

MEMORANDUM

April 18, 2022

TO: Health and Human Services (HHS) Committee

FROM: Naeem M. Mia, Legislative Analyst

SUBJECT: **FY23 Recommended Operating Budget – Office of Human Rights**

PURPOSE: Vote on recommendations for the Council’s consideration

Expected Attendees:

- James Stowe, Director, Office of Human Rights
- Jane Mukira, Fiscal and Policy Analyst, Office of Management and Budget (OMB)

A. Staff Recommendations

- 1) Approve the Executive’s Recommended FY23 Operating Budget request for the Office of Human Rights; and
- 2) Due to fiscal uncertainty, defer the consideration to January 2023 of one-time operating expenses totaling \$56,000 to support the FY23 activities of the Montgomery County Commission on Remembrance and Reconciliation (MCCRR).

B. Fiscal Summary

Office of Human Rights	FY22 Approved	FY23 CE Recommended	Change from FY22 Approved
General Fund	\$1,772,307	\$1,635,906	-7.7 %
Personnel Costs	\$1,467,294 11.60 FTEs	\$1,467,420 11.60 FTEs	0.9% 0.0 FTEs
Operating Costs	\$305,013	\$168,486	-44.8%
Total Expenditures (All Funds)	\$1,772,307 11.60 FTEs	\$1,635,906 11.60 FTEs	-7.7% 0.0%

Major Cost Changes (with service impact):

- Increase Funding for Funding for Partnership Fund (+ \$25,000)

- Began in 1987, the Partnership Fund provides partial compensation for property damage to victims of racial, ethnic, religion, sexual orientation and disability-based hate/violence. Acts of prejudice and hate are traumatic for both the targeted individuals and the community as a whole.

Major Cost Changes (with no service impact):

- Annualization of FY22 Lapsed Positions (+ \$50,207)
- Annualization of FY22 Compensation Adjustments (+ \$20,845)
- FY23 Compensation Adjustments (+ \$16,330)
- Elimination of One-Time Items Approved in FY22
 - Biennial Hall of Fame Event (- \$2,500)
 - Outreach Campaign for Ban the Box/ Housing Justice Act (- \$154,000)

C. Request for Operating Expenses from MCCRR

The Montgomery County Commission on Remembrance and Reconciliation (MCCRR) has requested \$56,000 of one-time funding in FY23 to fund various activities in furtherance of its mission (the MCCRR is coordinated through the Office of Human Rights). The budget request is as follows (the request letter is on circle 7):

Activity	Estimated Budget
Montgomery to Montgomery, AL Travel, Planning and Programming with Equal Justice Initiative (EJI)	\$ 10,000
Two half-day program seminars with honorarium speakers	\$ 5,000
Soil ceremony & community recognition events (Rockville/Poolesville)	\$ 7,500
Three-month consultant to support Montgomery History (oral history and public witnessing effort)	\$ 16,000
Remembrance Marker Installation Events	\$ 5,000
Printed Materials, Marketing and Advertising	\$ 10,000
"Remembrance & Reconciliation" Month Partnership Funds	\$ 2,500
Total:	\$ 56,000

The Commission is composed of 19 members. Out of 19 members, 10 are appointed from the public and have voting rights while 9 non-voting members represent the following agencies of Rockville City and Montgomery County government and community partners: Montgomery County Human Rights Commission; Rockville Human Rights Commission; Lincoln Park Historical Foundation; Maryland-National Capital Park and Planning Commission; Maryland Lynching Memorial Project; Arts and Humanities Council of Montgomery County; Montgomery College; Montgomery County Public Schools; and Montgomery County Historical Society.

Staff recommendation: Defer consideration of additional resources until January 2023.

This packet contains:

1. Department Page from FY23 Recommended Operating Budget Book
2. FY23 Operating Budget Request from Montgomery County
Commission on Remembrance and Reconciliation (MCCRR)

Circle Page #

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Human Rights

RECOMMENDED FY23 BUDGET

\$1,635,906

FULL TIME EQUIVALENTS

11.60

 JAMES STOWE, DIRECTOR

MISSION STATEMENT

The mission of the Office of Human Rights is to enforce the County's worker protection laws and anti-discrimination laws in housing, commercial real estate, employment, public accommodations, and intimidation; the Office also promotes the increased understanding and tolerance among diverse groups.

BUDGET OVERVIEW




The total recommended FY23 Operating Budget for the Office of Human Rights is \$1,635,906, a decrease of \$136,401 or 7.70 percent from the FY22 Approved Budget of \$1,772,307. Personnel Costs comprise 89.70 percent of the budget for 11 full-time position(s) and no part-time position(s), and a total of 11.60 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 10.30 percent of the FY23 budget.

