



# OFFICE OF DIVERSITY, EQUITY AND INCLUSION COMMUNIQUE



## Director's Address—New Name, Staff, Outreach

May 2023  
Volume II, Issue 3

Greetings MSP Community,

I am pleased to bring you our latest issue of **ODEI COMMUNIQUE**.

Approximately one year ago, Deputy Director Commey and I committed ourselves to working tirelessly to meet your needs, address concerns of accountability and equity, and raise the bar on professional standards, all while bringing our unified vision of fair practices and autonomy to fruition. We thank you for showing us civility and we realize there is still progress and improvements to be made. For us, it is not 'work' because we truly enjoy what we do each and every day.

We welcomed two seasoned staff to the ODEI—*Dohney Schlau* and *Sarah Turnbaugh*, who have also hit the ground running with legal expertise, facilitating trainings, increased intake, and engagement. More to come.



We asked for your candid feedback—you supplied it! Throughout this issue are resources and information generated from your inquiries and suggestions—be it during our spirited dialogue at SHPT classes and MSP events, in Emails and stairways, or anonymously.

YOU SAY	WE SAY
We never hear good news.	Pg. 2
Where is the recognition?	Pg. 3
Men experience harassment too.	Pg. 4
What does your office do?	Pg. 10

On May 1, Colonel Butler renamed our office—Office of Diversity, Equity, and Inclusion (ODEI). *Diversity* is multifaceted and what we strive for; *Equity* is the goal and how we impose justice; and *Inclusion* is a practice and intentional. We are factual and impartial and deliberate with our investigations and the services we provide. Let's go inside...

At your service,

*Gail V. Tucker*

Director, Office of Diversity Equity and Inclusion

### INSIDE THIS ISSUE

- SWORN: Spotlight .....2
- CLE Initiative .....3
- SWORN: Why? .....3
- News & Law .....4
- Elements of Proof .....5
- DIVERSITY Calendar .....6
- Cultural Competence .....8
- Workplace Bias .....8
- Resources .....9
- Mental Health Service .....9
- SHPT Compliant? .....9
- At Your Service.....10



*"Diversity doesn't look like anyone. It looks like everyone."*

~ Karen Draper

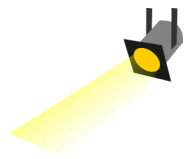
*"Equality is leaving the door open for anyone who has the ability to approach it; Equity is ensuring there is a pathway to that door for those who need it."*

~ Caroline Belden

*"Inclusion—It's amazing what happens when we allow the flower that is us, the flower that is them, to become part of the bouquet."*

~ Laurie Buchanan

# SPOTLIGHTING



# MSP SWORN

Did you know that the Office of Diversity, Equity, and Inclusion (ODEI) processes commendations and complaints received from the MSP 225 Form? Hundreds are mailed in by citizens each year, and over 95% of the responses are positive. Words used often to describe someone’s interaction with a Maryland State Trooper include *professional, courteous, polite, fair, knowledgeable, respectful, helpful*, and an *asset* to MSP.

In response, the ODEI mails the citizen a letter, whether for commendations or complaints, acknowledging what was written and the time taken to share their experience with MDSP. A copy of a commendation and the correspondence is then forwarded to the barrack commander to share with the Trooper as well.

We take pride in reading these unsolicited submissions, and have shared below some of the more recent commendations. Thank you for what you do each and every day—we truly value your service.



“Officer was courteous, knowledgeable, and provided clear information. Professional and is an asset to his agency.” | TFC Travis L. Dodson

“Very pleasant, respectful, and polite during traffic interaction. Performed duties in a prompt and timely manner. A good example to all.” | TPR Graham M. Hendrick

“She was doing her job and did it professionally and with great courtesy. She is a credit to your service.” | TFC Tori K. Bertrand

“He was very professional, polite, and understanding. It makes me proud to know he is patrolling my neighborhood.” | S/TPR Jeffrey W. Wilkins

“Very polite and respectful. You can tell he enjoys his job and an outstanding young man. MSP should be proud.” | TFC Travis J. Howard



“I suffered from a medical emergency that caused me to lose control of my vehicle. I was treated fairly and gentle, and he explained everything.” | M/TPR John M. Fair



# CELEBRATING LAW ENFORCEMENT

The **Celebrating Law Enforcement Initiative** is a partnership with the U.S. Capitol Police (USCP) to recognize and celebrate the contributions and sacrifices of USCP, MSP, and other local and federal law enforcement agencies.

