

M E M O R A N D U M

June 10, 2020

TO: Government Operations and Fiscal Policy Committee

FROM: Robert H. Drummer, Senior Legislative Attorney

SUBJECT: Update on racial equity and social justice law implementation

PURPOSE: Worksession – no Council votes required

Expected attendees:

Tiffany Ward, Director of the Office of Racial Equity and Social Justice
Elaine Bonner-Tomkins, Senior Legislative Analyst, Office of Legislative Oversight
Selena Mendy Singleton, Clerk of Council

The purpose of this worksession is to provide the Committee with an update on the status of the implementation of Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established.

Bill 27-19 was enacted on November 19, 2019 and signed into law on December 2, 2019. The Act took effect on March 2, 2020, but the provisions requiring the Office of Legislative Oversight (OLO) to submit a racial equity and social justice impact statement for each bill before the Council does not take effect until August 1, 2020.

Bill 27-19 created a new Principal Office in the Executive Branch called the Office of Racial Equity and Social Justice led by a non-merit Director. The Executive appointed and the Council confirmed Tiffany Ward as the Director of this new Office. The FY2021 budget includes funding for 1 additional position in the Office that has not yet been filled. The Bill also created a citizen advisory committee called the Racial Equity and Social Justice Advisory Committee with 15 voting members serving a 3-year term of office appointed by the Executive and confirmed by the Council. The Executive has not appointed any of the members yet.

The Council's Office of Legislative Oversight is charged with submitting a racial equity and social justice impact statement for each bill before the Council beginning on August 1, 2020. The FY2021 operating budget includes funding for a new position in OLO that has not yet been filled. See the memorandum from Elaine Bonner-Tomkins explaining the plan to produce these statements at ©16-18.

One of the major provisions of Bill 27-19 is a requirement for the Executive to adopt, by method 2 regulation, a racial equity and social justice action plan. Each County department and office must designate an employee to serve as racial equity and social justice lead and develop a department or office racial equity and social justice action plan in coordination with the Office. Selena Mendy Singleton was designated as the racial equity and social justice lead for the Council staff. See the memorandum from Tiffany Ward explaining the status of work performed by her Office to implement the Bill at ©19-21.

This packet contains:

Bill 27-19

Elaine Bonner-Tomkins Memorandum

Tiffany Ward Memorandum

Circle #

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Bill No. 27-19
Concerning: Administration – Human
Rights - Office of Racial Equity and
Social Justice – Racial Equity and
Social Justice Advisory Committee -
Established
Revised: 11/19/2019 Draft No. 10
Introduced: September 17, 2019
Enacted: November 19, 2019
Executive: December 2, 2019
Effective: March 2, 2020
Section 2-81C effective on August 1, 2020
Sunset Date: None
Ch. 27, Laws of Mont. Co. 2019

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President Navarro
Co-Sponsors: Councilmembers Jawando, Rice, Hucker, Riemer, Vice President Katz,
Councilmembers Alborno, Friedson and Glass

AN ACT to:

- (1) establish a racial equity and social justice program;
- (2) establish an Office of Racial Equity and Social Justice in the Executive Branch;
- (3) remove the Chief Equity Officer position in the Office of the Executive as a non-merit position;
- (4) require the Executive to adopt, by Method 2 regulation, a racial equity and social justice action plan for the County;
- (5) require each Department and Office to develop a racial equity and social justice action plan;
- (6) require the ~~[[Executive]]~~ Director of the Office of Legislative Oversight to submit a racial equity and social justice impact statement to the Council for each Bill;
- (7) require the Executive to explain how ~~[[and for]]~~ each management initiative or program in the recommended budget would promote racial equity and social justice;
- (8) [[(7)]] establish a Racial Equity and Social Justice Advisory Committee and set forth the composition, compensation, and duties of the Committee;
- (9) [[(8)]] require the Planning Board to consider racial equity and social justice impact when preparing a Master Plan; and
- (10) [[(9)]] generally amend the law governing racial equity and social justice.

