that they are victims of discrimination. Each inquiry requires an average of 30 minutes to receive the information and make an initial determination. The first requirement is to determine if an act of discrimination has occurred and, if so, to determine if it comes under the jurisdiction of HRC. From an analysis of thousands of inquiries received over a two-year period, the Commission staff determined that the typical breakdown of 100 inquiries is as follows:

- Approximately 55 are assisted informally, usually by answering questions, explaining the law, sending an information pamphlet or brochure or by just plain letting the person get it off his/her chest;

- Another 25 are referred to a County or state agency for assistance, such as the Department of Social Services, the Commissions on Handicapped or Aging, the Housing Opportunities Commission, the Office of Landlord/Tenant Affairs, the Maryland Department of Labor, etc.;

- Another 10 relate to discriminatory acts, but are either determined not to be in HRC's jurisdiction or are best handled by another agency such as the EEOC, the Maryland Human Relations Commission or the MCPS Human Relations Department;

- The remaining 10 are accepted by the HRC for the full intake procedure.

Thus, 90% out of every 100 inquiries received at HRC do not result in further processing beyond initial informal interviews. Nonetheless, the staff time devoted to answering those 90 inquiries is a beneficial community service.

The ten complaints accepted by the HRC (out of the original 100 inquiries) are next put through a lengthy and indepth intake procedure which requires that the complainant not only demonstrate the type of discrimination which is alleged, but also show that some harm resulted from the alleged discrimination; e.g. denial of service from a restaurant, humiliation, inconvenience, denial of job, etc. Of the 10 inquiries put through this intake procedure, only two complaints are eventually signed, sworn and filed, or in the term of the Commission "docketed" as

a formal complaint. The remaining eight complaints are not officially docketed for a variety of reasons, such as failure of the complainant to substantiate that discrimination occurred or that the complainant suffered harm, refusal by the complainant to sign the complaint, or, as a result of the detailed interview, it was found not to be within the HRC's jurisdiction.

In summary, an analysis of 100 typical inquiries received over a two-year period, only two result in officially docketed complaints. TABLE II reflects the number of formally docketed complaints in FY 79 and FY 80 by type complaint. TABLE III breaks down those docketed complaints on the basis of the alleged discrimination.

TABLE II

Formal Complaints Docketed (Filed)

<u>Type Complaint</u>	<u>FY 79</u>	<u>FY 80</u>
Employment	73	85
Housing	22	19
Public Accommodation	19	7
Sec. 504	1	0
TOTAL	115	111

TABLE III

BASIS FOR COMPLAINTS DOCKETED IN FY 1979 AND FY 1980

	<u>Employment</u>		<u>Housing</u>		<u>Accommodations</u>		<u>Sec 504</u>		<u>TOTAL*</u>		<u>Percent</u>	
	<u>FY79</u>	<u>FY80</u>	<u>FY79</u>	<u>FY80</u>	<u>FY79</u>	<u>FY80</u>	<u>FY79</u>	<u>FY80</u>	<u>FY79</u>	<u>FY80</u>	<u>FY79</u>	<u>FY80</u>
Race	28	37	10	4	8	4	-	-	46	45	32	36
Handicap	15	5	4	1	10	1	1	0	30	7	21	6
Sex	19	21	2	6	1	0	-	-	22	27	15	22
Age	15	13	-	-	-	-	-	-	15	13	10	10
National Origin	7	9	5	2	0	0	-	-	12	11	8	9
Marital Status	3	1	5	9	-	-	-	-	8	10	6	8
Religious Creed	1	5	2	0	1	1	-	-	4	6	3	5
Color	0	2	4	1	1	0	-	-	5	3	3	2
Ancestry	0	1	1	1	0	0	-	-	1	2	1	2
Retaliation**	2	0	0	0	-	-	0	0	2	0	1	0
TOTAL*	90	94	33	24	21	6	1	0	145	124	100%	100%

*Totals do not represent number of complaints filed because many complaints cite more than one basis for the complaint, e.g. race and color.

**The County law provides for filing a complaint by a person who believes to have been retaliated against for filing an employment or housing complaint.

b) Fact-finding Step. Once a complaint is docketed, the Commission staff requests records and other documents from the respondent and conducts a fact-finding conference with the complainant and respondent present. The Commission has the power to issue summons and subpoena to obtain the appearance of the respondent and the requested documents. The fact-finding conference is a preliminary investigative step and provides the first attempt to resolve the complaint through a predetermined settlement (PDS), which is a no-fault negotiated settlement. Throughout the complaint process, attempts are continued to negotiate a predetermined settlement of the complaint.

c) Investigation Step. The full investigation of complaints represent the largest expenditure of time in the complaint process. An investigation includes a variety of activities--on site visits, interviews with witnesses, research of records--conducted in confidence and without publicity. The identity of the complainant is, however, disclosed to the respondent and the two may mutually agree in writing to the selective release of information. When the investigation is complete, a written investigation report is prepared to include recommended findings and is forwarded to the Executive Secretary.

d) Executive Secretary's Actions. The recommended findings of the investigator are presented to the Executive Secretary who makes a determination as to whether reasonable cause exists to believe a violation of the law has occurred:

(1) No reasonable cause. If the Executive Secretary determines that the complaint lacks reasonable cause upon which to base a violation of the law, a recommendation is made to the appropriate Commission panel (employment, housing or public accommodation) that the complaint be dismissed. The appropriate Commission panel may approve the Executive Secretary's recommendation and order dismissal of the complaint (after first offering the complainant an opportunity to appear before the panel) or the panel can return the complaint to the Executive Secretary for further investigation.

(2) Reasonable cause. If the Executive Secretary determines that there is reasonable cause to believe a violation has occurred, an attempt is made to conciliate the matter in an informal, confidential conference between the complainant, respondent and the Commission. In one of the few instances where a time requirement is specified in the law, the Executive Secretary has 180 days after the filing of the complaint to reach conciliation, with a provision for a 30-day extension. If a conciliation settlement is reached, its terms are reduced to writing and incorporated into an enforceable order by the Commission. If a conciliation settlement is not reached within the above time limits, the Executive Secretary informs the appropriate Commission panel.

e) Panel hearings. Upon notification by the Executive Secretary that the complaint cannot be conciliated, the Commission panel

conducts a public hearing. All parties and the panel may be represented by counsel, all testimony and evidence is given under oath and a full record of the hearing is prepared. The panel is authorized to conduct a private hearing upon written request of either party; or may direct that the hearing be held before a hearing examiner. In any case, public hearing, private hearing or one before a hearing examiner, the final decision of the panel is made public. If the Commission panel finds no evidence of discrimination, a dismissal order is issued. If the panel finds that there was discrimination, it issues a relief order which can include the award of damages and other monetary penalties. In either case, a panel order is deemed a final order of the Human Relations Commission. If the hearing is before a hearing examiner, the examiner submits a recommended decision and order to the Commission panel, which the panel can adopt, reverse, modify or remand. Either party may appeal the panel's decision to the Montgomery County Circuit Court.

TABLE IV reflects the number of formal complaints closed by HRC for FY 79 and FY 80 by type complaint. TABLE V reflects the reason for complaints closed in FY 79 and FY 80. TABLE VI is a tabulation of panel hearing orders for FY 1979 and FY 1980.

TABLE IV

Formal Complaints Closed in FY 1979 and FY 1980

<u>Type Complaint</u>	<u>FY 79</u>	<u>FY 80</u>
Employment	92	90
Housing	34	18
Public Accommodations	14	13
Sec. 504	1	0
Police/School*	9	0
TOTAL	150	121

*Prior to FY 80, the HRC accepted complaints relating to police and school activities although the HRC had no legal authority to receive those complaints. Currently, these type complaints are referred to the Police Community Relations or the MCPS Department of Human Relations.