Annually in May, a collaborative national effort of many organizations dedicated to honoring law enforcement in America convenes. The effort, *National Police Week*, includes numerous live, in-person, events commemorating officers who currently serve, once served, and or those who lost their lives while serving their communities. The celebration will:

- Allow communities to see law enforcement in a positive light, and help close gaps between communities and those charged with serving and protecting.
- Consider the evolution of law enforcement; and focus on the sacrifices and positivity.
- Serve as a catalyst to change the conversation about policing in America.
- Understand and honor the work with personal stories of officers and why they chose to serve.
- Partner with local offices and law enforcement associations.
- Promote law enforcement.

To that end, our office is eager to partner with USCP to bring this much deserved event to fruition in May 2024.

## WE KNOW WHO...HERE IS WHY...

*"The CLE Initiative means a lot to me because inclusion and diversity are key elements of strong communities where everyone feels welcomed and appreciated. We are all from different backgrounds, creed, skin color, religions but we are bound by the same journey which is the pursuit of freedom and liberty. Diversity, equity and inclusion play an important role in daily life at work or in our family because what binds us together is way bigger than what differentiates us. Everyone should feel safe and free at their workplace, home, or on the street. My creed is be accountable and transparent. Do the right thing, at the right time, when no one is looking." ~ CPL Alioune D. Niasse*

*"From the age of 8, I can remember being called to become a police officer, more specifically a Trooper. As I matured, I began to realize the purpose of service – a person's connection and relationship to his community is what brings true contentment and joy. At 16, I served the community by joining the local Volunteer Fire Department and became a firefighter and EMT. At 18, I joined MSP as a Cadet. During the past 21 years of service, I have found that the brotherhood and belonging within law enforcement is very much like a family." ~ F/SGT Justin Cioka*

*"After serving in the U.S. Army, I joined the ranks of the Maryland State Police to continue my service to the public. It's a rewarding career, and I always look forward to the opportunity to help bridge the gap between citizens and law enforcement officers when it comes to understanding the different perspectives of policing." ~ LT Duane A. Hill*

*"Becoming a police officer was the only career choice for me when I was growing up. Initially, I was hesitant to become a state trooper since I grew up in a rural county and was not exposed to urban areas. However, joining the MSP explorer program at age 14 exposed me to the higher standards and opportunities that would only be afforded to a state trooper. I never expected my career to lead me to where I am today and also providing exposure to the diversity of Maryland. I am confident the Maryland State Police will leverage all of the rich culture and knowledge our state has to grow into a shining example of opportunity for the next generation of law enforcement." ~ SGT Travis Nelson*

On May 10, 2023, Governor Wes Moore and Colonel Roland L. Butler, Jr., Superintendent, with families, friends, and the MSP community in attendance, delivered humble remarks of sacrifice and service honoring 46 brave men and women who lost their lives in the line of duty, during the **Fallen Heroes Ceremony**. The annual ceremony culminated with a memorial wreath presentation, rifle salute, and flyover by MSP Aviation Command.

*"To live how they lived: fearlessly – courageously – decisively. To carry forward the torch of service we've been given by our fallen heroes – though in their hands, the light was always brighter; to lift one another up, on our own shoulders – though theirs were always broader; to honor their heroism with daring of our own." ~ GOV Wes Moore*



Listed by Order of Submission

[msp.odei@maryland.gov](mailto:msp.odei@maryland.gov) | OFFICE OF DIVERSITY, EQUITY AND INCLUSION | 410-653-4379

# NEWS YOU CAN USE



## NATIONAL MEN'S HEALTH MONTH

June is **National Men's Health Month**. ODEI will be conducting a survey for MSP men on sexual harassment in the workplace, similar to what was offered in March during Women's History Month.