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following are emphasized:

-  **Effective, Sustainable Government**
-  **Thriving Youth and Families**

INITIATIVES

-  Add \$25,000 to the Partnership Fund in the FY23 Recommended budget to provide partial compensation for property damage to victims of racial, ethnic, religion, sexual orientation and disability based hate/violence. The Partnership Fund's goals are to demonstrate community support for the victims and ease the financial consequences of such violence.
-  Held the Fair Employment Summit in partnership with United State Equal Employment Opportunity Commission and County Aging Advocates for County private and public employers with a focus on Age Discrimination, local laws and State and Federal employment case law and understanding the new workplace in a COVID-19 environment
-  Planned and coordinated the Eighth Annual Friendship Unity Picnic with the Committee on Hate Violence, advocating for community unity across racial, religious, and cultural lines; building awareness of the Partnership Fund, which supports victims of hate violence incidents. This event was important as the Office continued to see an increase of reported incidents of hate and acts of violence.

- ★ Completion of a Credit Reinvestment Analysis (CRA) of county banks and lending institutions with a focus on encouraging investments in housing, economic development, and bank literacy in racial minority communities.
- ★ Planned and coordinated First Official Juneteenth Holiday County Celebration focus on acknowledging the end of slavery in the confederate states and ultimate abolition of slavery throughout the United States.
- ★ Held a Fair Housing Summit for housing providers, realtors, rental agents, and real estate professionals with a focus on local, State, and Federal fair housing laws and the historic discriminatory practices by government policies and practices that influence discriminatory behavior today.

PROGRAM CONTACTS

Contact James Stowe of the Office of Human Rights at 240.777.8490 or Jane Mukira of the Office of Management and Budget at 240.777.2754 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY22 estimates reflect funding based on the FY22 Approved Budget. The FY23 and FY24 figures are performance targets based on the FY23 Recommended Budget and funding for comparable service levels in FY24.

PROGRAM DESCRIPTIONS

☀ Administration

This program provides overall direction of the office, administration of the budget, personnel, procurement, automation, and support services. Also provided in this program is funding for human relations awards and programs.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	488,226	1.00
Enhance: Funding for Partnership Fund	25,000	0.00
Decrease Cost: Biennial Hall of Fame Event	(2,500)	0.00
Decrease Cost: Education & Outreach Campaign (Bills 35-20 and 49-20)	(154,000)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(48,904)	0.00
FY23 Recommended	307,822	1.00

☀ Community Mediation and Public Affairs

This program supports and promotes the Human Rights Commission and Committee Against Hate Violence, Interagency Fair Housing Coordinating Group, and the Commission on Reconciliation and Remembrance in their outreach and education efforts; participates in or in partnership with other local, State, and Federal offices; and conducts various forums to promote increased understanding and tolerance among diverse groups.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
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Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Number of Human Rights Commission meetings facilitated	10	10	11	11	11
Overall satisfaction of Commissioners with the HRC's advocacy for human and civil rights issues (scale of 1-5)	4.9	4.9	4.9	4.9	4.9

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	48,440	0.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	1,821	0.00
FY23 Recommended	50,261	0.50

☀ Compliance

This program investigates and resolves formal complaints of worker protection violations and discrimination in employment, housing, commercial and residential real estate transactions, public accommodations, and intimidations through a formal complaint process or mediation.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Number of human rights compliance cases processed	201	179	179	185	190
Percent of cases that have completed their investigation within 15 months ¹	97%	N/A	75%	80%	90%
Percent of cases that have a Letter of Determination issued within 30 days of completed investigation by investigator	99.7%	95.0%	99.0%	99.0%	99.0%
Percent of cases in backlog status (cases not closed within 15 months)	3%	10%	8%	5%	5%
Percent of referred cases that are mediated successfully ²	75%	N/A	50%	60%	60%

¹ HRC did not measure or track this in FY21 due to COVID-19 and the loss of three Compliance Team members to retirement.

² There were no cases scheduled in FY21 due to COVID-19.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	1,040,542	8.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	35,008	0.00
FY23 Recommended	1,075,550	8.00

☀ Fair Housing

This program monitors the County's Fair Housing Ordinance through the Interagency Fair Housing Work Group in order to coordinate the activity of County departments, offices, and agencies to prevent housing discrimination; and to perform testing of housing providers. The Office investigates and seeks to resolve housing discrimination complaints.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Number of fair housing workshops and public education programs hosted	1	1	1	2	2
Number of fair housing education ads on Ride On Buses	N/A	50	50	75	75
Number of human rights and fair housing program ads played in movie theater previews	N/A	269,553	269,553	269,553	269,553

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	195,099	2.10

FY23 Recommended Changes	Expenditures	FTEs
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	7,174	0.00
FY23 Recommended	202,273	2.10

