



Maine Human Rights Commission

2025 Annual Report

July 1, 2024 - June 30, 2025

Maine Human Rights Commission
51 State House Station, Augusta, Maine 04333
www.maine.gov/mhrc

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51 State House Station, Augusta, Maine 04333

Phone (207) 624-6290 • Fax (207) 624-8729 • ME Relay 711

www.maine.gov/mhrc

Kit Thomson Crossman
EXECUTIVE DIRECTOR

Barbara Archer Hirsch
COMMISSION COUNSEL

October 31, 2025

The Honorable Janet Mills, Governor
The Honorable Matthea Daughtry, President of the Maine Senate
The Honorable Ryan Fecteau, Speaker of the Maine House of Representatives
State House, Augusta, Maine 04333

Dear Governor Mills, President Daughtry, and Speaker Fecteau:

On behalf of the Commissioners and staff of the Maine Human Rights Commission ("Commission"), we are pleased to present you with our agency's Fiscal Year 2025 ("FY 2025") Annual Report.

The first half of FY 2025 was fairly uneventful. Commission staff worked hard to process, investigate, and close cases within the jurisdictional bounds of the Maine Human Rights Act ("MHRA"), as well as the requirements of our two federal work-sharing agreements with the U.S. Equal Employment Opportunity Commission ("EEOC") and the U.S. Department of Housing and Urban Development ("HUD"). This is work about which our staff is deeply knowledgeable, and over the more than 50 years of the Commission's existence, we have crafted policies and procedures to ensure all Commission decisions are made with rigor and integrity.

EEOC interpretations of federal anti-discrimination law in employment have not shifted much through the last few changes in federal administration. However, in May 2025, all agencies with a work-sharing agreement ("WSA") with the EEOC received a memo stating that, retroactive to Inauguration Day, the EEOC would not give those agencies credit for employment cases alleging gender identity, even if other federally-protected classes were alleged as bases for the claim (this appears to be in violation of *Bostock v. Clayton County*, 590 U.S. 644 (2020)), or disparate impact. Contract renewal was based on signing an amended WSA acknowledging this memo. In order to preserve MHRC's funding, while expressing our reservations as to the legality of this interpretation of federal anti-discrimination law, the Commission's Executive Director signed the amended agreement. As of the date of this report, although the Commission closed the number of cases agreed to in the WSA, because of the federal government shutdown we have not received payment for those cases or a new contract, both of which were expected in October 2025.

Unlike the EEOC, HUD's interpretation of fair housing law as it pertains to sexual orientation and gender identity has changed from administration to administration. In anticipation of this, Commission staff stopped dual-filing claims of housing discrimination based on sexual orientation and gender identity with HUD in January 2025. Further threats to HUD's Fair Housing Enforcement Office ("FHEO"), which administers MHRC's WSA and dozens of others across the country, were on the horizon at the end of FY 2025, and as of the date of this report, it seems likely FHEO will be significantly reduced, if not entirely eliminated. Historically, the MHRC has been paid for cases closed under the WSA in August, after all the closures have been processed by HUD and a voucher has been completed by both parties. New guidance issued this year delayed payment until October; due to the shutdown, this payment has not been received. It is unclear whether any agency with a WSA with HUD, including the MHRC, will receive payment for work already performed or a new WSA.

The MHRC has 16 positions total, of which seven are funded in whole or in part by federal funds received through these two WSAs. Currently, two of those seven positions are vacant, and the Commission has no plans to fill them, given the funding uncertainty. An additional three positions are at risk by the end of FY 2026 if federal funds are not received for work already completed under the FY 2025 WSAs. And, the Commission's workload shows no signs of decreasing. As discussed below, our agency received 30 more complaints than in FY 2024. With fewer staff available to investigate housing and employment complaints at the federal level,² it is likely that workload will continue to increase. Additionally, several school districts across the state have adopted the federal government's as-yet untested interpretation of Title IX, which is in direct conflict with the MHRA's education provisions. Although we are still relatively early in the school year as of the date of this report, it seems likely the Commission will see an increase in education complaints as a result.