Survey results will be made available during the Sexual Harassment Prevention Trainings and published in our September Newsletter. We appreciate your candid feedback.

## CHANGES TO HARASSMENT- COMPLAINTS FILING

**House Bill 0309: State Employee Rights and Protections - Personnel Actions and Harassment - Complaints** passed on April 24, 2023. In summary, **HB 0309** authorizes an applicant for State employment or a State employee to file a complaint alleging harassment by an employer within two years after the alleged violation occurred; and increasing from 30 days to one year, the period of time for an applicant or employee to file a complaint alleging certain prohibited personnel actions.

**HB 0309** goes into effect on October 1, 2023. Learn more on the Maryland General Assembly website by [clicking here](#).

## NEW LAW ALERT!

What is the **Pregnant Workers Fairness Act**? This act is a **NEW** law that requires covered employers to provide "reasonable accommodations" to a worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship." The **PWFA** applies **only** to accommodations. Existing laws that the EEOC enforces make it illegal to fire or otherwise discriminate against workers on the basis of pregnancy, childbirth, or related medical conditions. The PWFA does not replace federal, state, or local laws that are more protective of workers affected by pregnancy, childbirth, or related medical conditions.

The PWFA goes into effect on June 27, 2023. The EEOC is required to issue regulations to carry out the law. Read more about **PWFA**; **FMLA**; and the **PUMP Act** (for nursing mothers) [online here](#).

## NEW GENDER OPTIONS

Recently, JobAps and SPS Workday updated the available gender options.

Applicants and employees may select from the following: *Female, Male, Non-Binary, and Not Declared*.

To view these options and/or update your profile, log into SPS Workday and open your profile, navigate to the "Personal" tab, and make your selection.

[CLICK HERE TO LOG IN](#)



# ELEMENTS OF PROOF



## PROTECTED CLASSES



Per MCCR, “Pursuant to State Government Article, §20-602, Annotated Code of Maryland, every Marylander is guaranteed equal opportunity in receiving employment and in all labor management-union relations regardless of any of the protected classes listed above.

**Harassment** on the basis of a protected class (above, such as sexual harassment).

**Retaliation** for filing a complaint or being involved in the investigation are both prohibited under law and enforced by MCCR.

Additionally, the CROWN Act (Chapters 473 & 474 of 2020) added to existing state law that race discrimination includes traits associated with race, such as hair texture, afro hairstyles, and protective hairstyles.”

## A Message from our Investigator...

Like a book or movie, every complaint has a beginning, middle and end. A complaint alleging discrimination within MSP begins with completing and submitting the MSP 051 form to the Office of Diversity, Equity, and Inclusion (ODEI) typically within 30 days of the alleged incident. Once investigated, a complaint may end in a ‘no probable cause’ or ‘probable cause’ finding.

When an employee, either sworn or civilian, believes they have been discriminated against, the employee (complainant) filing the MSP 051 form indicates what they believe to be the basis for the discrimination. The basis may include identifiers such as race, color, sex (including pregnancy, gender identity, and sexual orientation), religion, national origin, age, disability, genetic information, retaliation, or a combination of any of the above. Collectively, these bases are known as protected classes. Each one of us belongs to at least one protected class. As the name suggests, we are afforded protection from unfair employment practices under Federal and State laws simply by belonging to these specific groups. *But what happens in the middle?*

The middle of the complaint then focuses on the investigatory process, in which an ODEI investigator must gather all relevant information/ documentation regarding the alleged discriminatory act. As a neutral factfinder, the role of the investigator is to follow the facts! Legally, the complainant must meet a criterion of points to prove or disprove that discrimination has occurred, known as the Elements of Proof. Just as every case is different, the elements of proof may vary across one or more protected classes. However, the law requires that all elements of proof for a given basis are satisfied to establish that discrimination has occurred. The claim fails if the complainant fails to prove even one of the elements.

