



PLANNING COMMISSION /DEPARTMENT OF PLANNING – CAPITAL BUDGET PROCESSES

Biennial Performance Audit
for Fiscal Years Ended June
30, 2021 and 2020
City Auditor, Josh Pasch
December 20, 2022



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Office of the Comptroller

Josh Pasch, City Auditor

100 N. Holliday St., Room 321
Baltimore, Maryland 21202

Honorable Bill Henry, Comptroller
and Other Members
of the Board of Estimates
City of Baltimore

Executive Summary

We conducted a *Biennial Performance Audit of the Planning Commission and Department of Planning for the Fiscal Years Ended June 30, 2021, and June 30, 2020*. The objective of our performance audit was to evaluate the Planning Commission's (PC) and Department of Planning's (DOP) capital budgeting processes to determine how the City of Baltimore (City) prioritizes capital projects and whether funds are distributed equitably.

To prepare a six-year Capital Improvement Program (CIP) budget, City agencies submit their budget proposals through DOP to PC annually as required by the City Charter. Additionally, Baltimore City Code, Article 1, Subtitle 39, Equity Assessment Program, effective December 6, 2019, was established to provide regulatory guidance over the equitable distribution of capital project funding to close gaps resulting from underfunding of historically redlined / underserved communities. Our audit concludes that the City's processes used to plan, process, review and report the allocation of the capital budget based on equity requires significant improvement. Specifically, (1) criterion used to evaluate capital improvement projects based upon equity excludes weighting of criteria components and therefore is incomplete; (2) 40 percent of the CIP budget is not reported for equity purposes; therefore, the equity reporting process is incomplete; nor was a process established to validate whether actual project services are performed within the budgeted Community Statistical Area (CSA) / neighborhood; (3) the engagement of City residents in the CIP budget process is decentralized, limited, and inconsistently applied throughout the City; and (4) a City-wide equity plan to focus limited resources on historically redlined / underserved communities and assess outcomes does not exist. As a result, current equity reporting is inaccurate and incomplete and excludes adequate input from City residents across the equity spectrum which may affect management's decision making for distribution of City's funds equitably. Additionally, without a Citywide equity plan, the City cannot effectively establish goals and measure the related outcomes.

To improve the processes and controls over the CIP budget and equity reporting, we recommend the Planning Commissioner, Director of DOP, and Director of Office of Equity and Civil Rights (ECR) implement the recommendations included in this report. Management's responses are included in Appendix I.

**Biennial Performance Audit Report on Planning Commission / Department of Planning –
Capital Budget Processes**

We wish to acknowledge PC, DOP and ECR cooperation extended to us during our audit.

Respectfully,

Josh Pasch

Josh Pasch, CPA
City Auditor
City of Baltimore, Maryland
December 20, 2022

Background Information

Capital Improvement Program

The PC recommends a new six-year CIP each year. Starting in late September, DOP works with participating City agencies (see agency listing below) to solicit project requests, prioritize projects for funding, and prepare the six-year plan. Once PC approves the six-year plan, it moves on to the Board of Finance (BOF) and then the Board of Estimates (BOE) for their approvals. Finally, the first year of the plan is adopted by the City Council as part of the Ordinance of Estimates and it formally becomes part of the next year's budget.

Specifically, during October of each year, DOP provides agencies with target ranges for each fund source and instructions for submitting CIP requests. Agencies are given target funding levels higher than what the City will be able to fund. This allows agencies to express additional capital needs and show what they would do if additional funds were to become available for capital projects. Each agency will submit a CIP budget for DOP review and approval during December of each year. The DOP will review the budget requests by March of each year and provide the agencies with a final CIP budget that reflects available funding.

During January of each year, the agencies will present their CIP budget to the planning commission for review and approval. This review process will be completed by March for BOF review and approval of the CIP budget. The CIP budget will be approved by the BOE during May of each year, followed by City Council adoption during June of each year to support the following fiscal year Capital Budget plan.

Participating Agencies

The eight agencies which participate in the process and prepare a six-year program each year are:

- Department of Transportation
- Department of Public Works
- Department of General Services
- Baltimore City Recreation and Parks
- Baltimore City Information Technology
- Department of Housing and Community Development
- Baltimore Development Corporation
- Baltimore City Public School System

Equity Assessment Program

In 2018, the Baltimore City Council passed the Equity Assessment Program ordinance 18-0223 effective December 06, 2019. The ordinance states that “For the purpose of providing for the implementation of an Equity Assessment Program for Baltimore City; requiring City agencies to assess existing and proposed policies and practices for disparate outcomes based on race, gender, sexual orientation, or income and to proactively develop policies, practices, and investments to prevent and redress those disparate outcomes; defining certain terms; requiring certain reports; and generally relating to the goal of eliminating structural and institutional racism and other forms of discrimination based on immutable characteristics”.