The Commission will continue to fulfill its statutory obligations, and our staff remain committed to upholding the principles of the MHRA, but if we lose federal funding without some increase in state funding, it is probable the agency will experience an increase in turnover and burnout.

A few highlights of the Commission's work in FY 2025 are as follows:

- The Commission received 690 new complaints in FY 2025, up 30 from the prior year's 660.
- Of new complaints filed, 71% were based on employment, 16% were based on housing, 13% were based on public accommodations, and 3% were based on education. (Please see footnote 4, *infra*, regarding the percentage totals.)
- Investigators' reports were issued after completed investigations in 138 cases during FY 2025.
- In approximately 58% of the cases with investigator's reports, there was no disagreement by parties with the recommended findings.
- Commissioners found "reasonable grounds" to believe unlawful discrimination occurred in 19% of cases with investigator's reports.
- The Commission closed 704 cases in FY 2025.
- At the end of FY 2025, 714 cases remained pending.
- Commission staff participated in or delivered more than 104 educational events during FY 2025.

The Commission continues to work to eliminate unlawful discrimination for all citizens of and visitors to Maine. We hope this report is of assistance, as our agency seeks to work closely with the Executive and Legislative branches as we jointly assure the citizens of Maine the protections afforded by the Maine Human Rights Act.

Sincerely,



Edward David, Commission Chair

² Some individuals choose to file their discrimination complaints directly with HUD or the EEOC for a variety of reasons. Many of these claims would otherwise fall under the MHRC's jurisdiction.

THE COMMISSION

Established in 1971, the Commission is a quasi-independent state agency that enforces Maine’s anti-discrimination laws encompassed in the Maine Human Rights Act (“MHRA”) at Title 5 of the Maine Revised Statutes (“M.R.S.”), Sections 4551-4634. The MHRA charges the Commission with investigating conditions and practices which allegedly detract from enjoyment of full human rights and personal dignity (whether carried out legally or illegally, and whether by public agencies or private persons) and recommending measures calculated to promote full enjoyment of human rights and personal dignity. The MHRA mandates that the Commission “shall conduct such preliminary investigation as it determines necessary” to determine if there are “reasonable grounds” (cause) to believe that unlawful discrimination or retaliation occurred in employment, housing, education, access to public accommodations, extension of credit, genetic non-discrimination, and/or offensive place names. 5 M.R.S. § 4612(1)(B). The Commission also investigates Maine Whistleblowers’ Protection Act (“WPA”) retaliation complaints pursuant to 26 M.R.S. §§ 831 - 834-A.

During FY 2025, the Commission had jurisdiction over allegations of discrimination in the following areas:

JURISDICTIONAL BASIS	EMPLOYMENT	HOUSING	ACCESS TO PUBLIC ACCOMMODATION	CREDIT EXTENSION	EDUCATION
Age	1972	NA	N/A	1972	N/A
Ancestry	1972	1972	1972	1972	2021
Children (lodging only)	N/A	N/A	1989	N/A	N/A
Color	1972	1972	1972	1972	2021
Domestic Violence Victim (Perm. Prot. Order)	2021	2021	N/A	N/A	N/A
Familial Status (minor child)	N/A	1981	N/A	N/A	N/A
Familial status (minor child & dependent adult)	2021	2021	N/A	N/A	N/A
Genetic Information	1998	N/A	N/A	N/A	N/A
Marital Status	N/A	N/A	N/A	1973	N/A
Mental disability	1975	1975	1975	N/A	1975
MHRA Retaliation/Interference	1993	1993	1993	1993	1993
National Origin	1972	1972	1972	1972	1972
Physical disability	1974	1974	1974	N/A	1974
Pregnancy	1979	N/A	N/A	N/A	N/A
Race	1972	1972	1972	1972	1972
Receipt of Public Assistance	N/A	1975	N/A	N/A	N/A
Religion	1972	1972	1972	1972	N/A
Sex	1973	1973	1973	1973	1973
Sexual Orientation (including GI and GE)	2005	2005	2005	2005	2005
Whistleblower Retaliation	1988	N/A	N/A	N/A	N/A
Workers’ Comp Retaliation	1987	N/A	N/A	N/A	N/A

