Community leaders in favor of creating a mechanism to hold accountable law enforcement agencies that violate ACT 134/Bias Free Policing

Respectful members of the House Judiciary Committee,

We are disheartened to report that we believe the majority of Vermont law enforcement agencies have not yet complied with Act 134/Bias Free policing. This compliance gap by agencies, whether willful or not, places an undue burden on our communities. When the legislature passed Act 134 in 2012 we thought compliance by law enforcement agencies would ease the disproportionate burden our communities regrettably endure.

There is a growing negative bias-related experience with police based on the color of your skin, our youth's fear continues to increase with the local and national growing mistrust of law enforcement and communities in our backyard cannot wait for action to enforce ACT 134. Vermont at this very moment has the opportunity to embrace the rich, complex and growing cultures which are part of the identity of Vermont or we can choose to marginalize them, miss understand and continue to ignore their needs.

Act 134/Bias Free Policing Policy mandated under that every state, local, county and municipal law enforcement agency that employs one or more law enforcement officers should comply with the following three criteria.

1. Adopt a bias Free policing policy

In the absence of any data suggesting otherwise, we believe that the majority of Vermont's 70+ law enforcement agencies have no or outdated bias-free policing policies. Neither the Office of the Attorney General nor the Vermont Criminal Justice Training Council nor the Vermont Center for Judicial research nor Vermont State Police has data on the number of law enforcement agencies with policies let alone whether or not the policies are compliant with Act 134.

Our work on the ground has led us to discover that in fact many of the local, municipal and county law enforcement agencies are actually not in compliance with the state law and the current policies that they hold are very outdated going back a decade. The specific lack of action from such departments to adopt a policy has added to the growing lack of trust and separation between our communities.

Act 134's failure to mandate data collection on compliance is matched only by its failure to establish specific consequences for those departments who fail adopt a Bias Free Policing Policy. It is important to us as a community to have clear and transparent mechanisms of law enforcement accountability. We request that you address these failures by requiring all law enforcement agencies submit their bias-free policies to the Office of the Attorney General for review and determination whether or not the policy complies with current law.

2. Engage in bias free training

We have seen the benefit of having a bias free policy in place with the State Police and their growing commitment to bias free training and significant progress has been made on the ground affecting State Police culture. Every agency should follow State Police's lead and commitment however data on the number of other agencies fully engaged in training is limited at best.

We believe the practice of some law enforcement agencies to rely exclusively upon on-line bias-free training programs is inadequate as is the practice of training new officers at the Vermont Police Academy and inserting them in old entrenched command structures unfamiliar with the theory and practice of bias-free policing. These new officers are more likely to fall in line with the culture of racial profiling where command structures marginalize bias-free policing. Training must occur throughout the law enforcement agency from the upper command structure to the boots on the ground as is the case with State Police. In addition, for towns with police commissions, police commissioners should also receive training, as has been the case with the Rutland Police Department. Training needs to be interactive, inclusive of all ranks, coherent, comprehensive, and driven by concerns of community members.

3. Collect race data

We fully endorse the collection of both traffic and pedestrian stop data by all law enforcement agencies. This data should be used in combination with other quantitative and qualitative measures to inform law enforcement agency professional development.

Sincerely,

Original Sponsors:

1. Curtis Jr. Reed, Executive Director for Vermont Partnership for Fairness and Diversity

2. Abel Luna, Migrant Justice

3. Deane Wang-Winooski Resident- P.H.D University of Vermont

4. Nathaly Agosto Filion-Burlington Resident

5. Darya Marchenkova- Burlington Resident

6. Kim Clark- Vergennes resident

7. Cecilia Miga- Burlington Resident, PHD University of Vermont

8. Beverly Colston- University of Vermont ALANA Student Center

9. Paij Wadley-Bailey, Vermont Anti-Racism Action Team, VARAT

10. Denise Dunbar, Just Transformations Educational & Equity Training and VARAT

11. Sylvia Knight-Charlotte VT-Resident

12. Reverend Will Burhans-Senior Pastor Charlotte Congregational Church

13. Sheila Linton- Resident of Brattleboro-Vermont Workers Center

14. Sarah Martinez de Osaba, Founder-Vermont Multicultural Alliance for Democracy & Equality

15. Vermont Workers Center

16. Karen Tronsgard-Spott, Burlington Resident

17. Vermont Network Against Domestic and Sexual Violence

18. Women Helping Batter Women

19. Kelsay Naro, Chittenden County

20. Rashad Shabazz, PHD University of Vermont

21. RU12? Community Center, Burlington VT

22. SafeSpace Program

23. Alis Headlam, Rutland Resident

24. Jaime McCallum, Middlebury College PHD

25. Rebecca Tiger-Middlebury PHD

26. Cheryl Mitchel-Addison County Farmworker Coalition

27. Beatriz Parwatiker-Addison County Farmworker Coalition

28. S'ra DeSantis-Diggers' Mirth Collective Farm

29. Marita Canedo-Resident of Essex Junction, Migrant Justice

30. Johnathan Jerome-Winooski Resident

31. Sonia Rodriguez-Burlington Resident

32. Jessica Gutierrez-Middlebury Resident

33. Patrick Brown, Greater Burlington Multicultural Resource Center

34. Natalia Fajardo Chavez-Migrant Justice

35. Enrique Jimenez, Farmworker, Migrant Justice Coordinating Committee

36. Carlos Diaz, Farmworker, Migrant Justice Board Member

37. Gabriela Fuentes, Middelbury College Student member of JUNTOS

38. Carol Diamond, Co-director for Batter Women Services and Shelter

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