By amending
Montgomery County Code
Chapter 1A, Structure of County Government
Section 1A-201

Chapter 2, Administration
Sections 2-26 and 2-64A

Chapter 33A, Planning Procedures
Section 33A-14

By adding

Montgomery County Code
Chapter 2, Administration
Section 2-81C

Article XIV.
Chapter 27, Human Rights and Civil Liberties
Section 27-83

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 1A-201, 2-26, 2-64A, and 33A-14 are amended and Sections 2-81C and 27-83 are added as follows:

1A-201. Establishing departments and principal offices.

(a) Executive Branch.

(1) These are the departments and principal offices of the Executive Branch.

* * *

Public Libraries (Section 2-45 et seq.)

Racial Equity and Social Justice (Section 2-64A)

Recreation (Section 2-58)

* * *

2-26. Non-merit positions.

The following positions in the Office of the County Executive are non-merit positions:

- (a) 5 Directors of the Regional Services Centers;
- (b) Director, Office of Community Partnerships;
- (c) Director, Criminal Justice Coordinating Commission;
- (d) 4 Assistant Chief Administrative Officers;
- (e) Special Projects Manager;
- (f) Chief Labor Relations Officer; and
- (g) Chief Digital Officer [; and
- (h) Chief Equity Officer].

Division 13. [Reserved] Office of Racial Equity and Social Justice.

2-64A. [Reserved] Office of Racial Equity and Social Justice.

(a) Findings.

(1) Although not unique to the County, many County residents suffer from stark disparities linked to race and social justice issues.

(2) These disparate outcomes among County residents include wealth, housing, criminal justice, education, and health.

(3) Inequitable outcomes linked to race and social justice issues will persist in the County without intentional intervention.

(4) The work to dismantle racial and social justice inequity must occur on an individual, institutional, and structural basis.

(b) Definitions. As used in this Division:

Director means the Director of the Office of Racial Equity and Social Justice or the Director's designee.

Equity means fair and just opportunities and outcomes for all people.

Equity assessment means a systematic process of identifying policies and practices that may be implemented to identify and redress disparate outcomes on the basis of race or social justice issues.

Individual racism means explicit or implicit pre-judgment bias or discrimination by an individual based on race.

Inequity means systematic and patterned differences in well-being that disadvantage one group in favor of another caused by past and current decisions, systems of power and privilege, and policies.

Institutional racism means policies, practices, and procedures that work better for some members of a community than others based on race.

Office means the Office of Racial Equity and Social Justice.

Race means 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 at a given period.

Racial equity and social justice means changes in policy, practice and allocation of County resources so that race or social justice constructs do [[does]] not predict one's success, while also improving opportunities and outcomes for all people.

Racial equity and social justice action plan means a comprehensive plan to incorporate and embed racial equity and social justice principles and strategies into operations, programs, service policies, and community engagement.

Social justice means [[a social construct that artificially divides people into distinct groups based on]] 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, [[gender, sexual orientation, gender identification]] sex – including on the basis of gender identity or orientation, religion, [[or]] disability, or other characteristics.

Structural racism means the history and current reality of institutional racism across public and private institutions which combine to create a system that negatively impacts certain groups based on race.

(c) Functions. After consulting with each department and office, the Office must:

(1) perform an equity assessment to identify County policies and practices that must be modified to redress disparate outcomes based on race or social justice;

(2) develop metrics to measure progress in redressing disparate outcomes based on race or social justice;

(3) work with each County department and office to develop a racial equity and social justice [[equity]] action plan designed to remedy

individual, institutional, and structural racism or social justice issues adversely impacting County residents;

(4) provide racial equity and social justice [[equity]] training to County employees;

(5) develop short term and long term goals for success in redressing disparate outcomes based on race or social justice issues;

(6) measure progress in meeting both short term and long term goals; and

(7) provide staff support for the Racial Equity and Social Justice [[Equity]] Advisory Committee.

(d) Racial Equity and Social Justice [[Equity]] Action Plan.

(1) The Executive must adopt, by Method 2 regulation, a racial equity and social justice [[equity]] action plan.

