

OLO Racial Equity and Social Justice (RESJ) Action Plan

MISSION

The mission of the Office of Legislative Oversight (OLO) is to provide accurate information, analysis, and independent findings and recommendations that help the County Council fulfill its legislative oversight function. Legislative oversight includes the County Council's monitoring of publicly funded activities and their performance, and applying this knowledge to establish public policies, enact laws, approve budgets, and raise revenues.

OLO recognizes that fulfilling its mission requires applying a racial equity and social justice (RESJ) lens to our work aimed at ameliorating existing racial and social inequities in the County and shifting power to Black, Indigenous, and other People of Color (BIPOC) constituents. Applying a RESJ lens refers to the process of paying attention to race, ethnicity, and other social constructs when analyzing problems, looking for solutions, and defining success.¹ Montgomery County's RESJ Act also requires County departments to develop RESJ action plans.

OLO developed this plan to advance RESJ in our work; feedback from members of the County Council, staff from the Office of Racial Equity and Social Justice (ORESJ), and community stakeholders informed the development of this plan.

LEGISLATIVE BACKGROUND

The County Council established the Racial Equity and Social Justice (RESJ) Act to systemically apply an equity lens to government decision-making to advance RESJ.² Toward this end, the RESJ Act defines:

- **Equity** as fair and just opportunities and outcomes for all people.
- **Race** as a social construct that artificially divides people into distinct groups based on characteristics such as physical appearance (including color), ancestral heritage, cultural affiliation, cultural history, ethnic classification, and the social, economic, and political needs of a society.
- **Social justice** as the belief that everyone deserves to benefit from the same economic, political, and social rights and opportunities, free from health disparities, regardless of race, socioeconomic status, age, sex – including based on gender identity or orientation, religion, disability, or other characteristics.
- **Racial equity and social justice** as changes in policy, practice, and the allocation of resources so that neither race nor social justice constructs predict one's success, while improving opportunities and outcomes for all.

These terms are essential for understanding the RESJ framework that describes the role that government plays in creating and sustain racial and social inequities, envisions a new role for government, and normalizes conversations about race and other constructs to advance racial and social equity. The RESJ Act and its amendments³ also require:

- OLO to analyze the impact of legislation and zoning text amendments on racial and social inequities locally;
- Each Montgomery County Government office and department to develop a RESJ action plan.

In 2022, the County Council enacted Executive Regulation 15-21, Racial Equity and Social Justice Action Plan.⁴ This regulation articulates how County departments can advance RESJ in their work by “incorporating community engagement, data collection and analysis, and systems change work into policy development, resource decisions, and service delivery.” This OLO RESJ Action Plan seeks to align with these regulations and best practices for advancing racial equity in government decision-making recognized by the Government Alliance on Race and Equity (GARE).⁵

OLO RESJ Action Plan

ROLE OF GOVERNMENT IN FOSTERING RACIAL INEQUITY

Structural racism across societal institutions fosters wide racial disparities in every sphere of well-being. In Montgomery County, for example, in 2020:⁶

- The median White worker earned \$46 per hour vs. \$20 per hour for the median Latinx worker.
- A majority of Asian and White students (61% and 68%) attended low-poverty schools where less than a quarter of students were low-income (eligible for free- and reduced-priced meals) compared to 20% and 26% of Latinx and Black students.
- A majority of Asian and White people between the ages of 25 and 64 (72% and 76%) had a bachelor's or higher degree compared to 40% of Black people and 27% of Latinx people.
- Three-quarters of White and 71% of Asian households owned their homes compared to 53% of Latinx households and 40% of Black households.
- Most Black and Latinx renters (55% and 63%) were cost burdened, expending 30 percent or more of their income on housing, compared to 41% and 43% of Asian and White renters.
- Twice as many Black households lacked a car (14%) compared to White, Asian, and Latinx households (6-7%).