The agency’s structure is such that five volunteer Commissioners are appointed by a Governor and confirmed by the Judiciary Committee for staggered five-year terms; a Governor may designate the Chair of the Commission. The Commissioners appoint an Executive Director and a Commission Counsel. The MHRA ensures that the Commission is nonpartisan, with the requirement that no more than three Commissioners may be from any political party. The MHRA requires the Commission to offer parties to a complaint an opportunity to try to resolve the dispute prior to a determination of whether there is cause to believe that unlawful discrimination occurred. Commissioners make final determinations on all discrimination complaints investigated by Commission staff that are not resolved administratively or settled. The MHRA specifically authorizes the agency to pursue remedies for unlawful discrimination in court when enforcement in the public interest is necessary. 5 M.R.S. § 4612. The Commission has “the further duty to recommend measures calculated to promote the full enjoyment of human rights and personal dignity by all the inhabitants of this State”, 5 M.R.S. § 4566, and occasionally is called upon to present information to the Maine Legislature about matters that might affect human rights in the State.

PROCESS

The Commission receives an intake questionnaire (which it drafts into a complaint, if MHRA jurisdiction exists) or a complaint, notifies the Respondent, and obtains its answer to the complaint and agency requests for information and documents. The Commission sends those to the Complainant to get their reply and additional information supporting their allegations. After the reply has been received, or the allotted time to reply has passed, the complaint may be administratively dismissed, resolved by the parties either privately or through the Commission's mediation program, or the complainant may request a Right-to-Sue letter and proceed directly to court. If none of these occur, the case is assigned to an investigator for a preliminary investigation. 5 M.R.S. § 4612(1)(B). The investigator prepares a written report outlining relevant facts, applicable laws, and recommended findings on each claim as to whether there are "reasonable grounds" to believe unlawful discrimination or retaliation occurred. The Commission staff provides reports summarizing the investigation and providing legal analysis and recommended findings to Commissioners to vote on at public meetings. After a reasonable grounds finding, the Commission attempts to resolve the dispute by agreement ("conciliation"); if conciliation is unsuccessful the Complainant and Commission both may file lawsuits in court.

STAFFING

The Executive Director, who is ultimately responsible for all agency activity, hires and supervises Commission staff. In FY 2025, about half of the agency's staff were investigators, who: reviewed over 1100 intake questionnaires to screen out non-jurisdictional matters or draft complaints in jurisdictional matters; conducted fact-finding as to whether complainants substantiated discrimination claims; and wrote Investigator's Reports that analyzed facts, applied legal principles, and recommended specific findings to the Commissioners. During FY 2025, a Lead Investigator was primarily responsible for supervising this work, in addition to having her own caseload. Commission Counsel and Deputy Counsel provided legal advice to Commissioners and staff, reviewed all investigator reports for legal sufficiency, litigated enforcement actions in the public interest, drafted proposed legislation, and provided information to the Legislature. Other staffers included: a Director of Operations who managed program budgets, provided financial analyses, managed state and federal contracts in conjunction with the Executive Director, managed administrative staff personnel matters, handled payroll, and compiled minutes for each Commission meeting; a Business Manager who managed accounts payable and receivable, building maintenance, and daily operational agency needs; and three legal secretaries, who prepared and processed all mail, answered questions from the public and parties about the Commission's process, tracked case processing data through the initial pleadings stage, compiled Commission meeting agendas and ensured parties received hearing information, and handled other administrative support work. The Commission's Executive Director served as chief advisor to the Commissioners, determined workload priorities aligned with agency goals and objectives, negotiated and ensured compliance with federal work-sharing agreements ("WSAs"), supervised agency budget development, recommended Commission action to address emerging civil and human rights issues, served as primary conduit of public information about the MHRA, worked with Commission Counsel to ensure legal sufficiency of all agency activity, handled initial case review (assisted by the Director of Operations and Commission Counsel), along with other day-to-day agency activities.