TABLE V

Basis for Complaints Closed in FY 1979 and FY 1980

<u>Reason for Closing</u>	<u>FY 79</u>		<u>FY 80</u>	
	<u>Tot</u>	<u>%</u>	<u>Tot</u>	<u>%</u>
Finding of "no reasonable cause"	53	35	42	35
Settlement/Conciliation	24	16	31	26
Public Hearing	0	0	2	2
Complaint withdrawn following settlement between complainant and respondent	9	6	2	2
Complaint withdrawn by complainant for a variety of reasons	17	11	10	8
Failure to pursue by complainant	24	16	23	19
Administratively closed (respondent out of business, transferred, death of complainant)	17	11	5	4
Lack of jurisdiction	6	4	6	5
TOTAL	150	100%	121	100%*

*Percentages rounded off

TABLE VI

Panel Hearing Orders for FY 1979 and FY 1980

Type Complaint	FY 79	FY 80
Employment	0	1
Housing	0	1
Public Accommodations	0	0
Sec. 504 (Handicapped)	0	0
TOTAL	0	2

f) Enforcement. The County Attorney is responsible for enforcing orders of the Commission panels if such orders are not honored within 30 days. However, enforcement action is stayed in the event a panel's decision is appealed to the Circuit Court. Of course, any beneficiary of a panel order may institute judicial proceedings to enforce that order.

g) Summary. TABLE VII reflects the complaint process over the past five fiscal years, indicating the number of complaints docketed, closed and outstanding (backlog carried over) for fiscal years 1976 through 1980.

TABLE VII

Complaints Docketed, Closed and Outstanding
FY 76 through FY 80

	FY 76	FY 77	FY 78	FY 79	FY 80
Complaints Docketed ^a (For FY 75: 160)	203	288	203	115	111
Complaints Closed	139	205	161	150	121
Complaints Outstanding ^b (For FY 75: 61)	125	208	250	215	205
Number of HRC Compliance Investigators	2	2	3	4	3.5

a) During fiscal years 76, 77 and 78, HRC received a large number of complaints from the EEOC, but was unable to receive EEOC funding for an additional investigator until FY 79. EEOC deferred complaints ended in FY 79, thus the sharp drop in complaints docketed in that fiscal year.

b) Outstanding at end of fiscal year and carried over to next fiscal year. As an example at the end of FY 75, 61 complaints were outstanding. These were carried over and added to the 203 complaints docketed in FY 76 for a total FY 76 caseload of 264. With 139 complaints closed in FY 76 the complaints outstanding at the end of FY 76 and carried over into FY 77 was 125.

Public Education, Information and Research

24. The Human Relations Commission devotes considerable resources to public education, information and research.

a) Reports. Monthly, quarterly and annual reports on HRC activities are provided to the County Executive and Council and made available to the public. In early FY 80, two major housing reports were completed: Minority Housing Study and the New Horizons Fair Housing Strategy.

b) Booklets, brochures and posters. Thousands of copies of a general brochure summarizing County equal rights laws and how to file complaints, translated into several languages (Spanish, Laotian, Vietnamese and Cambodian) have been distributed, as have multi-language posters, booklets and brochures on fair employment, fair housing, handicapped rights, and guidelines for employees, real estate brokers and businessmen on discrimination laws.

c) Speakers bureau. Staff members and Commission members speak at schools and colleges: community, church and business organizations; training sessions for real estate agents; and neighborhood meetings.

d) Public service announcements. Local radio and television periodically report HRC public service announcements and conduct interviews of staff members and Commissioners on special human relations topics.

e) Community mailings. The HRC annually distributes thousands of brochures, reports and information packets in direct mailings.

f) Fairs, workshops and special meetings. HRC has sponsored or co-sponsored fairs and workshops on human resources, fair housing, Indochinese residents, Hispanic issues, the handicapped, and most recently, on sexual harassment. Special Commission meetings have covered issues on housing, education, refugees and State legislation.

g) Membership and participation with other agencies, board and commissions. The Commission is actively represented on the Human Services Consortium, Interagency Committee on Housing, Affirmative Action Council, T.T.Y. Committee (for hearing impaired), Commission on Handicapped Individuals, Minority Employees Association, Network of Montgomery County Women, Information Referral Advisory Group and the Community Action Board. In the private sector the list is even more extensive, and include the Brookings Institute Organization on Human Rights, Association of Maryland Human Rights Agencies, YWCA Board of Directors and the Suburban Maryland Fair Housing Inc.

h) Real estate reporting. The law authorizes the Commission to receive reports from firms managing buildings with two or more rental units. The reports are used as a basis for analyzing renting patterns and are published annually in a booklet entitled, Apartment Rental to Minorities. This responsibility current requires considerable staff effort and is the subject of detailed comments in Section V of this report.

i) Network of neighbors. The Network of Neighbors program is premised on the belief that the local community can play an important role in combatting the effects of hate group activities. Initiated by the Human Relations Commission in May, 1977, the Network supports and assists those who are threatened and victimized by such hate group activity as cross burnings, painting of swastikas, discharge of firearms, and other forms of religious and racial harassment. In addition to providing assistance to the victims, the Network marshals the victim's neighbors and community to increase support systems and to create a public awareness of the hate group activities.

Relation with Federal, State and Other Local Human Rights Agencies

25. General. Equal rights legislation at the Federal and State level have also developed mechanisms for enforcement. While Montgomery County's human rights efforts predate both federal and state actions, our laws are substantially similar while not being identical. The differences are more in process and administration, and not in fundamental tenets; however, the County's Human Relations law covers more types of discrimination than do the federal statutes. Outlined below is a brief summary of other human rights agencies and their relationship with the Montgomery County Human Relations Commission.

26. Federal. At the federal level, discrimination in places of public accommodation is prohibited by Title II of the Civil Rights Act of 1964, with enforcement the responsibility of the Department of Justice. Title VIII of the Civil Rights Act of 1968 generally forbids discrimination in housing and provides enforcement responsibility to the Department of Housing and Urban Development (HUD). Employment discrimination is prohibited by Title VII of the Civil Rights of 1964, and is enforced by the Equal Employment Opportunity Commission. The Baltimore District Office of the EEOC serves Montgomery County.

27. State. Article 49B, Annotated Code of Maryland outlines the civil rights provisions for the State of Maryland. Enforcement is the responsibility of the Maryland Commission on Human Relations, which is located in Baltimore.

28. Local. Within Montgomery County, Rockville's Human Rights Commission is responsible for enforcement of civil rights within the corporate limits of Rockville. No other municipality has a commission or similar body to receive complaints of discrimination in employment, places of public accommodation or housing. However, there are other public agencies within the County which are engaged in equal rights activities. The Department of Human Relations in the Montgomery County Public School system is staffed to enforce the various federal laws dealing with discrimination in employment, education and in services due the handicapped. The department has an investigative function and operates under a memorandum of understanding with the Equal Employment Opportunity Commission. Within County government, an employee can file a grievance for an alleged discrimination act related to the terms and conditions of employment. The Commission for Women, Commission on Handicapped Individuals and the Commission on Aging are also active with programs to eliminate discrimination. Finally, the Montgomery County Police Department's Community Relations Section works directly with citizens on complaints relating to police activities and with governmental agencies and the community on human relations matters.

29. Jurisdiction. Anyone believing that he or she is a victim of discrimination may file a complaint with any human rights enforcement agency having jurisdiction over the type discrimination in the geographical location where the discriminatory act is alleged to have occurred. TABLE VIII outlines the agency responsibility by type discrimination.

