

1 TO THE HONORABLE SENATE:

2 Senators Sears, Baruth, Benning, Nitka and White move that the Senate
3 concur with the House proposal of amendment with further amendment as
4 follows:

5 Sec. 1. DEPARTMENT OF CORRECTIONS; RACIAL EQUITY AND
6 BIAS; PLAN AND REPORT

7 (a) Findings. The General Assembly finds that:

8 (1) In recognition of the moral imperative to identify and combat
9 systemic racial disparities, the General Assembly passed 2018 Acts and
10 Resolves No. 9 (Act 9), which created within the Executive Branch the
11 position of Executive Director of Racial Equity “to identify and work to
12 eradicate systemic racism within State Government.”

13 (2) In order to “implement a program of continuing coordination and
14 improvement of activities in State government in order to combat systemic
15 racial disparities and measure progress toward fair and impartial governance,”
16 the Executive Director of Racial Equity is charged in statute with:

17 (A) “overseeing a comprehensive organizational review to identify
18 systemic racism in each of the three branches of State government and
19 inventory systems in place that engender racial disparities;”

1 (B) “managing and overseeing the statewide collection of race-based
2 data to determine the nature and scope of racial discrimination within all
3 systems of State government;” and

4 (C) “developing a model fairness and diversity policy and reviewing
5 and making recommendations regarding the fairness and diversity policies held
6 by all State government systems.”

7 (3) The Executive Director of Racial Equity is also responsible for
8 working “collaboratively with State agencies and departments to gather
9 relevant existing data and records necessary to carry out the purpose of this
10 chapter and to develop best practices for remediating systemic racial disparities
11 throughout State government.”

12 (4) In light of the historical racial disparities in the criminal justice
13 system, the General Assembly finds systemic racism and bias at the
14 Department of Corrections should be prioritized for review by the Executive
15 Director of Racial Equity.

16 (b) Intent. It is the intent of the General Assembly:

17 (1) to address systemic racism and bias to achieve racial and social
18 equity for employees of the Department of Corrections and persons under the
19 custody of the Commissioner; and

20 (2) to recruit, train, and retain a diverse and high-quality workforce in
21 the Department.

1 (c) Plan. The Commissioner of Corrections shall submit for approval to the
2 Executive Director of Racial Equity a strategy and long-term plan to address
3 systemic racism and bias and promote diversity and inclusion in the
4 Department of Corrections.

5 (1) The scope of the plan shall address the Department’s employment
6 practices and supervision of persons under the custody of the Commissioner
7 both in State facilities and in the community.

8 (2) The plan shall include a timeline and process for the following:

9 (A) evaluating Department hiring practices, training, supervision,
10 professional development, and competency standards to inform the basis of
11 performance evaluation and promotion of employees;

12 (B) identifying the resources and funding needed, if any, to complete
13 the plan; and

14 (C) identifying a list of stakeholders and a process for how the
15 Department will engage with the Department’s employees, the persons under
16 the custody of the Commissioner, and the broader community.

17 (d) Report. On or before December 15, 2020, the Commissioner of
18 Corrections shall submit the draft plan described in subsection (c) of this
19 section to the Executive Director of Racial Equity for review and approval.
20 Upon approval, but not later than January 15, 2021, the Executive Director of
21 Racial Equity and the Commissioner of Corrections shall submit the approved

1 plan to the House Committee on Corrections and Institutions and the Senate
2 Committee on Judiciary.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on passage.

5 and that after passage the title of the bill be amended to read: “An act
6 relating to a report on racial equity and bias in the Department of Corrections”

7

8

9

10

11

12

13

14

15 (Committee vote: _____)

16

17

Senator _____

18

FOR THE COMMITTEE