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Howard County Library System Board of Trustees Responds to Howard County Auditor Report

ELLIOTT CITY, MD — On February 14, 2023, the Office of the County Auditor informed the Board of Trustees of Howard County Library System of concerns communicated by an unidentified person to the County Auditor on October 4, 2022 related to an event to be held three days thereafter, on October 7, 2022, at the Library’s Central Branch. Under Maryland State Education Code § 23-401, the library system is governed by their Board of Trustees, and it is the Board’s responsibility to investigate any allegations.

The Howard County Library Board of Trustees and President & CEO take their responsibility to taxpayers and funders seriously.

Once informed of the substance of these concerns on February 14, 2023 – four months after the event – the Board moved quickly to appoint a committee to investigate these matters and to provide the County Council and the public with its report (attached).

The committee’s report indicates that use of the Equity Resource Center on October 7, 2022 by a third party charitable organization was a proper use of Library facilities, consistent with policies established by the Board of Trustees.

The Board’s report clarifies and answers the questions raised in the County Auditor’s report. Of note:

- HCLS was first contacted by the Office of the County Auditor concerning the matters discussed in this report on October 21, 2022, but was not provided with any information concerning the nature of the complaint at that time – only that an allegation of misuse of Library facilities had been made by an unidentified person.
- Instead of providing information to the Board of Trustees so that it could fulfill its statutory function, the Office of County Auditor insisted on keeping all information about the third-party complaint secret, appeared unannounced at HCLS facilities, questioned HCLS staff, and demanded unfettered access to Library records, potentially including confidential customer records.
- The committee interviewed HCLS President & CEO Tonya Aikens, who informed them that she is not a member of the charitable sorority organization identified in the Auditor’s report, nor any other sorority organization.
- The October 7, 2022 event at the Central Branch was planned and held in conjunction with an exhibit that opened to the public on October 6 in the Library’s Equity Resource Center. This exhibit remained open to the public at the Central Branch through December 13, 2022, and described past contributions made by the outside charitable organization to the Howard County community.
- The committee was informed by Library staff that HCLS staff verbally communicated to representatives of the outside organization, prior to the event, that any such event at the Library must be open to the public. Information concerning the event was posted on the Library’s public
event calendar, as an event open to the public. Other than the screen shot from the organization’s local chapter’s website referenced in the Auditor’s Report, the committee has found no other evidence indicating that the public was excluded from the event, or that persons other than members of the organization were barred from attending. If members of the public had been barred from attending the event, that would have been a violation of HCLS policies, but the committee has not determined that this occurred.

- In response to the inquiry regarding where HCLS staff went after the Central Branch closed at 2 pm on October 7, 2022, the committee believes this is a legitimate area for further review of HCLS policies and recommends that the Board do so.
- The committee has serious concerns about an investigative organ of the County Council being tasked with monitoring and reporting back to the Council the race, ethnicity, or manner of dress of individuals or groups that attend HCLS facilities or events.
- It is critical to the proper functioning of a public library that a legislative body, directly or through an investigative office, not seek to impose direct control over what materials the public may access through the library, or what groups of citizens may use library meeting rooms or gathering places.
- By Maryland statute, county government support for the public library systems should be free from political influence.
- Library meeting rooms and facilities are vibrant centers of community life, reserved by numerous nonprofit, civic, and cultural groups every day.

The Board of Trustees greatly appreciates the strong and ongoing financial support that the County Council has provided to HCLS for many years. More than 110,000 people visit HCLS branches each month, and nearly 600,000 books and other items are borrowed every month, on average.

Any resident of Howard County, and any elected representative, may contact the HCLS Board of Trustees regarding any matter related to operations of the Library. The Board holds public meetings five times per year. Information about the Board, policies, and upcoming meetings can be found at http://hclibrary.org/about-us/library-board-of-trustees/about-board-of-trustees/.

HCLS operates with the utmost respect for the community and seeks to provide them with superior customer service, collections, classes, and other educational opportunities. Howard County Library System is a beloved, award-winning educational institution that serves the entire community and consistently ranks among the finest in the country.

