



State of Maryland Commission on Civil Rights

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February 20, 2024

SB Bill 0666 – Maryland Commission on Civil Rights – Monetary Relief

POSITION: Support as Amended

Dear Chair Smith, Vice Chair Waldstreicher and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, health services and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, and source of income.

Senate Bill 0666 as amended provides for a monetary remedy for victims of unlawful public accommodation discrimination. Presently, an individual who suffers discrimination under the Maryland Public Accommodation Act receives no personal monetary remedy or relief from the party that is found to have caused them harm. State Government Article, Title 20 (SGA, Title 20) only provides that an administrative law judge may assess a civil penalty that goes to the State’s general fund and the individual discriminated against may only receive an apology.

What can be more embarrassing to a person or persons: finding physical barriers that prevent them from entering an establishment because of a disability and told to go to the rear entrance of a restaurant because that is where a ramp is available; being ignored and receiving no service because of their race; being asked to leave an establishment because they are conversing in Spanish; or being loudly asked to leave an establishment because of sexual orientation, or gender identity in front of other patrons. And then to add insult to injury being denied any meaningful relief for the harm inflicted.

Maryland’s public accommodation law currently provides the weakest protections and remedies under SGA, Title 20. Victims of public accommodation discrimination are treated differently under Maryland’s anti-discrimination law when compared to employment and housing discrimination victims. SB 0666 as amended is a modest attempt to bring equal opportunity under Maryland law to those public accommodation victims who **successfully prove (emphasis added)** they been discriminated against and suffered harm.

“Our vision is to have a State that is free from any trace of unlawful discrimination.”

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Over forty-five (45) other states have some comprehensive form of public accommodation relief. Thirty-four (34) states even provide a private right of action and make available an award of compensatory and actual damages for victims of unlawful discriminatory practices by a place of public accommodation. Maryland citizens should have some form of personal remedy for suffering proven harms of discrimination.

For these reasons, MCCR urges the committee to issue a favorable vote on SB 0666. Thank you for your time and consideration of the information contained in this letter. The Commission looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.