



## OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE


Marc Elrich  
County Executive

Tiffany Ward  
Director and Chief Equity Officer

### MEMORANDUM

February 6, 2023

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 (REIA) Supplemental Appropriation (SA) #23-69—Amendment to the FY23-28 Capital Improvements Program for the construction of a new 6<sup>th</sup> District Police Station

- I. **FINDING:** The Office of Racial Equity and Social Justice (ORESJ) finds that Supplemental #23-69—Amendment to the FY23-28 Capital Improvements Program for the construction of a new 6<sup>th</sup> District Police Station—is unlikely to reduce racial disparities and inequities related to public-police interactions in the County. While a more modernized 6<sup>th</sup> District Police Station may play a role in protecting the dignity and safety of those in police custody, it is ultimately the policies, practices, procedures, and culture of the police department that will impact individuals' experiences.
- II. **BACKGROUND:** The purpose of Supplemental Appropriation #23-69—Amendment to the FY23-28 Capital Improvements Program for the—is to fund the construction of a new 6<sup>th</sup> District Police Station serving areas in and around Gaithersburg/Montgomery Village. Additional funding is requested in response to inflation, supply chain challenges, and equipment cost increases.

There are several methods<sup>1</sup> for assessing the extent to which Capital Improvements Programs (CIP) advance racial equity and social justice. In Montgomery County, the Office of Racial Equity and Social Justice (ORES) developed a CIP Budget Equity Tool (BET) and Guidance Manual to help stakeholders incorporate a racial equity lens into

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<sup>1</sup> See Examples section.

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project development and resource decisions. Best practices for using a racial equity tool, such as the CIP BET, suggest that the tool should be used early and often in project development and involve a diverse set of project stakeholders, including community members.

The first project appropriation for the 6<sup>th</sup> District Police Station was in FY06, long before the passage of the RESJ Act. In addition, this supplemental appropriation request does not propose substantive changes to the project; currently, it is in the final design stage with construction set to begin in FY23 and conclude in FY25. Taken together, it is unlikely a racial equity lens was used in assessing project need or impact (as required by the RESJ Act); and because this supplemental appropriation is focused on the funding of an existing project there are—in this context—limited opportunities to identify project changes that may support the reduction of racial disparities and inequities. Within the scope of this REIA, opportunities for using the CIP BET to assess and address concerns related to the project’s racial equity impacts are limited, particularly given that some of the most significant impacts of this project are related to the operations of the Central Traffic Unit and other satellite facilities’ functions coordinated through the command center. However, using ORESJ’s CIP BET as a framework, we offer several observations for consideration:

**What racial disparities or inequities in Montgomery County does this project seek to reduce or eliminate?**

This project does not target a specific racial disparity or inequity in the County, instead, it funds the planning, design, and construction of a new 6<sup>th</sup> District Police Station to house 178 department staff, including the Central Traffic Unit established in July 2021, along with the command center for satellite facilities within the district. The 6<sup>th</sup> District Police Station will serve areas in and around Gaithersburg and Montgomery Village. A full analysis of police-involved incidents in the 6<sup>th</sup> district is beyond the scope of this REIA<sup>2</sup>, but such an analysis (in all districts) would be useful in determining how the distribution of public safety facilities relates to any racial inequities or disproportionalities in public-police interactions.

The MCPD’s mission statement<sup>3</sup> articulates its commitment to working in partnership with the community and protecting the rights of all citizens, however, there is evidence<sup>4</sup> and

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<sup>2</sup> For additional background see ORESJ REIA of Supplemental Appropriation #22-25 National Capital Area Law Enforcement Information Exchange Program (NCR-LInX)

<https://www.montgomerycountymd.gov/ore/Resources/Files/22-25.pdf>

<sup>3</sup> <https://www.montgomerycountymd.gov/pol/about.html>

<sup>4</sup> Lynne Peeples. nature. “What the data say about police brutality and racial bias—and which reforms might work”. June 19, 2020 (updated May 26, 2021). Available at: <https://www.nature.com/articles/d41586-020-01846-z>

history<sup>5</sup> in the US and the County that suggests not all residents experience or equitably benefit from police and policing. For example, In the County, Black residents make up 18% of the population, but represent 32% of MCPD traffic stops in 2018; 44% of MCPD arrests in 2017; and 55% of MCPD use of force cases compared in 2018<sup>6</sup>. This means that while the 6<sup>th</sup> District Police Station modernizes a key public safety facility, including the addition of a community-meeting room, it does not address inequitable policing policies or practices nor address how communities will engage with and/or feel welcome in the new space.