At your service,

*Dohney J. Schlau*

Dohney J. Schlau, J.D.

# DIVERSITY & INCLUSION CALENDAR

## MAY

- **Mental Health Awareness Month:** raises awareness for those living with mental and behavioral issues. This month also seeks to support families or communities who are impacted by mental illness.
- **Older Americans Month:** Celebrates how older Americans contribute to the United States.
- **Jewish American Heritage Month:** Honors American Jews and their contributions to the United States throughout history.
- **Asian American and Pacific Island Heritage Month:** Commemorates people with Asian and Pacific Island ancestry and their contribution to the United States.
- **May 5 – Cinco de Mayo:** Mexican-American holiday that celebrates Mexico's defeat of the French Army.
- **May 17 – International Day Against Homophobia, Transphobia, and Biphobia:** This event seeks to raise awareness for the rights of LGBTQ+ individuals.
- **May 19 – Malcolm X's Birthday:** Well-known Muslim minister and civil rights activist, who was assassinated in 1965.
- **May 26 – Buddha's Birthday:** Celebrates the Buddha, who founded one of the world's most practiced faiths.

## JUNE

- **LGBTQ Pride Month:** Pride Month recognizes LGBTQ people and the effect they've had on the world. June was selected to commemorate the Stonewall Riots.
- **Caribbean American Heritage Month:** This month recognizes those of Caribbean descent and the impact their accomplishments have had throughout American history.
- **June 2 – Indian Citizenship Act of 1924:** This act granted Native Americans born in the U.S. citizenship. However, they were not given the right to vote until 1957.
- **June 11 – Puerto Rican Day Parade:** This parade is a demonstration of cultural pride that seeks to raise awareness of issues in the Puerto Rican community.
- **June 12 – Loving Day:** This day is the anniversary of the court decision that legalizes interracial marriage.
- **June 19 – Juneteenth:** This day commemorates when the last African Americans learned of the Emancipation Proclamation (over two years after it was originally issued).
- **June 26 to July 1 – The Hajj:** This day begins the annual pilgrimage to Mecca that all Muslims must take once in their lives if they are physically and financially capable.
- **June 27 – Helen Keller's Birthday:** This day celebrates the birth of Helen Keller, an individual who was both blind and deaf. She was a leading humanitarian in the 20th century as well as one of the co-founders of the ACLU.

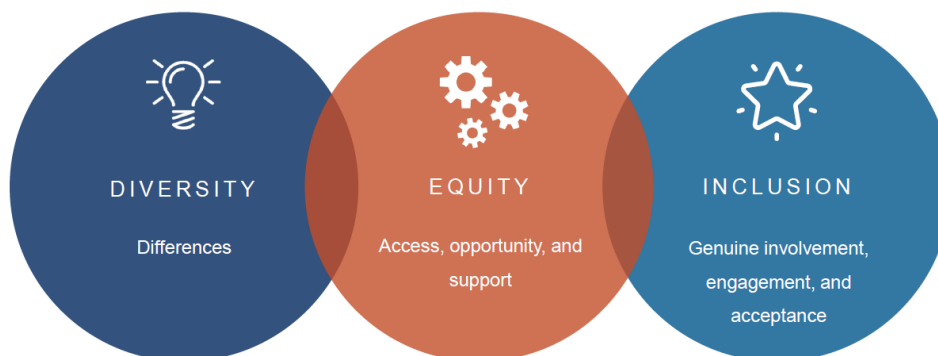
# DIVERSITY & INCLUSION CALENDAR

## JULY

- **July 2 – Thurgood Marshall’s Birthday:** The day Associate Justice of the Supreme Court and civil rights activist Thurgood Marshall was born.
- **July 6 – Dalai Lama’s Birthday:** The day that Tibet’s leader in exile and Nobel Peace Prize recipient was born.
- **July 18 – Nelson Mandela’s Birthday:** Nelson Mandela served as South Africa’s first black president and was a strong civil rights leader.
- **July 26 – Americans with Disabilities Act:** This law protects people with disabilities from being discriminated against.
- **July 19 – Hijri New Year:** this day marks the start of the Islamic New Year — beginning the prior evening.