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Executive Summary

On February 14, 2023, the Office of the County Auditor informed the Board of Trustees of the Howard County Library System of concerns communicated by an unidentified person to the County Auditor on October 4, 2022 related to an event to be held three days thereafter, on October 7, 2022, at the Library’s Central Branch. As summarized in more detail in this report, the received complaint concerned use of the Library’s Equity Resource Center for an evening event hosted by an outside organization, and attendance at that event by the Library’s President and CEO. Upon receiving this information from the Office of the County Auditor, the Board of Trustees appointed a committee of its members to seek additional information. This report sets forth the findings of that committee, which have been received by the Board of Trustees and will be considered by the Board during its next regularly scheduled meeting. The committee’s report indicates that use of the Equity Resource Center on October 7, 2022 by this third party charitable organization was a proper use of Library facilities, consistent with policies established by the Board of Trustees.

Mandate of the Board of Trustees

By law, the Board of Trustees of Howard County Library System (“HCLS”) sets policy for how Library facilities are used and operated.¹ By state statute, public libraries are to be supported financially in a manner that is free from political influence.² With this guidance in mind, the Board of Trustees seeks to preserve the independence of the Library from political influence, while at the same time ensuring that public funds are expended in a manner that is transparent and prudent.

Assuring effective governance of HCLS operations and facilities

HCLS is independently audited each year in accordance with State statute, which mandates that the Library’s annual audit report is to be released to the public and reported to the County government,

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¹ By statute, the Board of Trustees may determine the policy of the library and adopt reasonable rules, regulations, and bylaws for the use of the library and the conduct of its business. Md. Education Code § 23-405(c). The Board may receive, account for, control, and supervise, under the rules and regulations of the county governing body, the spending of all public funds received by the library. Ibid, § 23-405(d)(2). The Board is empowered to do anything else, not otherwise enumerated in the statute, necessary for the proper control and development of the library. Ibid, § 23-405(d)(2). The director of the library by statute is directed to act as the general executive officer of the library and be responsible for the management of its operations in accordance with policies approved by the board of library trustees, and to establish reasonable rules and adopt regulations for the use of the library system subject to approval by the board of library trustees. Ibid, § 23-406(f)(1) & (4).

² Md. Education Code § 23-401(a) (“The governing body of each county may establish, and appropriate an amount to support, a county public library system free from political influence”).
and to the State Librarian. A copy of the most recent annual audit of HCLS is publicly available at hclibrary.org/welcome. The Board of Trustees meets in public session at least five times per year. During these meetings the Board receives reports on Library operations from HCLS management, reviews the Library’s budget and expenditures, and addresses any operational matters that may arise.

**Efforts to provide information to the County Council**

HCLS was first contacted by the Office of the County Auditor concerning the matters discussed in this report on October 21, 2022, but was not provided with any information concerning the nature of the complaint at that time – only that an allegation of misuse of Library facilities had been made by an unidentified person. An attorney representing the Board of Trustees replied to the County Auditor on October 26, 2021, stating, in part:

> HCLS is concerned that there has been an “allegation regarding the misuse of the Library’s facilities” made to your office. The HCLS Board takes very seriously any suggestion that library facilities may have been misused. I would welcome the opportunity to meet with you, either in person, telephonically, or by Zoom, so that you may share with HCLS, through me, the substance of these allegations.

The email went on to note that Maryland law provides that county public library systems are governed by their boards of trustees, and that the HCLS Board was mindful of the legal requirement that county public library systems be free from political influence. The response also pointed out that HCLS does not come within scope of government entities that are subject to being audited or investigated by the County Auditor, unless such an audit is undertaken at the request of HCLS. The email went on to state:

> I look forward to meeting with you at your earliest convenience to learn more about this allegation regarding the misuse of the Library’s facilities. The Board has asked me to assure you that (1) it will investigate any allegation that is forwarded to the Board by your office, (2) it will maintain appropriate confidentiality, and (3) it will provide you with appropriate feedback resulting from any such investigation by HCLS. Depending on the nature of the allegation, the Board may elect to ask your office to assist HCLS in a review or investigation, but HCLS is not yet in a position to make such a request, until it learns more about the substance of the allegation.

