

COURT OF APPEALS OF MARYLAND

State Comm'n on Human Relations v. Talbot County Detention
Center, 370 Md. 115

803 A.2d 527 (2002) · No. No. 122, Sept. Term, 2001 · Decided July 23, 2002

SUMMARY

The Maryland Court of Appeals held that a circuit court has subject matter jurisdiction under Maryland law to grant the Maryland Commission on Human Relations injunctive relief against interference with its administrative investigation of employment discrimination complaints. The court concluded that the Commission's investigative powers were not limited to the formal mechanisms described in the regulations and that confidential witness interviews were permissible. It further held that statutory injunctive relief is governed primarily by the criteria in Article 49B, Section 4, including reasonable necessity to preserve the parties' status or prevent irreparable harm.

CASE DETAILS

COURT	Court of Appeals of Maryland
WRITING FOR THE COURT	Battaglia, J.; Bell, C.J.; Eldridge, J.; Raker, J.; Wilner, J.; Cathell, J.; Harrell, J.
JURISDICTION	Maryland
DECIDED	July 23, 2002
DOCKET	No. 122, Sept. Term, 2001
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The Maryland Commission on Human Relations appealed the Circuit Court for Talbot County's denial of its petition for injunctive relief against interference with the Commission's preliminary investigation of employment-discrimination complaints. The Court of Appeals of Maryland granted certiorari on its own initiative.
STANDARD OF REVIEW	Ordinarily, denial of injunctive relief is reviewed for abuse of discretion. For a statutory injunction, however, the court's traditional equitable discretion is limited by the statutory criteria, and the appellate court reviews whether those criteria were satisfied.
PRECEDENTIAL VALUE	published precedential opinion

PARTIES

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QUESTIONS PRESENTED

1. Whether the Circuit Court for Talbot County had subject matter jurisdiction to grant injunctive relief while employment-discrimination complaints were pending before the Commission.
2. Whether the Commission's statutory investigatory authority included conducting confidential, unrecorded witness interviews without the presence of the respondent's representatives.
3. Whether the Commission established the statutory basis for an injunction to prevent interference with its preliminary investigation.
4. Whether the traditional equitable factors governing preliminary injunctions controlled the request for an injunction under Article 49B, § 4.

HOLDINGS

1. Article 49B, § 4 gave the circuit court statutory subject matter jurisdiction to entertain and grant injunctive relief after a discrimination complaint was filed with the Commission.
2. The Commission's investigatory powers were not limited to the formal mechanisms listed in COMAR 14.03.01.04, and the Commission could conduct confidential witness interviews without the respondent's representatives being present or without recording and transcription.
3. For an injunction under Article 49B, § 4, the Commission need establish a reasonable necessity to preserve the status of the parties or prevent irreparable harm; the traditional equitable factors are largely inapplicable.
4. The Commission was entitled to an injunction preventing the Detention Center from interfering with the preliminary investigation by insisting on presence at confidential witness interviews and demanding that the interviews be transcribed.

KEY QUOTATIONS

"Section 4 clearly provides a circuit court with statutory jurisdiction to issue injunctive relief at any time after a complaint has been filed with the Commission." (370 Md. at 128)

"the provisions in COMAR regarding the Commission's investigatory process are not exclusive." (370 Md. at 131)

“so long as the Commission satisfies the court that a reasonable necessity exists to preserve the status of the parties or prevent irreparable harm, the requested injunction should be granted.” (370 Md. at 135)

“Injunctive relief may be granted when the investigation is so hindered by a party as to cause irreparable harm to the investigative process as a whole” (370 Md. at 143)

FACTUAL BACKGROUND

Two verified complaints alleged employment discrimination at the Talbot County Detention Center, including race and gender discrimination and sexual harassment. During the Commission's preliminary investigation, the Detention Center allegedly discouraged nonparty employee witnesses from participating and insisted on appearing at confidential interviews and having them recorded and transcribed. The Commission sought an injunction to prevent interference with the investigation and to preserve the confidentiality and effectiveness of the fact-finding process.