TABLE VIII

Agency Responsibility by Type Discrimination

<u>Agency</u>	<u>Employment</u>	<u>P.A. ^{a)}</u>	<u>Housing</u>	<u>Sec. 504</u>
M.C. Human Relations Commission ^{b)}	X	X	X	X
U.S. Department of Justice		X		X
U.S. Equal Employment Opportunity Commission	X			
U.S. Department of HUD			X	
Maryland Comm. on Human Relations	X	X	X	X
Rockville Human Rights Commission	X	X	X	X
MCPS Human Relations Department ^{c)}	X			X
County Department of Personnel ^{d)}	X			

Notes: a) Places of Public Accommodation.

b) Responsibility is limited to acts occurring in the County at large or in the three municipalities which have adopted the County's ordinance.

c) Only MCPS employees. In addition, MCPS HRD also accepts complaints of discrimination under Title IX, Educational Amendments of 1972, which prohibits sex discrimination in educational institutions and programs receiving federal funds. The federal enforcement agency is the Department of Education.

d) Only for County government merit employees. Appeals are made to the Merit System Protection Board (old Personnel Board).

V. EVALUATION OF THE HUMAN RELATIONS COMMISSION

General

1. The Montgomery County Human Relations Commission is one of the most vital and constructive agencies serving the community. Through a long history of dedicated effort by community conscious volunteers and staff, the Human Relations Commission has made a significant contribution to the advancement of civil rights in the community, a contribution for which the Commission rightly enjoys the respect of the community.

2. In this section of the report are several suggested changes which, I believe, will improve the efficiency of management and the effectiveness of operations of the Human Relations Commission. As is common with audit and evaluation reports, those few areas where improvements are recommended are discussed in detail at the expense of the many management procedures and operational practices which are accomplished in an efficient and effective manner. It should be noted at the onset that the overwhelming conclusion of this evaluation--which was conducted over a period of several months and included interviews and correspondence with officials of Federal, State and local agencies, personal interviews with commissioners, HRC staff and County citizens--is that the Montgomery County Human Relations Commission performs a highly essential service to the community of Montgomery County.

3. The Baltimore District office of the U.S. Equal Employment Opportunity Commission acknowledged that the Montgomery County law is more stringent than the federal statute, Title VII, and that the Commission's investigations and resolutions of complaints are considered to be of extremely high quality. Also, the Executive Director of the Maryland State Commission on Human Relations opined that the Montgomery County Human Relations Commission was one of the best, if not the best Commission of the twenty in the State. The Maryland Executive Director was especially complimentary of the Commission's Network of Neighbors program.

4. This evaluator was most impressed with the objectivity displayed by the Commissioners and staff who were interviewed. Interviewees were asked for an opinion on whether he or she perceived any indication of a built-in bias on the part of the Commission or staff to find discrimination and prejudice. Although some commented that the concern and enthusiasm for the basic human rights displayed by some Commission members and staff might be misjudged as a bias, all interviewees perceived no indication of any built-in bias.

5. Finally, there was especially strong praise for the dedication of Commission members, past and present, who have devoted considerable time, energy and personal resources to the cause of improving human rights in Montgomery County.

6. The remainder of this section of the report is devoted to a detailed evaluation, with recommended improvements, of the following six areas:

- .Complaint Processing Procedure
- .Commission Panels and Hearings
- .Selection and Compensation of Commission Members
- .Public Reports to the County Executive and County Council
- .Real Estate Reporting
- .Miscellaneous Changes to the law

Complaint Processing Procedure

7. General. The complaint processing procedure described earlier in this report is specifically designed to expeditiously resolve a complaint while guaranteeing the rights and due process of the complainant and the respondent. The process (See schematic at Exhibit D) involves two basic, but somewhat divergent courses of action.

a) In the initial stage of receiving the complaint, establishing jurisdiction and determining the facts associated with the alleged discrimination, the role of the HRC is helpful but neutral. The initial responsibility is on the complainant to convince the Commission staff during the "rapid charge processing" that the alleged act of discrimination had occurred. Once the HRC accepts the complaint and it is officially "docketed" (sworn to and signed by the complainant) the next step for the staff is to schedule a fact-finding conference with the respondent and, if necessary, a full investigation. During this phase of the process, the staff must demonstrate total objectivity while at the same time attempting to negotiate a no-fault predetermined settlement between the parties.

b) Once the written investigation is complete and there is a finding of fact which results in a determination by the Executive Secretary that there is a reasonable cause to believe a violation has occurred, the role of the HRC staff changes from that of objective investigator to an advocate for the complainant's position in conciliation attempts and, failing to conciliate, a panel hearing. At this point, the County Attorney provides legal counsel to advise the panel and legal counsel to represent the HRC in its presentation of the complaint to the panel. While admittedly the attorney's role in presenting the complaint to the panel is a very fine line, the County Attorney does not officially represent the complainant.

The role of the HRC staff in each step of the complaint process should be kept in mind as the reader analyzes the following specific recommended improvements to improve the complaint process.

8. Designate time limits in the complaint process. The law specifies only three time limits relating to the processing of a complaint: the complaint must be filed within one year of the alleged discriminatory act (Sec. 27-7(a)); the Executive Secretary has 180 days after the complaint is filed to reach conciliation before the appropriate Commission panel is notified and a hearing scheduled (Sec. 27-7(c)); and the complainant cannot file a court suit for damages until 45 days after a complaint alleging the act of discrimination has been filed with the HRC. The first two time limits should be modified.

a) One year to file a complaint. This is too long a period. There are several reasons for reducing the time. The first is that after one year records highly pertinent to the case may no longer be available and individual memories will have faded. In fact, the Human Relations law (Sec. 27-13(c) and 27-22(c)) require that records relating to housing applications and employment applications, promotions, transfers, etc. need only be retained for six months. Second, federal and state ordinances require that complaints be filed within six months.

b) One hundred and eighty days to conciliate. This 180 day time limit from the date the complaint is filed (docketed) until conciliation is reached after a finding of reasonable cause is of little value when there are no internal time limits for the several steps between filing a complaint and conciliation. There should be time limits at each of the key steps in the complaint process, especially for convening the fact-finding conference and completing the investigation. The particular time limit should be determined from past experience and with consideration for other suggestions discussed below.

9. More thoroughly analyze a complaint before docketing (filing). Before accepting a complaint for official docketing, a preliminary decision should be made as to the seriousness of the complaint, the current HRC workload and the probability that the facts can be determined. The Human Relations law requires that all inquiries be accepted; however,

there is no requirement that the Human Relations Commission investigate every inquiry since there are state and federal agencies which also serve our citizens. More selectivity should be exercised as to which complaints HRC will fully investigate and which should be referred to a federal or state agency. There simply are insufficient resources to investigate every complaint. Consequently, a priority system should be developed to cover what cases will be accepted for full investigation so as not to overload the investigators and introduce long delays in the complaint process. The maxim, justice delayed is justice denied, certainly applies here.

10. Strengthen the fact-finding step. Once a complaint is officially docketed, the first attempt to settle the case is to bring the complainant and respondent together for a fact-finding conference. This conference should be scheduled promptly with a major effort to bring forward all the facts, especially on the part of the respondent, and to settle the case early in the process. The chance of an agreement is better at this point because the full legal power of the Commission to issue summons and subpoenas can be used to bring forth the facts; the respondent has committed minimal time and resources into defending against the complaint; and tempers have not been tested and recriminations exchanged. In essence, the fact-finding step should be a "mini-investigation" that could settle more cases before the long and more costly--especially to the HRC and the respondent--process of the formal investigation is undertaken.