BUDGET

The Commission's FY 2025 budget appropriation was \$2,358,671. Approximately 27% of the total agency budget (\cong \$635,000) was anticipated revenue from federal work-sharing agreements with the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing & Urban Development. Due to the highly personnel-intensive nature of investigating, resolving, and litigating complaints, about 86% of the agency's General Fund budget (\$1,487,958) was allocated to fixed personal service costs such as salaries and benefits. Just 7% of the agency's General Fund budget (\$127,849) was allocated to "all other" operating expenditures to support program activities.²

² Special revenue funds accounted for \$107,864, or 6% of the Commission's FY 2025 total budget appropriation.

CASE ACTIVITY

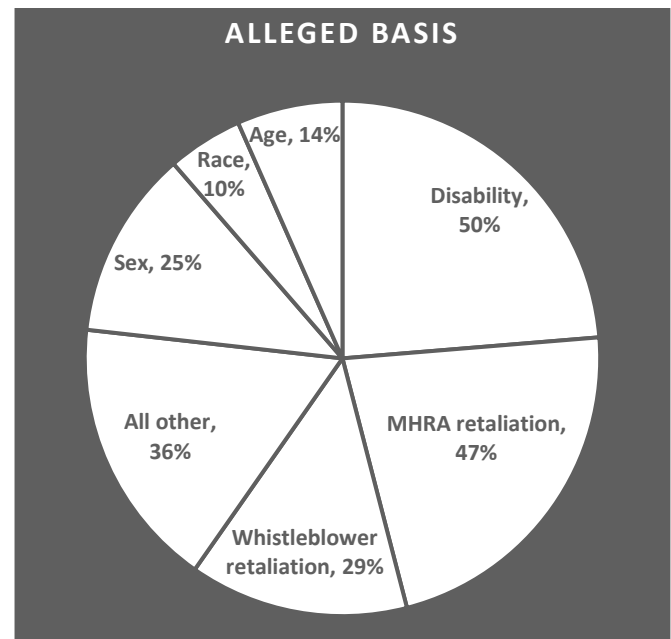
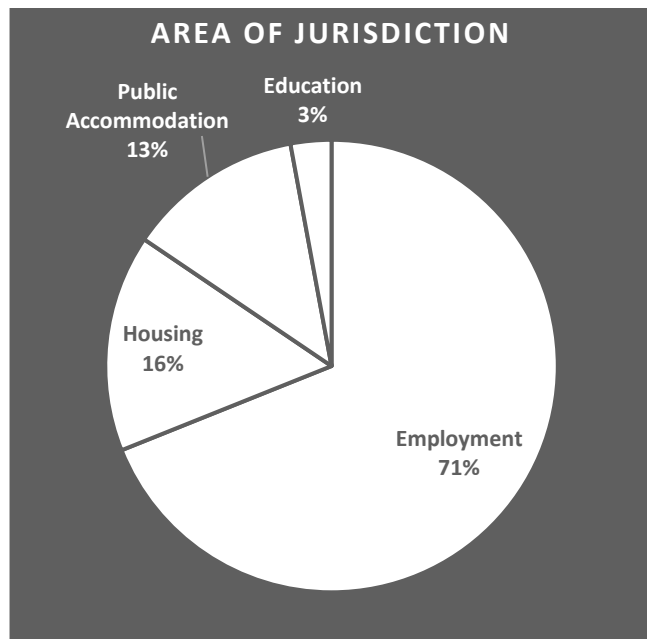
As in past years, the Commission continued to devote most of its resources to processing discrimination complaints filed with it. During FY 2025, 690 new complaints were filed and the Commission closed 704³ cases. By the end of FY 2025, even as the number of complaints filed increased, the Commission's pending inventory of cases decreased from the prior year, as a result of the dedication and hard work of Commission staff.

	HISTORICAL CASE ACTIVITY DATA 2015 - 2024									
FISCAL YEAR	2025	2024	2023	2022	2021	2020	2019	2018	2017	2016
CASES FILED	690	660	683	614	760	775	715	709	687	611
CASES CLOSED	704	665	654	717	713	701	748	755	615	621
PENDING CASES	714	725	789	760	863	842	677	749	798	723

Complaints Filed⁴

Many Commission complaints involve protected classes that vary depending on the distinct areas of jurisdiction under which each case arises. Very often, a single complaint will contain multiple separate allegations of discrimination, or "claims", that require different factual and legal analyses and complex investigations. These more complex investigations require substantially increased Commission work and staff. The overall number of case filings is almost exactly the average for the nine years prior, but the cases continue to be more complex than ever, with multiple complainants, respondents, and legal claims, as well as mixed areas of jurisdiction.