## AUGUST

- **August 4 – Barack Obama’s Birthday:** This day marks the birth of the United States’ first Black president.
- **August 9 – International Day of the World’s Indigenous People:** This day was created by the UN to celebrate the culture of indigenous people on a global scale.
- **August 15 – Feast of the Assumption:** This Roman Catholic feast day marks the entry of the mother Mary into Heaven (body and soul).
- **August 24 – Marlee Matlin’s Birthday:** This day celebrates the birth of Marlee Matlin — the sole hearing-impaired actor to win best actor/actress.
- **August 26 – Women’s Equality Day:** This day marks the anniversary of women gaining the right to vote in the year 1920.



# CULTURAL COMPETENCE

Understand that not every incident meets the criteria for an EEO discrimination investigation. We ALL have **Implicit “unintentional” Bias**. Displaying the cultural competence behaviors of *active listening, demonstrating empathy, and effective engagement* is vital when communicating. These three components will help in establishing a more welcoming work environment and appreciation of our similarities and differences among cultures. The ODEI facilitates **Sensitivity Training** to address this and raise awareness.

## TIPS...

Do NOT assume because you interact with staff on a daily basis that you are free to use slang, verbiage, or references that are offensive. EXAMPLE: “Your accent is too thick, you should really consider taking ESOL classes or an English refresher.”

How can you demonstrate **Cultural Sensitivity**?

- Learn by asking and not assuming...
- Think beyond race and ethnicity... we are all human beings...
- Pay attention to body language and non-verbal behaviors...
- Exchange stories...

## WORKPLACE IMPLICIT BIAS

Below are 12 most common types of workplace bias and a brief description. Understanding each can help us recognize if one or more are occurring so they are addressed appropriately and a healthy workplace culture is developed and maintained over time.

1. **Conformity Bias**—Pressure to agree when in a group.
2. **Beauty Bias**—Being biased towards traditionally attractive people.
3. **Affinity Bias**—Leads to a deeper connection with someone based on things you have in common.
4. **Halo Effect**—One positive attribute outweighs all negatives.
5. **Horns Effect**—Focus on a single negative attribute.
6. **Similarity Bias**—Feeling more comfortable around someone who is similar.
7. **Contrast Effect**—Comparing applicants to one another versus their resume to the job description.
8. **Attribution Bias**—Attributing someone’s accomplishment and failures to different factors.
9. **Confirmation Bias**—Assuming you’re right regardless of the facts.
10. **Affect Heuristics**—Making conclusions based on superficial or unimportant details.
11. **Illusory Correlation**—Developing connections between unrelated concepts and make assumptions based on those relationships.
12. **Intuition Bias**—Relying on your emotional response rather than facts when making a decision.

The Ten Dimensions of a Workplace Culture





# RESOURCES & TRAINING

## DISCRIMINATION COVERED UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

<https://www.eeoc.gov/discrimination-type>

## EMPLOYEE ASSISTANCE PROGRAM (EAP)

<http://www.dbm.maryland.gov/employees/Pages/EAP.aspx>

## MARYLAND COMMISSION ON CIVIL RIGHTS (MCCR)

<http://mccr.maryland.gov/>

## MARYLAND DEPARTMENT OF DISABILITIES

<http://mdod.maryland.gov/Pages/Home.aspx>

## MAY IS MENTAL HEALTH AWARENESS MONTH

[www.dbm.maryland.gov/benefits/pages/mymdcares.aspx](http://www.dbm.maryland.gov/benefits/pages/mymdcares.aspx)

Relationship issues, life changes, emotional well-being risks, and everyday life challenges? State of Maryland employees have access to **MyMDCares** services. Following referral from ODEI, all paper records are *destroyed*. However, if you choose not to access via the ODEI, confidential assistance is available 24/7 at no cost to you and your dependents. To start a conversation, **call** 844-405-8200 directly. You may also **text** to 800-327-2251, or use one of the following hashtags: **#BEBETTER** (connect w/a master's level MyMDCares Coordinator)—OR—**#WORKLIFE** (connect w/a Work-Life Resources Specialist).