PROCEDURAL HISTORY

Two verified employment-discrimination complaints were filed with the Commission concerning race, gender, and sexual-harassment allegations at the Detention Center. The Commission alleged that the Detention Center interfered with confidential witness interviews by discouraging witnesses and insisting on being present and recording the interviews. The Circuit Court denied injunctive relief, apparently either for lack of subject matter jurisdiction or in the exercise of discretion. The Court of Appeals reversed and remanded for issuance of an injunction, while requiring additional evidence for certain broader requested restraints.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Circuit Court for Talbot County was instructed to issue an injunction preventing the Detention Center from interfering with the Commission's preliminary investigation by insisting on being present at confidential witness interviews or demanding that those interviews be transcribed, for the duration of the preliminary investigation and related proceedings. Any broader injunction requested by the Commission required additional evidence establishing reasonable necessity to prevent irreparable harm.

CASES CITED

- J.L. Matthews, Inc. v. Maryland-National Capital Park & Planning Comm'n, 368 Md. 71, 792 A.2d 288 (2002)
- El Bey v. Moorish Sci. Temple of Am., 362 Md. 339, 765 A.2d 132 (2001)
- Western Md. Dairy, Inc. v. Chenoweth, 180 Md. 236, 23 A.2d 660 (1942)
- Colandrea v. Wilde Lake Community Ass'n, Inc., 361 Md. 371, 761 A.2d 899 (2000)
- United States v. Oakland Cannabis Buyers' Co-op., 532 U.S. 483, 149 L. Ed. 2d 722 (2001)
- Weinberger v. Romero-Barcelo, 456 U.S. 305, 72 L. Ed. 2d 91 (1982)

- Tennessee Authority v. Hill, 437 U.S. 153, 57 L. Ed. 2d 117 (1978)
- United States Postal Service v. Beamish, 466 F.2d 804 (3d Cir. 1972)
- Molesworth v. Brandon, 341 Md. 621, 672 A.2d 608 (1996)
- Weathersby v. Kentucky Fried Chicken Nat'l Mgmt. Co., 86 Md. App. 533, 587 A.2d 569 (1991), rev'd on other grounds, 326 Md. 663, 607 A.2d 8 (1992)
- Gutwein v. Easton Publ'g Co., 272 Md. 563, 325 A.2d 740 (1974)
- Massachusetts Water Res. Auth. v. United States EPA, 256 F.3d 36 (1st Cir. 2001)
- Gov't of the Virgin Islands, Dep't of Conservation v. Virgin Islands Paving, Inc., 714 F.2d 283 (3d Cir. 1983)
- Atchison, T. & S.F. Ry. Co. v. Lennen, 640 F.2d 255 (10th Cir. 1981)
- United States v. Odessa Union Warehouse Co-op., 833 F.2d 172 (9th Cir. 1987)
- Consolidated Rail Corp. v. Town of Hyde Park, 47 F.3d 473 (2d Cir. 1995)
- United States v. Kaun, 827 F.2d 1144 (7th Cir. 1987)
- SEC v. Holschuh, 694 F.2d 130 (7th Cir. 1982)
- State Comm'n on Human Relations v. Amecom Div. of Litton Sys., Inc., 278 Md. 120, 360 A.2d 1 (1976)
- Bey v. Moorish Sci. Temple of Am., 362 Md. 339, 765 A.2d 132 (2001)
- Coster v. Dep't of Personnel, 36 Md. App. 523, 373 A.2d 1287 (1977)
- Fogle v. H & G Rest., Inc., 337 Md. 441, 654 A.2d 449 (1995)
- Department of Transportation v. Armacost, 299 Md. 392, 474 A.2d 191 (1984)
- Banach v. State Comm'n on Human Relations, 277 Md. 502, 356 A.2d 242 (1976)
- Rowe v. C & P Tel. Co., 56 Md. App. 23, 466 A.2d 538 (1983)