

# Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

## EXPEDITED FIRE AND RESCUE SERVICES – CREDIT SERVICE FOR GROUP BILL 7-22: G MEMBERS

### SUMMARY

Although the Office of Legislative Oversight (OLO) anticipates that Expedited Bill 7-22 will primarily benefit White Montgomery County Fire and Rescue Services (MCFRS) employees, OLO anticipates this bill will have little to no impact on racial equity and social justice (RESJ) in the County since its benefits accrue to a limited number of personnel.

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### PURPOSE OF RESJ IMPACT STATEMENT

The purpose of racial equity and social justice (RESJ) impact statements is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.<sup>1</sup> Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social harms that have caused racial and social inequities.<sup>2</sup>

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### PURPOSE OF EXPEDITED BILL 7-22

The purpose of Expedited Bill 7-22 is to permit County employees enrolled in Group G of the Employees' Retirement System to receive credited years of service with Montgomery County based on prior years of military service in the uniformed services of the United States.<sup>3</sup> Bill 7-22 would provide up to 24 months of service credit for Group G members at no cost to the employee for prior United States military service based upon the years of County service. Bill 7-22 was introduced on April 19, 2022.

The Employees' Retirement System (ERS) is one of five retirement plans offered to County employees.<sup>4</sup> The ERS is a defined benefit plan, which provides a fixed, pre-established benefit for employees at retirement.<sup>5</sup> Within the County ERS, Group G employees include paid firefighter, paid fire officer, and paid rescue service personnel.<sup>6</sup> For Group G employees, credited years of service is one of several factors considered in determining the amount of an employee's pension benefit. Credited years of service is also a factor in determining when an employee can retire.

If enacted, the Bill would provide an added benefit to County fire personnel for prior United States military service. Additional credited years of service would potentially benefit eligible employees through increasing the amount of their pension benefits and allowing them to retire sooner.

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### FIRE PERSONNEL, MILITARY SERVICE, AND RACIAL EQUITY

Careers in public safety have often been placed out of reach for many people of color due to inequitable policies and practices. While the civil service has been a great pathway into the middle class for many people of color, generally the higher-paying or more prestigious a job, the less access people of color have to those positions.<sup>7</sup> In turn, people of color

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have not been able to land a proportionate share of the higher-paying, higher profile public safety jobs as police officers and firefighters.<sup>8</sup>

Historically, societal beliefs in White supremacy have contributed to the belief that White men were best suited for policing and firefighting because they best demonstrated the traits of manliness, bravery, and nobility.<sup>9</sup> These beliefs extend to perceptions of the prototypical firefighter despite a rich history of Black firefighting heroes that goes back to the early 19th century.<sup>10</sup> Beliefs in White supremacy also led to segregated fire stations in the early 20th century.

Researchers note that post segregation, racial discrimination was reinforced through nepotism and cronyism where for applicants who did not have a family legacy of firefighting, (e.g., applicants of color) training and testing became an impermeable barrier for entering the profession while White male recruits often received special mentoring and reduced scrutiny in hiring.<sup>11</sup> Similar exclusions characterized entry into law enforcement professions by gender as well.

Inequitable policies and practices that exclude people of color from public safety professions result in their underrepresentation among police and fire service personnel and the over-representation of White people in these positions. In terms of fire personnel, a review of national data demonstrates these disparities were among civilians age 16 years or older:<sup>12, 13</sup>

- 77 percent were White compared to 84.3 percent of firefighters.
- 18 percent were Latinx compared to 11 percent of firefighters.
- 13 percent were Black compared to 8.9 percent of firefighters.
- 6 percent were Asian compared to 2.6 percent of firefighters.

A review of available local data also demonstrates that people of color are under-represented in firefighting professionals in Montgomery County. More specifically, among residents age 16 or older:<sup>14</sup>

- 45 percent were White compared to 76 percent of fire department personnel.
- 18 percent were Latinx compared to 7 percent of fire department personnel.
- 18 percent were Black compared to 10 percent of fire department personnel.
- 16 percent were Asian compared to 2 percent of fire department personnel.

Inequitable policies and practices that disproportionately harm service members of color have also contributed to the over-representation of White people in military service. Black, Indigenous, and other people of color have served in the military since the colonial period, playing a significant role in every major American conflict.<sup>15</sup> Despite their contributions, service members of color have faced racism and discrimination throughout the history of the armed forces.<sup>16</sup> Today, 74 years after the official desegregation of the military, deep-rooted racism persists, with service members of color experiencing harassment, lack of advancement into leadership positions, and unequal discipline, among other forms of racial discrimination.<sup>17, 18</sup>

Census data summarized in Table 1 demonstrates that over-representation of White people among military veterans in the County. Whereas White residents account for 43.4 percent of County residents over the age of 18, they account for 69.0 percent of veterans in the County. Conversely, Asian and Latinx residents are under-represented as veterans, respectively accounting for 15.9 and 18.6 percent of residents, compared to 5.5 and 7.7 percent of veterans.

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Table 1: Percent of Residents Over 18 and Percent of Veterans by Race and Ethnicity, Montgomery County, Maryland

Race/Ethnicity	Percent of Montgomery County Residents Over 18	Percent of Montgomery County Veterans
White alone	43.4	69.0
Black or African American alone	17.7	18.3
American Indian and Alaska Native alone	0.1	0.1
Asian alone	15.9	5.5
Native Hawaiian and Other Pacific Islander alone	0.0	0.1
Some other race alone	0.7	2.5
Two or more races	3.4	4.4
Hispanic or Latino (of any race)	18.6	7.7

Source: Decennial Census 2020, American Community Survey 2020, Census Bureau.