Objectives, Scope, and Methodology

We conducted our performance audit in accordance with *Generally Accepted Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. The objective of our audit was to evaluate the capital budgeting process to determine how the City prioritizes capital projects and whether capital improvement program funds are equitably distributed.

To accomplish our objective, we:

- Researched and reviewed: (1) Ordinance 18-0223, *Equity Assessment Program* and resulting Baltimore City Code, Article 1, Subtitle 39, Equity Assessment Program; and (2) equity processes, equity plans, and equity reports of other cities and counties;
- Interviewed key individuals from DOP, Department of Housing and Community Development (DHCD), Department of Public Work (DPW), and Department of Transportation (DOT) to obtain an understanding of the policies and procedures and systems that govern the CIP process; and
- Identified the related risks and evaluated the internal controls over the administration of CIP.

SECTION I: Current Findings and Recommendations

Finding I - The criterion used to evaluate capital improvement projects based upon equity requires improvement.

A formal City-wide process to evaluate capital budget submissions based on equity and other factors was not in place during FY 2021 and FY 2022. The PC and DOP developed the Evaluation Criteria and Scoring Guide on September 23, 2021. They tested equity-based criteria for CIP selection during FY 2022 and instituted the selection process during FY 2023. Although the Evaluation Criteria and Scoring Guide was implemented, it is not complete. Specifically, analysis of the Evaluation Criteria and Scoring Guide disclosed that the following criteria are considered in the: equity, health and safety, asset condition, environmental impact, return on investment / cost-benefit, and efficiency and effectiveness. Although the DOP's goal is to consider equity criteria as it relates to all criteria, components are not weighted to focus scoring on equity outcomes.

According to the Evaluation Criteria and Scoring Guide, "the goal is to consider equity as it relates to all criteria, but we will also consider it as a separate criterion for now as we move in that direction."

Recommendation I: We recommend the PC and Director of DOP revise the Evaluation Criteria and Scoring Guide to weight equity outcomes in scoring each criteria and facilitate continuity throughout the City.

Finding II - The process to Measure and Report the Distribution of Capital Projects Based on Equity is Incomplete.

The current equity reporting process does not adequately reflect the true picture of the distribution of the CIP budget across CSAs or City neighborhoods and the related disparities, if any. Specifically, 40 percent of the agency CIP budget submissions (e.g., agency selected CIP projects, non CIP projects and / or emergency use) and subsequent transfers between CSAs that occur after the Ordinance of Estimates are not captured and reported based upon equity and / or actual use.

Additionally, a monitoring process was not established to validate whether budgeted project services are performed within the designated CSA. Also, the current accounting system does not support reporting of capital projects expenditures by location. As a result, the reported budget amounts by CSA and the CSA that receives the actual service can differ and produce overstated / inaccurate equity results. This issue is heightened by the absence of location information in the chart of accounts which precludes determination of actual expenditures by CSA.

According to the *Standards for Internal Control in the Federal Government* issued by the Comptroller General of the United States (Green Book), "Management processes the obtained data into quality information that supports the internal control system. This involves processing data into information and then evaluating the processed information so that it is quality information. Quality information meets the identified information requirements when relevant data from reliable sources are used. Quality information is appropriate, current, complete, accurate, accessible, and provided on a timely basis. Management considers these characteristics as well as the information processing objectives in evaluating processed information and makes revisions when necessary, so that the information is quality information. Management uses the quality information to make informed decisions and evaluate the entity's performance in achieving key objectives and addressing risks."

Background Information for 60 percent of the CIP Budget

Current equity reporting is comprised of approximately 60 percent of the CIP budget submitted by agencies, through the Ordinance of Estimates period. These projects include the CSA or City neighborhood location where services will be provided and are used in the calculation of equity distribution.

Source: DOP

Recommendation II: We recommend the PC / Director of DOP:

- Establish a process to require agencies to submit an equity analysis for all capital projects that excluded a CSA through the Ordinance of Estimates and indicate the actual capital funding use (e.g. Agency selected equity projects, projects not based on equity and emergency projects);
- Capture and report the results including transfers submitted by the agencies; and
- Work with the Department of Finance (DOF) to determine whether CSA / location information can be incorporated into the chart of accounts. In the interim, a monitoring process should be established to validate whether capital projects are performed within the CSA' reported for budget and equity purposes.