BUDGET SUMMARY

	Actual FY21	Budget FY22	Estimate FY22	Recommended FY23	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	855,626	1,164,726	883,249	1,162,017	-0.2 %
Employee Benefits	226,148	302,568	229,050	305,403	0.9 %
County General Fund Personnel Costs	1,081,774	1,467,294	1,112,299	1,467,420	—
Operating Expenses	137,904	305,013	313,474	168,486	-44.8 %
County General Fund Expenditures	1,219,678	1,772,307	1,425,773	1,635,906	-7.7 %
PERSONNEL					
Full-Time	9	11	11	11	—
Part-Time	0	0	0	0	—
FTEs	9.60	11.60	11.60	11.60	—
REVENUES					
EEOC Reimbursement	0	59,200	59,200	32,000	-46.0 %
County General Fund Revenues	0	59,200	59,200	32,000	-45.9 %

FY23 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY22 ORIGINAL APPROPRIATION	1,772,307	11.60
<u>Changes (with service impacts)</u>		
Enhance: Funding for Partnership Fund [Administration]	25,000	0.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Annualization of FY22 Lapsed Positions	50,207	0.00
Increase Cost: Annualization of FY22 Compensation Increases	20,845	0.00
Increase Cost: FY23 Compensation Adjustment	16,330	0.00
Increase Cost: Retirement Adjustment	2,880	0.00
Increase Cost: Motor Pool Adjustment	1,487	0.00
Increase Cost: Printing and Mail Adjustment	1,486	0.00
Decrease Cost: Biennial Hall of Fame Event [Administration]	(2,500)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY22	(8,000)	0.00
Decrease Cost: Annualization of FY22 Personnel Costs	(90,136)	0.00
Decrease Cost: Education & Outreach Campaign {Bills 35-20 and 49-20} [Administration]	(154,000)	0.00

FY23 RECOMMENDED CHANGES

	Expenditures	FTEs
FY23 RECOMMENDED	1,635,906	11.60

PROGRAM SUMMARY

Program Name	FY22 APPR Expenditures	FY22 APPR FTEs	FY23 REC Expenditures	FY23 REC FTEs
Administration	488,226	1.00	307,822	1.00
Community Mediation and Public Affairs	48,440	0.50	50,261	0.50
Compliance	1,040,542	8.00	1,075,550	8.00
Fair Housing	195,099	2.10	202,273	2.10
Total	1,772,307	11.60	1,635,906	11.60

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY23	FY24	FY25	FY26	FY27	FY28
COUNTY GENERAL FUND						
EXPENDITURES						
FY23 Recommended	1,636	1,636	1,636	1,636	1,636	1,636
No inflation or compensation change is included in outyear projections.						
Biennial Hall of Fame Event	0	3	0	3	0	0
This Biennial event recognizes Montgomery County residents who have made personal sacrifices that positively impacted County human rights issues.						
Labor Contracts	0	50	50	50	50	50
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	1,636	1,689	1,686	1,689	1,686	1,686

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FY23 Operating Budget Request

Summary:

The Montgomery County Commission Remembrance and Reconciliation (“Commission”), created by the Montgomery County Council in 2019, seeks a budget request of \$56,000 to best accomplish its critical objectives of bringing the County together to promote a better understanding of Montgomery County’s history with racial terror and to engage in the necessary memorialization work to lay the foundation for reconciliation. Three men were lynched in Montgomery County between 1880 and 1896: Mr. George Peck, Mr. John Diggs-Dorsey, and Mr. Sidney Randolph. Lynchings were a tool of terror used to control and subjugate Black members of the community. This history is not well-known. Some do not believe that it could have happened here. But it did happen here. That is why the Commission’s work is so important. Because we know that the path to reconciliation is long and winding but it must always start with truth.

Budget Background:

The Commission, supported by the Office of Human Rights, is comprised of community leaders charged with working with Bryan Stevenson’s Equal Justice Initiative (EJI), the Montgomery County Memorial Lynching Project and other community stakeholders to help the County claim and install the County’s monument commemorating the three locations in the County where lynchings have been documented. In addition, the Commission will create and install historical markers for each of the three locations of known lynching, collect and display soil from each of the three locations and design programs to advance the dialogue that the monument, historical markers, and soil collections should foster.

In 2021, the Commission hosted a range of community activities, including the inaugural recognition of November as Remembrance and Reconciliation Month. The FY23 requested funds will enhance the Commission’s ability to further accomplish our mission of conducting historical research, capturing precise oral histories, traveling to and engaging with our colleagues at the Equal Justice Institute, hosting community seminars, collaborating with community partners, enhancing Remembrance and Reconciliation Month, and delivering the memorials and markers to commemorate three lives cut short.



Members of the MCCRR at Rockville Soil Ceremony in 2021

The Commission is dedicated to fulfilling its mission to engage and enhance the historical understanding of all of Montgomery County. For more information about Commission activities please contact Jason Green, Chair of the Commission, at 240-498-4492 or jgreen@skillsmart.us and please visit the Commission’s website: <https://www.montgomerycountymd.gov/humanrights/Remembrance.html>