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HUMAN RELATIONS COMMISSION

SUMMARY OF PERFORMANCE AUDIT

OCTOBER 2002

The Office of Audits and Investigations performed an audit of the Human Relations Commission in accordance with the County Charter. In the performance of our audit, we evaluated the agency's goals and objectives, determined if established standards had been met, and identified impediments to the agency's ability to fulfill its mission. We also reviewed agency activities and practices to determine compliance with County laws and procedures, and we examined commission membership and attendance to determine if the commission has a full complement of active members. The major areas addressed in our report are:

- ? Resources allocated to the Human Relations Commission are inadequate to meet the expectations of County officials and residents, particularly in regard to the timely investigation and resolution of cases of alleged discrimination.
- ? Lack of cooperation by County agencies accused of discriminatory practices and/or by the County's Office of Law have caused significant delays in case handling. The method used for handling these cases results in wasted resources, and complainants are seldom provided timely action on their cases or afforded due process. Further, the dual role of the Office of Law in both preparing and responding to subpoenas constitutes a serious conflict of interest issue.
- ? The Human Relations Commission does not have an adequate revenue collection procedure aimed at ensuring that funds it collects are safeguarded. Our review of the agency's actual practices disclosed several internal control weaknesses associated with revenue collection, including the failure to adequately document agency policies and transactions.
- ? We identified four agency employees who had not received promotions in accordance with the County Code, and one improperly-classified position in the agency resulting in underpayment to the incumbent.

We wish to thank the Human Relations Commission for its assistance and cooperation during our audit. We are available to provide assistance in implementing the recommendations contained in this report, or in any other area where the agency may have concerns or questions.

CHAPTER 1

AGENCY PERFORMANCE

INTRODUCTION AND SCOPE

The Human Relations Commission (HRC), comprising a 13-member body and an agency headed by an executive director and staffed by County employees, operates in accordance with Subtitle 2, Division 12 of the Prince George's County Code. The agency's Fiscal Year 2002 approved staffing level for full-time positions was 13. It's approved operating budget for that year totaled slightly more than \$1.1 million, of which approximately \$344,000 was from non-General Fund sources.

The agency's mission is to provide services aimed at ensuring the rights of all County residents to pursue their lives free of discrimination. Two of these services, complaint investigation and enforcement of discrimination laws, are subject to State and local laws and regulations, and, for employment-related complaints, to requirements of the federal Equal Employment Opportunity Commission (EEOC).

During our audit, we evaluated the agency's goals and objectives, determined if established standards had been met, and identified impediments to the agency's ability to fulfill its mission. We have selected for presentation in this chapter those areas for which we are recommending improvements or which otherwise merit discussion.

FINDINGS, COMMENTS, AND RECOMMENDATIONS

Resource Allocation

In a June 1997 audit report on the Human Relations Commission, we noted that the resources allocated to the agency were insufficient to enable it to effectively engage

in all of the activities mandated. Since that date, the agency's mission and activities have remained largely unchanged, and, despite increased funding over the years, the amounts allocated continued to be inadequate for the agency to meet the expectations of County officials and residents, particularly in regard to the timely investigation and resolution of cases of alleged discrimination.

Specifically, during our most recent audit, we found that the agency's staffing level is inadequate to meet its workload. In the Investigative Division, there are significant, long-term backlogs in handling complaint investigations (discussed in more detail later in this report), and we noted that both the Investigative Division and the Community Relations Division had met the minimum requirements of their respective interagency agreements only because employees had worked a number of hours beyond their normal work week without additional compensation. We estimated that three additional investigator positions are needed to handle the complaint investigation workload and that the annual compensation and fringe benefit costs associated with these positions would be approximately \$117,000.