Government actions, both historic and contemporary, created the racially inequitable structures that work to benefit and privilege White people at the expense of BIPOC. Historic policies and practices that have embedded racial inequities and resulting disparities include:

- Exploitation of Indigenous and African peoples through genocide, land theft, and enslavement.
- Exclusion of BIPOC from political and judicial systems that established racially inequitable policies.
- Enactment of Jim Crow laws mandating segregation and second-class citizenship of BIPOC.
- Seizures of Black-owned properties via state-sanctioned violence, eminent domain, and discrimination.
- New Deal Era policies in housing, labor, and social welfare that excluded BIPOC.
- Racially biased implementation of the G.I. Bill that denied homeownership and higher education benefits to BIPOC veterans.

Contemporary government policies and practices further embedding racial inequities include:

- The War on Drugs and the resulting mass incarceration of Black and Latinx people and disinvestment in the communities where returning citizens reside.
- Reverse redlining, where subprime loans that carry higher interest rates are targeted to BIPOC constituents and communities for housing and consumer purchases.
- Voter disenfranchisement via overturning of key provisions of the Voting Rights Act of 1965 that have disproportionately created additional barriers for BIPOC constituents to vote.

Racial inequity in government policies and practices is also rooted in asymmetrical power, where White constituents hold disproportionately more power as decision-makers than BIPOC constituents relative to their share of the population.

OLO RESJ Action Plan

Given the role of government in creating and reinforcing structural racism, it is the responsibility of government to actively dismantle it through eliminating policies and practices that exacerbate racial inequity and promoting those that advance racial equity. The persistence of racial disparities despite the repeal of overtly racist laws and practices demonstrates that “race-neutral” policies aimed at ending racial discrimination have been ineffective at eliminating the structures that inherently work to advantage White people and disadvantage BIPOC in society.

GARE recognizes that local jurisdictions are uniquely situated to examine and disrupt structural racism in public policies, programs, and practices. To help support local jurisdictions in their efforts to advance racial equity by ameliorating structural racism, GARE offers the following guidance:⁷

- Recognize that while advancing racial equity is urgent, lasting change cannot happen overnight, so strive to balance progress with pragmatism, seeking not perfection but meaningful steps forward every day.
- Recognize that racial equity work must be both data and story driven to expose, measure, and disrupt structural racial inequities. Toward this end, jurisdictions should use data, history, and stories to explain the systems and structures that created racial inequities.
- Recognize that progress in advancing racial justice in the U.S. has been driven by community organizing led by BIPOC communities. So, when working to build the skills of government staff and leaders to advance racial equity, recognize that success can only be achieved when centering and collaborating with BIPOC communities.

PROBLEM STATEMENT

OLO recognizes that we do not systemically consider structural racism or apply a RESJ lens to our work where we describe the potential RESJ impact of the policies, programs, and practices that we review. Without a systemic review of the RESJ implications of our work, we may reinforce or exacerbate existing racial and social inequities in the County. Several factors potentially contribute to this problem:

- Lack of data or knowledge about racial and social inequities in the County
- Absence of internal work processes to ensure a common understanding and application of RESJ lens to our work
- Lack of confidence in applying a RESJ lens to our project work
- Some Councilmembers may not be interested in RESJ reviews for every project
- Tight timelines for completing OLO projects

OLO’s inconsistent review of RESJ issues across projects is driven by a lack of understanding among staff on how to apply a RESJ lens to OLO projects and the absence of a requirement to do. OLO also recognizes that racial and social inequities may shape the development of OLO’s annual work plan.

RESJ VISION AND MISSION

To help ground our efforts to advance RESJ decision-making as required by the RESJ Act, amendments, and Executive regulations, OLO has adopted the following RESJ vision and mission to guide our work:

Vision. OLO’s work will help the County’s leaders reverse current racial and social inequities. OLO’s work will promote RESJ in all policy areas including housing, health, education, economic development, transportation, public safety, and land use. In addition, OLO will provide wholistic analyses that center RESJ in a systematic way, shed light about racial and social inequity wherever possible, and offer remedies to effectively address racial and social inequities.

OLO RESJ Action Plan

Mission: OLO will educate and empower its own staff and government and community stakeholders to apply a racial equity lens to all our work and will evaluate our staff and our work products to hold ourselves accountable. As we build our capacity to apply a racial equity lens to our work, we will broaden our capacity to consider other social constructs (e.g., age, gender identity, linguistic diversity, disability, sexual orientation) in our analytical work.