Finding III - The opportunity to strengthen City resident engagement in the capital budgeting process currently exists.

The methodology for engagement of City residents in the capital budget development process is decentralized, limited in nature, and inconsistently applied across agencies. Major agencies such as DHCD, DPW, and DOT have a limited process for community engagement which reaches a small segment of the population. While equity is a consideration in the development of the capital budget, formal (written, approved, and dated) City-wide policies and procedures have not been developed to formally engage residents across the equity spectrum in the selection of projects which may result in diminished awareness and inequitable access to capital project funding. Additionally, the DOP conducts capital budget education meetings for City residents and includes representatives from City agencies. The meetings provide the opportunity for informed residents to discuss existing projects and provide recommendations for future projects. However, a formal process has not been established to document, evaluate and include the recommendations in the capital budget process.

Formal periodic review of policies and procedures promote compliance, accountability, consistency, and continuity. According to the Green Book, management:

- Documents in policies the internal control responsibilities of the organization;
- Communicates to personnel the policies and procedures so that personnel can implement the control activities for their assigned responsibilities; and
- Periodically reviews policies, procedures, and related control activities for continued relevance and effectiveness in achieving the entity's objectives or addressing related risks. If there is a significant change in an entity's process, management reviews this process in a timely manner after the change to determine that the control activities are designed and implemented appropriately. Changes may occur in personnel, operational processes, or information technology.

Recommendation III: We recommend that the PC and Director of DOP develop formal (written, approved, dated) City-wide policies and procedures that:

- Engage citizens across the City in the beginning of the capital budget process at agency level; and
- Include the documenting, and evaluation of recommendations from citizens based on equity. This is applicable to both agencies and DOP.

Finding IV- A City-wide equity plan to focus limited resources on underserved communities and assess outcomes does not exist.

The City does not have a formal City-wide equity plan to manage the equitable distribution of limited resources that also focuses on the allocation of funding to close the gap in historically redlined / underfunded communities. The plan should identify the underfunded communities and the City should allocate resources across these communities over multiple years to close the related gaps. The current equity-based capital budget process is decentralized. Each agency performs an equity analysis and allocates its capital budget based on the information it accumulates (e.g. limited community engagement) to determine the neighborhoods that will receive capital funding based on equity. As a result, there are inconsistencies among agencies in the identification and allocation of capital funding which results in inefficient and ineffective distribution of City funding. Additionally, without the Citywide equity plan, the City cannot effectively establish goals and measure the related outcomes.

According to the Mayor Brandon M. Scott Action Plan for Baltimore core pillar number four, Equitable Neighborhood Development, the City will increase capital investment and ensure equitable access to services in formerly redlined neighborhoods.

Recommendation IV: We recommend the Director of Office of ECR develop a City-wide plan that will target underserved communities and close related gaps.

APPENDIX I: Management's Response to the Audit Report

Date: December 13, 2022

To: Josh Pasch, City Auditor

Subject: Management's Response to Audit Report: Biennial Performance Audit Report on the Planning Commission / Department of Planning – Capital Budget Processes for the Fiscal Years Ended June 30, 2021 and 2020

Our responses to the audit report findings and recommendations are as follows:

We appreciate the audit team's careful assessment of our work to date and the reinforcement of issues that we have identified as persistent challenges in this work. In 2019, DOP partnered with Baltimore Neighborhood Indicators Alliance-Jacob Francis Institute at the University of Baltimore (BNIA) to prepare an analysis of Baltimore's capital budget for FY2014 – FY 2020 and to develop a methodology that the Department could use to do annual analysis going forward. The initial report, and subsequent reports, identified several opportunities to improve future analysis, many of which we have undertaken.¹ For example, we have worked with agencies to improve location information; identified whether a project has a neighborhood impact, a multi-neighborhood impact, or a citywide impact; conducted analysis earlier in the process; and isolated analysis of DPW projects. We have created a CIP oversight committee and revised our evaluation criteria. We recognize there is always room for further improvement and that this work will never be complete.