We also found that funding allocated for staff training is inadequate. This is of particular concern due to recent high turnover in the investigative positions and to the complexity of the legal requirements governing complaint investigations. Inadequate training of newly hired staff causes extraordinary burdens on supervisory staff to provide daily guidance and instruction and adversely affects overall productivity levels. We noted that approved amounts for staff training covered little more than the minimum required by the County's contractual agreement with the EEOC, i.e., the attendance of one staff member at its annual training conference. We estimated that approximately

\$2,000 in additional annual funding would be required to provide the minimum training needed to enable staff to perform efficiently and effectively.

We also noted that the agency's funding is insufficient to cover the acquisition of agency-specific technology which would further enhance staff efficiency. Specifically, staff's ability to research discrimination case outcomes in other states and jurisdictions is hampered by lack of access to the electronic LEXIS-NEXIS database (such access is acquired via a subscription service). We estimated that the annual cost of the subscription service for the agency would be approximately \$15,000.

In summary, we concluded that until such time as the County's fiscal constraints ease sufficiently to enable the allocation of additional resources, it is unrealistic to expect the agency to handle its workload and to otherwise meet the general standards set for it. Consequently, we recognize that implementation of the efficiency-enhancing recommendations we offer in subsequent sections of this report will only partially alleviate the agency's performance difficulties. Therefore, we recommend that:

- 1. Whenever sufficient funding becomes available, the County Executive and County Council allocate additional resources to the Human Relations Commission, and, together with Human Relations Commission representatives, develop a work program to effectively use these resources.**

Investigative Division Workload and Performance

As previously noted, the Investigative Division has experienced significant, long-term backlogs in handling complaint investigations. An analysis of workload data for fiscal years 1994 through 2001 showed that although there was a general decline in the number of new cases over the years, fewer cases were closed each year, resulting in the carryover of a greater number from year to year. Consequently, there was a significant

decrease in the case closure rate; the rate in fiscal year 1994 was 50.5%, but it had declined to 36.1% by fiscal year 1998 and to 28.0% by fiscal year 2001.

To assess the impact of the Investigative Division's backlog on the timeliness of handling individual cases, we examined the files of a sample of 70 cases open during fiscal year 2001 and identified the delays in case handling. For the cases we reviewed, the length of time the cases had been open ranged from less than one year to nine years, and averaged 3.2 years. Forty-seven of the cases alleged violations of federal equal employment opportunity laws. Such cases, referred to as EEOC cases, are the highest priority of the Division. The remaining 23 cases in our sample alleged violations of County anti-discrimination laws. (We excluded cases alleging misconduct by police officers, referred to as law enforcement cases, from this review. This category of cases is further discussed later in this report.)

In our case review, we considered time lapses when a case was awaiting action by staff as delays, and we combined multiple time lapses to arrive at a total delay time for each case. (In our computation of delay times, we did not include time periods documented as allowable for responses from others, or time periods when cases were undergoing normal processing. We also excluded delays of one week or less as we considered them insignificant.)

We noted that, in keeping with the agency's priorities, the handling of EEOC cases was more expeditious than the handling of cases of other types. Specifically, we found that Division staff had successfully handled 24, or 51.1%, of the 47 EEOC cases without any delays. The delay time for one EEOC case was less than six months, and for 5 others it was between six months and one year. For 7 of the other EEOC cases the

delay times between one and three years; 7 others had delay times between three and five years; and the remaining 3 had delay times exceeding five years.

However, of the 23 cases alleging violations of County anti-discrimination laws, only one had been handled without delay. Three had delay times between six months and one year, and one had a delay time of two years. Eighteen, or 78.2%, of the 23 reviewed had delay times of three or more years (9 had delay times between three and five years, and another 9 had delay times exceeding five years).

Our review disclosed that the complaint investigations, without exception, were thorough and well documented; it was evident that staff had spent many hours on each case to achieve this level of performance. We concluded that complainants whose cases were handled promptly were well served. (One exception is complainants filing cases against the County; this issue is discussed in a subsequent section of this chapter.) However, due to the Division's excessive workload, many complainants had not received the prompt service they expect, and the general timeliness standard of one year for processing cases, set forth in Section 2-201 of the Prince George's County Code, had not been met. (Although the federal EEOC sets specific criteria each case must meet in order for the County to receive payment for having handled it and sets the number of cases to be handled each year, the EEOC has not set timeliness standards for handling individual cases. We noted that EEOC service level standards and standards for reporting have been met.)

