

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 8-23: BOARDS, COMMITTEES, AND COMMISSIONS – OPEN MEETINGS – SUPPLEMENTAL REQUIREMENTS

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 8-23 will have a minimal impact on racial equity and social justice (RESJ) in the County. Absent a RESJ focus in boards, committees, and commissions (BCCs), increasing transparency in BCC meetings is not expected to have differing effects on constituents by race and ethnicity nor impact racial and social inequities in the County.

PURPOSE OF RESJ IMPACT STATEMENTS

The purpose of RESJ impact statements (RESJIS) 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, leadership, and power of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.¹ 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.²

PURPOSE OF BILL 8-23

Montgomery County has over 80 boards, committees, and commissions (BCCs).³ The County's BCCs are subject to both the state's Open Meeting Act and Article XI, Chapter 2 of the County Code.

The goal of Bill 8-23 is "to enhance existing open meetings and procedural requirements." The Bill seeks to do so by amending the County Code to further govern the operation of County BCCs. It would require BCCs to:

- publish notice of meetings within 5 business days after the meeting date has been determined, and at least 2 calendar days prior to the meeting;
- publish meeting agendas within 5 business days after they have been determined, and at least 2 calendar days prior to the meeting; and
- publish either a recording of the meeting or draft meeting minutes within 5 days after a meeting.

The County department or office assigned to staff a BCC would be required to ensure its compliance with the requirements of the legislation.⁴

Bill 8-23, Boards, Committees, and Commissions – Open Meetings – Supplemental Requirements, was introduced by the Council on February 14, 2023.

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BCCs AND RACIAL EQUITY

As described by the Maryland Municipal League, BCCs “can be an effective way of involving citizens in the decision-making process of local government.”⁵ BCCs are mostly comprised of constituents who volunteer their time and expertise to advise the County Council and County Executive on a range of issues in the community, from child care and historic preservation to mental health and water quality. While BCCs vary in size and scope, they can be influential in many ways. The following examples illustrate the variety of BCCs in the County and noteworthy activities:

- The **Library Board** is comprised of twelve volunteers who meet monthly to advise County officials “on matters affecting the public library system, such as the location of new library facilities, the adequacy of book collections,” and other related areas.⁶ As of December 2022, the Library Policies and Practices Work Group within the board is working to coordinate a broad review of Montgomery County Public Libraries (MCPL) policies and procedures to identify areas of improvement and necessary updates.⁷
- The **Animal Services Advisory Committee** is comprised of eleven volunteers who meet monthly to advise County officials “on issues pertaining to animal care and welfare, animal rescue, animal fostering and adoption,” and other related areas.⁸ In December 2022, members of the committee voted to submit a proposal for a low to no-cost spay/neuter program in the County after noticing funding was not included in the County Executive’s FY24 budget. Members noted in a subsequent meeting that the County Executive expressed support for funding the program.⁹
- The **Commission on Aging** is comprised of at least eighteen volunteers who meet monthly to advise County officials “on the interests, needs and problems facing older adults in Montgomery County.”¹⁰ In 2021, the commission published an informational sheet for the community providing facts and resources on social isolation and loneliness in older adults.¹¹

Given their ability to influence local government policies and practices, BCCs can play a key role in advancing RESJ in the community. Many local governments have established dedicated advisory groups as a tool for advancing RESJ. For instance, the County’s RESJ Advisory Committee “recommends policies, programs, legislation, or regulations necessary to reduce racial and social justice inequity” in the County.¹² However, as structural racial inequities exist in all facets of society, integrating a RESJ focus in all BCCs – as is currently being done in County departments – could help reinforce RESJ efforts in the County. For instance:

- The Library Board could study the local drivers of disproportionalities in MCPL staff representation and make recommendations for program, policy, and funding changes to address inequities.¹³
- The Animal Services Advisory Committee could support the Office of Animal Services in gathering input from Black, Indigenous, and Other People of Color (BIPOC) constituents on local racial inequities in animal rescue and welfare, pet adoption, and licensing fees.¹⁴
- The Commission on Aging could study the local drivers of food insecurity among BIPOC older adult constituents and make recommendations for program, policy, and funding changes to address inequities.¹⁵

Since BCCs serve as the community’s voice on a variety of issues, racially and ethnically diverse representation on BCCs is also important for advancing RESJ to ensure the perspectives of BIPOC constituents are considered.

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ANTICIPATED RESJ IMPACTS

OLO anticipates Bill 8-23 will have a minimal impact on RESJ in the County. Absent a RESJ focus in BCCs, increasing transparency in BCC meetings is not expected to have differing effects on constituents by race and ethnicity nor impact racial and social inequities in the County.