We appreciate the audit team's research regarding how other municipalities are approaching this work and we hope this information will be shared so we can learn from it. The Department of Planning has served as a pioneer among Baltimore City agencies in considering equity, and Baltimore City has served as a pioneer in terms of considering equity with regards to capital budgeting. Recognizing the longstanding, and continuing, patterns of inequity in Baltimore, in 2015, staff at the Baltimore Department of Planning convened an Equity in Planning Committee. Over the next few years, the Department established an Equity Action Plan that set forth goals and strategies to address the legacy effects of inequity and how current policies continue to maintain or exacerbate these inequities. The Baltimore Planning Commission, staffed by the Department of Planning, is legally tasked with providing the primary review and approval

¹FY2014-FY2020 CIP Equity Analysis Report [Final Report - CIP Analysis August 2019.pdf \(baltimorecity.gov\)](#)

FY2021 CIP Equity Analysis Update [Microsoft Word - FY21 CIP Equity Analysis SMS Edits KA.docx \(baltimorecity.gov\)](#)

FY2022 CIP Equity Analysis Update [Microsoft Word - FY22 CIP Equity Analysis.docx \(baltimorecity.gov\)](#)

FY 2023 CIP Equity Analysis Update [FY23 CIP Equity Analysis Annual Update.pdf \(baltimorecity.gov\)](#)

of the City's billion dollar CIP. For this reason, one of the first action steps under the Equity Action Plan was to conduct an equity analysis of the CIP. When we began this work, there weren't any other cities attempting to conduct an equity analysis of the capital budget and the capital budget process. Over the last five years, we have offered advice and insight to numerous cities based on our pioneering work. We welcome the opportunity to learn from how other cities have advanced this work and whether they are seeing more equitable allocations of resources as a result.

We appreciate the potential solutions the audit team has put forward, but caution that they are not simple solutions. Advancing this work as suggested will take significant resources, in the form of staff time across the City's agencies, investment in systems for data collection and analysis, outside expertise, and engagement from the City's residents and other stakeholders. This is an ongoing effort that will continue to evolve over time. The work will never be finished.

The recommendations presented by the audit team focus on advancing the work by improving equity analysis and increasing community participation, which are certainly important, but would require significant resources for modest improvements. Given the improvements we've already made to the equity analysis, at this stage a more significant improvement in equity outcomes may be achieved by increasing overall resources for capital projects and by setting equity goals.

Based on our initial estimates, we believe that as a City we are investing less than a quarter of what we would need to invest to *keep our infrastructure in its current condition, which is severely lacking*. To achieve a state of good repair, we estimate that we need to invest nearly \$8 billion, and then continue to invest over \$450 million annually to maintain a state of good repair. We believe that this under-investment is the greatest equity challenge related to infrastructure. No matter how much we attempt to target investment towards areas that need it most, given the limits of the current capital budget, we will never be able to improve infrastructure in neighborhoods that need it most if this under-investment continues.

A 2019 study by the Urban Institute found that up to 90 percent of capital investment in neighborhoods comes from the private sector in the form of commercial lending for real estate development and / or residential mortgage and rehabilitation. In addition, funds spent directly by State or Federal agencies, such as improvements to state universities or public transit infrastructure, are not included in the CIP. We highlight this to recognize the fact that our capital dollars alone cannot change outcomes in neighborhoods. Nevertheless, it is important to continually assess our role in either perpetuating or dismantling systems of inequity. This assessment is but a small part of that.

With that as background, our responses to the audit report findings and recommendations are as follows:

Recommendation I

We recommend the Planning Commission and the Director of DOP revise the Evaluation Criteria and Scoring Guide to weight equity outcomes in scoring each criteria and facilitate continuity throughout the City.

Management Response/Corrective Action Plan

Agree **Disagree**

Conceptually, we agree that equity should be incorporated into each criterion, and that in some cases it would be meaningful to give equity a greater weight than other criteria. We have in fact stated such in our Evaluation and Scoring Guide. However, the devil is in the details. What is an appropriate weight for equity? Other cities have adopted similar criteria, but has that resulted in a more equitable distribution of funds? We recognize that we need to be extremely thoughtful in this work, and so would need additional resources in terms of staff time, consultant support, data, and outreach in order to further develop a data model that truly connects project types to impact on populations. We can commit to continuing to move the work forward by convening agencies to brainstorm next steps and issuing a Request for Information for a consultant to help with this work, so that we can develop an appropriate budget request for the next budget cycle.

Action Plan:

- Action Plan Milestone 1: Convene capital budget agencies to brainstorm next steps for equity analysis, particularly for weighting equity and other criteria.

Action Plan Milestone 2: Issue an Request for Information (RFI) for consultant support for equity analysis.