The email then provided several proposed dates available to meet with representatives of the Office of the County Auditor to better understand the nature and substance of any complaint received by the Auditor. The Office of County Auditor did not respond to this email. Instead, on Friday, January 13, 2023, representatives of the Office of County Auditor appeared without prior notice or appointment at the Central Branch of HCLS, and spoke with customer service staff at the branch. A member of the staff alerted the manager in charge of the Central Branch, who met with three members of the County Auditor’s team. The County Auditor’s representatives told the manager that the team had to meet with Library employees. The manager was told that there were two audits being undertaken: an employment

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3 Md. Education Code § 23-405(e).

4 The full text of the October 21, 2022 email from the Office of County Auditor to HCLS President and CEO Tonya Aikens was: “Our office received an allegation regarding the misuse of the Library’s facilities. This requires our Investigations Team to interview you in person. Please provide us with some dates/times next week when you are available.”
verification audit to verify that staff badges matched payroll, and another audit “authorized by the County Council.” In response to a question about the nature of the audit, the County Auditor’s team stated that they could not reveal further information about what was being sought, but “it would become clear during the interview.” A letter was then shown to Library staff, but was not provided to management (and has still not been provided to HCLS, despite request). Central Branch staff have reported to this committee that they were confused and unsure about what was happening. The Auditor Office’s representatives began interviewing Library employees, but were later asked by HCLS management to suspend their questioning of Library employees.

On Sunday, January 15, 2023, County Auditor Glendenning sent an email to Antonia Watts, Chairman of the HCLS Board of Trustees, stating in part: “As you are aware an allegation came through the Auditor’s fraud hotline and we are attempting to perform an investigation into the misuse of Library facilities.” This was the first time that this information was provided to the HCLS Board of Trustees. In this email, HCLS was informed that “[t]he [County] Council has asked the County Auditor’s Office to conduct an investigation into the conduct of the Library.” The County Auditor went on to inform the Chairman that “Council Members who were perplexed to hear that the Library denied them…[the opportunity] to conduct an investigation into the conduct of the Library considering the Charter and their budgetary control over the Library.” He concluded the email by saying that members of his staff “intend to visit the Central Branch [of HCLS] again later this week and both the Council and I expect their complete access to employees and any documentation they require in order to perform this investigation.”

A few hours later, Chairman Watts wrote back to County Auditor Glendenning, stating in part:

I am truly sorry that this has unfolded in the manner at which we are experiencing. The library and its CEO are more than willing to work with your office in a professional and courteous manner. Unfortunately, the process and timeline have been unclear from the onset. I also spoke with members of the County Council who were surprised and disappointed to hear how this was unfolding as this was not their expectation.

After summarizing the substance of prior communications, Chairman Watts asked County Auditor Glendenning to provide a date and time later in the week when the Office of County Auditor would like to talk with staff of the Central Branch, and to provide to her a copy of a letter that the Auditor personnel had shown to Central Branch employees, without leaving a copy. Chairman Watts also stated that “I want to reiterate that the Library Board and its CEO see ourselves as partners in the County. With clear communication about the process and the timeline, we hope that this matter can be resolved quickly and without further incident.”