**How does this project address the racial disparities and inequities you described?**

The project will modernize the 6<sup>th</sup> District Police Station, which will help ensure the safety and full functionality of the building, for officers and the public. It's difficult to assess exactly how reinforced interrogation rooms, a designated sally port, and community-meeting space will impact the experiences of individuals in police custody or members of the public visiting the station. A modernized space may play a role in protecting the dignity and safety of those in police custody, but it is ultimately the policies, practices, procedures, and culture of the police department that will impact individuals' experiences.

**Does this project (including its development, construction, or implementation) have the potential to create any unintended consequences?**

The construction of the 6<sup>th</sup> District Police station will create a more modern space, which supports police operations carried out in the 6<sup>th</sup> district. During construction, steps should be taken to avoid hazards and disruptions in and around the building. While many of these mitigation practices are standardized through Occupational Safety and Health Administration (OSHA) and other regulatory bodies, ensuring that all on and around the property can equitably access information is critical to ensuring equitable treatment and safety throughout the project. This means ensuring signage is accessible for non-native English speakers and that walking paths around the building are kept clear of obstacles that may impede people with disabilities.

In addition, steps should be taken to formulate a community engagement or outreach plan to inform the public about the new station and hear feedback and address questions and concerns from 6<sup>th</sup> district residents.

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<sup>5</sup> Ashley Nellis, Ph. D. The Sentencing Project. The Color of Justice: Racial and Ethnic Disparity in State Prisons. October 13, 2021. Available at: <https://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>

<sup>6</sup> <https://www.montgomerycountymd.gov/OLO/Resources/Files/2020%20Reports/OLOREport2020-9.pdf>

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Examples of CIP Analysis with a Racial Equity Lens

As referenced in the Background section, there are several ways of advancing racial equity and social justice in the prioritization, selection, maintenance, and allocation of resources in Capital Improvements Programs. In our research, these two methodologies stand out as models for the County to consider in the development and maintenance of its own CIP.

- The Baltimore, Maryland Department of Planning established a methodology<sup>7</sup> for assessing the influence of various kinds of CIP investments in neighborhoods and tracking investments across different measures of equity over time. In June 2022, the department produced an update on its FY23 CIP. The report, including technical notes, is available here:  
<https://planning.baltimorecity.gov/sites/default/files/FY23%20CIP%20Equity%20Analysis%20Annual%20Update.pdf>.
- The Minneapolis Parks and Recreation Board developed a criteria-based system to guide the rehabilitation and capital improvement program of neighborhood parks. The approach incorporates community characteristics and park characteristics to determine the prioritization and selection of CIP projects. An overview of the approach is available here: [https://www.minneapolisparcs.org/asset/zvw35c/Equity-Based-Criteria-for-Neighborhood-CIP\\_050416-highlight.pdf](https://www.minneapolisparcs.org/asset/zvw35c/Equity-Based-Criteria-for-Neighborhood-CIP_050416-highlight.pdf)

cc: Marcus Jones, Chief, Montgomery County Police Department  
Ken Hartman, Director, Strategic Partnerships, Office of the County Executive

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<sup>7</sup> The Montgomery County, MD Office of Legislative Oversight also referenced the strength of this methodology in the Racial Equity and Social Justice Impact Statement of Expedited Bill 19-22 Bond Authorization:

<https://montgomerycountymd.gov/OLO/Resources/Files/resjis/2022/BillE19-22.pdf>