(2) The racial equity and social justice [[equity]] action plan must include:

(A) a community engagement process;

(B) mandatory racial equity and social justice training for [[managers and supervisors]] all County employees;

(C) the use of [[a]] explicit racial equity and social justice [[equity lens]] considerations in establishing new programs and evaluating existing programs;

(D) a requirement for the Executive to [[submit a racial equity and social justice impact statement to the Council for]] explain how each management initiative or program that would be funded in the Executive's annual recommended operating and capital budgets promotes racial equity and social justice;

- (E) short term and long term goals for [[redressing inequity]] promoting racial equity and social justice;
- (F) metrics for measuring progress in meeting these goals;
- (G) guidelines for each department and office to develop its own equity action plan;
- (H) recommended racial equity and social justice [[equity]] tools and strategies for a department or office to use in redressing disparities based on race or social justice issues; and
- (I) priority areas for additional County efforts.

(e) Reports. The Director must submit an annual report on the activities of the Office to the Executive and the Council on or before each September 30. The report must include:

- (1) the metrics used to measure the success of each short term and long term goal of the approved racial equity and social justice [[equity]] action plan;
- (2) the progress toward meeting the goals of the approved racial equity and social justice [[equity]] action plan; and
- (3) any recommendations for changes in law, regulation, or operating budget resources to assist in meeting the goals of the racial equity and social justice [[equity]] action plan.

(f) Responsibilities of each department and office. Each Executive and Legislative Branch department and office must:

- (1) designate an employee to serve as the racial equity and social justice [[equity]] lead for the department or office to coordinate work with the Office;

(2) develop a department or office racial equity and social justice
[[equity]] action plan in coordination with the Office; and

(3) provide information to the Office as needed.

(g) Responsibility of the Council. The Council must:

(1) establish a structure to provide oversight of the County's progress
in meeting its racial equity and social justice goals. The Council
may retain experts from academic and scientific organizations to
assist the Council with this oversight responsibility; and

(2) ensure that the operating budget is sufficient:

(A) for the Office of Racial Equity and Social Justice to provide
the services required by this Section; and

(B) to implement the Racial Equity and Social Justice Action
Plan.

2-81C. Racial Equity and Social Justice [[Equity]] Impact Statements.

(a) Definitions. In this Section, the following words and phrases have the
following meanings:

Director means the Director of the Office of [[Racial Equity and Social
Justice]] Legislative Oversight or the Director's designee.

Race means 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 at
a given period.

Racial equity and social justice means changes in policy, practice and
allocation of County resources so that race or social justice constructs do
[[does]] not predict one's success, while also improving opportunities and
outcomes for all people.

Racial equity and social justice impact means an estimate of changes in racial equity and social justice in the County attributable to a change in the law.

Social justice means [[a social construct that artificially divides people into distinct groups based on]] 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, [[gender, sexual orientation, gender identification]] sex – including on the basis of gender identity or orientation, religion, [[or]] disability, or other characteristics.

(b) Racial Equity and Social Justice [[Equity]] impact statement. The Director must submit a statement to the Council describing the racial equity and social justice [[equity]] impact, if any, of each bill under consideration by the Council. The Director must submit a separate statement for each bill.

(c) Time for submission. A racial equity and social justice impact statement should be submitted to the Council:

(1) no later than 7 days before the public hearing on each bill introduced by the Council President at the request of the County Executive; and

(2) no more than 21 days after a bill sponsored by a Councilmember is introduced.

If the Director is unable to submit the statement within the time required by paragraph (2), the Director must notify the Council President in writing of the delay, the reason for the delay, and the revised delivery date. If the Council President finds that the revised delivery date is unreasonable, the Council President may set a different delivery deadline.

(d) Content of racial equity and social justice impact statement. Each racial equity and social justice impact statement must include:

- (1) the sources of information, assumptions, and methodologies used;
- (2) an estimate of both positive and negative changes in racial equity and social justice [[equity]] in the County as a result of the implementation of the bill;
- (3) recommended amendments that may promote racial equity and social justice [[equity]]; and
- (4) if a bill is likely to have no racial equity or social justice [[equity]] impact, why that is the case.