11. Establish decision points in the complaint process. The Executive Secretary should establish decision points during the complaint process to more closely manage the progress and evaluate the probability that sufficient facts are available to reach a determination. Not unlike a PERT system, these decision points would enable the Executive Secretary to monitor the complaint process against a set of reasonable time standards and production norms. An analysis of TABLE V reveals that of 271 complaints closed in FY 79 and FY 80 a total of 95 (35%) were closed by a finding of "no reasonable cause." One could speculate that closer monitorship of these 95 cases as they moved through the complaint process might have permitted an earlier indication of the outcome prior to the completion of a full investigation.

12. Increase efforts to reach a predetermined settlement or conciliation. At any time during the process, the complaint can be settled by the parties negotiating a no-fault settlement; and, if reasonable cause is determined, the Executive Secretary can negotiate a conciliation. The compliance staff is trained in investigative techniques and are sensitive to signs which may encourage a settlement; however, they are not specifically trained in mediation and conciliation techniques. It would appear that it would be cost beneficial to train the HRC compliance staff in negotiating and mediating techniques in an attempt to settle more complaints in that manner and thus reduce the number of cases that require lengthy and costly investigations.

13. Increase authority to Executive Secretary. After completing an investigation of a complaint, the law authorizes the Executive Secretary to make a determination of "reasonable cause" and attempt to reach a conciliation between the parties and the commission before notifying the appropriate panel to schedule a hearing. However, in the case of a "no reasonable cause" determination, the law only authorizes the Executive Secretary to recommend dismissal of the complaint to the appropriate panel. The panel, at its discretion, may dismiss the complaint, after first affording the complainant an opportunity to appear before it, or order further investigation. The process could be accelerated without infringing on the rights of the complainant if the Executive Secretary was authorized to make, based on the results of the investigation, a determination of "no reasonable cause" with the complainant having the right to appeal the Executive Secretary's decision to the appropriate panel.

14. Assign maximum staff resources to processing complaints. Currently, two thirds of the HRC staff is involved almost exclusively with compliance activities. However, considerable staff resources are involved in conducting workshops, outreach, speaking engagements, real estate reporting and other special projects. To the extent possible, these non-compliance activities should be absorbed by Commission members and volunteers. In addition, the Human Relations Commission should not enter into another contract with the U.S. Equal Employment Opportunity Commission to accept complaints made to that agency. Under a previous contract with EEOC, the Commission accepted employment discrimination complaints for a set fee of \$350 per case. However, it cost the Commission in excess of \$800 to process each case. In addition, the added EEOC cases contributed significantly to the development of a large backlog of cases which has delayed the staff from closing many Commission docketed complaints.

Commission Panels and Hearings

15. The two principal functions of the Commission members are: to serve as the conscience of the community on all matters relating to civil rights and human relations, and to adjudicate complaints of discrimination. Besides being demanding, each function is distinct from the other and requires particular talents. The adjudicatory function is especially demanding given the increasing complexity and sophistication of civil rights laws and the ever growing volume of case law on discrimination. At the same time the requirements placed on Commission panels in adjudicating complaints are becoming more demanding and the number of cases going to public hearing is increasing. In FY 78 there was only one public hearing; in FY 79 there were none; and in FY 80, while there were seven public hearings held, only two were completed and orders issued. However, in the first half of FY 81 there have been three public hearings and another 19 complaints are awaiting hearing. It should be noted that some are multiple complaints against the same respondent and may be heard under cover of a single hearing.

16. There are considerable delays in scheduling and conducting panel hearings, not all of which is the fault of the panels. When a complaint reaches the panel hearing stage, attorneys for one or both parties use the same delaying tactics as one finds in court proceedings. Considerable time is consumed trying to find a common date for the hearing which is agreeable to a majority of the volunteer panel members, the parties and their counsel. Only a simple majority is required to conduct a hearing. Two of the panels have three members and the remaining panel (employment) has five. The Commission chairperson serves as one of the members on each panel.

17. Several changes which could expedite the hearing process without reducing the rights of the parties or diminishing the role of the Commission are:

a) As discussed above, authorize the Executive Secretary to make a determination of "no reasonable cause," with the right of the complainant to appeal that decision to the appropriate panel.

b) Consider using a hearing examiner experienced in civil rights law to determine the facts in a case and to either recommend a decision to the panel as provided for in the current law, or, as in the case of the Maryland Commission on Human Relations, actually make a determination on the facts of the complaint. In the latter case, any party to the complaint could appeal the decision to the appropriate Commission panel. The use of an examiner would improve the hearing process in that the examiner would be under contract and at the call of the Commission; the professional training and technical expertise of the hearing examiner would speed up the actual hearing; and should Commissioners ever be compensated, the total cost of a hearing using a trained hearing examiner may prove to be more economical.

Selection and Compensation of Commission Members

18. Selection process. The Human Relations law provides that the Commission shall consist of not less than nine and not more than fifteen members, "...both men and women who are broadly representative of racial, religious and ethnic groups of the county," appointed by the County Executive with the approval of the County Council. The law does not require that Commissioners reside in the County, although in the past residency has been an unofficial requirement for selection. Personal interviews with present and former Commission members identified two concerns which directly relate to commission membership. The first had to do with the number of hours of service required of Commission members and the second related to the "sameness" of the Commission.

19. The first concern over the number of hours required to conduct Commission activities was not a complaint, although those interviewed reported an average of over 25 hours per month in Commission work. The concern was that those applying for service on the Commission may not realize the full extent of their expected commitment. It was suggested

that the Commission itself should become more involved in the nominating process and selection procedure so as to more accurately orient prospective members.

20. The second concern relating to the "sameness" of the Commission was expressed in various ways. Essentially, the opinion was that in the more recent past, Commissioners have pretty much held points of view which, if not the same, were quite similar. The result was that in Commission debate, divergent points of view were moderated into a "commission consensus." The general view of those interviewed was that the Human Relations Commission should be the center of consciousness for all human relations concepts and activities--a place where ideas and debate are limited only by the broadest concept of what constitutes civil and human rights. Whether the concern is as pervasive as these interviews would suggest; and, if so, whether the nominating and selection process is the appropriate method of meeting that concern is a matter of opinion. The concern is reported here because it was raised to this evaluator.

21. Compensation. The law authorizes "compensation as approved by the Council and reimbursement for all expenses incurred in the performance of Commission duties." Although some Commissioners receive reimbursement for expenses, compensation has never been paid. The Human Relations Commission is the only County Commission with adjudicatory powers which is not compensated. Recently, the Council appointed a Citizens Advisory Committee to Review Compensation for Board, Committees, Commissions and Advisory Councils, which will undoubtedly comment on the Human Relations Commission. The January 1979 report by the Committee on Committees recommended compensation for Commission members when exercising adjudicatory authority. It was the opinion of the majority of current and former Commission members interviewed that members not be compensated because it would detract from the dedication and image of volunteer community service. However, at least one suggested that compensating Commission members might make it possible to attract applicants with a broader mix of economic backgrounds.

Public Reports to the County Executive and the County Council

22. The HRC law directs that the Commission submit quarterly "...preliminary written or oral reports of its activities and recommendations to the County Executive and County Council and a final written yearly report summarizing its activities, goals, needs and recommendations." (Sec. 27-6(a)(8)). Also, the law stipulates that the Commission panels must report quarterly to the County Council "...who shall make public the number of complaints filed during each quarter, the nature and disposition made thereof." (Sec. 27-2(b)(7)). The Commission has complied with the above two provisions; however, there is general concern on the part of all Commission members interviewed that the Council does not receive the full impact and status of human relations in the County through these written reports. The consensus is that the importance of the Commission's charge is such that periodically (quarterly

or semi-annually) the Commission should meet in public session with the Council to present their reports and exchange ideas, observations and concerns on the broad spectrum of human relations and benefit from the Council's intent and guidance in these matters.

