



DOJABA RECOMMENDATIONS ON DIVERSITY, EQUITY, & INCLUSION (DE&I) MEASURES

(1) Install a Chief Diversity Officer to Centralize and Prioritize DE&I Issues

To further the Department's longstanding commitment to ensuring "its workforce includes highly qualified individuals whose backgrounds reflect our nation's rich diversity," we recommend the Department establish a chief diversity and inclusion officer position to align and advance diversity and inclusion efforts across all DOJ components. Recognizing the critical need for such a position, other federal agencies, like the State Department, have recently created chief diversity officer positions, who will advance the agency's overall mission.

(2) Reestablish a Department-wide Diversity and Inclusion Advisory Council

The Council's primary purposes would be to evaluate the Department's efforts and practices related to diversity and inclusion, explore ways to increase the Department's diversity and inclusion efforts, and improve the effectiveness of those efforts through information-sharing and strategic collaborations. The Council was originally formed in 2010 under AG Eric Holder but has since been disbanded. Given the current state of race relations in our nation, reviving the Council is imperative.

(3) Issue a Statement on Diversity in Hiring—Beyond the Current EEO Statement and Language on the Department's Website

An Equal Employment Opportunity (EEO) statement is a critical affirmation of an agency's rights and values. The requirement to issue an EEO statement stems from the Civil Rights Act of 1964, as implemented by the Equal Employment Opportunity Commission in Management Directive (MD) 715.1. In addition to complying with this law, the Department should issue an affirmative statement embracing diversity in hiring at all levels.

(4) Improve Recruitment and Retention Efforts of Black Attorneys and Interns

While the Department employs more than 11,400 attorneys,¹ Black attorneys only represent a tiny fraction of its workforce. Based on data compiled from the Department's Electronic Employment Fact Book, Black attorneys make up only 6.58% of all Department attorneys.² To attract qualified Black attorneys and legal interns, we propose the following actions:

¹ ATTORNEY EMPLOYMENT BY ORGANIZATION, DOJ ELECTRONIC EMPLOYMENT FACT BOOK FISCAL YEAR 2018, https://dojnet.doj.gov/jmd/fs/fspay/factbook/FY2018/Reports/FY2018_Table37.pdf. Note, Fact Book curtailed the available employment data for Fiscal Year 2019. As a result, we cannot provide data for FY 2019.

² BLACK ATTORNEY EMPLOYMENT BY GRADE, DOJ ELECTRONIC EMPLOYMENT FACT BOOK FISCAL YEAR 2018, https://dojnet.doj.gov/jmd/fs/fspay/factbook/FY2018/Reports/FY2018_Table63A.pdf.

- Direct HR personnel across DOJ to provide additional DE&I training and resources to hiring committees and hiring officials.
- Staff component hiring committees with employees of diverse backgrounds, to include racial, ethnic, socioeconomic, geographic, and educational diversity.
- Direct OARM and components to travel to historically black law schools and other law schools with diverse student populations for recruitment.
- Encourage components to advertise vacancies with Black bar associations and the National Black Law Students Association.

(5) Increase Awareness around Affinity Groups and Establish Benchmarks for DE&I Success in order to Foster a More Inclusive Department

DOJABA encourages the Department to foster an environment of inclusiveness where all employees can fully contribute to the Department’s mission. To promote a more inclusive environment, we recommend the following actions:

- Invite affinity groups to meet with component and Department leadership to discuss issues of concern;
- Invite affinity groups to attend and participate in component DE&I-related committee meetings and events;
- Include affinity group information in onboarding HR materials for new attorneys, interns, and staff;
- Highlight affinity groups on components’ internal websites;
- Send information about affinity groups to employees via email from component and Department leadership;
- Create more long-term professional development programs and opportunities for upward mobility (e.g., SES Preparation);
- Require regular reporting of advancement by race and gender in all components;
- Encourage Department leadership to consider diversity in awards and other opportunities for recognition;
- Expand Department-wide diversity training and implement a Department-wide implicit bias workshop; and
- Hold management accountable by creating measurable benchmarks to evaluate managers on how they handle DE&I issues.