RESJ PRIORITIES

To assist the County Council in its efforts to advance RESJ in decision-making, the staff of OLO will develop their literacy in RESJ and capacity to apply a RESJ lens to our policies, practices, and work products (e.g., projects and impact statements). Toward this end, OLO has identified five RESJ priorities:

1. Understand the Racial Equity and Social Justice (RESJ) Framework
2. Act with Urgency and Accountability by Developing and Implementing a RESJ Action Plan
3. Engage with BIPOC Community Stakeholders in Development of OLO Work Products
4. Use Data and Information Disaggregated by Race and Ethnicity to Inform Findings and Recommendations
5. Develop and Use RESJ Tools to Apply a RESJ lens to OLO Work Products

A description of these strategic priorities, actions aligned to each priority area, and potential performance metrics that will be tracked for each priority area follows.

1. UNDERSTAND RESJ FRAMEWORK

Normalizing conversations about race and equity to advance racial and social equity requires having a common understanding of key terms, including individual versus systemic racism and explicit versus implicit bias. RESJ frameworks can establish a common language about race, racism, and social justice that can help make conversations around racial equity and social justice productive. Best practices suggest that RESJ frameworks should describe:⁸

- The role of government laws, policies, and practices in creating and maintaining racial and social inequities
- A definition of racial equity, inequity, and social justice
- The differences between implicit and explicit bias
- Differences between individual, institutional, and structural racism.

Understanding the RESJ framework will enhance the RESJ literacy and proficiency of OLO staff and will bolster our capacity to consider the RESJ implications of our work. ORESJ regulations require each OLO staffer to annually participate in eight hours of training to improve our understanding of the RESJ framework. Trainings must:⁹

- Review the history of race, racism, and other forms of injustice nationally and locally
- Increase the ability to understand concepts of structural inequities
- Provide frameworks to assess office culture and implement strategies that improve inclusiveness and equity
- Provide opportunities to assess how departmental policies and practices impact residents by race and ethnicity.

To improve the RESJ literacy and proficiency of staff, OLO has adopted an annual training schedule that focuses on developing anti-racist team norms and deepening our understanding of the RESJ framework. Toward this end, OLO offers monthly “RESJ Framework Sessions” to improve staff knowledge of RESJ concepts and enhance our ability to apply a RESJ lens our work. Potential performance metrics to monitor to track progress on this strategic priority include:

OLO RESJ Action Plan

- Percentage of OLO staff that participate in ORESJ trainings
 - Number of OLO RESJ offerings and level of staff engagement
 - Number of OLO staff that participate in external RESJ trainings/conferences
 - Number of OLO Core Team meetings
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2. ACT WITH URGENCY AND ACCOUNTABILITY

GARE recognizes communicating and acting with urgency as another best practice for advancing racial equity that prioritizes normalizing conversations about race and equity. To act with urgency and accountability, GARE recommends that government leaders agree on the importance of racial equity, develop a vision, and communicate their commitment to the community. The RESJ Act's requirement that County departments and offices develop RESJ action plans aligns with this GARE best practice for advancing equity in government decision-making and operations.

OLO updated and finalized this RESJ Action Plan based on feedback from internal and external stakeholders. Internal stakeholders included Councilmembers and their staffs and the ORESJ; external stakeholders included community members representing BIPOC residents in the County. And while the ORESJ regulations require County departments to develop their RESJ action plans by 2025, OLO finalized this first RESJ action plan in 2023.

The ORESJ regulations also require OLO to make its RESJ Action Plan available to the public. In turn, OLO will post this RESJ Action Plan on our website as well as an annual RESJ report that describes our performance and progress relative to our RESJ Action Plan. Potential performance metrics to monitor to track progress on this strategic priority include:

- Availability of OLO RESJ Action Plan in accessible formats and across multiple languages
 - Meetings with internal and external stakeholder to discuss progress on RESJ Action Plan
 - Summary report or memorandum to describe OLO's annual progress in executing the RESJ Action Plan (e.g., number of trainings, meetings, projects that applied a RESJ lens, RESJ statements, and RESJ tools)
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3. ENGAGE WITH BIPOC STAKEHOLDERS

Both GARE and the Executive Regulations for RESJ Action Plans describe community engagement, particularly with BIPOC stakeholders, as a best practice for advancing RESJ in government decision-making. BIPOC community engagement is also generally recognized as a best practice for shifting power to BIPOC, as they have traditionally been disempowered and underrepresented in government decision-making. GARE finds that jurisdictions that have forged relationships with community partners are more effective at mobilizing people in government to prioritize racial equity. GARE also finds that engaging communities of color enhances the quality of racial equity efforts as communities of color have borne the burdens of inequitable policies and practices and thus, often hold subject matter expertise on those impacts and on promising practices for reversing inequities.