Mr. Glendenning sent another email to Chairman Watts on January 20, 2023, stating in part: “We are currently unable to continue with the investigation/examination under your terms and I have provided the Council their options. I will be in touch to inform you of what our next steps will be.” On January 24, 2023, Mr. Glendenning sent another email to Chairman Watts, stating in part: “In order for us to continue with the investigation, we will need the Library System to comply with the following: (1) Provide complete and unimpeded access to Library employees.(2) Provide for our ability to make unannounced and unobstructed visits to the Library’s facilities. (3) Provide all documentation requested and without delay.”
The following day, an attorney for the HCLS Board of Trustees wrote a letter to Mr. Glendenning, pointing out that the legal authority upon which the Office of County Auditor based its assertion of a right to investigate Library decisions regarding use of its facilities is not applicable to a county library system, since county libraries are subject only to independent outside audit, and not to auditing by a county government. Mr. Glendenning was invited to provide any legal authority that supported his position. The letter went on to point out that, if the County Council or the Office of County Auditor had information or allegations suggesting that HCLS policies were not being followed, the Auditor’s refusal to provide that information to the HCLS Board of Trustees was hindering the Board from performing its duties. Instead of providing information to the Board of Trustees so that it could fulfill its statutory function, the Office of County Auditor insisted on keeping all information about the third-party complaint secret, appeared unannounced at HCLS facilities, questioned HCLS staff, and demanded unfettered access to Library records, potentially including confidential customer records. This exceeded the legal authority of the Office of County Auditor, and was contrary to the legal requirement that the Board of Trustees independently operate Library facilities free from political interference. The Board of Trustees, through its attorney, again requested that the County Auditor provide HCLS with any information in its possession, or allegations he had received, suggesting that HCLS policies or applicable laws or regulations were not being followed, or had not been followed in the past. The letter concluded by stating that, although HCLS was not obligated by statute or regulation to allow the County Council through its Office of County Auditor to conduct an investigation of Library operations, HCLS was open to voluntarily allowing members of the Auditor’s staff to interview HCLS employees, in an organized and respectful manner, as long as such interviews were not unduly burdensome to the employees and did not disrupt Library operations, and only after the Board of Trustees was informed of the substance of the third party complaint or other matters that were to be reviewed. Instead of doing so, the County Auditor informed the Board of Trustees for the first time of the substance of the County Council’s concerns by publishing the substance of the anonymous third party complaint in a February 14, 2023 report, which it widely disseminated without first seeking substantive feedback or comment from HCLS.

Upon learning the substance of the County Council’s concerns through the published report of the County Auditor on February 14, 2023, the Board of Trustees met on February 17, 2023 and appointed a committee of Trustees to look into the stated concerns regarding use of the Library’s Equity Resource Center on October 7, 2022. The committee reported its findings to the full Board of Trustees, which has approved the public release of this responsive report.

Use of HCLS’ Equity Resource Center on October 7, 2022

The Auditor’s report asserts that “[t]he complainant noted that ‘this event originally started as a personal gathering for [HCLS President and CEO Tonya Aikens’] college sorority sisters but was recast due to negative optics.’” The committee has interviewed Tonya Aikens, who informed the committee

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5 The committee was composed of Trustees Liz Banach, Philip Dodge, and Kelly Smith.
6 The Equity Resource Center was launched by HCLS in wake of the death of George Floyd, with an intention that the library should do more than simply issue a statement in response to that event. The goals of the Center are to bring community together through a center that provides racial equity training, stories of hope, and stories of concern. The Center evolved out of an earlier Brave Voices Brave Choices program.
that she is not a member of the charitable sorority organization identified in the Auditor’s report, nor any other sorority organization. The committee’s review found that the October 7, 2022 event at the Central Branch was planned and held in conjunction with an exhibit that first opened to the public the day before, on October 6, in the Library’s Equity Resource Center. This exhibit remained open to the public at the Central Branch through December 13, 2022, and described past contributions made by the outside charitable organization to the Howard County community. Having reviewed publicly available information regarding the outside organization and its local affiliated chapter, the committee found that provision of access to and use of the Equity Resource Center by this organization was consistent with the Library’s policies and mission. The committee found no support for the stated allegation that the October 7, 2022 event was for the personal benefit of Ms. Aikens. The outside organization contacted HCLS independent of Ms. Aikens, explained that it had previously engaged with the Central Branch on other projects, and asked to create and sponsor an exhibit for display at the branch. The committee found that, although Ms. Aikens attended the October 7, 2022 event, she had no role in planning the event.