Law Enforcement Cases

During Fiscal Year 2001, the period covered by our case review, the Human Relations Commission was responsible for investigating complaints alleging harassment,

use of excessive force, and/or use of demeaning language by law enforcement officers. However, early in the fiscal year, all investigations of such cases were suspended due to the Investigative Division's excessive workload and backlog in processing higher priority cases. Only 9 law cases were closed in that year, and 302 were pending investigation at the end of the year.

A County Code amendment relieved the Human Relations Commission of all responsibility for handling complaints against law enforcement officers of the County's Police Department, effective January 11, 2002. (Responsibilities of the Citizen Complaint Oversight Panel in processing such complaints were increased accordingly.)

Although the Human Relations Commission is still responsible for demeaning language, harassment, and excessive force complaints involving other law enforcement agencies operating in the County, including municipal police officers and deputy sheriffs, relatively few such complaints are filed. Consequently, the County Code amendment resulted in approximately a 35% decrease in the Investigative Division's workload. However, the decrease is less than sufficient to alleviate the Division's overall performance difficulties, and further action is needed.

Cases Against County Government Agencies

We noted that the handling of complaints that allege discrimination by County Government agencies consume an extraordinary amount of staff's time, adversely affecting the Division's ability to investigate other cases promptly. We also noted that such cases often languish for years without resolution despite the efforts of the Human Relations Commission.

In a June 1997 performance audit report on the Human Relations Commission, we noted that a lack of cooperation by County agencies against whom discrimination complaints had been filed had hampered some complaint investigations, and we recommended that the Chief Administrative Officer take action to ensure the full and expeditious disclosure of information needed by the complaint investigators. During our most recent audit, we noted that no action was taken.

We identified 36 such cases open during fiscal year 2001, and we examined 18 of them to assess the level of cooperation provided by County agencies. We found that all but 4, or 77.8%, of the cases we reviewed involved significant delays resulting from lack of cooperation by the agencies accused of discriminatory practices and/or by the Office of Law. For these 14 cases, the delays ranged from 4 months to 7 years. (The Office of Law, rather than the agency charged, often acts as the County's respondent to charges of discrimination.)

For all cases delayed due to noncompliance with information disclosure requests, the Human Relations Commission follows a standardized case-handling process. This process provides for the following actions whenever information requested from a County agency is not forthcoming:

- ? Human Relations Commission staff prepare the case for action by the Commission; the Commission requests the Office of Law to issue a subpoena against the County.
- ? The Office of Law prepares a subpoena against the County agency and/or itself (the Office of Law) and transmits the subpoena to the Office of the Sheriff to be served.
- ? The Office of the Sheriff serves the subpoena(s) to the agency and/or the Office of Law.

- ? If no action is taken as a result of the subpoena, the Commission requests the Office of Law to initiate an enforcement order.
- ? The Office of Law drafts a court order and transmits it to the Circuit Court.
- ? The Circuit Court considers the case, and usually issues an order requiring the County to comply.
- ? If the County agency and/or the Office of Law still does not comply, the Commission notifies the Office of Law as to non-compliance with the order.

Our review disclosed that of the 14 cases delayed due to lack of cooperation by County agencies and/or the Office of Law, subpoenas had been served for 13 of them and orders had been processed for 7 of them. This action resulted in eventual compliance with the Human Relations Commission's request for information disclosure for only 2 of the cases. (For one, the delay was three years; for the other, the delay was four years.)

Although we generally support the Commission's handling of all cases in a consistent manner, our findings show that subpoena action against the County is not effective. Specifically, County resources are wasted; complainants are seldom provided timely action on their cases or afforded due process; and a serious conflict of interest issue arises from the role and involvement of the Office of Law.