(e) Compliance. Council action on [[a]] an expedited bill that is otherwise valid is not invalid because of any failure to follow the requirements of this Section.

ARTICLE XIV. RACIAL EQUITY AND SOCIAL JUSTICE ADVISORY COMMITTEE.

27-83. Racial Equity and Social Justice Advisory Committee.

(a) Members. The Executive must appoint, subject to confirmation by the Council, a Racial Equity and Social Justice Advisory Committee. The Committee must have [[9]] 15 voting members. [[At least 6 of the voting members must, when appointed, either reside in or be an employee of the County.]]

- (1) Voting members. The members must reflect a range of ethnicities, professional backgrounds, socioeconomic status, and places of origin to reflect the racial, [[and]] economic, and linguistic diversity of the County's communities, with an emphasis on those most [[proportionately]] disproportionately impacted by inequities. Each member should have some experience in

redressing disparate impacts based on race and social justice issues.

(A) One member should be [[an employee]] a designee of [[the Montgomery County Public Schools]] a public education system in the County.

(B) One member should be [[an employee]] the Chair of the Housing Opportunities Commission or the Chair's designee.

(C) One member should be a designee of the County Council.

(D) One member should be an employee of the County Department of Health and Human Services.

(E) One member should be an employee of the County Department of Correction and Rehabilitation.

(F) One member should be [[an employee]] a sworn officer of the County Police Department.

(G) One member should be the Chair of the Montgomery County Planning Board or the Chair's designee.

(H) [[Three]] Eight members should be a public member with experience in redressing disparate impacts based on race and social justice issues. Each public member must reside in the County.

(2) Term. Each member serves a 3-year term. A member must not serve more than 2 consecutive full terms. A member appointed to fill a vacancy serves the rest of the unexpired term. Members continue in office until their successors are appointed and qualified.

(3) Compensation. ~~[[Members]]~~ Except for the 8 public members, members must receive no compensation for their services. [[A]] Each of the 8 public [[member]] members may receive an annual stipend of \$2,000.00 and reimbursement for expenses incurred in serving.

~~[[~~(4) Removal. The Executive, with the consent of the Council, may remove a member for neglect or inability to perform the duties of the office, misconduct in office, or a serious violation of law. Before the Executive removes a member, the Executive must give the member notice of the reason for removal and a reasonable opportunity to reply.]]

(b) Chair and Vice Chair. The Committee must annually elect one member as chair and another as vice chair and may elect other officers.

(c) Meetings. The Committee may meet at the call of the chair as often as required to perform its duties, but at least 6 times each year. The Committee must also meet if a majority of the members submit a written request for a meeting to the chair at least 7 days before the proposed meeting. A majority of the members are a quorum for the transaction of business, and a majority of members present at any meeting with a quorum may take an action.

(d) Staff. The Office of Racial Equity and Social Justice must provide the Committee with staff, offices, and supplies as are appropriate.

(e) Duties. The Committee must:

- (1) adopt rules and procedures as necessary to perform its functions;
- (2) keep a record of its activities and minutes of all meetings, which must be kept on file and open to the public during business hours upon request;

- (3) develop and distribute information about racial equity and social justice in the County;
- (4) promote educational activities that increase the understanding of racial equity and social justice in the County;
- (5) recommend coordinated strategies for reducing racial and social justice inequity in the County;
- (6) advise the Council, the Executive, and County agencies about racial equity and social justice in the County, and recommend policies, programs, legislation, or regulations necessary to reduce racial and social justice inequity; [[and]]
- (7) meet periodically with the racial equity and social justice lead for each department and office; and
- (8) submit an annual report by December 1 of each year to the Executive and Council on the activities of the Committee.

(f) Advocacy. The Committee must not engage in any advocacy activity at the State or federal levels unless that activity is approved by the Office of Intergovernmental Relations.

33A-14. Greenhouse Gas Emissions and Racial Equity and Social Justice.