In its report, the County Auditor included a screen shot from the outside organization’s website describing the October 7, 2022 event as a “ILO 50th Anniversary Reception” and reciting at the bottom of the page, under “Additional Information” the phrase “By invitation only.” The County Auditor’s report also included a photo of an invitation to the event, which included no such “invitation only” restriction, instead stating “Proof of COVID Vaccine required for admission.” The committee has been informed by Library staff that HCLS staff verbally communicated to representatives of the outside organization, prior to the event, that any such event at the Library must be open to the public. Information concerning the event was posted on the Library’s public event calendar, as an event open to the public. Other than the screen shot from the organization’s local chapter’s website referenced in the Auditor’s Report, the committee has found no other evidence indicating that the public was excluded from the event, or that persons other than members of the organization were barred from attending. If members of the public had been barred from attending the event, that would have been a violation of HCLS policies, but the committee has not determined that this occurred, and has been assured by HCLS staff

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7 The name of the organization is identified in the original version of the County Auditor’s report that was presented to HCLS, but was redacted from the publicly released version of the County Auditor’s report. Following this practice, HCLS has not directly identified the name of the third party organization in this report.

8 Following HCLS policies, the contents of the exhibit were submitted to and approved by the HCLS Customer Experience Manager before the exhibit was installed.

9 The committee reviewed publicly available information concerning this organization, including its website (https://aka1908.com/), which describes the organization as an international service organization that was founded on the campus of Howard University in 1908, and as the oldest Greek-letter organization established by African American college-educated women. The organization’s website states that it has more than 355,000 initiated members in graduate and undergraduate chapters located in 12 countries. The purposes of the organization, according to its website, is to cultivate and encourage high scholastic and ethical standards, to promote unity and friendship among college women, to study and help alleviate problems concerning girls and women in order to improve their social stature, to maintain a progressive interest in college life, and to be of “Service to All Mankind.” The local chapter of the organization is described on its website (https://akaialambdomega.org/) as having served the Howard County community for over 50 years, and as having over 350 members. It describes a number of programs and events in and around Howard County that the chapter sponsors.

10 The committee took note that the complaint made to the County Auditor’s tip line, as described by the County Auditor, was received several days prior to the October 7, 2022 event, and therefore was presumably based not on any direct observation by the complaining party, but by suppositions made by the complaining party based on pre-event publicity.

11 A copy of the applicable policy is attached hereto as Exhibit C.
that the outside organization was expressly informed beforehand that any event of this nature held at the Library had to be open to the public.

The County Auditor’s report states:

We visited the HCLS Central Branch on Friday, October 7, 2022, and observed the following activity during the event:

- A black and gold Howard County Sheriff’s Office pickup truck was parked in the first parking spot immediately in front of the library entrance.
- Several vehicles in the parking lot displayed the [outside organization’s identifying] license plate and/or license plate holder.
- African American women wearing white dresses were entering the building. White dresses are the customary attire that [organization’s] sorority sisters wear for ritual ceremonies and formal events.
- The second floor was brightly lit, and flashes of light could be seen from the exterior. These flashes of light were deduced to be camera lights from photographs being taken.

The committee understands the above language in the report to mean that representatives of the Office of the County Auditor were present on the grounds of the Central Branch during the evening of October 7 for the purpose of monitoring this HCLS event, and reporting to the County Council the nature of the event and a description of persons attending the event. The report goes on to relate that the County Auditor’s Office thereafter “searched the internet and identified numerous pictures that were posted” of the event, and that these photographs “disclosed the following”:

- The HCLS President and CEO, Ms. Tonya Aikens, was in attendance and wearing a white dress.
- The majority of attendees at the event were African American women wearing white dresses.
- Floral arrangements were displayed on tables and a few women were carrying floral bouquets.
- The layout of furniture and equipment during the event did not represent the standard layout found during the Central Branch’s normal operating hours.