23. This report strongly endorses the recommendation that the Commission periodically report publicly to the Council on the "state of human relations" in the County. The purpose would not be to give the Commission and its members exposure, since the Human Relations Commission already has that. Rather, it would be an opportunity for the Council to concentrate less on the number of complaints docketed, closed and back-logged and more on the "why" behind the statistics and, more important, the social pressures and community emotions contributing to those discrimination complaint statistics. There appears to be a variety of government agencies, commissions and constituents looking out for the interests of the poor, the aging, the handicapped, the minorities, nationalities and women of the County. In the Human Relations Commission, the County has a vital, active and highly respected organization which cuts across these divergent groupings and oversees their individual social and human rights regardless of race, sex, religion or handicap.

Real Estate Reporting

24. The Human Relations law requires every real estate broker, salesperson and individual who owns or manages any building containing two or more rental units to submit reports at a time and in a manner prescribed by the Commission relating to property under their control. (Sec. 27-13(b)). The law also requires those subject to the above report to keep on file for 120 days all applications made for housing accommodations. By Council Resolution on January 1974, it was established that quarterly reports would be submitted on occupancies by certain minorities. The real estate reporting requirement was challenged in the Circuit Court, but in 1978 was later upheld by the Maryland Court of Appeals. who remanded it "...for further proceedings consistent with this opinion." However, the Circuit Court has as yet apparently not ordered compliance with the real estate regulations and many landlords refuse to comply with this valid County law.

25. As now constituted there are many weaknesses with the real estate reporting regulations. First, neither the law nor the 1974 Council Resolution require that the report be certified, nor is there a penalty for non-compliance. In addition, the reports are not verified except where a complaint draws attention to a particular landlord. Finally, compliance with the statute that all rental applications be retained on file for 120 days is not verified. It is estimated that processing these reports takes between one-third and one-half a work year of a staff member. The Commission relies on CETA employees, interns or volunteers for an additional one-half work year needed to record and tabulate data.

26. The Commission has long recognized that improvements are needed in real estate reporting. In February 1981, the Commission officially requested the County Attorney to draw up five amendments to the regulations. However, since the Council issued the resolution on real estate reporting in January 1974, at the request of the Commission, the Human Relations

law has been changed and now the Commission can issue its own regulations. Thus, with the exception of amending the Human Relations law to eliminate the requirement for landlords to retain all rental applications for 120 days and to impose penalties for non-compliance with the reporting requirements, the Commission can issue revised real estate reporting regulations. These revisions would include making the reports yearly instead of quarterly; requiring information on more categories of occupants (handicapped and unmarried heads of households); and requiring reports on blacks, Hispanics and handicapped individuals employed in rental office (information which is currently submitted voluntarily).

27. There is one other change which I believe would improve the real estate reporting process, both for the County and the landlords who are required to complete report. Currently, real estate reports are collected by another County agency in addition to the Human Relations Commission. The Office of Landlord/Tenant Affairs (OLTA) collects data designed to meet the operational needs of rent stabilization and licensing. In addition, an apartment survey is administered annually to obtain data requested by other County agencies. It would appear to be more efficient, less of an imposition on the landlords and in keeping with the Council's intent in Section 29-51 of the OLTA law to centralize data collection and referral, for OLTA to collect the data for the Human Relations Commission. Since the Commission wishes to change from a quarterly to an annual report, OLTA could obtain from the HRC those elements of data which are to be collected and include them in the annual apartment survey. The raw data which OLTA collects would then be returned to the Human Relations Commission for processing.

Miscellaneous Charges to the County's Human Relations Law

28. The following is a summarization of the suggested charges to Article I, Chapter 27, Montgomery County Code, 1972, as amended:

a) Correct two apparent errors in the current Human Relations law:

(1) Correct the error in codifying Bill 30-78 in which section 27-7(k)), Other Commission Panel Awards and Remedies, was erroneously repealed. This error appears on page 138 of the 1979 Cumulative Supplement to Vol. 1, Montgomery County Code, 1972, as amended.

(2) Bill 1-79 amended the County's Human Relations law to provide for a definition of "Religious Creed" and to amend Sec. 27-19, Unlawful Employment Practices, to require employees to make only reasonable accommodations to an employee's religious belief. In amending that portion of Sec. 27-19, Bill 1-79 incorrectly repealed Sec. 27-19a(4) which pertains to discrimination in apprenticeship or other training programs, instead of Sec. 27-19(d) pertaining to religious beliefs and hiring practices.

b) Modify the attendance requirement to provide for excusing Commission members for bonafide reasons from attending scheduled meetings. This was also recommended by the Committee on Committees in its January 1979 report and by the Office of Legislative Oversight in its September 1979 report on the Community Action Agency. The attendance provision is too rigid in that it specifies that any Commission member who is absent from 25% or more of the scheduled meetings during any six-month period is deemed to have resigned. Considering the frequency of the HRC meetings (a minimum of once each month) the law should recognize that there will be bonafide reasons for Commission members to be absent. Unfortunately, the law as currently written makes no provision for excusing an absence except for after-the-fact when the County Executive can waive the resignation for "good cause such as illness, emergency situations or other extenuating circumstances." It appears that the Commission Chairman should be able to recognize an emergency situation or an extenuating circumstance.

c) Provide a penalty for filing a false complaint. The current law does not address the issue of filing a false complaint.

d) Clarify the prohibition against dual filing by merit employees of County government under the Human Relations law and the Merit System grievance procedures. Under Bill 36-78, effective February 8, 1979, a County merit system employee who wants to file a discrimination complaint covered by the County's Human Relations law and the Merit System grievance procedures may elect either course. The law is specific in prohibiting the merit employee who elects to file with the Commission under the County's Human Relations law from filing a duplicative merit system grievance and the employee is deemed to have waived the right to have the same matter reviewed by the Merit System Protection Board (formerly the Personnel Board). The law is not specific, however, as to whether an employee who elects to file under the Merit System grievance procedure waives subsequent review by the Human Relations Commission. In January 1981, the County Attorney issued Opinion No. 18.001 which stated that filing under the Merit System grievance procedure precludes duplicative review by the Human Relations Commission. If that is the legislative intent of the provision written into Bill 36-78, such language should be included in any revision to the County's Human Relations law.

e) Repeal that provision in the law which requires landlords to retain all applications for rentals for 120 days (discussed above). Also, include in the law a penalty provision for non-compliance.

f) Include a residency requirement for membership on the Commission (discussed above).

VI. OTHER MATTERS

1. In the course of this evaluation, two matters relating to the Human Relations Commission were examined and are presented in this section.

Application of the Human Relations Law to all Municipalities

2. The Human Relations law is only applicable in those municipalities which specifically adopt its provisions and provide for its enforcement within the municipality. Of the twelve municipalities, the following three have adopted the provisions of the law and are thus served by the Human Relations Commission: Garrett Park, Somerset and most recently, Takoma Park. A fourth municipality, Rockville has its own Human Rights Commission. Thus for any act of discrimination occurring in the remaining eight municipalities, the complainant must seek help with the State or the appropriate federal agency. This appears at least to be an unnecessary inconvenience, and at worst a form of discrimination against the potential complainant.

3. The reason that it is a form of discrimination is best illustrated by a hypothetical example. If a person wished to file an employment complaint against a firm within the Gaithersburg city limits. That person could not file with the Human Relations Commission because Gaithersburg has not adopted the County's Human Relations law. Thus, the person must travel to Baltimore to file with the Maryland Commission on Human Relations or the Baltimore District Office of the EEOC. Should the person choose to file the complaint with the EEOC, the complaint can only address discrimination on the basis of race, color, sex, religion, national origin and age (but only if the complainant's age is between 40 and 70). Unlike the County law, the federal Title VII on discrimination in employment does not cover discrimination on the basis of marital status, ancestry, handicap and age (without any restrictions). Still another limitation to Title VII is that it applies to firms employing fifteen or more employees; whereas the County law applies to firms employing more than six employees.