RECOMMENDED AMENDMENTS

The 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.¹⁶ OLO anticipates Bill 8-23 will have a minimal impact on RESJ in the County. As such, OLO does not offer recommended amendments. However, if the Council seeks to improve the RESJ impact of the Bill, OLO offers three items for consideration:

- **Amend RESJ Act to require RESJ training and action plans for each BCC.** As discussed in ‘BCCs and Racial Equity,’ integrating a RESJ focus in all BCCs could help reinforce RESJ efforts in the County.
- **Amend Office of Racial Equity and Social Justice (ORESJ) Executive Regulations to require BCCs to develop RESJ action plans (in 2026 or later).** Should a requirement be enacted for BCCs to develop RESJ action plans, prescribing a due date in ORESJ’s Executive Regulations would support BCCs in prioritizing this activity.
- **Request a diversity audit for BCCs.** To understand whether representation on BCCs is representative of the County’s demographics, the Council could request a diversity audit to collect data on the demographics of each BCC (e.g., race, ethnicity, gender identity, age) to compare to overall County demographics. A detailed understanding of BCC demographics would give a baseline understanding of potential disproportionalities in BCC representation, which could be used to identify opportunities for enhancing RESJ. In 2019, the City of Sacramento published a comprehensive diversity audit of its BCCs.¹⁷

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.

¹ 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.raciaequitytools.org/glossary>

² Ibid

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³ Board, Committees, and Commissions, Office of the County Executive, Montgomery County, Maryland.

<https://www.montgomerycountymd.gov/boards/list.html>

⁴ Introduction Staff Report for Bill 8-23, Introduced February 14, 2023.

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230214/20230214_2A.pdf

⁵ Citizen Boards, Commissions, and Committees, Maryland Municipal League, February 3, 2012.

<http://www.mdmunicipal.org/DocumentCenter/View/270/Citizen-Boards-Commissions-and-Committees?bidId=>

⁶ "About the Montgomery County Library Board" Montgomery County Public Libraries.

<https://www.montgomerycountymd.gov/Library/board/index.html>

⁷ December 14, 2022 Meeting Minutes of Montgomery County Library Board, Montgomery County Public Libraries.

<https://www.montgomerycountymd.gov/library/resources/files/board/minutes/board-minutes-20221214.pdf>

⁸ "About," Animal Services Advisory Committee, Office of the County Executive.

<https://www.montgomerycountymd.gov/boards/sites/asac/>

⁹ Meeting Minutes for December 6, 2022 and January 12, 2023, Animal Services Advisory Committee, Office of the County Executive.

<https://www.montgomerycountymd.gov/boards/sites/asac/>

¹⁰ "Home," Commission on Aging, Office of the County Executive. [https://www.montgomerycountymd.gov/HHS-](https://www.montgomerycountymd.gov/HHS-Program/ADS/COA/COAIndex.html)

[Program/ADS/COA/COAIndex.html](https://www.montgomerycountymd.gov/HHS-Program/ADS/COA/COAIndex.html)

¹¹ Commission on Aging Montgomery County, Maryland 2021 Annual Report, Commission on Aging, May 2022.

https://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/COA/Annual_QuarterlyReports/Annual%20Reports/2021%20COA%20Annual%20Report.pdf

¹² "About," Racial Equity and Social Justice Advisory Committee, Office of the County Executive.

<https://www.montgomerycountymd.gov/boards/sites/RESJ/index.html>

¹³ Referenced as MCPL Strategic Planning Consideration in Memorandum from Carolyn Chen to Education & Culture Committee, FY23 Recommended Operating Budget Worksession: Public Libraries [MCPL], April 22, 2022.

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220425/20220425_EC2.pdf

¹⁴ Referenced as OAS Strategic Planning Consideration in Memorandum from Carolyn Chen to Public Safety Committee, FY23 Recommended Operating Budget Worksession: Office of Animal Services, May 4, 2022.

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220506/20220506_PS2.pdf

¹⁵ The State of Senior Hunger in 2020, Feeding America, May 2022. https://www.feedingamerica.org/sites/default/files/2022-05/The%20State%20of%20Senior%20Hunger%20in%202020_Executive%20Summary.pdf

¹⁶ Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council

¹⁷ 2019 Audit of Diversity, Equity, and Inclusion Audit of Boards, Committees, and Commissions, City of Sacramento, Office of the City Auditor, December 2019. <https://www.cityofsacramento.org/-/media/Corporate/Files/Auditor/IBA-Reports/2019-Audit-of-Diversity-Equity-and-Inclusion-of-Boards-Committees-and-Commissions.pdf?la=en>