The committee has serious concerns about an investigative organ of the County Council being tasked with monitoring and reporting back to the Council the race, ethnicity, or manner of dress of individuals or groups that attend HCLS facilities or events. These concerns are set forth in more detail below. With regard to the report’s observation that a black and gold Howard County Sheriff’s Office pickup truck was parked in front of the Library entrance during the event, the committee has determined that HCLS did not request the presence of the Sheriff’s Office or of a Sheriff’s Office vehicle at the event. Library staff does not know why such a vehicle was present, other than to observe that County law enforcement agencies regularly patrol and park vehicles at HCLS locations, and this practice is welcomed by the Library. The committee does not have access to Sheriff’s Department records, and therefore was unable to
The County Auditor’s report notes that representatives of that office contacted Ms. Aikens by email on October 5, 2022 (two days prior to the event) to “ask preliminary questions about the event.” The report recites the answers that Ms. Aikens provided the Auditor’s questions, but not the questions themselves. The committee has determined that the following questions were asked of Ms. Aikens, to which she provided the following responses:

Q: Is the October 7th Reception a new function?
A: Yes, this is a new event. With the creation of the Central Branch Equity Resource Center in 2021, HCLS extended an invitation to the community to partner on events related to local equity history, stories, and matters that align with HCLS’ equity statement. The [outside organization’s local chapter] approached HCLS about sharing its 50th Anniversary exhibit with the community via the Central Branch Equity Resource Center. The exhibit focuses on [the organization’s] programming created to address inequities in Howard County. Additionally, the [outside organization’s local chapter] held its very first reading program for multi-races/ethnic groups at the Central branch. This event is captured in the exhibit.

Q: Is the Reception being sponsored by [the outside organization’s local chapter]?
A: Yes, the Chapter is sponsoring the reception. There is no cost to HCLS.

Q: What entity is paying for the wine and food?
A: The Chapter is covering all wine and food costs.

Q: What entity is paying for the use of the County facility?
A: HCLS does not charge the public or event partners for use of its facilities.

Q: What entity will be paying for any additional County staff time required for the event?
A: The Chapter has hired security and Chapter members are staffing the event. There are no non-exempt HCLS staff working the event.

Through its interview with Ms. Aikens and inquiries to Library staff, the committee has determined to its satisfaction that all of the above responses provided by Ms. Aikens to the County Auditor on October 5, 2022 were accurate. The committee is satisfied that all food and beverages served at the event were provided by the outside organization, and not by the Library. The committee is satisfied that no HCLS employees staffed the event, and that security for the event was provided and paid for by the outside organization. In response to the Auditor Office’s email inquiry, Ms. Aikens also
provided the office with the following information about other similar events that had recently been held at HCLS facilities:

HCLS also partners on the Native American History event. The inaugural event was held November 2021 at the East Columbia Branch (the Central Branch interior and parking lot are too small to accommodate this event). The 2022 event is scheduled for [November 2022] at the East Columbia Branch.

Additionally, HCLS is partnering with the Jewish Federation of Howard County to host their exhibit, the Howard County Jewish History Project, in the Central Branch Equity Resource Center the first week of January through the first week of February 2023. An exhibit launch reception may be held for this event as well.

The October 7, 2022 event was the first community event held in the Equity Resource Center space, since the Center had just opened. Since then, the Jewish Federation of Howard County has held an event in the space, and the Racial Equity Alliance has held an author event in the space.

In its report, the Office of County Auditor poses a number of questions which it describes as being “unanswered.” Some of those have been addressed above, and others are not within the knowledge of the Library. 12 The committee has made the following determinations regarding the “questions” posed in the County Auditor’s report:

- In response to the inquiry regarding other events or gatherings held by the outside charitable organization or its local chapter at HCLS facilities since April 2018 (when Ms. Aikens became the President and CEO of HCLS), HCLS staff has provided the committee with the list of such events that is attached hereto as Exhibit A.