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### ANTICIPATED RESJ IMPACTS

The Montgomery County Office of Management and Budget estimates that approximately 175 employees annually would benefit from Expedited Bill 7-22, if enacted.<sup>19</sup> County personnel data demonstrates that Montgomery County Fire and Rescue Services (MCFRS) employees are disproportionately White. Census data also suggests the population of residents with prior military service in Montgomery County (as estimated through veteran status) is disproportionately White. Thus, OLO anticipates that Expedited Bill 7-22 will primarily benefit White MCFRS employees. However, given the limited number of employees that will be impacted and the estimated size of the fiscal impact, OLO anticipates that Expedited Bill 7-22 will have little to no impact on racial equity and social justice in the County.

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### RECOMMENDED AMENDMENTS

The County's Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.<sup>20</sup> OLO does not offer recommended amendments for Expedited Bill 7-22, as its limited scope would not address racial and social inequities in the County.

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### CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging, analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

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### CONTRIBUTIONS

OLO staffers Janmarie Peña, Performance Management and Data Analyst, and Elaine Bonner-Tompkins, Senior Legislative Analyst, drafted this RESJ impact statement.

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<sup>1</sup> Definition of racial equity and social justice adopted from “Applying a Racial Equity Lens into Federal Nutrition Programs” by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools <https://www.racialequitytools.org/glossary>

<sup>2</sup> Ibid

<sup>3</sup> Montgomery County Council, Expedited Bill 7-22, Fire and Rescue Services – Credit Service for Group G Members, Introduced April 19, 2022, Montgomery County, Maryland.

[https://apps.montgomerycountymd.gov/ccllms/DownloadFilePage?FileName=2748\\_1\\_20159\\_Bill\\_7-2022\\_Introduction\\_20220419.pdf](https://apps.montgomerycountymd.gov/ccllms/DownloadFilePage?FileName=2748_1_20159_Bill_7-2022_Introduction_20220419.pdf)

<sup>4</sup> About Montgomery County Employee Retirement Plans, Montgomery County Employee Retirement Plans, Montgomery County, Maryland. <https://www.montgomerycountymd.gov/mcerp/about.html>

<sup>5</sup> Defined Benefit Plan, Internal Revenue Service, Accessed April 26, 2022. <https://www.irs.gov/retirement-plans/defined-benefit-plan>

<sup>6</sup> Summary Description for Sworn Fire Personnel in Retirement Group G, Montgomery County Employee Retirement Plans, August 2021. [https://www.montgomerycountymd.gov/mcerp/Resources/Files/GroupG%20Sworn%20Fire-08\\_2021a.pdf](https://www.montgomerycountymd.gov/mcerp/Resources/Files/GroupG%20Sworn%20Fire-08_2021a.pdf)

<sup>7</sup> Ginger Adams Otis, “Why So Few of New York’s Bravest are Black,” The Atlantic, June 6, 2015

<sup>8</sup> Ibid

<sup>9</sup> Clarence Taylor, Black Firefighters and the FDNY, Book review of David Goldberg, Black Firefighters and the FDNY: The Struggle for Jobs, Justice, and Equity in New York City, New York Labor History, 2021

<sup>10</sup> Addington Stewart, “I Was a Firefighter for 35 Years. Racism Today is as Bad as Ever” The New York Times, September 12, 2018

<sup>11</sup> Ibid

<sup>12</sup> For data on residents age 16 and older see Labor force characteristic by race and ethnicity, 2020, BLS Reports, Bureau of Labor Statistics <https://www.bls.gov/opub/reports/race-and-ethnicity/2020/home.htm>

<sup>13</sup> Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity, Bureau of Labor Statistics, 2020

<https://www.bls.gov/cps/cpsaat11.pdf>

<sup>14</sup> MCFRS data from Susan Farag, Memorandum to Public Safety Committee, Discussion: Police and Fire Departments – Recruitment and Diversity Initiatives, June 16, 2017.

[http://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=5928&meta\\_id=140025](http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=5928&meta_id=140025)

<sup>15</sup> Schuyler C. Webb and William J. Herrmann, “Historical Overview of Racism in the Military,” Defense Equal Opportunity Management Institute, February 2002. <https://apps.dtic.mil/sti/pdfs/ADA488652.pdf>

<sup>16</sup> Ibid

<sup>17</sup> Kat Stafford, James LaPorta, Aaron Morrison, and Helen Wieffering, “Deep-rooted Racism, Discrimination Permeate US Military,” Associated Press, May 27, 2021. <https://apnews.com/article/us-military-racism-discrimination-4e840e0acc7ef07fd635a312d9375413>

<sup>18</sup> Daniel Lam, “They Faced Racial Bias in Military Discipline. That Can Impact National Security,” NPR, September 14, 2021. <https://www.npr.org/2021/08/22/1028765938/racial-bias-military-discipline-national-security-combat-readiness>

<sup>19</sup> Fiscal Impact Statement, Expedited Bill 7-22, Fire and Rescue Services – Credit Service for Group G Members, Office of Management and Budget, Montgomery County, Maryland, March, 31, 2022.

[https://apps.montgomerycountymd.gov/ccllms/DownloadFilePage?FileName=2748\\_1\\_20159\\_Bill\\_7-2022\\_Introduction\\_20220419.pdf](https://apps.montgomerycountymd.gov/ccllms/DownloadFilePage?FileName=2748_1_20159_Bill_7-2022_Introduction_20220419.pdf)

<sup>20</sup> Montgomery County Council, Bill 27-19, Administration – Human Rights - Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee - Established