

## Vt. panel sees lack of bias-free policing data

By DAVE GRAM, Associated Press  
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MONTPELIER, Vt. (AP) — A 2012 Vermont law designed to root racial and ethnic bias out of police work is being implemented unevenly, and there's not enough data to determine how big the problems are, minority advocates told lawmakers Thursday.

The Vermont State Police have seen marked improvements in their dealings with members of minority groups, including Latino farmworkers who lack immigration documents giving them legal status but who are said to provide crucial labor on many Vermont dairy farms, an advocacy group told the House Judiciary Committee. But Migrant Justice said the state panel that sets police standards has issued a much weaker policy.

"The State Police, for example, had a strong and clear bias-free policing policy before (the 2012 law) and has since also increased commitments to bias-free trainings and significant progress has been made on the ground affecting police culture," the group told the committee in a memo.

The standard-setting body, Law Enforcement Advisory Board, however, issued a weaker anti-bias policy than one used by the State Police, the group said, adding that the "essential elements" the LEAB calls for police departments to adopt also aren't as strong as those contained in a series of recommendations by Attorney General Bill Sorrell.

Migrant Justice, which represents farm workers, cited two incidents in northern Vermont's Franklin County last year in which it said sheriff's deputies pulled over drivers and, spotting passengers who appeared Latino, demanded identification and then called in the U.S. Border Patrol. The five passengers now are in deportation proceedings, Migrant Justice said.

Franklin County Sheriff Robert Norris said in an interview his office has had an anti-bias policy since 2003 and is in the process of updating it. In one of the stops last year, the Border Patrol had asked to be contacted if law officers encountered the driver, Norris said.

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A key goal of Migrant Justice and allied groups has been to get police to adopt a policy in which officers don't automatically assume that people who appear to be Latino should have their immigration status checked, unless they're found engaging in some other criminal behavior.

The State Police have largely adopted that policy, its director, Col. Thomas L'Esperance, told the committee. "We're not going to initiate a stop and immediately go to the Border Patrol," he said. He and committee members agreed that an important goal is to reduce the fear of contacting the police among some immigrants without legal status when they are a victim or witness to a crime.

L'Esperance did say that state police operating along the U.S.-Canadian border — Franklin County borders Quebec — frequently cooperate with Border Patrol officials, often responding to the same incidents. In the stops last April and July, Migrant Justice said Border Patrol agents did not arrive until after the sheriff's department called them.

Committee members also expressed concern about spotty collection of data on the race and ethnicity of drivers who are stopped. Washington County Sheriff Sam Hill told the panel his department lacked the staff and resources needed to enter the information into a database.

Committee Chairman Bill Lippert, D-Hinesburg, expressed frustration that Vermont's disparate law enforcement agencies make it difficult to track how well police in the state are responding to the requirements set in law by the Legislature.

"Is there anybody that can tell me: Has every law enforcement department in the state of Vermont adopted the policy that we have set in place?" Lippert asked.

"That I don't know," said Ed Miller, a lobbyist for the Vermont Police Association.

"Well that's just it," Lippert replied. "There's nobody who can answer that question."