As part of the factors and conditions outlined in [§7-108] Section 21-204 of the Regional District Act and [§ 1.01 and § 1.03 of Article 66B,] Section 1-201 of the Land Use Article of the Maryland Code in preparing the Plan, the Planning Board must:

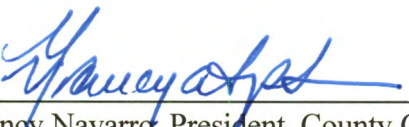
- (a) [[consider the environmental impact of the plan by:]]
[[(1) [assess] assessing]] assess the Plan's potential impact on greenhouse gas emissions in the County, including a carbon footprint analysis;
- (b) [[(2) [(b) consider] considering]] consider ways to reduce vehicle miles traveled in the County; [[and]]

- (c) ~~[(3) [(c) consider] considering]]~~ consider options that would minimize greenhouse gas emissions; and
- (d) ~~[(b)]~~ consider the impact of the plan on racial equity and social justice in the County, as defined in Section 2-64A.

Sec. 2. Transition and Effective Date.

- (a) The first report of the Office of Racial Equity and Social Justice required in Section 1 must be submitted to the Council on or before September 30, 2020 and the first report of the Racial Equity and Social Justice Committee required in Section 1 must be submitted to the Executive and the Council on or before December 1, 2020.
- (b) Section 2-81C as added by Section 1 of this Act takes effect on August 1, 2020.

Approved:



Nancy Navarro, President, County Council
11/21/19
Date

Approved:



Marc Elrich, County Executive
12/2/19
Date

This is a correct copy of Council action.



Mary Anne Paradise, Acting Clerk of the Council
12/2/19
Date

MEMORANDUM

To: Government Operations Committee

From: Elaine Bonner-Tompkins, Senior Legislative Analyst
Office of Legislative Oversight

Cc: Bob Drummer, Senior Legislative Attorney, County Council
Chris Cihlar, Director, Office of Legislative Oversight
Tiffany Ward, Chief Equity Officer, Executive Branch

Date: June 10, 2020

Re: Update on OLO Implementation of Racial Equity and Social Justice Act

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This memo provides an update on OLO's efforts to develop a process for conducting Racial Equity Impact Assessments (REIA) for new legislation as required under the Racial Equity and Social Justice (RESJ) Act. Informing the legislative decision-making process by encouraging Councilmembers to consider the anticipated impact of proposed policies on racial and ethnic disparities serves as the goal of REIA's. Toward this end, this memo is presented in three parts to describe:

- OLO's plan for conducting REIA's,
- A three-week timeline for completing each REIA, and
- Planned RESJ trainings for stakeholders to conduct REIAs.

With the completion of each of these tasks, OLO will be able to complete REIA's for new legislation beginning August 1st.

1. OLO Plan for Conducting REIA's

Completing REIA's within the 21-day timeframe required under the RESJ will rely on completing three core tasks:

- Compiling and analyzing data on disparities by race, ethnicity, and/or community for key Executive Branch departments and policy areas
- Developing a Montgomery County specific racial equity tool to conduct REIA's
- Identifying and preparing key stakeholders to collectively use the OLO equity tool to develop a REIA within the 21-day timeframe required under the law.

Disparity Data: With the assistance of Graduate Summer Fellow Julia Bauer, OLO is compiling data on racial and ethnic disparities by department and policy area with assistance from County Stat Manager David Gottesman and other colleagues. OLO's efforts to compile additional data on disparities builds off of the Racial Equity Profile for the County completed last year. ¹

¹ <https://www.montgomerycountymd.gov/OLO/Resources/Files/2019%20Reports/RevisedOLO2019-7.pdf>

REIA Tool: OLO is also reviewing racial equity tools utilized in other jurisdictions to build an equity tool to use for REIA's.² OLO anticipates that the REIA Tool will include a set of "What, Who, Why, and How" questions that lead to strategies to prevent or mitigate negative consequences of legislative decisions on communities of color.

Community Engagement: Engaging a diverse set of participants to complete REIA is another essential component of the REIA process. Toward that end, OLO will seek participants from government and impacted communities to work collaboratively to develop REIA's. With the assistance of Graduate Summer Fellow Upneet Atwal, OLO will develop a REIA community engagement plan to identify community members to participate in REIA's as needed.