The ORESJ regulations require County departments to articulate their community engagement process within their RESJ action plans. ORESJ's regulations note that community engagement is a two-way exchange of information, ideas, and resources and that community engagement should offer inclusive opportunities for diverse communities to have a meaningful role in government decision-making. The regulations also require County departments and offices to submit a community engagement plan as part of their RESJ action plan and require departments and officers to conduct follow up communications with community stakeholders within eight weeks after the conclusion of a meeting or engagement.

OLO RESJ Action Plan

With this RESJ Action Plan, OLO commits to cultivating and sustaining relationships with community stakeholders to advance community engagement in OLO work processes and products (e.g., project reports and impact statements). OLO will engage with BIPOC representatives to help shift power from asymmetrical to more equitable approaches and to normalize and operationalize BIPOC community involvement in stakeholder representation and data.

Recommended priority actions aimed at advancing OLO engagement with BIPOC stakeholders include developing and maintaining a list of local BIPOC organizations, launching proactive outreach to BIPOC communities about OLO, developing an OLO community engagement tool, and presenting information in more accessible formats. A proposed timeline for completing these tasks is in development.

Potential performance metrics to monitor to track progress on this strategic priority include:

- Outreach to BIPOC organizations, scholars, associations
- Survey BIPOC organizations to gauge awareness of OLO
- Develop community engagement tool/workbook
- Annual review of community engagement tools and their usage

4. USE RESJ DATA AND INFORMATION

GARE recognizes as a best practice the use of data to establish baseline information on racial disparities and to evaluate the efficacy of local efforts aimed at addressing racial and social inequities. Data disaggregated by race and ethnicity is required to understand the existence and scope of racial inequities and disparities. Data by income and geographic area can also be useful for describing social inequities and disparities. Although use of data disaggregated by race and ethnicity is a best practice for policy development and analysis, many County departments do not collect such data.

Understanding and explaining the drivers of racial disparities is also a best practice for advancing RESJ as presenting data on racial disparities without describing the systemic factors that foster them can be harmful and inequitable to BIPOC. More specifically, presenting data on racial and ethnic gaps without explaining the systemic factors that contribute to these gaps can reinforce stereotypes that differences in individual behavior explain racial disparities more than systemic racism and economic inequality. Moreover, an understanding of the drivers of racial and social disparities is essential to developing policy responses that effectively reduce racial and social disparities.

OLO commits to using data and information disaggregated by race and ethnicity, and other social markers when legal, to understand the systemic drivers of inequities and to identify responses that narrow disparities. To actualize this priority, OLO staff will increase their familiarity with RESJ by policy area; conduct race conscious reviews of policies, programs, and practices to understand the differential impacts they may have by race and ethnicity; and use data disaggregated to identify and address disparities. Toward these ends, OLO will pursue the following priority actions:

- Provide training on sources of data disaggregated by race and ethnicity (e.g., American Community Survey)
- Identify strategies for collecting disaggregated data and working around missing data
- Identify strategies for using qualitative data and narratives
- Ensure data describing disparities by race and ethnicity is presented with information describing the historical and current structural inequities for context

A proposed timeline for completing these priority actions is in development. Potential performance metrics to monitor to track progress on this strategic priority include:

OLO RESJ Action Plan

- Number of OLO staff participating in training on available data sources
- Percentage of OLO reports and impact statements that describe racial and social inequities (not just disparities)
- Development of RESJ data collection and analysis tool for quantitative and qualitative data for OLO
- Percentage of reports that align with RESJ data collection and analysis tool