The number of housing complaints was slightly lower in FY 2025 than FY 2024, but continues to be higher than pre-pandemic years. Such complaints are time- and resource-intensive, and their substantial increase continues to have noteworthy impacts on all aspects of the Commission's operations in FY 2025.



³ The data presented in this report may not include all decisions actually made in the time period, as the data collection relies on a computerized case system that presents data given certain defined parameters. Cases in which the Commissioners found reasonable grounds to believe discrimination occurred continued through a conciliation process and therefore may not have been closed and reported within the same year the Commission decision occurred. The figures cited in this section of the report represent cases considered by the Commission and closed in Fiscal Year 2025.

⁴ A number of complaints filed each FY contain allegations in more than one area of jurisdiction, for example employment and housing, or education and public accommodations. Because of this overlap, the percentages provided in the charts above total more than 100%.

Cases Closed

The MHRA itself provides only for two statutory results in cases: a finding of “reasonable grounds” or a finding of “no reasonable grounds”. Since cases that are withdrawn related to settlement or which end administratively are not reasonable grounds findings, they are dismissed pursuant to the Act as “no reasonable grounds” findings. As a result, our reasonable grounds rate statistics may be less than fully informative, so we report in more detail the various ways in which Commission cases close.

Before Commission Determination

- *Voluntary Resolutions.* Parties to a case often agree to resolve their dispute, either privately, through the Commission’s mediation third-party mediation program, or with the assistance of a Commission investigator after the case has been assigned to them. During FY 2025, 97 cases (with a total of 141 Respondents) resolved voluntarily, with 23 cases resolved by private settlement agreement, 39 resolved through the Commission’s mediation program (see below), and 35 resolved after assignment to a Commission investigator but before the Commission issued a determination; complainants obtained \$3,370,900.46 in monetary relief in these closures. In addition to monetary awards, resolutions often include non-monetary, equitable relief such as an offer of a job or housing unit, modifications providing accessibility, reinstatement, cleared personnel records, policy changes, recommendation letters, and non-retaliation provisions.
 - Our Third-Party Neutral Mediation Program, available for a small fee, is very successful in resolving claims. In FY 2025, Commission staff referred 62 cases to mediators. Commission mediators facilitated settlement in 39 out of 60 mediations actually held during the same time period, a 65% success rate.⁵
- *“Right-to-Sue” letters.* If the Commission does not complete investigating a case within 180 days of the complaint’s filing, or if a complainant can show good cause for requesting the letter earlier and the Executive Director certifies that it is probable the Commission will not be able to conclude its investigation within those 180 days, a complainant may ask the agency to end its investigation and authorize them to go to court with MHRA remedies intact. Complainants requested 109 right-to-sue letters in FY 2025.
- *Administrative Dismissals.* The Commission’s Executive Director has authority to dismiss a complaint for a variety of reasons, including (among other reasons) a complainant’s failure to: timely file a complaint, file a complaint over which the Commission has jurisdiction, substantiate a discrimination claim, or cooperate with the Commission process. During FY 2025, 219 cases were administratively dismissed: 23 for lack of jurisdiction; 65 due to complainant’s failure to cooperate/proceed with the investigation; 119 for failure to state or substantiate their claim; and 12 for other administrative reasons including death of a complainant or bankruptcy of a respondent.
- *Withdrawals without benefits.* Before the Commission issues an investigator’s report, a complainant may withdraw their complaint of discrimination. After a report has been issued, the Commissioners may allow a complaint to be withdrawn. Complainants withdrew 23 complaints (not including complaints that were withdrawn due to arriving at a settlement agreement) during FY 2025.