Implementation Date for Milestones: September 2023

Responsible Personnel: Sara Paraniyam, Division Chief, Policy & Data Analysis

Recommendation II

We recommend the PC and Director of DOP:

- Establish a process to require agencies to submit an equity analysis for all capital projects that excluded a CSA through the Ordinance of Estimates and indicate the actual capital funding use (e.g. Agency selected equity projects, projects not based on equity and emergency projects); and
- Capture and report the results including transfers submitted by the agencies
- Work with the DOF to determine whether CSA / location information can be incorporated into the chart of accounts. In the interim, a monitoring process should be established to validate whether capital projects are performed within the CSA' reported for budget and equity purposes.

Management Response/Corrective Action Plan

Agree **Disagree**

We conceptually agree with this recommendation but again caution that it will take time and resources to do it right. We believe new systems being put in place, such as Workday, may provide for additional opportunity for reporting to close the data gaps. We believe we can continue to make progress, but caution that we will never have perfect information.

Action Plan: Include recommendations for data structures and reporting requirements in RFI for consultant.

Implementation Date for Milestone: September 2023

Responsible Personnel: Sara Paraniyam, Division Chief, Policy & Data Analysis

Recommendation III

We recommend that the PC and Director of DOP develop formal (written, approved, dated) City-wide policies and procedures that:

- Engage citizens across the City in the beginning of the capital budget process at agency level; and
- Include the documenting, and evaluation of recommendations from citizens based on equity. This is applicable to both agencies and DOP.

Management Response/Corrective Action Plan

Agree **Disagree**

We agree that it would be ideal to have consistency and transparency regarding citizen engagement. This must be done very thoughtfully to avoid unintended consequences. The process of engagement must be carefully and specifically designed to increase equity rather than providing another avenue for those with more resources to make their voices heard. Effectively engaging those whose voices need to be heard requires significant engagement capacity. Without proper messaging, significant and formal citizen engagement may lead to unrealistic expectations given the limits of the City's budget and the vast backlog of infrastructure needs.

- **Action Plan Milestone (1):** Convene capital budget agencies and community planners to brainstorm next steps for community engagement and evaluation of recommendations from citizens.
- **Action Plan Milestone (2):** Survey other cities to understand whether / how they collect input in a way that doesn't favor those who already have access to influence, resources and power and if the community input process has resulted in a more equitable distribution of resources.

Implementation Date for Milestones: September 2023

Responsible Personnel: Sara Paranilam, Division Chief, Policy & Data Analysis

Recommendation IV

We recommend the Director of the Office of ECR develop a City-wide plan that targets underserved communities and will close the related gaps.

Management Response/Corrective Action Plan

Agree **Disagree**

Action Plan: See Office of ECR's responses on page - 17

Implementation Date: See Office of ECR's responses on page - 17

Responsible Personnel: See Office of ECR's responses on page – 17



December 27, 2022

VIA EMAIL ONLY

Josh Pasch, City Auditor
Department of Audits
100 N. Holliday Street
Room 321
Baltimore, MD 21202
Josh.Pasch@baltimorecity.gov

RE: Biennial Performance Audit of Planning Department

Dear City Auditor Pasch:

This Management Response is submitted by the Office of Equity and Civil Rights (“OECR”) in response to “Recommendation IV” of the Department of Audits’ “Biennial Performance Audit for Fiscal Years Ended June 30, 2021, and 2020” of the Baltimore City Department of Planning. Recommendation IV states: “We recommend the Director of Office of ECR develop a City-wide plan that targets underserved communities and will close the related gaps.” I agree with the recommendation and provide important background information and details as to how the recommended action will be accomplished.

I. Immediate Actions in Support of the Recommended Action

OECR understands Recommendation IV to be a recommendation that the OECR lead the effort to assess the City enterprise’s current equity initiatives, and to then develop a multi-year strategic plan that addresses any identified gaps, and to do both with a focus on Baltimore City’s historically underserved communities.

This initiative is already within OECR’s mandate, mission, and work plan. However, its successful execution is wholly dependent on funding availability. To that end, OECR began seeking funding for such an initiative in March 2022, through an application to the Office of Recovery for ARPA funding. That request remains pending, and we are hopeful for an award, soon. In addition, OECR received approval from BBMR to submit two enhancement requests for FY24. One such request is focused on addressing the needs of the Equity Division, including the need for funding to develop a city-wide equity plan. Last, we are now actively exploring whether OECR can fully fund the costs associated with responding to Audits’ recommendation by accessing the operating funds it now has available for the balance of FY23. Given these three possible funding streams, we are optimistic that the necessary funding will be identified.