- In response to the inquiry regarding other partnership events or gatherings held at HCLS facilities after normal operating hours, and/or which caused early branch closures, HCLS staff has provided the committee with the list of such events that is attached hereto as Exhibit B

- In response to the inquiry regarding whether HCLS staff spent time preparing for the October 7, 2022 event, cleaning up after the event, or ensuring that the facility was secured once the event concluded, the committee has determined that the movement of furniture, clean up, trash removal, etc. was managed by a moving company engaged by the outside organization, and not by HCLS staff. The committee has determined that HCLS staff disconnected computers prior to the event and re-connected them after the event, and finds this to be an appropriate use of HCLS staff resources. The committee has determined that HCLS exempt staff secured the building by setting the alarm following the event, and that this was an appropriate use of HCLS resources, consistent with

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12 For example, the committee has no way of determining why another local chapter of a national charitable organization held an event at the Martin’s West facility in Baltimore, Maryland, on the night following the event that the Howard County chapter of the same national charitable organization held at the HCLS Central Branch.
established practice relating to all types of events and classes regularly held at HCLS facilities.

- In response to the inquiry regarding where HCLS staff went after the Central Branch closed at 2:00 p.m. on October 7, 2022, the committee believes this is a legitimate area for further review of HCLS policies, and recommends that the Board do so. The committee was informed by staff that HCLS followed its standard practice for early branch closures in this instance, giving staff the option of working at another branch for the remaining hours of the day or expending accumulated leave for the remaining portion of the day. However, the committee recommends a review by the Board of whether the same policy should apply both to Library events such as Evening in the Stacks and sanctioned events by outside organizations. The committee has identified no costs incurred by HCLS for this event, other than ongoing fixed costs of operating the Central Branch building such as utility costs, etc., but recommends that the Board further review whether employee leave was granted that would not otherwise have been granted, had the outside organization event not been held.

- In response to the inquiry as to what vendors provided flowers, wine, and hors d’oeuvres for the subject event, and who paid for those items, the committee has investigated this and is satisfied that HCLS did not request, procure, or fund any floral arrangements, food, or drinks for this event.

**The larger issue**

The Board of Trustees greatly appreciates the strong and ongoing financial support that the County Council has provided to HCLS for many years. Over 110,000 people visit HCLS facilities each month, on average, and the overwhelming majority of those visitors are residents of Howard County. Nearly 600,000 books and other items are borrowed from the Library every month. Library meeting rooms and facilities are vibrant centers of community life, reserved by numerous nonprofit, civic, and cultural groups every day. The Board of Trustees is very aware and appreciative that the Howard County Council appropriated over $27 million to support Library operations this fiscal year. However, it is critical to the proper functioning of a public library that a legislative body, directly or through an investigative office, not seek to impose direct control over what materials the public may access through the Library, or what groups of citizens may use Library meeting rooms or gathering places.

When an investigative office of the County Council sends investigators to stand outside of an announced Library function, and those investigators report back to the Council that attendees’ vehicle license plates reflect membership in a historically black sorority organization, or that a majority of attendees at a Library event were “African American women wearing white dresses…[which are] customary attire that [the organization’s] sorority sisters wear for ritual ceremonies and formal events,” that does not constitute legitimate oversight. By Maryland statute, it is the HCLS Board of Trustees that sets policy for how Library facilities are used and operated, and Maryland law requires that county government support for the public library systems be free from political influence. When the County Council’s investigative arm writes a letter to the Chairman of the Board of Trustees stating that it must be given unfettered opportunity to interview Library staff and review Library records to evaluate a Library

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13 In light of this recommendation, the Board intends to examine current HCLS policies with regard to early closure of HCLS facilities for events, and determine whether any modification to these policies is needed.
decision concerning use of one of its facilities for an event, suggesting that the Council’s “budgetary control over the Library” is the means by which such a request will be enforced, that is the type of political influence that is prohibited by statute. Having the County Auditor inform the Board of Trustees that members of the Auditor’s Office staff “intend to visit the Central Branch [of HCLS] again later [in the] week and both the Council and I expect their complete access to employees and any documentation they require in order to perform this investigation,” was inappropriate. It is the respectfully conveyed opinion of the committee that this type of demand should not have been made.

