

Brandon M. Scott
Mayor, City of Baltimore



Dana Petersen Moore
Director
Chief Equity Officer

Equity and Civil Rights

June 9, 2023

Members of the Public Safety and Government Operations Committee:

I write to provide additional information to the committee members in response to inquiries made during the initial hearing and the subsequent hearing concerning City Council Bill 23-0378. The following information relates to the Community Relations Commission (“the CRC”), which is supported by the Office of Equity and Civil Rights (“OECR”).

CRC Background

The primary role of the CRC is to conduct investigations into claims of discrimination and provide support to individuals who have experienced discriminatory treatment. This is achieved through the enforcement of anti-discrimination laws. The CRC actively works to combat instances of unlawful discrimination in various domains, including employment, public accommodation, housing, education, and health and welfare services. In Baltimore City, it is strictly prohibited to engage in discriminatory practices based on factors such as race, color, religion, national origin, age, ancestry, sex, physical or mental disability, sexual orientation, gender identity and expression, or marital status. These protected classes are safeguarded by law, and the CRC diligently works towards ensuring their rights are upheld within the city.

The CRC actively receives, investigates, and addresses complaints related to alleged acts of unlawful discrimination. It is responsible for thoroughly examining these cases and reaching resolutions. In instances where a violation is substantiated, the CRC also plays a role in developing and overseeing formally negotiated conciliatory agreements.

Moreover, due to the CRC's contractual affiliation with the Equal Employment Opportunity Commission (EEOC), the CRC occasionally receives, investigates, and resolves cases that have been deferred to them by the EEOC. These cases typically involve complaints filed against private and government employers operating within Baltimore City.

The CRC's collaboration with the EEOC enables them to handle such cases and work towards resolving them in accordance with applicable laws and regulations. This partnership strengthens the Commission's ability to address discrimination claims and ensure the enforcement of rights within the city.

CRC Jurisdiction

Prior to conducting a formal investigation into a complaint of alleged discrimination the CRC must first satisfy four (4) tests to establish its jurisdiction to handle the complaint. CRC staff must confirm that:

1. The action took place in Baltimore City;
2. The complaint alleges a discriminatory act that occurred within the last 180 days;
3. CRC has power over the Respondent;
 - meaning that it is a qualified employer, person, public accommodation, educational institution, or health and welfare service agency.

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4. CRC has power over the subject matter.¹
 - meaning that it is covered under the employment, housing, public accommodations, education, or health & welfare provisions in Article 4 of the Baltimore City Code.

If these tests are not met, then the CRC lacks jurisdiction to investigate. However, the OECR strongly encourages those who believe they have experienced discrimination within the city to reach out to the CRC, even if they are uncertain about whether their specific complaint falls within the jurisdiction of the CRC. In such cases, the CRC can offer valuable guidance, provide referrals to appropriate agencies, and/or assist the complainant in navigating the process.

Filing a Complaint with the CRC

Those who believe they have experienced discrimination within the city can file a complaint with the CRC in the following ways:

1. Submit a complaint online using this [link](#) (preferred).
2. Those who lack the technology required to submit a complaint online may opt do the following:
 - a. Call the CRC at 410.396.3143 to make an appointment for assistance;
 - b. Visit the Office of Equity and Civil Rights located on the 9th floor at 7 East Redwood Street Baltimore, MD 21202 between the hours of 9AM and 4:30PM for assistance; or
 - c. send an email to (crcintake@baltimorecity.gov).

Investigation Process

1. The complainant submits an intake form to initiate the process.
2. A scheduled initial interview is conducted between the complainant and an intake investigator.
3. CRC staff assesses whether the matter falls within the jurisdiction of the CRC.
4. Once the complainant signs the formal charge of discrimination, it is prepared for authorization by the CRC Board. Meanwhile, the case is provisionally assigned to an investigator.
5. If any jurisdictional issues arise, they are addressed promptly to ensure a swift start to the investigation.
6. After receiving authorization, the formal investigation commences, and the case is officially assigned to an investigator.
7. A charge letter, outlining the allegations, is mailed to the respondent within 10 days of filing the formal charge.
8. A copy of the charge letter is also mailed to the complainant.
9. With the issuance of the charge letter, the investigation officially begins.

¹ <https://civilrights.baltimorecity.gov/sites/default/files/Article%204%20-%20The%20Community%20Relations%20Commission.pdf>

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Complaints Submitted Outside of 180 Day Period

In response to Councilwoman Porter's question during the hearing, if a complaint is filed with the CRC beyond the 180-day timeframe, the CRC is required to refer the matter to the appropriate entity based on the nature of the complaint. For instance, if the complaint pertains to employment issues, it must be referred to either the Maryland Commission on Civil Rights (MCCR) or the Equal Employment Opportunity Commission (EEOC). Similarly, if the complaint relates to housing matters, it should be referred to the U.S. Department of Housing and Urban Development (HUD), and if it involves public accommodations, the U.S. Department of Justice (DOJ) is the designated recipient for such complaints.

Under the CRC's contract with the EEOC, they have the authority to accept complaints within the CRC's jurisdiction for a period of up to 300 days from the last alleged incident of discrimination. I would be remiss if I did not mention that the MCCR has extended its deadline to 300 days for filing complaints.² This expansion in timeframes allows individuals a greater opportunity to report incidents of discrimination within an extended window.

If there are any further inquiries, please feel free to reach out to me at (Tylor.schnella@baltimorecity.gov) or at (443) 401-8460.

² <https://mccr.maryland.gov/Pages/Intake.aspx>