We recommend that:

- 2. Until such time as County officials can ensure that complaints alleging discrimination by County agencies are efficiently and effectively handled, the Executive Director of the Human Relations Commission transfer all such cases to the State's Commission on Human Relations or to the federal Equal Employment Opportunities Commission for investigation.**

Community Relations Division Services and Performance

The primary activities of the Community Relations Division are to provide mediation services to individuals and groups, operate the Leadership Prince George's program, and host an annual awards celebration banquet.

One of the Division's goals is to reduce the number of discriminatory actions in the County by eliminating or lessening residents' discriminatory attitudes through forums that encourage dialog and the sharing of ideas. The Division uses nationally recognized models for such forums and strives to design them in ways that will maximize attendance of relevant individuals.

Another Division goal is to provide mediation services upon request. Due to limited staffing, the Division relies heavily on volunteers to provide mediation services, and, consequently, to accomplish its goal, the Division must recruit and train a sufficient number of volunteers to handle the workload. Referrals for mediation services are received from various sources, including the Office of the State's Attorney, the Office of Child Support Enforcement, elected officials, the community, the Police Department, and the news media. Referrals from the Office of the State's Attorney are given highest priority for services; those from the Office of Child Support Enforcement are given second highest priority. The Division's performance as it relates to mediation services is measured by its success in meeting the expectations of the referring agencies and individuals.

A written agreement between the Office of the State's Attorney and the Human Relations Commission covers the provision of mediation services to be provided and sets a timeliness standard of 2 to 3 weeks for completion of mediation services to individuals so referred (also referred to as case turnaround time). Additionally, the Division has set informal standards for mediation to be scheduled within 10 days of receipt of referrals, for a copy of any agreement reached to be faxed to the Office of the State's Attorney

within 24 hours after the mediation session, and for a written copy of the agreement to be forwarded within 3 days.

We reviewed agency records reflecting action taken on 7 of the 10 Office of the State's Attorney referrals received between February and August 2001, and found that the 10-day standard for scheduling mediation and the 2- to 3-week case turnaround standard were not met for any of the referrals. Actual mediation scheduling times ranged from 12 days to over 4 months, and the total turnaround times ranged from one month to nearly 5 months. However, agency documentation showed that staffs' actions were prompt and thorough; the excessive delays resulted from difficulty in making contact with the relevant persons, and scheduling mediation sessions at times convenient to them. Because we found no instances in which cases remained idle or were otherwise neglected, we concluded that both the mediation scheduling and case turnaround standards are unrealistic.

We also found that the Division's standards for transmitting copies of agreements to the Office of the State's Attorney (24 hours for faxed copy; 3 days for mailed copy) had not been met for any of the 7 cases reviewed. Transmittal by both methods ranged from 3 days to 22 days. Again, we noted that the standards were unrealistic considering the steps involved in the process.

No formal timeliness standards have been set for referrals from the Office of Child Support Enforcement. (Our review of action taken on referrals from that agency showed time lapses due to mediation scheduling difficulties and the preparation of agreements similar to those for the referrals from the Office of the States Attorney. Similarly, agency files showed that these referrals were also handled promptly throughout

the process and that all time lapses appeared justified.) Additionally, no timeliness standards have been set for referrals from other sources.

We recommend that:

- 3. The Executive Director of the Human Relations Commission establish realistic timeliness standards for Community Relations Division mediation services.**

CHAPTER 2

COMPLIANCE WITH COUNTY-WIDE LAWS AND PROCEDURES

INTRODUCTION AND SCOPE

County agencies are required to comply with provisions of the Prince George's County Code and various written procedures applicable to their operations. During our audit, we reviewed Human Relations Commission activities and practices to determine if the agency is in compliance with Code requirements and established policies and procedures covering revenue collection, grant closeout, procurement, personnel administration, and the filing of financial disclosure statements. We have selected for presentation in this chapter those areas for which we are recommending improvements or which otherwise merit discussion.