Hearings Determinations

If a case is not resolved as described above, a Commission investigator prepares a report summarizing their investigation, setting out the legal framework applicable to each claim, and recommending a finding as to whether reasonable grounds exists to believe that unlawful discrimination occurred. The Commission sets

⁵ The date mediations were performed may differ from the date of the actual settlement and may fall outside the reporting period. The Mediation Program is funded entirely via a fee-for-service model by which each party to a mediated case pays \$275 toward mediation, with those funds flowing through the Commission’s State of Maine Mediation Program account to be paid out to a mediator at a rate of \$500 per case. The Commission is approved to utilize its State Mediation Program account to receive and pay out up to \$44,000 for mediation activities. The differential in what is paid in per case (\$550) and what is paid out per case (\$500) is dedicated to paying mediation fees for parties who are indigent, and on occasion interpreter fees if needed for mediation. The agency approved two indigency applications in FY 2025.

these reports for public hearing. If no party submits a written objection to the recommended findings, the Commission places the report on its Consent Agenda; the Commission adopts the recommendations in all Consent Agenda reports at a public hearing without argument. If one party does submit a written objection to the recommendations, the Commission hears oral argument on the case at a public meeting and then votes on each recommendation. In FY 2025, the Commission issued 138 investigator's reports.

- Over half the time (58% of cases with investigator's reports), no party objected to the recommended findings. Those cases were decided on the Consent Agenda in FY 2025 Commission meetings.
- In FY 2025, Commissioners voted to find cause to believe discrimination occurred in 26 out of 138 cases decided after an investigator's report (19% of cases decided). The overall cause rate for all cases processed in FY 2025 was 4% of cases closed, a statistic that includes the many cases closed with a no-cause finding even though benefits flowed to complainants via settlements and right-to-sue letters.

Post-Cause Activity

Some of the 704 cases the Commission closed in in FY 2025⁶ were resolved in cases in which the Commission had previously found cause. If the parties reach a conciliation resolution including public interest remedies sought by the Commission, there is a formal agreement by the Commission, complainant, and respondent, with the Commission monitoring implementation of terms. The Commission participated in 15 such conciliations in FY 2025 and reached 8 agreements (including one case where conciliation happened in FY 2024), for a total of \$332,500 to complainants. The Commission also sent final dismissal letters in 11 cases where the terms of settlement agreements from prior fiscal years had been fully completed.

LITIGATION

When post-cause conciliation fails, the MHRA authorizes the Commission to file a lawsuit in court (in the name of the agency and in the public interest, but also for the use of the complainant) to address unlawful discrimination and prevent its recurrence. Commission Counsel and Deputy Counsel make recommendations to the Commissioners in each reasonable grounds case where conciliation fails, to assist Commissioners in deciding whether to file a lawsuit in each case. When Commissioners vote to file a lawsuit, Commission Counsel directs these legal efforts and Commission Counsel and/or Deputy Counsel represent the agency. When FY 2025 started, there were 16 Commission enforcement actions pending in court. During FY 2025, the Commissioners declined to file litigation in 14 cases and authorized litigation in 5 new cases.⁷ Also during FY 2025, the Commission filed 5 new complaints and resolved 9 cases that had been referred for litigation. At the end of FY 2025, there were 12 Commission enforcement lawsuits pending in court.

CONCLUSION

This Annual Report has outlined the Commission's activities for FY 2025, including: investigating 690 new complaints; continuing investigative work on 725 complaints pending from FY 2024; closing 704 cases; participating in/delivering 104 trainings; and providing testimony at the Maine Legislature. Given all of this, and our extremely small staff, the volume of the Commission's work in FY 2025 was daunting (and accomplished with very limited resources). Each Commissioner and staff member at the agency feels responsible to the public to enforce the MHRA

⁶ As noted above, data presented in this report may not include all decisions actually made in the time period, as the data collection relies on a computerized database system that presents data given certain defined parameters. There were additional case closures that occurred in FY 2025 but which were not counted in as closures in the available database system for technical reasons.

⁷ Any party, including the Commission, has two years from the most recent date of discrimination or 90 days from the date the case is closed, to file suit. Therefore, some of the 5 cases where litigation was authorized in FY 2025 have not been filed in court yet, and some of the 5 cases which were filed in court were authorized in prior FYs.

in Maine in the manner in which that law was written and intended. We appreciate the opportunity to have done that in this past fiscal year and look forward to doing so in the next.