4. Currently, the Human Relations Commission is making a concerted effort to convince the other eight municipalities to adopt the County law.

Role of the County Attorney

5. The County Attorney provides advice and legal assistance to the Human Relations Commission and, under the Human Relations law, is responsible for enforcing Commission orders through civil proceedings. In the area of legal assistance to the Commission, the County Attorney acts as the legal advisor to the panels and represents the HRC before all panel hearings and hearing examiners. Under a recent change to the County Merit System Law a County merit employee may elect to file a complaint against the County with the Commission. Should there be a determination of reasonable cause and the case go to public hearing, it is conceivable that the County Attorney would have the three-fold task of advising the panel, presenting the case to the Commission and representing the County as the respondent. While this in itself is a fair example of a conflict, it would be compounded should the case be decided in favor of the complainant and the County decides to appeal the panel's relief order in the Circuit Court. There appears to be a requirement to clarify the role of the County Attorney before a situation like the one described above actually occurs.

VII. CONCLUSIONS

1. The Montgomery County Human Relations Commission is one of the most vital and constructive agencies serving the community. Through a long history of dedicated effort by community conscious volunteers and staff, the Human Relations Commission has made a significant contribution to the advancement of civil rights in the community.

2. There is a requirement to modify Article I, Commission on Human Relations, of Chapter 27, Montgomery County Code, 1972, as amended, and the operating procedures of the Human Relations Commission so as to reduce the time required to resolve a complaint and to improve the management efficiency and operational effectiveness of the complaint processing system.

3. The current procedures for nominating and selecting Commission members should be reviewed.

4. The consensus of current and former Commission members who were interviewed is that Commission members should not receive compensation but should continue to receive reimbursement for expenses.

5. The periodic Commission reports to the County Executive and County Council on its activities, recommendations and the "state of human rights" within the County should be presented in public session so as to permit an exchange of ideas and impressions.

6. As currently written, Commission real estate reporting procedures require neither certification nor verification and, because there is no penalty for non-compliance, are ignored by a significant number of landlords. Furthermore, the real estate reporting procedures could be improved by coordinating the frequency and method of collection with the Office of Landlord/Tenant Affairs.

7. The Human Relations Commission should continue its current efforts to bring all County municipalities under the Human Relations law.

8. There is potential for conflict in the role of the County Attorney in panel hearings, especially in those situations where the County is the respondent.

VIII. RECOMMENDATIONS

1. Article I, Commission on Human Relations, to Chapter 27, Montgomery County Code, 1972, as amended should be reviewed and, where appropriate, amended to provide the following:

a) Overall improvements in the Human Relations law:

.Require that all Commission members and all members of panels be residents of Montgomery County.

.Liberalize the stringent requirements for attendance at Human Relations Commission meeting and include a provision for pre-excusing Commission members for bonafide reasons.

.Correct codification and other proofreading errors relating to the Commission on Human Relations (Chapter 27) which were published in the 1979 Cumulative Supplement to Volume I, Montgomery County Code, 1972, as amended.

.Add some form of penalty or administrative sanction for submitting a false claim.

.Eliminate the requirement for landlords to prepare and retain for 120 days all applications made for housing accommodations, and include a penalty for not submitting real estate reports.

.Clarify the right of an individual to file a complaint with the Human Relations Commission subsequent to filing a complaint on the same matter under the County government's Merit System grievance procedure.

b) Specific improvements in the management efficiency and operational effectiveness of the complaint processing system:

.Reduce the time to initially file a complaint from one year after the occurrence of the alleged discrimination to six months.

.Authorize the Executive Secretary to make a determination that the complaint lacks reasonable grounds on which to base a violation of the Human Relations law, with the complainant retaining the right to appeal that determination to the appropriate Commission panel.

2. In addition to changing the Human Relations law, the management and operating procedures by which complaints are processed by the Human Relations Commission should be reviewed and amended to provide the following:

a) More thorough analysis of the complaint before officially docketing to weigh the seriousness of the complaint against the investigating workload and the probability that the facts can be determined.

b) A more rapid scheduling of the fact-finding conference and a greater emphasis on reaching a predetermined settlement before the complaint requires extensive investigation,

c) More decision points during the complaint process which requires the Executive Secretary to review progress and to make a determination of probability that there are sufficient facts available upon which to make a determination in the case.

d) Time limits for each critical step in the complaint process.

e) Training in negotiating and mediating techniques for Commission staff.

f) The assignment of maximum staff resources to processing complaints.

g) The increased use of professionally trained hearing examiners to conduct public hearings.

3. That the current procedures for nominating and selecting Commission members be reviewed to determine if improvements are necessary.

4. That Commission members not receive compensation but continue to receive full reimbursement for out-of-pocket expenses incurred when conducting Commission business.

5. That the periodic Commission reports to the County Executive and County Council on its activities, recommendations and the "state of human rights" within the County be presented in public session.

6. That the Office of Landlord/Tenant Affairs be directed to collect real estate reporting data on an annual basis for the analysis and use by the Human Relations Commission.

7. Continue efforts to bring the remaining eight County municipalities under the protection of the County's Human Relations law.

8. Examine the role of the County Attorney in panel hearings, especially in those situations where the County is the respondent.

IX. AGENCY/DEPARTMENT COMMENTS AND OLO RESPONSE

Before submitting this report to the Council, a draft copy was sent to all HRC Commission members, the Executive Secretary of the HRC, Chief Administrative Officer, County Attorney, Directors of the Office of Management and Budget, Office of Landlord/Tenant Affairs and the Council Staff and the Executive Secretary, Merit System Protection Board. Responses were received from the Chairman, HRC and Executive Secretary of the HRC. Those comments which corrected basic data or provided additional clarification have been included in this final report, and the remaining comments are presented below.

1. Comments from the Chairman, Human Relations Commission.

The report, overall, was very professionally done. It appeared to be objective, thorough and fair in its analysis of the HRC. I largely agreed with the recommendations and evaluation with the exception of the attached comments.

Mr. Mansinne is to be complemented on his efforts.

In relation to the Recommendation VII, I have the following comments:

1. A penalty for a false claim may not be justifiable in that the frequency of occurrences is probably very small. Assuming a false claim is what the State law, 49B, refers to as a claim with malicious intent, it would most likely be rare enough to make it worth the cost of processing rather than risk the loss of legitimate claims due to fear of that provision of the law by complainants.

2. Having time limits for each critical step in the complaint process would improve efficiency if the current system was measurably inefficient. Otherwise it would have the effect of causing numerous cases to be dropped as a result of untimeliness. Justice might be better served for a complainant to experience delay in the processing of a complaint rather than be dropped from the process.

If the HRC had the luxury of additional investigators and compliance staff members, time limits might be reasonable.

3. The emphasis on fact-finding and predetermination settlement is significantly high at HRC. There is danger of making the emphasis too great as is the case with EEOC. EEOC is obsessed with predetermination settlement and seems to be willing to compromise justice for a quick settlement. Out of fairness to both complainant and respondent, a reasonable balance must be struck and I believe HRC achieves this.

In relation to the Evaluation Section (V):

1. In paragraph 14 page 20, the absorption of certain non-compliance activities by Commissioners is unrealistic. Many if not most of these duties require commitments of time and continuity of effort which part-time volunteers as commissioners are, cannot afford. Volunteers currently are already making sizeable contributions; as estimated \$28,000 worth of effort in FY 80.

Suggested Corrections

.Page 16, Table VIII - MCPS Human Relations Commission should be MCPS Human Relations Department.