While we await confirmation of our ability to access existing funding and/or the awarding of fresh funding, OECR will continue each of the initiatives listed above. These efforts will be amplified as we onboard new staff members to the Equity team. Our current expansion plans for Q1 of calendar year 2023 include identification of Baltimore City's historic and currently underserved census tracts, collaborating with BBMR to deliver training workshops on budgeting for equity, collaborating with the City agencies that have already created equity plans to ensure that those plans are targeted to addressing those most in need, requiring agencies to maintain and share data regarding their actual expenditures, and requiring agencies to map and make accessible information demonstrating where expenditures are made.

Additionally, we are currently cultivating relationships with various national, regional, and local partners to bolster our efforts. Some of these partners include the Government Alliance on Race and Equity (GARE), the Maryland Commission on Civil Rights, University of Baltimore's Schaefer Center for Public Policy, and the Baltimore Racial Justice Action.

II. The Recommended Action

OECR is excited about the opportunity the assessment and strategic plan will bring to the entire City. And we are anxious to begin the work as soon as funding is identified and secured. Our outreach has shown that the cost of a comprehensive, city-wide equity plan is between \$100,000 and \$250,000 to fully complete. We are hopeful that we will find both the funds, and an excellent consultant, to support this work.

For now, we can share that we anticipate that the deliverables from the recommended equity plan and assessment will include the following:

- Identification of Baltimore's historically underserved communities
- A deep dive into how City agencies prioritize service delivery in historically underserved communities as well those not determined to be historically underserved
- City-wide policies that address the disparities and standardize service delivery
- Tools to continually assess progress; and,
- Where appropriate, legislative solutions.

Further, given the absence of funding, we are hesitant to provide a concrete timeline and milestones for the proposed assessment and strategic plan. However, with the understanding that full execution of Recommendation IV is wholly dependent on funding, we suggest the following:

- Continued engagement with similarly situated cities;
- Secure funding in Q1 2023, Q2 2023, or through the fiscal year 2024 budget process;
- Selection of proposal review and selection committee in January 2023;
- Issuance of a request for proposals or request for qualifications in February 2023;
- Review of proposal responses in March 2023;
- Selection of a service provider, in April 2023, contingent on funding availability;
- Work begins in July 2023 at the latest; and,
- Project deliverables in Q4 2023.

III. About the Office of Equity and Civil Rights

The Baltimore City Office of Equity and Civil Rights has been in existence for more than forty years. The OECR is the Baltimore City agency that is devoted to advancing equity and upholding the federal and local civil rights laws, the local living and prevailing wage laws, and ensuring access and equal opportunities for persons with disabilities. The agency also provides oversight of local law enforcement entities. The OECR’s mission is to carry out activities that will eliminate inequity, inequality, and all forms of discrimination.

The OECR consists of six divisions. As detailed below, the OECR divisions are the Civilian Review Board, the Community Relations Commission, the Equity Division, the Mayor’s Commission on Disabilities, the Wage Commission, and the Women’s Commission. It is important to note that most recently, the office has expanded by welcoming the Baltimore City Women’s Commission as well as the Police Accountability Board (“PAB”)². As detailed below, the work of the PAB will be carried out by the Civilian Review Board Division.

- The Civilian Review Board Division – The Civilian Review Board (CRB) is an independent agency through which public members can issue a complaint against officers of various law enforcement units. The CRB investigates complaints that allege the use of excessive force, abusive language, harassment, false arrest, and false imprisonment. The law enforcement agencies that the CRB investigates are the Baltimore Police Department, the Baltimore City School Police, the Baltimore City Sheriff’s Office, the Baltimore Environmental Police, the Police Force of the Baltimore City Community College, and the Police Force of Morgan State University. Once established, the CRB will also have authority to investigate the Johns Hopkins University Police Department. The CRB Division is being renamed the “Police Accountability Division” to more accurately convey the scope of its mandate and work.
- The Community Relations Commission Division – The Baltimore City Community Relations Commission (“CRC”) is the City agency that investigates claims of discrimination. The CRC assists people who allege that they have been discriminated against. We accomplish this by enforcing the laws that protect the complainants. The CRC combats unlawful discrimination in employment, public accommodation, housing, education, and health and welfare services. Discrimination based on race, color, religion, national origin, age, ancestry, sex, physical or mental disability, sexual orientation, gender identity, expression, or marital status is illegal in the City of Baltimore. The CRC is committed to addressing these wrongs.