5. DEVELOP AND USE RESJ TOOLS

GARE recognizes the use of racial equity tools that evaluate policies, programs, and practices using a RESJ lens as a best practice. The intent of RESJ tools is to systematically consider racial and social equity in the decision-making process. According to GARE, racial equity tools are a product and a process: they can produce a forecast of anticipated RESJ impact using an analytical process that engages the communities impacted by inequities. Most RESJ tools, such as OLO's RESJ Legislative Review Tool, are grounded in a set of questions that unpack the RESJ consequences of proposals.¹⁰ Questions included in RESJ tools can include:

- Are all the racial and ethnic groups who are affected represented in decision-making?
- What strategies are being used to listen and incorporate feedback from those being impacted?
- What is the impact for each racial and ethnic group?
- Does the impact worsen or ignore existing inequities?

OLO recommends the update and creation of new RESJ tools that apply a RESJ lens to OLO's work. This includes developing a RESJ tool for OLO projects and updating the current tool used to develop RESJ impact statements for proposed legislation. OLO recommends the pilot use of any RESJ tools developed among a subset of OLO projects to develop staff capacity to apply a RESJ lens. OLO also recommends the development of an inclusive language guide, training, and ongoing support for using each RESJ tool developed and existing tools such as the GARE Communications Guide.¹¹ A proposed timeline for completing these priority actions is in development.

Potential performance metrics to monitor to track progress on this strategic priority include:

- Number of OLO RESJ tools developed
- Number of OLO RESJ tools updated
- Number of OLO products (reports and impact statements) that used a RESJ tool
- Number of trainings on using RESJ tools

CONTRIBUTORS

OLO's Racial Equity Core Team (Elaine Bonner-Tompkins, Stephanie Bryant, Natalia Carrizosa, Kristen Latham, Janmarie Peña, Leslie Rubin, and Elsabet Tesfaye) drafted an initial version of this RESJ Action Plan that was updated and edited based on feedback from OLO colleagues, Councilmembers, the Office of Racial Equity and Social Justice, and BIPOC community stakeholders across Montgomery County.

¹ Adapted from definition of racial equity lens from Equity in the Center, Awake to Woke to Work: Building a Race Equity Culture, Appendix B, 2018 <https://ncwwi-dms.org/index.php/resourcemenu/resource-library/inclusivity-racial-equity/advancing-racial-equity/1456-awake-to-woke-to-work-building-a-race-equity-culture/file>

² Montgomery County Council, Bill No. 27-19 Racial Equity and Social Justice, <https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/RacialEquity/Bill27-19.pdf>

OLO RESJ Action Plan

³ For RESJ review requirement for proposed zoning text amendments, see Montgomery County Council, Bill No. 44-20 Racial Equity and Social Justice, Amendments

https://apps.montgomerycountymd.gov/ccllms/DownloadFilePage?FileName=2682_1_12149_Bill_44-20_Signed_20201211.pdf

⁴ <https://www.montgomerycountymd.gov/exec/Resources/Files/15-21.pdf>

⁵ OLO Report Number 2018-8, Racial Equity in Government Decision-Making Report

https://www.montgomerycountymd.gov/OLO/Resources/Files/2018%20Reports/OLOReport2018_8.pdf

⁶ Estimates based on IPUMS data provided by the National Equity Atlas <https://nationalequityatlas.org/indicators>

⁷ GARE Communications Guide, May 2018 <https://www.racialequityalliance.org/wp-content/uploads/2018/05/1-052018-GARE-Comms-Guide-v1-1.pdf>

⁸ Advancing Racial Equity and Transforming Government: A Resource Guide to Put Ideas into Action, Government Alliance on Race and Equity (GARE) https://racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource_Guide.pdf; Race Equity and Inclusion Guide https://assets.aecf.org/m/resourcedoc/AECF_EmbacingEquity7Steps-2014.pdf

⁹ See page 4 of attachment for July 16, 2022 Government Operations and Fiscal Operations Committee worksession packet for Executive Regulation 15-21

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220616/20220616_GO1.pdf

¹⁰ Racial Equity and Social Justice Legislative Review Tool, Office of Legislative Oversight

<https://www.montgomerycountymd.gov/OLO/Resources/Files/2020%20Reports/RESJLegislativeTool.pdf>

¹¹ GARE Communications Guide