.Note c) - Reference to MCPS HRC should be MCPS Human Relations Department.

.Also, Title IX is under the Educational Amendments of 1972.

2. Comments from the Executive Secretary, Human Relations Commission.



Montgomery County Government

MEMORANDUM

March 10, 1981

TO: Andrew Mansinne, Jr., Director,
Office of Legislative Oversight

FROM: Alan P. Dean, Executive Secretary *Alan P. Dean*
Human Relations Commission *f.m.*

SUBJECT: Office of Legislative Oversight Report 81-1, A
Description and Evaluation of the Montgomery County
Human Relations Commission.

Thank you for the thorough and objective manner in which you conducted your evaluation of the Montgomery County Human Relations Commission. The members of our staff have enjoyed working with you. We feel we have benefited from our interaction with you which has resulted in our own evaluation of the Human Relations Commission.

Thank you also for the positive statements you made about the Commission. We agree with the majority of your report and believe your criticism to be well thought out. Enclosed are comments regarding portions of your report with which we do not wholly agree. Some of the disagreement may be based on information we failed to provide you during your investigation. Some of your suggestions we are already implementing. Others we hope to initiate in the near future. Thanks for your help.

Enclosures.

APD:gl

8. a) Omit this section

Note: We believe one year to file a complaint is reasonable. First, Sections 27-13(c) and 27-22(c) have been misinterpreted. Section 27-13 (c) requires housing records be kept for 120 days - not six months and Section 27-22(c) requires employment records be kept for the term of the employee's employment and a period of six months following termination of employment. Although federal and state ordinances require that complaints be filed within six months, federal regulations require that employers keep appropriate records for two years. We would also note that under certain circumstances the federal statute allows EEOC to maintain jurisdiction for up to 300 days after the alleged unlawful employment practice has occurred. We have noticed the contradictory language used in defining jurisdiction and records maintenance but our experience has taught us that the one year standard is seldom needed but is necessary to protect persons from even more subtle forms of discrimination which may not be immediately apparent to the aggrieved individual. We could recommend the record maintenance schedules be extended to one year to be made consistent with the current one year time limit for filing complaints.

8. b. Omit this section

Note: We agree the time limit is of little value, except perhaps to very observant attorneys. We expressed our opposition to the 180 day limit when it was placed in the Code and we also oppose the suggestion for the institution of "time limits of each of the key steps in the complaint process." Time limits, such as those suggested here, require staff to meet them and we have never had the investigative staff in sufficient numbers to meet time limits. The imposition of additional time limits without concomitant staff could seriously impair our compliance activities.

9. Omit this section

Note: We believe we already perform a thorough review of each potential complaint before the complaint is accepted and docketed. We believe our screening procedure which appears on page 9 of this report describes in detail the review which each complaint receives under the rapid charge system. One out of 100 inquiries results in an intake interview. One out of 10 intake interviews results in a notarized complaint. To initiate a screening system which requires a substantial amount of pre-investigative work as suggested here would only add to intake what it could subtract from the entire resolution process. It could be impractical to establish a priority system as suggested here because it could be a denial of an opportunity for redress of grievances on a local level which creates a burden we do not wish to bear. The law either covers all of us or none of us; either we are all free or none of us is free.

10. ~~Strengthen the fact-finding step.~~ Continue fact-finding step.

Note: This paragraph describes the Fact Finding Conference as conducted by the Commission staff presently. Our procedure for the conference is to review the complaint seriatim with all parties so if the complaint is not settled at the conclusion of the conference the staff is able swiftly to identify and collect the information needed to arrive at a proper determination. We believe an interpretation of a Fact Finding Conference as solely an attempt at settlement reflects a misunderstanding of the process.

11. Omit this section

Note: The standards of proof for discrimination investigations as established by judicial precedent outline a three stage process:

1. establishment of a prima facie case by the Complainant.
2. a showing of a legitimate non-discriminatory reason for his/her actions by Respondent.
3. an opportunity for the Complainant to rebut Respondent's defense.

As circumstances require, this process may expand and it is almost impossible to establish decision points before all the facts are in. We have commented earlier on reasonable time standards which we believe are inappropriate at this time. Production norms for investigations have been in effect for at least the last five years and we believe they are reasonable enough to guarantee the quality of our investigations.

12.

Note: We agree the compliance staff could use training in mediation and conciliation techniques but there have been no funds available to pay for this training.

14. line 2. ~~However considerable staff resources are involved in conducting workshops, outreach, speaking engagements, real estate reporting and other special projects.~~

Note: Currently sixty seven percent of the HRC staff is involved almost exclusively with compliance activities; twenty three percent of the staff time spent in outreach, workshops, education and real estate reporting; five percent on addressing hate group activities, including coordinating the Network of Neighbors; and five percent on administration. Based on responsibilities of the HRC as stated in the County Code, we don't consider this "considerable staff resources." During FY-79, 80 and 81 more time has been spent by Commissioners, interns and volunteers than by staff on non-compliance matters.

E) Omit this section.

Note: The Commission has proposed eliminating the requirement contained in the Real Estate Reporting Regulations that landlords report applicants. However, the provision requiring retention of application records is part of the Fair Housing Law, not the RERR. The provision is helpful in the process of investigating housing discrimination complaints. However, the time period should be the same as HRC's statute of limitations.

Page 26

2. 3. 4.

Note: Alternative methods of covering municipalities should be considered. County or State legislation could be passed. The Prince Georges County HRC covers incorporated municipalities because its law has no provision to the contrary, as Montgomery County law does.

Pages 27-28.

VIII. RECOMMENDATIONS

If the recommendations we have submitted are accepted the attached recommendation deletions would result.

Page 28

Paragraph 2. ~~Add some form of penalty or administrative sanction for submitting a false claim.~~

Note: In our one half of the complaints filed with the HRC, probable cause is not found. Most of the complainants in these cases honestly believe discrimination took place. In some of these complaints, discrimination probably did take place but cannot be proven. People should not be penalized for filing a complaint with the HRC any more than complaining to the police when they believe a crime is committed. At the present time all complaints must be sworn to so a complainant could be prosecuted for perjury for making a false complaint. Additional penalty would deter victims from filing a complaint. It would also penalize honest people who have suffered discrimination which is not provable.

Interviews

<u>Name</u>	<u>Position</u>
Dr. Edward Andrews	Superintendent, MCPS
Alan Dean	Executive Secretary, Human Relations Commission (HRC)
Michael Dennis	Compliance Director, HRC
Peter W. Devereaux	Fairfax County, Virginia, Human Rights Commission
Judith Docca	Department of Human Relations, MCPS
Rick Ferrara	Director, OLTA
O.D. Field	Commissioner, HRC and Chairperson, Housing Panel
David Glenn	Executive Director, Maryland State Commission on Human Relations
John M. Heneghan	Commissioner, HRC and Chairperson, Employment Panel
Charles Hudson	Commissioner, HRC and Chairperson Community Relations Committee
Lillie M.T. Johnson	Commissioner, HRC
Sandra King-Shaw	Commissioner, HRC and Chairperson, Public Accommodation Panel
Vivian Lawyer	Director, Office of Affirmative Action, Montgomery College
Suzanne Levine	Assistant County Attorney
Ruffin Maddox	Montgomery County citizen
Freda Mauldin	Deputy Executive Secretary, HRC
Peg McRory	Past President, Suburban Maryland Fair Housing
Jim Mihalek	Chairman, HRC
Sandra H. Robinson	Rockville Human Rights Commission
George B. Rose	Consumer Affairs
Leo A. Sanchez	Compliance Manager, Baltimore District Offices, Equal Employment Opportunity Commission
Dr. Ciria Sanchez-Baca	Commissioner, HRC
Thomas Schwab, Esq.	Montgomery County citizen and former HRC Commissioner
Jackie Simon	Former Commissioner, HRC
Gary Simpson, Esq.	Montgomery County citizen
Joan R. Thompson	Former HRC Commissioner and Chairperson 1974-1979
Sgt. Richard Williams	Commander, MCPD Community Relations Section

