

February 9, 2023

Chairwoman Diane Lanpher
Vermont House of Representatives
115 State Street
Montpelier, Vermont 05633

Dear Representative Lanpher,

We, the undersigned, write to ask that as the House Appropriations Committee welcomes members of the public to hearings on the FY24 budget, you utilize protocols that minimize harm and create an inclusive space for individuals giving testimony. We recognize that public hearings on the budget are instrumental, as the primary opportunity for interaction between the public and the Legislature concerning the budget.

We endorse the definitions by the Social Equity Caucus for “harm” and “inclusive space” in this context, and therefore define harm as “when someone makes a comment or uses a line of questioning to challenge or question someone’s experience, story or identity. Harm may include hate speech. It may also result from unconsciously expressing bias or discrimination against someone based on their social identity.”

We define “inclusive space” as “creating a respectful, welcoming, and inviting space for people with different identities, backgrounds and experiences for everyone present in a hearing, including staff and legislators.”

In order to create an inclusive space for members of the public, we ask the House Appropriations Committee to commit to the following:

1. Release and proactively publicize the date and time of the hearings at least two weeks in advance, allowing individuals sufficient time to plan and prepare. Include with the announcement the protocols the Committee will use for the hearing.
2. Clearly state the Committee’s protocols during the hearings, and periodically re-state the protocols throughout to ensure that everyone present understands them. Examples of this include explaining that during public hearings, legislators may not directly respond to individuals, as well as the system of timing and order of events.

3. Utilize the “Protocol for Legislative Leaders to Create a Welcoming and Supporting Hearing for Witnesses,” as developed by the Vermont Social Equity Caucus (attached below).

By following these recommendations, the Committee will create a space that is safer and more welcoming to the public, encouraging more, and more meaningful, public participation in the budgeting process. We look forward to working with you on these items.

Sincerely,

The Fund Vermont’s Future Campaign

CC: Leadership of the Vermont Social Equity Caucus
Vermont House of Representatives Committee on Appropriations

The Fund Vermont’s Future Campaign is a coalition project of Public Assets Institute. The coalition includes representatives from organizations as well as individual representatives from Vermont communities.

Steph Yu, Public Assets Institute
Matt Levin, Vermont Early Childhood Advocacy Alliance
Colin Robinson, Vermont-NEA
Michelle Fay, Voices for Vermont’s Children
Lauren Hierl, Vermont Conservation Voters
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Protocol for Legislative Leaders to Create a Welcoming and Supporting Hearing for Witnesses

Developed by Vermont Social Equity Caucus
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The General Assembly deliberative process relies greatly on the testimony, expertise, and experiences shared by witnesses in committee hearings. We are committed to creating an inclusive and welcoming environment for witnesses because Vermonters deserve a democratic space that acknowledges and values their knowledge, expertise, and lived experiences.

Each committee will offer the following committee process when inviting, welcoming, and engaging with witnesses:

- Share the witness protocol document, whenever possible, at least 48 hours before a witness is asked to testify in committee so witnesses can prepare.
- Invite witnesses to participate in hearings as soon as possible, thereby acknowledging and accommodating the fact that many witnesses must take time off from work to testify if they are not regular advocates/lobbyists.
- Communicate with witnesses as soon as possible for any schedule changes, including if testimony time will be limited.
- Offer witnesses adequate time to testify whenever possible and seek to reschedule if a witness will be given less than five minutes to testify so as to honor their time and work to prepare testimony.
- Schedule witnesses who are not paid advocates/lobbyists at the beginning of hearings to allow adequate space and time to allow them to testify.
- Prioritize witnesses who attend with interpreters because rescheduling interpreters can be difficult and often includes additional costs either to the legislature and/or the advocacy organizations offering the service.
- Monitor testimony time of witnesses to respectfully set reasonable time limits so that witnesses have equitable time to testify. Equitable time means offering more time to witnesses who do not have regular time and access to legislators like paid advocates/lobbyists.
- Confirm the correct pronunciation of witnesses' names and pronouns. If someone's name is mispronounced, pause, thank the person, and correct it. If someone uses another person's wrong pronouns, pause, thank the person, and use the correct pronouns. Here is a [resource](#) on how to use correct pronouns.
- Speak clearly and plainly, and encourage all committee members to do the same, to allow for language accessibility and ease in understanding the legislative process. Clear language is particularly important for people who require an interpreter and/or people requiring auditory assistance. Moreover, clear and transparent communication and explanations benefits everyone.

- Whenever possible, begin each hearing by sharing ground rules that include: 1) maintaining a safe and welcoming space for all people, 2) stopping harm if it occurs, and 3) offering equitable time to witnesses who are not paid advocates/lobbyists. Consider reading the purpose statement of this document to frame the goals of the ground rules.
- Understand that testifying on topics can invoke emotions in witnesses and others in the room. Pause when necessary to allow people to share emotions and allow people to express themselves within the boundaries of maintaining a safe and inclusive space for all gathered. Emotions are valid and normal, and don't have to be logical to you to be so.
- The committee chair and/or committee leadership will maintain a welcoming and safe space during hearings, including stopping aggressive lines of questioning from committee members which challenge or question someone's experience or story. Leaders will stop interruptions. Leaders will also remind witnesses they are not compelled to answer questions, specially as relates to personal information and experiences.

If harmful questions are posed in the hearing, committee leaders will pause the conversation and clarify what is legally permitted to be asked of a witness, committee member, or staff. For guidance on legally permissible questions, please contact Legislative Counsel. Harmful questions include comments or lines of questions that challenge or question someone's experience, story, or identity. Harmful questions also include hate speech and/or [un]consciously expressing bias or discrimination against someone based on their identity.

A person, especially a witness given the power dynamics in a hearing, may not specifically say they were harmed, which is why it is important for committee leaders to understand the fundamental nature of common harmful statements and questions. For more information on what is considered harmful, please contact the [Human Rights Commission](#) or the [Office of Racial Equity](#).

When harm occurs, committee leaders will pause the hearing, acknowledge it, and apologize for harm caused to a witness in real time, or at minimum, immediately after the meeting. For more information on stopping harm, especially regarding racism, see this [resource](#) (Gage, C.).

If committee leaders do not maintain a safe and welcoming space or miss pausing harmful conversations, members of the committee are encouraged to ask to be acknowledged to ask for a pause in the hearing to address the issue.