FINDINGS, COMMENTS, AND RECOMMENDATIONS

Compliance with Revenue Collection Policies and Procedures

Administrative Procedure 346 requires agencies that serve as the initial point of revenue collection to develop written procedures outlining the internal controls in place at the agency level to ensure that the funds are safeguarded. The agencies are required to submit their written procedures to the Office of Finance for review and approval, and, in the event the Office of Finance finds the procedures inadequate, the agencies are to make changes addressing the deficiencies, and resubmit the procedure for Office of Finance approval.

In April 1996, the Office of Finance notified the Human Relations Commission staff that the agency's draft revenue collection procedure was inadequate because it did

not provide sufficient detail, and directed that it be revised and resubmitted. As of August 2001, the Human Relations Commission had not complied with the requirement.

We recommend that:

1. The Executive Director of the Human Relations Commission take immediate action to revise the agency's revenue collection procedure and resubmit it to the Office of Finance for review and approval.

During our audit, we examined the actual practices of the Human Relations Commission in its handling of revenue, and identified the following internal control weaknesses: checks received in the mail were not restrictively endorsed; receipts were not always issued to persons paying with cash; and the receipts that were issued were not pre-numbered and copies of them had not been kept.

We recommend that:

2. The Executive Director of the Human Relations Commission ensure that agency staff restrictively endorse checks received in the mail, issue a receipt every time a person pays with cash, use only pre-numbered receipts, and retain copies of all receipts issued.

During our audit, we attempted to determine if all revenue received by the agency had been transmitted to the Office of Finance, and if the revenue had been posted to the proper accounts. (The Office of Finance establishes a unique account annually for each agency program.) We could not make such a determination, however, due to lack of sufficient documentation.

Specifically, because of the agency's failure to consistently issue receipts and retain copies of them and because the agency had not maintained a log showing all monies received, we could not determine how much had been collected at the agency.

We also noted numerous instances in which revenue had been posted to a prior year account and/or to the account of a program other than that for which the collection had

been made. According to agency staff, one of the reasons revenue is sometimes posted to a prior year or the account of a different program is that the Office of Finance sometimes has not yet established an account for the new year by the time the agency begins receiving revenue; thus, the agency is compelled to use an already existing account to which to post the revenue. In fiscal years 2000 and 2001 (the years covered by our review) agency staff initiated mid-year and/or end-of-year transactions to adjust the posted revenue amounts to represent actual collections for the year. However, because the documentation supporting the adjustments was in summary form only and the agency did not have records identifying the specific collections to which the adjustments were applicable, we could not confirm their validity or accuracy.

Because documentation reflecting actual collections was lacking, we attempted to correlate revenue posted to the Leadership Prince George's program for fiscal years 2000 and 2001 with an estimate of likely revenue based class rosters reflecting persons who participated in the program during those years. Although our attempt was largely unsuccessful, it revealed that payments had not been received for several of the individuals who participated. According to agency staff, the attendance fees for some participants had been waived. However, agency files contained no documentation identifying the persons for whom fees were waived, the reasons for the waivers, or the total number of them. The lack of documentation to support such an agency practice is a significant internal control weakness.

We recommend that:

- 3. The Executive Director of the Human Relations Commission ensure that the agency documents transactions adjusting the amounts posted to program revenue accounts, waivers of program fees, and any other aberration affecting program revenue collection, to the detail necessary to provide for adequate**

internal controls over the revenue collection process, and to enable the revenue associated with the programs to be audited.

Compliance with Grant Closeout Procedures

Administrative Procedure 315 requires agencies that administer grant-funded programs to provide certain information to the Office of Management and Budget and the Office of Finance to enable the accounts of such programs to be closed out in the County's financial system once grant funding has been suspended and the programs are no longer operational. Once such information is provided, the Office of Management and Budget and the Office of Finance are to take action to expedite the closeout process.

