

Jeffrey P. Caesar
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To Judiciary Committee:

I am a proud Afro-Indigenous West Indian American and I live Burlington, Vermont. I support H. 492 to establish a police oversight board that will improve the fairness and equality of Vermont's criminal justice system. The implementation of this bill is a lifeline for people of color and marginalized communities, who are disproportionately stigmatized by the the criminal justice system, which has become a vehicle for implicit and unconscious [racial] bias to take root. This is a major issue and as it currently stands, there is little representation and recourse of people of color in our state to account for racial bias in a state that is only 5% minority population. The recently changing Federal policies now threaten Vermont workforce, as Immigration & Customs Enforcement (ICE) target brown skinned migrant workers and detain those who have minor infractions on their record. Moreover, The right to establish this is a right that is explicitly expressed in the Vermont State Constitution, under Articles, 5,6,and 7 of the Vermont State Constitution. We need this oversight board, so that we can be advocated for in the spaces that would otherwise be closed off to those who need justice the most.

Do not be mistaken by Vermont's famed progressive predisposition: Racism and racial bias are alive and well in Vermont. It is not easy to live in Vermont as a person of color, as we are consistently profiled and targeted as we go about our day to day lives. I have been followed and watched more times in stores Vermont, than ever in my life. Vermont Law School's Dean of Students was forced to take action and confront Windsor County Police in order to end disproportionate pulling over of students of color, as they left campus in 89. This resulted in students not wanting to drive to the grocery store because it was frequent and humiliating. The cost of purchasing goods you do not want in stores because someone is following you becomes expensive. The cost of purchasing food only from the co-op because traveling to the cheaper alternatives in the next town will result in a traffic stop adds up. These issues we face do become an economic burden to a population already faced with economic hardship.

Our public schools also hold disparagingly low employment and retention rates of faculty of color, and per capita nominal POC owned and operated businesses. This lack of diversity is a reflection of our communities and ultimately shapes how we are treated in person, in groups, and institutionally. Ironically while we are also made painfully aware that individually we stand out, we as a community are virtually invisible to the State.

This past week we just watched as profiling has been used by Federal agents to detain human rights activists in the migrant community. See it for what it is: This was a targeted attempt to silence the migrant justice movement. Federal power to muscle the 1st amendment rights to

free speech from our our brown immigrant populations that play a major role in our, local, state, and national economies.

Implicit Bias is defined by The National Center for State Courts (www.ncsc.org/ibfaqs) as a bias that we are unaware of, and which happens outside of our control. It is a bias that happens automatically, and is triggered by our brain making quick judgments and/or behavior that results from subtle cognitive processes (e.g., implicit attitudes and implicit stereotypes) that often operate at a level below conscious awareness and without intentional control.

To illustrate this concretely: Ask yourself this question and raise your hand, only if you answer, “Yes.”

“Would you want to be treated by the police and criminal justice system as a [black] American or person of color is treated in America today?”

Think carefully about this, in conjunction with all the stereotypes and stories you’ve experienced and heard.... If the the answer is, “No.” Then you see the bias that exists within the criminal justice system. You can also see how difficult it can be to perceive, articulate, and even acknowledge.

Fortunately, the ability to create such an entity is spelled out in *The Vermont State Constitution*:

Chapter I.

a.) Article 5. [Internal police]

That the people of this state by their legal representatives, have the sole, inherent, and exclusive right of governing and regulating the internal police of the same.

b.) Article 6. [Officers servants of the people]

That all power being originally inherent in and co[n]sequently derived from the people, therefore, all officers of government, whether legislative or executive, are their trustees and servants; and at all times, in a legal way, accountable to them.

c.) Article 7. [Government for the people; they may change it]

That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community, and not for the particular emolument or advantage of any single person, family, or set of persons, who are a part only of that community; and that the community hath an indubitable, unalienable, and indefeasible right, to reform or alter government, in such manner as shall be, by that community, judged most conducive to the public weal.

In closing, The Fair and Impartial Policing Board must remain central to the work and not become diluted. Otherwise, the systemic and institutional bias of the Criminal Justice System, which this bill seeks to end, will continue unabated. The need for this board is deeply evident in the disproportionate rate of People of Color (POC) imprisoned in contrast to free citizens of the State. There are thousands around the state of Vermont who need this board, and many do not identify as a person of color. They are your constituents and your neighbors. They are your family. They are your friends. H. 492 directly addresses the issue of systemic racism and the implicit bias of marginalized communities that is pandemic across our nation.

The progressive politics and policies of VT are being closely examined on a National level, thanks to the success of Sen. Sanders. We hold a real opportunity to once again lead a movement of equality of justice. It is imperative that we take this stand, and through this bill, we can live up to the promises of Governor Scott to protect Vermonters from the injustices of embedded in state and national public policy. By adopting this bill, Vermont will take preemptive steps towards navigating the murky and uncertain political climate of the next few years and lay groundwork to protect the vulnerable communities. Our ability to explore rhetoric and move ideas along our own echo chambers is over. This bill is urgent. Human rights are being stripped from us federally every day. We must act and move swiftly.

I implore you to vote favorably and move this into law. You may not personally know the pain this proposed bill will alleviate from the communities of color within this state, but I do. It is ground breaking policy in the state of Vermont that will resound nationally and, once again, placing our great state on the map for being forward in National national precedents in equality, and Justice for All.

Thank you,
With Love,

Jeffrey P. Caesar