Any resident of Howard County, and any elected representative, may contact the HCLS Board of Trustees regarding any matter related to operations of the Library. The Board holds public meetings five times per year. The Board and HCLS management welcome inquiries from the public and from elected representatives. HCLS goes to great lengths to seek and respond to input from its customers and from members of the County Council. If members of the Council had concerns regarding the October 7, 2022 event, or wished to forward concerns received through the Auditor’s office tip line, they could have raised these concerns directly with HCLS management or with the Board of Trustees at any time. The Board takes very seriously its obligation to oversee Library operations. Once informed of the substance of these concerns on February 14, 2023 – four months after the event -- the Board moved quickly to investigate these matters and to provide the County Council and the public with this report by a committee of Trustees. The Board of Trustees wishes to encourage ongoing dialog and communication between the County Council and the Board, and to work toward our shared goal of ensuring a well-functioning and thriving public library system that makes its own, independent decisions regarding use of books, resources and facilities.

This report has been approved by the Board of Trustees of the Howard County Library System on February 22, 2023, for public release and transmission to the Howard County Council.

Antonia Watts
Chair, HCLS Board of Trustees
EXHIBIT A

Other events or gatherings at HCLS facilities held by the identified outside charitable organization, or its local chapter

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<td>[REDACTED]</td>
<td>Charitable Organization</td>
<td>04/04/2022 @ 3:30pm</td>
<td>04/04/2022 @ 6:30pm</td>
<td>Approved</td>
</tr>
<tr>
<td>Grist Mill Conference Room</td>
<td>[REDACTED]</td>
<td>Not for Profit Club</td>
<td>04/05/2022 @ 4:00pm</td>
<td>04/05/2022 @ 6:00pm</td>
<td>Approved</td>
</tr>
<tr>
<td>Collage Conference Room</td>
<td>[REDACTED]</td>
<td>Not for Profit Club</td>
<td>04/05/2022 @ 5:30pm</td>
<td>04/05/2022 @ 7:00pm</td>
<td>Approved</td>
</tr>
</tbody>
</table>

The above information reflects information since 2020, when HCLS migrated to a new room reservation system. HCLS meeting rooms were unavailable to the public for most of 2020 and 2021 due to COVID. At the request of the committee, HCLS technical support personnel are seeking to retrieve data concerning any meetings or events prior to April 2020, but such data has not yet been retrieved as of the date of issuance of this report.
EXHIBIT B
Events or gatherings held after normal operating hours

Howard County Library System has made its event spaces available to partnering organizations for decades, and therefore the committee has not sought a comprehensive list of all such meetings for all time periods. At the request of the committee, HCLS staff has assembled the following list of organizations that have had access to branches before regular opening times or after regular closing times during the past twelve months (in addition to the October 7, 2022 event discussed in this report):

- Bonsai Association
- Howard County Chamber of Commerce
- Howard County Government, Department of Community Resources and Services
- Howard County Health Department
- Howard County Public School System
- Leadership Howard County
- Maryland Bankers and Brokers Association
- Maryland State Library Agency
- NAACP
- Transition HoCo
EXHIBIT C
HCLS Board of Trustees Policy regarding meeting room use

D. Meeting Room Use

1. Who May Use
   a. HCLS meeting rooms are primarily intended to be used for meetings, classes, workshops, seminars, and events conducted and/or organized by staff members, the Board, and Friends of HCL.
   b. Meeting rooms are also available for use by non-profit organizations and community groups for non-HCLS-related programs of a civic, cultural or educational nature. Non-profit organizations or groups authorized to use the meeting rooms will be primarily Howard County organizations or groups, or local chapters of state or national organizations. Meetings convened by these organizations must be free of charge and open to the public. No one shall be excluded based on beliefs, points of view, or affiliations of the sponsors or participants.
   c. No individual or for-profit organization may use these rooms, nor may they be used for social or commercial purposes. Granting permission to use these rooms does not constitute HCLS endorsement of the users or their beliefs.
   d. All meetings must be open to the public except those which are sponsored or co-sponsored by HCLS or the Friends of HCL.