## ODEI TRI-FOLD...**COMING TO YOUR MAILBOX SOON!**

**SUICIDE & CRISIS LIFELINE**—Lifeline **9-8-8** has been designated as the *new* three-digit dialing code that will route callers to the **National Suicide Prevention Lifeline**. Everyone in the U.S. seeking support for suicidal, mental health, and substance use crisis—call or text any time of day.



## ARE YOU IN SHPT COMPLIANCE?

House Bill 1423 requires all new staff to receive **Sexual Harassment Prevention Training (SHPT)** within the first six months of initial State service and all staff every two years.

We are facilitating *in-person* mandatory SHPT thru November 2023 in Sykesville, and Hagerstown and Wor-Wic Community Colleges. Register via PowerDMS.

### CIVILIAN STAFF (Tuesdays)

June 6, 27  
July 11, 18  
August 1, 15, 29  
September 5, 26  
October 10, 31

### SWORN STAFF (Thursdays)

May 4, 11, 18, 25, 31  
June 1, 8, 15, 29  
July 6, 20, 27  
August 10, 17, 24, 31  
September 7, 14, 21, 28  
October 5, 12, 19, 26  
November 2, 9, 16

# OFFICE OF DIVERSITY, EQUITY AND INCLUSION

## OUR DOCTRINE

Diversity-Equity-Inclusion (DEI) is an ethos that recognizes the value of mixed voices and considers fairness and opportunity as vital facets of its success. The ODEI is unified in shepherding this philosophy for the betterment of us all and those we serve.

## OUR FUNCTIONS

- Fair Practices is our core mandate.
- Investigate complaints of discrimination-harassment submitted via the MSP 051 form, with autonomy and discretion.
- Mediate to maintain professional standards and workplace cohesiveness.
- Facilitate mandated Sexual Harassment Prevention, EEO, and Sensitivity Trainings.
- Ensure all personnel actions and civilian hiring practices are administered in an equitable manner to produce just outcomes and mirror transparency.
- Process commendations and complaints received from the MSP 225 form.
- Manage the Employee Assistance Program (EAP) referral process.

**Colonel Roland L. Butler, Jr.**  
Superintendent



**Wes Moore**  
Governor

**Aruna Miller**  
Lt. Governor

## CONTACT US

[msp.odei@maryland.gov](mailto:msp.odei@maryland.gov)  
410-653-4532 (FAX)

**Gail V. Tucker, M.Sc., MBA**  
*Director*

410-653-4299 (O)  
410-207-4074 (C)  
[gailv.tucker1@maryland.gov](mailto:gailv.tucker1@maryland.gov)

**Atto Commey, J.D.**  
*Deputy Director*

410-653-4312 (O)  
443-379-2568 (C)  
[atto.commey2@maryland.gov](mailto:atto.commey2@maryland.gov)

**Dohney J. Schlau, J.D.**  
*EEO Investigator*

410-653-6645 (O)  
443-401-3110 (C)  
[dohneyj.schlau@maryland.gov](mailto:dohneyj.schlau@maryland.gov)

**Sarah C. Turnbaugh, B.Sc.**  
*EEO Intake Officer*

410-653-4379 (O)  
[sarah.turnbaugh@maryland.gov](mailto:sarah.turnbaugh@maryland.gov)

## LOCATION

1201 Reisterstown Road,  
Pikesville, MD 21208  
Building "C" | 3rd Floor  
*Office Hours by Appointment*  
M-F, 8 a.m.-4 p.m.

**NEXT ISSUE - SEPTEMBER 2023**

FOR BACK ISSUES [CLICK HERE](#)