

Department of Legislative Services
 Maryland General Assembly
 2021 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 953 (Delegate Washington)
 Judiciary

Law Enforcement – Racial Equity Audits and Coordinators

This bill requires the chief of each law enforcement agency with a budget of or exceeding \$50.0 million to (1) conduct an annual racial equity audit related to practices on hiring, discipline, and use of force within the department and (2) hire a racial equity coordinator to promote equity in hiring, discipline, and use of force practices within the department.

Fiscal Summary

State Effect: State expenditures (a combination of general funds and nonbudgeted funds, as shown below) increase by \$193,000 in FY 2022, which only reflects costs for specified State agencies with law enforcement units, as discussed below. Future year expenditures reflect annualization and ongoing costs. Revenues are not affected.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	128,700	150,800	155,300	160,900	166,700
NonBud Exp.	64,300	75,400	77,700	80,500	83,300
Net Effect	(\$193,000)	(\$226,200)	(\$233,000)	(\$241,400)	(\$250,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local expenditures increase for some local law enforcement agencies to hire a racial equity coordinator and conduct the required audit. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: There are no statutory provisions governing the use of a racial equity coordinator or requiring a law enforcement agency in the State to conduct a racial equity audit.

Chapter 417 of 2018 required the Institute for Urban Research at Morgan State University to convene a task force to explore issues of reconciliation, inclusionary justice, and racial equity. The purpose of the task force is to foster reconciliation and inclusionary justice and work toward achieving racial equity by (1) increasing awareness through public discussions about the nature, extent, causes, and consequences of racial inequities; (2) involving individuals and public and private entities, including African American and other minority groups, in every sector throughout the State in a collective process; (3) fostering racial equity through recognition, understanding, adjustment, compromise, and repair; and (4) recommending strategies, changes, and actions in institutions, policies, and laws to eliminate systemic racism and promote equity, access, and opportunity that can lead to healing and foster reconciliation. Chapter 453 of 2019 extended the termination date of the task force from May 31, 2020, to May 31, 2021. The final report of the task force can be found [here](#).

State Expenditures: State expenditures (a combination of general fund expenditures and nonbudgeted expenditures) increase by \$192,987 in fiscal 2022 for specified State law enforcement agencies to conduct an annual racial equity audit and hire a racial equity coordinator. The expenditures listed below are for the Department of State Police (DSP), the Department of Natural Resources (DNR), and the Maryland Transportation Authority (MDTA). Additional expenditures, not reflected in this analysis, may be incurred by other State agencies with law enforcement units to the extent they have budgets of at least \$50.0 million and, therefore, must meet the bill's requirements.

Department of State Police

General fund expenditures for DSP increase by \$64,329 in fiscal 2022, which accounts for the bill's October 1, 2021 effective date. This estimate reflects the cost of hiring one racial equity coordinator to promote equity in hiring, discipline, and use of force practices within the department. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$58,748
Operating Expenses	<u>5,581</u>
Total FY 2022 DSP Expenditures	\$64,329

Future year expenditures reflect a full salary with annual increases and employee turnover and ongoing operating expenses.

Department of Natural Resources

General fund expenditures (or possibly a combination of general fund and special fund expenditures) for DNR increase by \$64,329 in fiscal 2022, which accounts for the bill's October 1, 2021 effective date. This estimate reflects the cost of hiring one racial equity coordinator to promote equity in hiring, discipline, and use of force practices within the Natural Resources Police. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$58,748
Operating Expenses	<u>5,581</u>
Total FY 2022 DNR Expenditures	\$64,329

Future year expenditures reflect a full salary with annual increases and employee turnover and ongoing operating expenses.

Maryland Transportation Authority

Nonbudgeted expenditures for MDTA increase by \$64,329 in fiscal 2022, which accounts for the bill's October 1, 2021 effective date. This estimate reflects the cost of hiring one racial equity coordinator to promote equity in hiring, discipline, and use of force practices within the department. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$58,748
Operating Expenses	<u>5,581</u>
Total FY 2022 MDTA Expenditures	\$64,329

Future year expenditures reflect a full salary with annual increases and employee turnover and ongoing operating expenses.

Local Expenditures: Local expenditures increase for local law enforcement agencies with budgets of or exceeding \$50.0 million to conduct an annual racial equity audit and to hire a racial equity coordinator. For example, Harford County advises that hiring a racial equity coordinator increases expenditures between \$86,000 and \$93,000 in fiscal 2022, with ongoing costs in future years. Although the budgets of the various local law enforcement agencies are unknown, the bill likely applies to the larger jurisdictions.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Harford, Montgomery, and Prince George's counties; cities of Bowie and College Park; Morgan State University; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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