² Both the Women’s Commission and the PAB are in the process of gaining City Council approval of their commission member appointees. We anticipate the process to conclude in January 2023.

- The Equity Division – The Equity Division’s mission is to ensure compliance with the City’s “Equity Ordinance.” The Division works to ensure that the City’s policies, programs, operating budget, and capital budget are fair, and meet the needs of Baltimore’s diverse communities. The Division is currently staffed supported by me in my role as the City’s Chief Equity Officer, the Deputy Chief Equity Officer, and an equity data analyst. The Division is in the process of hiring a second equity data analyst, an equity-focused legislative and policy analyst, and an equity-focused community outreach liaison. It is the Equity Division, and this team, that will lead the office’s efforts to carry out the Audit recommendation.
- The Mayor’s Commission on Disabilities Division - The mission of the Mayor’s Commission on Disabilities (“MCD”) is to work to remove barriers and to promote equal rights and opportunities for individuals with disabilities. The responsibilities of the MCD are codified in the City Code. They include holding at least one public forum annually, to receive testimony regarding accessibility and other challenges experienced by persons with disabilities. The work of the MCD is supported by “Disabilities Coordinators” who are embedded in a number of the City’s agencies.
- The Wage Enforcement Commission Division - The Baltimore City Wage Enforcement Commission is responsible for administering and enforcing the City of Baltimore’s minimum wage, living wage, and prevailing wage laws. This work includes enforcing the Displaced Workers Protection law. The Commission meets on a routine basis to review claims of unpaid and underpaid wages, determine the amount of restitution owed to workers, and to set penalties.
- The Women’s Commission Division– As noted above, this Division is new to the OECR, and is in formation. We anticipate that the Commission’s nineteen members will soon have City Council approval, and that their work will begin in full force immediately upon being sworn into their offices by Mayor Brandon Scott. The Commission will focus on concerns impacting women who work, live, study, or visit Baltimore City. The Commission will also collaborate with the Women’s Commissions that are active in other State of Maryland jurisdictions.

IV. The OECR Equity Division

As briefly noted above, the OECR Equity Division is uniquely situated, and clearly mandated, to carry out “Recommendation IV.” Established in 2020 as a means of assuring compliance with the City’s “Equity Ordinance,” the Division was initially unfunded³. To accomplish the work, two of the OECR’s existing positions dedicated to other divisions were removed from those divisions and relabeled as the new Equity Division. In addition to the lack of new positions to create the Equity Division, no new funding was provided to aid in carrying out the Division’s important and mandated work. Especially absent was the talent and treasury needed to establish the baseline criteria referenced in the ordinance.

³ The Equity Division first received funding through the budget process for FY23. Two new positions were created. After a prolonged position creation and reclassification process, both positions are now being filled.

Several efforts have been made to redress the Division’s funding challenges. First, the agency submitted a robust application for ARPA funding. That application remains pending. Earlier this year, the agency requested, and received, enhancement funding that has allowed for the creation of two new positions for the division. Those positions will greatly expand the Division’s capacity, particularly as it engages in the process of addressing “Recommendation IV”. Both positions are in the process of being filled.

Despite the initial lack of funding at its nascent stage, the Equity Division has made great strides in carrying out its mandate and assuring agency compliance with the ordinance. Indeed, efforts began coterminous with the establishment of the City’s “Equity Ordinance”⁴, and continue. The following examples demonstrate not only the OECR’s current capacity, but augur success in addressing the Department of Audits’ findings that inform its recommendation for the OECR.

V. OECR Equity Initiatives That Complement the Recommended Action

As noted above, OECR’s Equity Division began working to assure compliance with the Equity Ordinance as soon as it was established. As detailed below, those efforts include establishing agency-based Equity Coordinators, conducting Diversity, Equity, and Inclusion (DEI) trainings at various levels, outreach to and engagement with similarly situated cities, developing an “equity dashboard”, assessment of the FY23 operating budgets, and collaboration with various agencies and departments to assess their equity efforts.

As one of its first actions, the OECR focused on identifying an equity coordinator for each City agency, board, and commission. The listing of Equity Coordinators has been expanded and updated several times. The current listing can be found [here](#). It is important to note that in December 2021, OECR secured a commitment from several agency partners that are not technically required to comply with the Equity Ordinance, but voluntarily joined the roster of Equity Coordinators to advance equity in Baltimore City.