During our audit, we identified two grant-funded programs that were no longer operational but had not been closed out. These programs were the Fair Housing Program which ended in November 1992 and the Community Reinvestment Program which ended in January 1990. We noted that the Human Relations Commission had notified the Office of Management and Budget and the Office Finance of the status of the accounts and had recommended action relevant to unspent funds associated with the programs.

We recommend that:

- 4. The Office of Finance, with the assistance and cooperation of the Office of Management and Budget as appropriate, close out the fiscal year 1992 Fair Housing Program and the fiscal year 1990 Community Reinvestment Program accounts in the County's financial system.**

We also identified ten other accounts for which closeout is appropriate because they are for past programs for which no additional financial transactions will be posted. (These accounts are for the Community Development Block Grant programs for fiscal years 1997 through 1999, the awards celebration banquet for fiscal years 1998 and 1999, the Equal Employment Opportunities Commission funding for fiscal

years 1998 and 1999, and the Leadership Prince George's program for fiscal years 1998 and 1999.)

We recommend that:

- 5. The Executive Director of the Human Relations Commission send to the Office of Finance a listing of the accounts for which no additional revenue or expenses will be posted. The Office of Finance, in turn, should close out these accounts.**

Compliance with Procurement Regulations and Procedures

Subtitle 10A of the Prince George's County Code sets forth the County's policies and allowable practices concerning the purchasing of goods and services. Although the Office of Central Services is the agency designated as primarily responsible for all acquisitions of goods and services for County agencies, the authority for certain purchases has been delegated to user agencies. A manual titled "Procurement Regulations," adopted pursuant to Subtitle 10A, provides additional direction to agencies regarding allowable purchasing practices, and specifies the circumstances under which competitive pricing is required.

During our audit, we examined documents retained at the Human Relations Commission to determine if competitive pricing was secured when required for agency purchases made during fiscal year 2001. We found that the agency was in general compliance with applicable regulations, but that staff had failed to obtain price quotes for two purchases. (For one of the purchases a County-issued procurement card was used, and, for the other, a Field Purchase Order form was used.) Additionally, we noted that two purchases which appeared to be sole source and therefore would not have required competitive pricing were not so documented, as is required by the regulations,

and that the acquisition of sign language and foreign language interpretation services were not subjected to competitive pricing as is also required

We recommend that:

- 6. The Executive Director of the Human Relations Commission ensure that his staff adhere to the County's established procurement laws and regulations pertaining to competitive pricing requirements by obtaining written and verbal price quotes when applicable, and documenting instances when obtaining price quotes is not possible or practical.**

Also, whereas the agency was in compliance with procurement directives requiring that data processing equipment be obtained from County inventory whenever possible and that price quotes be obtained for such items when purchase from an outside vendor is appropriate, staff had failed to follow special procedures for securing approval prior to purchasing one computer hardware item and one software item. These procedures required the Office of Management and Budget's Information Technology Division (ITD) to certify that the items to be purchased were appropriate for agency use and were compatible with the County's data processing systems. (In fiscal year 2001, ITD was incorporated into the newly created Office of Information Technology and Communications which was then responsible for the pre-approval of hardware and software acquisitions.)

We recommend that:

- 7. The Executive Director of the Human Relations Commission ensure that agency staff secure the approval of the Office of Information Technology and Communications prior to any future computer hardware or software acquisitions.**

Compliance with Personnel Laws and Regulations

Sections 16-115 through 16-124 of the Prince George's County Code require that positions be allocated according to the County's Classification Plan and that the incumbents be compensated accordingly.

During our audit, we found that the position of head of the Community Relations Division was improperly classified in the Investigator class series whereas her assigned duties were those applicable to the Community Developer class series. Consequently, the annual salary of the individual holding the position was approximately \$5,800 lower than it would have been if the position had been properly classified.

