



Howard County

Internal Memorandum

Subject: Testimony on Council Bill No. 4-2015; a Bill reorganizing the Executive Branch to revise the duties and responsibilities of the Human Rights Commission

To: Mary Kay Sigaty,
Council Chairperson

From: Lonnie R. Robbins,
Chief Administrative Officer

Date: February 17, 2015

The above referenced Council Bill reorganizes the Executive Branch of County Government pursuant to Section 403 of the Howard County Charter. The Bill revises the duties and responsibilities of the Human Rights Commission (HRC). It also sets forth certain changes in the Office of Human Rights (OHR) with respect to the OHR Administrator's role as Executive Secretary of HRC.

The HRC, established in 1979 from the roots of the Civil Rights Commission, has the primary responsibility to ensure that every citizen of Howard County has the right to live in a society free of discrimination. This administration holds the responsibilities of the HRC in the highest regard and wants it to have the authority and tools needed to perform its work effectively. It is for this reason the HRC shall, in conjunction with the OHR, provide a report to the County Executive by September 1, 2015, which analyzes cases that come before the Commission and recommends at least two scenarios in which a Hearing Examiner can be utilized in the adjudication process of OHR cases. Presently, the State of Maryland and 20 jurisdictions within the state use hearing examiners to adjudicate discrimination cases. The administration also requests that this plan include thorough data on the processing of previous cases, recommendations for time limits on



Howard County

Internal Memorandum

the investigatory process and from complaint filing to the case's administrative disposition, and the desired level of legal training HRC members must obtain. CB 4 will also separate the powers of OHR and HRC by striking the mandatory role the OHR Administrator plays as the Executive Secretary of the HRC.

The Strategic Plan will include ways in which the HRC can play a greater role in education and awareness initiatives in the community and in building partnerships with other county agencies, boards, and commissions that address human rights issues. The administration believes that the exploration of such a reorganization will be beneficial in ensuring that a process is formed that responds to the dynamic needs of Howard County residents and the complexities of civil rights law. The HRC requires the ability to work with other organizations in order to be able to adapt to current events that constantly shift the landscape of human rights in Howard County. This administration believes that this reorganization will facilitate the work of the HRC and OHR and improve the outcomes for county residents.

This legislation differs slightly from the reorganization letter submitted to you on December 22, 2014. That letter outlined a process whereby the HRC would hear cases for which the Office found no reasonable cause and a hearing examiner would hear reasonable cause cases. After listening to concerns raised by members of the HRC, this legislation tasks the Commission with further study and recommendations as to the best practices on the use of a hearing examiner. We are excited to work with the members of the HRC as we move forward on this issue.

I will present this legislation at the public hearing and will be available to answer any questions you may have.



Howard County

Internal Memorandum

Fiscal Impact

The Administration anticipates that this Bill will have nominal, if any, fiscal impact.

Cc: Jon Weinstein, Council Vice-Chairperson
Calvin Ball, Councilperson
Greg Fox, Councilperson
Jennifer Terrasa, Councilperson
Jessica Feldmark, Administrator