



## OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE


Marc Elrich  
County Executive

Tiffany Ward  
Director and Chief Equity Officer

### MEMORANDUM

November 14, 2022

To: Jennifer Bryant, Director  
Office of Management and Budget

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

Re: Racial Equity Impact Assessment for Supplemental Appropriation #23-21 Sewer Project at Montgomery County Correctional Facility (MCCF)

- I. **FINDING:** The Office of Racial Equity and Social Justice (ORESJ) finds that Supplemental Appropriation #23-21 *Sewer Project at Montgomery County Correctional Facility (MCCF)* may help advance racial equity and social justice in the County, though the benefit is modest in scope. The proposed sewer project will address Sanitary Sewer Overflow (SSO) at Montgomery County Correctional Facility (MCCF), which houses a disproportionately Black population compared to County overall. Addressing issues in the sewer system could improve livability at MCCF, which is a strength, but the project is unlikely to substantively alter an incarcerated person's experience with the criminal legal system. For these reasons, ORESJ concludes that the projects' ability to advance racial equity and social justice in the County is modest.
- II. **BACKGROUND:** The purpose of Supplemental Appropriation #23-21 Sewer Project at Montgomery County Correctional Facility (MCCF) is to create a new CIP project for the design and implementation of a system to prevent excessive trash from entering the sanitary sewer system from MCCF to the wastewater system and to reduce sanitary sewer overflow at the Whelan Lane pump station.

There is a long history of racial disparities and disproportionalities across the criminal legal system—in policing; case processing and incarceration; parole and community

supervision; and algorithms, assessments, and technology<sup>1</sup>. ORESJ has written about some of these issues in its REIA of Supplemental Appropriation # 22-25 NCR-LInX. In addition, ORESJ offers the following research on prison conditions and their role in exacerbating the harms of over-incarceration of Black and Latino people in the US:

- Equal Justice Initiative. “Prison Conditions”. Available at: <https://eji.org/issues/prison-conditions/>
- Brennan Center for Justice. Shon Hopwood. “How Atrocious Prisons Conditions Make Us All Less Safe”. Available at: <https://www.brennancenter.org/our-work/analysis-opinion/how-atrocious-prisons-conditions-make-us-all-less-safe>
- Vera Institute. “Living Conditions in Prison”. Available at: <https://www.vera.org/dignity-behind-bars/living-conditions-in-prison>

While a full analysis of the County’s criminal legal systems’ policies and practices is beyond the scope of this assessment, available data confirms the overrepresentation of Black people in the population of those housed at MCCF. Based on data from the site “Prison Roster”<sup>2</sup>, the facility’s population consists of 1,176 individuals—35 are female and 1,141 are male. Of the 1,176 residents, 34% are White, 62% are Black, and 4% are other. Of note is an absence of data about Latino people, which may be the result of this data source’s methodology.

At the time of this analysis, ORESJ did not have access to specific circumstances leading to this proposal, such as how incarcerated people and residents in the surrounding area have been affected. So, it’s unclear to what extent residents of MCCF may have been directly impacted by SSO.

Presuming this new system improves the facilities and livability of MCCF, this supplemental appropriation could help improve the experiences of those who are incarcerated—at MCCF the incarcerated population is disproportionately Black compared to the overall population. It’s unclear, however, how such changes would substantively alter an incarcerated person’s interactions with the criminal legal system (before incarceration or after community reentry).

cc: Angela Talley, Director, Department of Corrections and Rehabilitation  
Ken Hartman, Director, Strategic Partnerships, Office of the County Executive

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<sup>1</sup> <https://www.urban.org/sites/default/files/publication/104687/racial-and-ethnic-disparities-throughout-the-criminal-legal-system.pdf>

<sup>2</sup> <https://prisonroster.com/prisons/maryland/county-jail/montgomery-county-correctional-facility/>