We recommend that:

- 8. The County Executive, with the concurrence and approval of the County Council as may be required, make additional funding available to the Human Relations Commission for the proper classification of the position of head of the Community Relations Division. Once such funding is available, the position should be reallocated to the Community Developer class series, and the salary level of the employee holding the position at the time of reallocation should be adjusted accordingly.**

Administrative Procedure 241 requires that an employee holding a dually allocated position be promoted from the entry level to the full performance level upon completion of his/her probationary period. During our audit, we noted that four employees holding Investigator I/II positions were classified at the entry level despite having completed their probationary periods. We estimated the annual funding necessary to promote these employees to the higher level at approximately \$13,000.

We recommend that:

- 9. The County Executive, with the concurrence and approval of the County Council as may be required, make additional funding available to the Human Relations Commission for the promotion of employees holding Investigator I positions who have completed their probationary periods. Once funding has been made**

available, the Executive Director of the Human Relations Commission should take action to ensure that the employees are promoted to the Investigator II level.

Compliance with Financial Disclosure Statement Filing Requirements

Section 2-294 of the Prince George's County Code requires certain individuals, including commission members serving on the Human Relations Commission, to file annual financial disclosure statements. These statements are to be filed with the County's Board of Ethics on or before the 30th day of April of each year, for the preceding calendar year, during that person's tenure in office.

We found that of the 13 financial disclosure statements due from Commission members for calendar year 2000, three were submitted late and one was never submitted. For the three submitted late, they were on average of 12 calendar days late.

We recommend that:

10. The Chief Administrative Officer ensure that all members serving on the Human Relations Commission comply with financial disclosure statement filing requirements set forth in Section 2-294 of the County Code.

Section 2-294 of the County Code also requires that financial disclosure statements be filed by any individual serving as a deputy or chief assistant in any agency. During our audit, we also determined that the individual serving as Deputy Director of the Human Relations Commission did not file a financial disclosure statement for the year under review.

We recommend that:

11. The Executive Director of the Human Relations Commission ensure that any individual serving as a deputy or chief assistant within his agency files a financial disclosure statement annually, in accordance with Section 2-294 of the Prince George's County Code.

CHAPTER 3

COMMISSION MEMBERSHIP

INTRODUCTION AND SCOPE

As noted in Chapter 1 of this report, the Human Relations Commission has thirteen member positions. In our 1997 performance audit report on the Human Relations Commission we discussed long-term problems associated with delays in reappointing members and in appointing new members when member positions become vacant. We also provided information about consistent, long-term absences among commission members, and made recommendations for improvement.

During our most recent audit, we again examined commission membership and attendance to determine if corrective action has resulted in a full complement of active members. We have selected for presentation in this chapter those areas for which we are recommending improvements or which otherwise merit discussion.

FINDINGS, COMMENTS, AND RECOMMENDATIONS

In our most recent audit, we examined commission membership and attendance for calendar years 1999 through 2001. We found that several positions were vacant and member attendance was poor during the first four months of calendar year 1999, but in May 1999, the vacancies were filled and attendance significantly improved. During calendar years 2000 and 2001, members continued to attend regularly, with two exceptions. One position did not have an active member for 14 months before another individual was appointed to the position in September 2000, and a member who held a position for 23 months attended only 9, or 39.1% of the meetings held during those months. We noted that neither the County Code nor the Commission's bylaws set minimum attendance requirements for the Commission members.

Our review also disclosed that several members, including the Commission chairperson, served without reappointment for several months after their terms had expired.

We recommend that:

- 1. The Human Relations Commission Chairperson initiate action to change the Commission's Bylaws to adopt minimum attendance requirements for Commission members. Once such requirements are adopted, he/she should declare any member position vacant in the event the incumbent's attendance fails to meet the minimum requirement, and submit a request to the Office of the County Executive for the vacancy to be filled.**
- 2. The County Executive ensure that reappointment action is initiated prior to the end of Commission members' terms, for those members who are to continue to serve for an additional term.**