Equity Coordinators meet with the Deputy Chief Equity Officer and me on a regular basis. A mandatory attendance meeting is held each month. Those meetings are designed to deliver substantive information that will aid each agency’s efforts to comply with the Equity Ordinance. Topics have included DEI training, how to establish a robust equity climate within an agency, and how to identify inequities in written policies and regulations.

A second, optional, “Office Hours” session is also offered to equity coordinators, on a monthly basis. These sessions are designed to be an opportunity to freely discuss any concerns an agency or coordinator is experiencing in advancing compliance with the equity ordinance.

The first “Equity Report” was issued in 2020. The report can be viewed [here](#). OECR has collected many agency assessments for Fiscal Years 2021 and 2022. A collective report is being prepared now and will be issued soon.

⁴ Baltimore City’s Equity Ordinance became effective on September 9, 2018. The full language can be found at Article I, Section 39, of the Baltimore City Code

In June 2021, mandatory training was delivered to Mayor Scott’s Cabinet as well as agency-based procurement officers. The two-day training workshop included subject matter experts who delivered excellent education and training on subjects such as the important distinctions between equity and equality, the importance of understanding and properly using LGBTQ+ terminology, what real and meaningful inclusion looks like and how to create it, and Baltimore’s documented history of discriminatory practices. Following the workshop, a number of agencies engaged various presenters to deliver DEI training within their agency or department.

Earlier this year, OECR was able to create its first ever equity data analyst position. This has been a game changer in terms of the office’s efforts to ensure that the City is making advances on equity. One of the challenging realities of compliance with the equity ordinance is that there was not an effort to set a baseline of where agencies were with respect to equity initiatives. To address this, OECR’s Equity Division is creating a citywide “equity dashboard” that will illustrate where we currently are as a City enterprise committed to advancing equity. Though not yet ready for publication and interactive use, the dashboard was previewed by members of the Mayor’s senior leadership including the Chief Data Officer, the City Administrator, and the Deputy City Administrator. The dashboard was also previewed during OECR’s October 2022 “Civil Rights Week 2022” activities, and again during a mandatory all-day retreat for Equity Coordinators.

During the spring of 2022, the Equity Division began reviewing all agency operating budgets to determine whether they reflected any inequities. We are also collaborating with the Planning Department to ensure that the City’s capital budget is devoid of inequities. A key deliverable from these efforts is deeper collaboration with the City’s Bureau of the Budget and Management Research (“BBMR”) to plan equity budget training for agencies, the City Council and the Office of the Comptroller.

Additionally, for the FY24 budget cycle, an equity coordinator has been assigned to each Results Team. Also, the Equity Division has established an Ad Hoc Budget Equity Committee, comprised of four Equity Coordinators from a diverse representation of City agencies and quasi-agencies.

The Equity Division remains engaged with the Department of Planning as it relates to the distribution of resources. The Equity Division participated in the FY24 and FY25 Cultural Spaces Capital Support Review Panel, as well as the FY24-29 Capital Improvement Program.

Most recently, OECR went through the process of securing for itself and all Equity Coordinators, membership in the Government Alliance on Racial Equity (“GARE”). As it states on its website, GARE is a national network of government entities that are working to achieve racial equity and advance opportunities for all. OECR is funding this access for all City agencies.

Last, we share the commitment to engage in very difficult but essential conversations regarding Baltimore City's history of segregation. As I have often shared, Baltimore City is the birthplace of redlining. Its pernicious impact on Baltimore remains in many corridors, neighborhoods, and sectors. OECR is committed to continuing the conversation about redlining that began during Civil Rights Week 2022. We believe these conversations are an essential component of what is needed to begin to redress historic discrimination in Baltimore City, both at the agency level and within the corporate offices of our many corporate, non-profit, healthcare and higher education partners.

VI. Conclusion

Thank you for the opportunity to share some of OECR's background, our ongoing efforts to co-create equity in Baltimore City, as well as our future plans to advance equity across the City enterprise. I believe that sharing this information conveys our capacity and commitment to assure successful execution of your recommendation.

Please feel free to reach out to me directly should you desire or require any additional information you might require in order to more fully respond to your recommendation.

Very truly yours,



Dana Petersen Moore

cc: Thandee Maung, Deputy City Auditor
Christopher Ryer, Director, Planning Department
Simone Johnson, Deputy City Administrator
Niela Magwood-Phoenix, Assistant Deputy City Administrator
Caron Watkins, Deputy Chief Equity Officer
Caylin Young, OECR Deputy Director