2. Proposed Timeline for REIA Completion

The RESJ Act requires that OLO complete REIA's within 21 days of each bill's introduction. Given this tight timeframe, OLO proposes the following model timeline.

Week 1

- Legislation introduced
- OLO identifies department and community stakeholders
- OLO compiles data on racial and ethnic disparities
- OLO schedules REIA meeting with key partners for evening meeting for Week 2

Week 2

- OLO drafts impact assessment based on available data
- OLO shares draft with stakeholder team
- Stakeholder team meeting inclusive of community and government stakeholders

Week 3

- OLO updates draft statement based on stakeholder feedback
- OLO staff submits draft REIA statement to OLO director
- OLO director submit OLO REIA statement to the Council

3. Proposed OLO Trainings on RESJ

To be able to conduct REIA's, stakeholders need racial equity and social justice training to develop a common understanding and language required to discuss and advance racial equity in decision-making. OLO intends to offer the following set of RESJ trainings in coordination with organizational partners (e.g. MCG Chief Equity Officer, MCPS Equity Unit) to help normalize conversations about race, ethnicity and social justice among key stakeholders.

² See Madison, Wisconsin's Racial Equity and Social Justice Tool, Fast Track Version, for an example at <https://www.cityofmadison.com/civil-rights/programs/racial-equity-social-justice-initiative/tools-resources>

Ideally, these OLO RESJ sessions will be recorded to provide training opportunities for community stakeholders participating in REIA's and Legislative Branch staff unable to attend live meetings. These OLO trainings will be offered virtually and available to any Legislative Branch staff members (e.g. Central Council, Councilmember's office staff, Office of Inspector General).

- A. Conversation on Racial Equity and Social Justice** modeled after Community Conversations (https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/English_RESJ_ToolKit.pdf)
This session is designed to foster common knowledge of key terms and understanding of racial and ethnic disparities in Montgomery County. The session will enable participants to discuss why racial equity matters and to identify roadblocks for advancing racial equity and social justice in the County.

Recommended Date: TBD, One Session

- B. Study Circles on Racial Equity and Social Justice** modeled after MCPS' Study Circles
These sessions are designed to foster safe and productive dialogues necessary for advancing racial equity in government decision-making. These sessions are intended to help build a foundation of empathy and connection necessary for more challenging conversations on issues that can divide stakeholders. These sessions will help participants identify and categorize barriers that foster racial and ethnic disparities. The format and flow will follow MCPS Study Circles' format.

Recommended Dates: TBD, Four Sessions

- C. Washington Regional Association of Grant Makers Putting Racism on the Table and Expanding the Table Series** (<https://www.puttingracismonthetable.org/>)
These video sessions led by leading subject matter experts are designed to improve participants' understandings of institutional racism and their impacts on organizations, communities, and individuals both historically and currently. These sessions are designed to spur collective action among organizations, including philanthropy and local governments. Topics covered include structural racism, white privilege, implicit bias, the role of government, and building a multi-ethnic movement. A guide and questions for group dialogue accompany each video.

Recommended Dates: TBD, Five Sessions

- D. Using Racial Equity Impact Assessments to Develop and Assess Legislation** (https://www.racialequityalliance.org/wp-content/uploads/2015/10/GARE-Racial_Equity_Toolkit.pdf)
This set of sessions are designed to improve participants' understanding of the GARE Racial Equity Tool, its ideal use in developing local legislation, and how OLO will utilize the tool to complete Racial Equity Impact Assessments for proposed legislation as required by the County's RESJ law. Participants will understand the different components of the tool and expectations for partnering with OLO to complete racial equity impact assessments (e.g. assist with data and community engagement). Slides and materials from GARE will be used for these sessions

Recommended Dates: TBD, Two-Three Sessions



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

Andrew Kleine
Chief Administrative Officer

MEMORANDUM

June 10, 2020

To: Nancy Navarro, Chairwoman of Government Operations Committee

From: Tiffany Ward, Director
Office of Racial Equity and Social Justice

Cc: Bob Drummer, Senior Legislative Attorney
Dr. Elaine Bonner-Tompkins, Senior Legislative Analyst, OLO

