

Pursuant to Executive Order 13985 (January 20, 2021) on "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government"

## Equity Action Plan Summary

# U.S. Department of Justice

The Department of Justice's (DOJ) mission is to enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.

## Delivering equity through DOJ

As the Attorney General has explained, "Advancing equal justice under law is a core principle of the Department of Justice. Established during Reconstruction, in the aftermath of the Civil War, the Department's first mission was to secure the civil rights promised by the 13th, 14th, and 15th Amendments." As the Federal Government's chief law enforcement agency, ensuring that no individuals are denied the freedoms and protections guaranteed by the Constitution is foundational to delivering on DOJ's mission.

## New strategies to advance equity

- **Embed equity considerations in financial assistance programs**

DOJ leadership will work with heads of grantmaking components, the Civil Rights Division, and other relevant components to review program authorities and solicitations and identify opportunities to add or expand equity considerations in application materials, review criteria, data requests, and performance measures. Such equity considerations could include identifying disparities in access to federally funded services and benefits, particularly by historically underserved and marginalized populations; proposing strategies to reach or serve those populations; addressing barriers to services; and evaluating uses of funds against demographic data. Equity considerations will be tailored to address the particular objectives of each program and the needs of the communities being served by those programs.

- **Improve access to grants for culturally specific, community-based organizations**

Culturally specific, community-based organizations are more likely to understand the complex challenges that victims from their communities face when attempting to access services. But culturally specific service providers have too often been unable to access substantial federal grants. As a consequence, victims who need services may remain unserved or underserved. The Office of Violence Against Women (OVW) will implement strategies to increase successful applications from culturally specific, community-based organizations, including through conducting targeted outreach to increase applications from those organizations; recruiting peer reviews from those organizations; providing capacity-building training to organizations that may be unfamiliar with the federal grantmaking process; and identifying potentially unnecessary requirements that may function to present undue barriers to culturally specific, community-based organizations. Moreover, the Office of Justice Programs is exploring methods to streamline the application process for community-based organizations, which are often led by stakeholders in underserved communities, to access community violence intervention funds.

New strategies to advance equity

● **Improve access for communities with limited English proficiency**

Timely and accurate communication with the public is essential to the Department's mission to ensure public safety, provide federal leadership in preventing and controlling crime, and promote the fair and impartial administration of justice. Yet language barriers often prevent many communities from understanding their rights, reporting crimes, or otherwise having full and equal access to the Department's services and resources. To address this barrier, the Department will work to ensure that DOJ employees have the resources and guidance they need to better receive complaints and otherwise engage with the approximately 25.6 million individuals with limited English proficiency. The Department will also improve language access to increase this underserved population's knowledge of Departmental programs, including its efforts to combat hate crimes, seek environmental justice, and prevent discrimination.

● **Engage with underserved communities more effectively**

Effective engagement is critical in ensuring that communities have equitable access to, and benefit from, DOJ's services. Engagement also helps ensure that Department work is community-centered. To these ends, the Justice Department seeks to improve its understanding of the interests, needs, and perspectives of marginalized and underserved communities; strengthen and increase public confidence and trust in the Department; and promote greater understanding of the Department's programs and services by engaging with stakeholders more regularly and more meaningfully. Among other things, such engagement will help to ensure that law enforcement serves the needs of the communities it is sworn to serve; increase reporting of crimes and hate incidents; improve witness cooperation and participation in the justice process; ensure appropriate consideration of the needs of victims; improve the dissemination of important information, resources, programs, and services; and enhance public trust and public safety.

New strategies to advance equity

- **Pursue opportunities to direct contracts to Historically Underutilized Business Zones (HUBZones)**

Each fiscal year, the Department obligates approximately \$8.5 billion in contracts to support its many missions. The Department has a statutory goal of awarding at least 3% of federal contract dollars to Historically Underutilized Business Zones (HUBZone) certified companies each year. While the Department has made progress toward this goal, it has not yet met it. HUBZone firms have had relatively few contracting opportunities to pursue work at the Department. As a result, disadvantaged and HUBZone firms have been underrepresented in the Department's contracts. The Department will work to identify contracting opportunities for which disadvantaged businesses located in HUBZone communities may compete exclusively.

## Building on DOJ's progress

### **This equity action plan builds on DOJ's progress delivering on equity and racial justice in the first year of the Biden-Harris Administration.**

#### ● **Responding to hate crimes and incidents**

In a May 27, 2021 memorandum, the Attorney General announced that the Department would take certain steps that “share common objectives: deterring hate crimes and bias-related incidents, addressing them when they occur, supporting those victimized by them, and reducing the pernicious effects these incidents have on our society.” Among other things, the Department has assigned an Anti-Hate Coordinator, who is leading the creation and coordination of the Department’s anti-hate crime and incident resources. In addition, the Federal Bureau of Investigation (FBI) designated criminal civil rights violations, which include hate crimes, as one of its highest-level national threat priorities. This change will increase resources for hate crimes prevention and investigations and makes confronting hate crimes a focus for all 56 of the FBI’s field offices. Further, the Office of Justice Programs (OJP) awarded more than \$21 million to investigate and prosecute hate crimes and assist hate crime victims, a substantial increase from previous years.

#### ● **Re-establishing the Office for Access to Justice**

On October 28, 2021, the Attorney General announced the re-establishment of the Office for Access to Justice as a standalone Department component. After an extensive review, the Attorney General issued a report identifying areas where the Department should expand its access-to-justice functions, including “enhancing the navigability of the justice system through technology, disability, language, and cultural access”; “ensuring economic opportunity and fairness”; and “pursuing racial equity as a cornerstone of access-to-justice efforts and all departmental work.”

Building on DOJ's progress

- **Revitalizing the Community Relations Service**

The Department is revitalizing the Community Relations Service (CRS), which works with communities in conflict to help rebuild relationships, facilitate understanding, and encourage the development of local solutions.

- **Ensuring non-discrimination in federal grants**

On September 15, 2021, to help ensure that federally funded programs are operating equitably, the Justice Department issued a memorandum directing a review of the agency's implementation and administrative enforcement of Title VI of the Civil Rights Act—which prohibits discrimination on the basis of race, color, and national origin in federally funded programs—and the non-discrimination provisions of the Omnibus Crime Control and Safe Streets Act—which prohibits discrimination on the basis of race, color, national origin, religion, and sex in connection with any program or activity funded under the statute.

- **Expanding language access**

DOJ announced on May 27, 2021, that it will appoint a Language Access Coordinator and added information to its website about reporting hate crimes in at least ten languages, including six of the most frequently spoken Asian American and Pacific Islander languages.

- **Reforming law enforcement practices**

As the Attorney General has stated, “[b]uilding trust and confidence between law enforcement and the public we serve is central to our mission at the Justice Department.” The Department has announced several new policies that govern the way Department law enforcement components engage with individuals who come into contact with the criminal justice system, including limiting the use of chokeholds and carotid restraints to deadly force situations only; requiring that no-knock warrants generally be used only in situations where knocking and announcing presents a threat of physical harm; and increasing the use of body-worn cameras as

Building on DOJ's progress

a tool to increase transparency and accountability. The Department also issued interim guidance requiring federal prosecutors to base decisions about charging, plea agreements, and advocacy at sentencing on an individualized assessment of relevant facts and not to reflexively rely on the maximum punishments allowable under law. This guidance allows prosecutors to “safeguard the public, maximize the impact of our federal resources, avoid unwarranted disparities, promote fair outcomes in sentencing, and seek justice in every case.” The Department will continue to pursue policies that promote fair and accountable law enforcement practices to improve trust and public safety.