Local, State and National
Civil Rights Chronology
1960 - 1980

	<u>Montgomery County</u>	<u>Maryland</u>	<u>United States</u>
1960	Demonstrators protest segregation at Glen Echo Park. Human Relations Commission established, as first local commission in Maryland.		Civil Rights law passed to strengthen 1957 voting rights act.
1961		Baltimore City enacts Equal Public Accommodation ordinance.	
1962	County Council enacts Equal Public Accommodations Law with tavern exemption. Reorganizes Human Relations Commission for enforcement.		
1963	County Council rejects proposal to repeal 1962 Public Accommodations Law. Rockville Human Rights Commission established.	Limited Public Accommodations Law enacted. (Covers 11 of 22 Counties.) State-wide Public Accommodations Law enacted then sustained in public referendum.	Congress passes Civil Rights Act banning discrimination in employment and public accommodations, creates EEOC.
1965		Fair Employment Practice Law enacted.	
1967	First Fair Housing Law enacted, then invalidated by Circuit Court. Tavern exemption repealed from Public Accommodations Law.	Fair Housing Law enacted.	
1968	Second Fair Housing Law enacted. First black police officer hired. Complaint settlement integrates first community swimming pool.	Fair Housing Law of 1967 defeated by public referendum. Public Accommodations Law extended to cover bars and taverns. Discrimination in home finance prohibited.	Fair Housing Law enacted, enforced by Department of Housing and Urban Development
1969	Circuit Court invalidates Public Accommodations Law. County Council reenacts Public Accommodations Law and reestablishes Human Relations Commission, limiting its activities. School system establishes Human Relations Department and equal employment program.		

Montgomery CountyMarylandUnited States

1971		Fair Housing Law enacted.	Supreme Court validates school busing for integration.
1972	Amendment prohibiting sex discrimination added to Public Accommodations Law.	ERA passed.	Equal Rights Amendment proposed. Title IX prohibits sex discrimination in federally funded educational programs.
1973	Fair Employment Law passed.		Rehabilitation Act of 1973 prohibits handicap discrimination in federally funded programs.
1974	Housing Law amended to cover sex and marital status discrimination. HRC gains summons and subpoena powers.	Fair Housing Law amended to cover sex and marital status discrimination. Discrimination based on handicap prohibited.	
1976	HRC Enforcement panels authorized to order monetary damages and compensation for humiliation.		
1977	Discrimination based on physical and mental handicap prohibited.	Pregnancy disability rights legislation. Commission empowered to order monetary relief.	
1978			Supreme Court limits affirmative action in college admissions (<u>Regents of University of California vs. Bakke.</u>)
1980	New Horizon Fair Housing Plan adopted.		Congress defeats strengthening Fair Housing Law.

Source: Excerpt from the Supplement to the Montgomery County Sentinel, October 9, 1980

HUMAN RELATIONS COMMISSION

Commission Members

Fernando Bren 9913 Hall Road Potomac 20854	5/82 *	Lewis A. Jones 10424 Peakview Court Damascus 20750	3/81
Helga B. Butler 6810 Florida Avenue Chevy Chase 20015	11/83	James J. Mihalik 804 Downs Drive Silver Spring 20904	6/83
James E. Cronin 2103 Linden Lane Silver Spring	5/82	Gus L. Morrison 1643 Winding Way Lane Silver Spring 20902	6/81
O. D. Field 709 Midland Road Silver Spring 20904	5/82	Robert A. Rogers 531 East Indian Spring Drive Silver Spring 20901	3/81
Vincent P. Horgan 18905 Olney Mill Road Olney 20832	3/81	Dr. Ciria Sanchez-Baca 3602 Husted Drive N. Chevy Chase 20015	6/83
Charles Hudson 4119 Conger Street Wheaton 20906	6/83	Harold Schwartz 735 Sligo Avenue Silver Spring 20910	5/82
Sandra King-Shaw 244 New Mark Esplanade Rockville 20850	3/81	Susan Shoenberg 1808 Briggs Road Silver Spring 20906	5/82
Lillie M. T. Johnson 9512 Gwyndale Drive Silver Spring 20910	6/83		

*Expiration of term

Commission Panels

<u>EMPLOYMENT PANEL</u>	<u>HOUSING PANEL</u>	<u>PUBLIC ACCOMMODATIONS PANEL</u>
Ronald S. Brenner Mindy Farber John Heneghan Lewis A. Jones James J. Mihalik	O.D. Field Charles Hudson James J. Mihalik	Sandra King-Shaw James J. Mihalik John V. Nehemias

Commission Committees

<u>COMMUNITY RELATIONS</u>	<u>EDUCATION</u>	<u>EMPLOYMENT</u>
Charles Hudson Fernando Bren Harold Schwartz Susan Shoenberg O.D. Field Lillie M.T. Johnson Earlene Merrill	Dr. James Cronin Ms. Susan S. Shoenberg Ms. Lillie M.T. Johnson Ms. Helga Butler Dr. Ciria Sanchez-Baca	Robert Rogers Harold Schwartz Gus Morrison

HOUSING

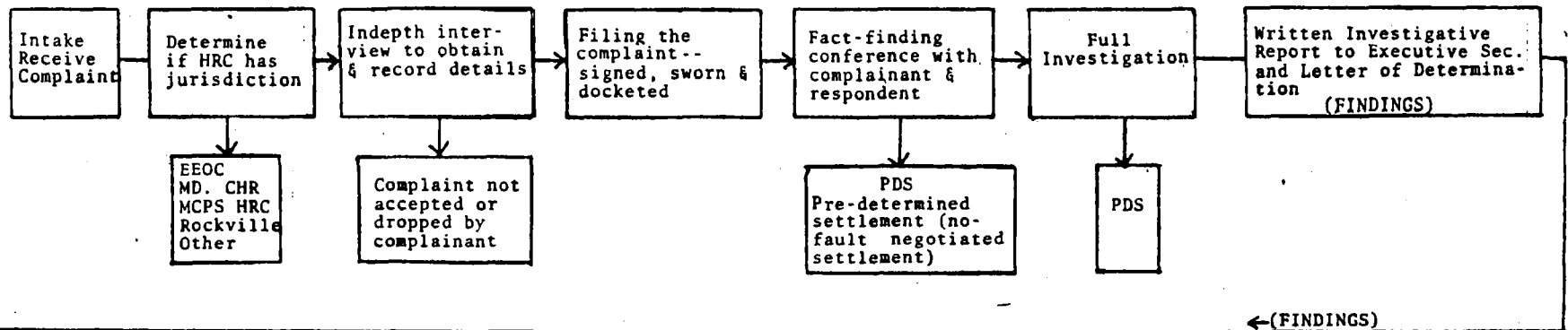
Fernando Bren
William Harold Jacobs
John V. Nehemias
Arlene Simons
Leo Trice
O.D. Field
Ciria Sanchez-Baca
Susan Shoenberg
Pedro Porro

JUSTICE

Sandra King-Shaw
Robert A. Rogers
Nigel Scott
Karen L. Bonnin
Siri Young
Dr. Ileana Herrell

HUMAN RELATIONS COMMISSION COMPLAINANT PROCESS
(Art. I, Ch. 27, Montgomery County Code, 1972, as amended)

ACTIVITIES BY HRC STAFF



ACTIVITIES BY HRC EXECUTIVE SECRETARY AND HRC PANELS