Re: Status of the implementation of the Racial Equity and Social Justice Law

In December 2019 Montgomery County passed the Racial Equity and Social Justice law. This law calls for the county to:

- Appoint and confirm a 15-member Racial Equity and Social Justice Advisory Committee
- Adopt a Racial Equity and Social Justice action plan by Method 2 regulation
- Requires that the every department provide a point person to work with the Racial Equity and Social Justice(RESJ) department
- Requires that every department establish a racial equity action plan
- Requires that County Employees be trained in Racial Equity and Social Justice

Status of the work of the Office of Racial Equity and Social Justice:

I was confirmed as Chief equity Office on February 25th 2020. At the writing of this memo the Office of Racial Equity and Social Justice (RESJ) is finishing interviews for the 8 community member positions of the Racial Equity and Social Justice committee. The County Executive's recommendations for appointment will be sent over to council imminently.

The seven employee members from the Department of Park and Planning, Office of Human Rights, Department of Corrections and Rehabilitation, Department Health and Human Services, Montgomery County Public Schools, Montgomery County Police Department and the Legislative Branch will also be submitted.

County Department Directors will be provided “position descriptions” for equity leads and asked to nominate a department lead by August 1, 2020. Racial Equity leads will be the first in their departments to receive training on the central tenets of racial equity. They will play an integral role in creating a core group of employees within their departments who will begin to normalize conversations around race, identify policies, practices and procedures for their impact on racial disparities and work with the RESJ department to create Racial Equity Action Plans.

Below is a timeline for Equity Lead training:

- September 2020- Launch
 - Participants gain an understanding of historical context and its relationship to current circumstances
 - Develop shared racial equity analysis including use language and terminology
 - Gain an understanding of the role of government in relation to racial equity
- October 2020
 - Gain understanding of structural racism
 - Strategize about how government can advance racial equity
- November 2020
 - Further analysis of structural racism
 - Overview and Framework to bring an equity lens to any issue area
- December 2020
 - Develop understanding of results-based accountability
 - Increase understanding of organizational change theory
- January 2021
 - Develop understanding of root cause analysis
 - Identify potential pilot project
- February 2021
 - Using a racial equity tool
 - Building organizational infrastructure to support racial equity
 - Start developing a racial equity action plan

- March 2021
 - Develop strategies to more effectively center and engage community
 - Further skills on racial equity action plan development
- April 2021
 - Learn facilitation skills that support organizational change
 - Develop skills that take conversations about race to a deeper level
 - Department equity leads will receive technical support from the Department of Racial Equity and Social Justice between training sessions.

The Office of Racial Equity and Social Justice is developing the method 2 regulations and would like to include the Racial Equity and Social Justice committee in this process. We anticipate that this process will be completed by early August 2020.

The Office of Racial Equity and Social Justice is in the process of hiring a Program Manager.

In addition to the actions needed to implement the law, the Office of Racial Equity and Social Justice has taken steps to further seed Racial Equity in the culture of Montgomery County including by organizing or participating in panel discussions on Covid-19 and its impact on the African American community, a Community discussion on Policing, a townhall on Racism as a public and mental health crisis, and by contributing to written communications sent to employees and residents.

Office of Racial Equity and Social Justice during Covid-19 response and recovery:

During the Covid-19 emergency the Office of Racial Equity and Social Justice has worked with the Department Health and Human Services and the Department of Housing and Community Affairs to insert a racial equity lens into the communications, strategy and allocation of the Food Security taskforce funds, Emergency Assistance Relief funds Program (EARP) and the Covid-19 rental relief funds.

The Office of Racial Equity and Social Justice continues to oversee the COG/GARE cohort and to work with the Department of Environmental Protection on creating a racial equity action plan for the Climate Action and Resiliency Plan (CARP).

Lastly, during the Covid-19 recovery process the Office Racial Equity and Social Justice has developed a racial equity tool and will give compressed trainings to all recovery team leads on the proper use of this tool.