



Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER EIGHTY

COMMISSION TO EXAMINE RACIAL AND ECONOMIC INEQUITY IN VIRGINIA LAW

Importance of the Initiative

On June 4, 2019, Executive Order 32 established the Commission to Examine Racial Inequity in Virginia Law. Its purpose, inspired by the leadership of Senator Lionell Spruill and Delegate Marcia Price, was to review the *Acts of Assembly*, the *Code of Virginia*, and Virginia's administrative regulations to identify and make recommendations to address laws that either were intended to or could have the effect of promoting or enabling racial discrimination or inequity. The Commission's work focused on researching historic law to identify remainders of racially discriminatory language in order to right the wrongs of history. On December 5, 2019, the Commission issued a report to the Governor reflecting the Commission's findings and recommendations. Relying upon those recommendations, the General Assembly repealed 91 discriminatory *Acts of Assembly* in its 2020 Regular Session.

In response to the racial justice demonstrations during the summer of 2020, Amended Executive Order 32 (June 4, 2020) extended the Commission for another year. Under the Amended Order, the Commission's work shifted to identify laws and policies that needed to be amended, repealed, or enacted to address underlying and persistent racial inequities. On August 6, 2020, the Commission issued a memorandum on criminal justice, followed by its second report issued on November 15, 2020. Throughout its existence, the Commission has brought to light racially discriminatory laws and offered policy proposals to address that discrimination.

While the increased focus on racial reckoning magnified the critical need for criminal justice reform, the COVID-19 pandemic exposed economic inequities in the Commonwealth, particularly for Virginians of color. Now citizens and advocates are calling for more equitable economic opportunities as we rebuild Virginia's post-pandemic economy.

Therefore, it is time to establish a new commission to examine the intersection between institutional racism and economic inequality. This new commission will identify racially discriminatory laws and the inequitable economic policies that shadow them. A core initiative of my Administration is to build a Virginia that works for everyone, no matter who you are or where you come from. This new commission will strive to make that vision a reality.

Establishment of the Commission to Examine Racial and Economic Inequity in Virginia Law

Accordingly, by virtue of the authority vested in me as Governor, under Article V of the Constitution of Virginia and §§ 2.2-134 and 2.2-135 of the *Code of Virginia*, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby establish the Commission to Examine Racial and Economic Inequity in Virginia Law (Commission). The Commission will identify laws and policies in Virginia that have the effect or could have the effect of enabling or promoting racial or economic inequity or inequality.

Composition and Support of the Commission

The Governor will appoint the Commission's members and its chair(s). The Governor will appoint experts, scholars, and community leaders with knowledge of and/or experience in civil rights, race and equity, economics, and the law. The Governor may appoint other members to carry out the Commission's duties at any time. The Commission will have an advisory role, and the members will serve without compensation, in accordance with § 2.2- 2100 of the *Code of Virginia*. In carrying out its duties, the Commission may establish working groups as it deems appropriate and may solicit participation from relevant subject matter experts, practitioners, and historical analysts.

The Office of the Governor and any other agencies or offices as may be designated by the Governor will provide staff support for the Commission. An estimated 250 hours of staff time will be required to support the work of the Commission.

Duties of the Commission

The Commission will meet upon the call of the chair(s) and shall issue an interim report with any findings and recommendations to the Governor no later than September 30, 2021. The Commission shall issue any additional reports to the Governor as necessary or as requested by the Governor. The Commission's reports shall be made available to the public.

Finally, this new Commission will build upon the model of the Commission to Examine Racial Inequity in Virginia Law by continuing to engage advocates, community leaders, and special interest groups who serve and represent Virginia's diverse constituencies.

Effective Date of the Executive Order

This Executive Order shall be effective upon signing and shall remain in force and effect for one year, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 30th day of July, 2021.



A handwritten signature in cursive script, reading "Ralph S. Northam".

Ralph S. Northam, Governor

Attest:

A handwritten signature in cursive script, reading "Kelly Thomasson".

Kelly Thomasson, Secretary of the Commonwealth