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MEMO

TO: Joint Justice Legislative Oversight Committee
FROM: Karen L. Richards, Executive Director, Human Rights Commission
David Scherv, Assistant Attorney General
RE: Act 54- Racial Disparities Across State Systems
DATE: December 7, 2017

Summary of charge:

During the last session the Legislature passed Act 54, an act relating to the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel. Section 3 of the act charged the Attorney General, together with the Human Rights Commission and interested stakeholders, with developing:

a strategy to address racial disparities within the State systems of education, labor and employment, access to housing and health care, and economic development. The Attorney General and the Human Rights Commission shall jointly report on the strategy to the Justice Oversight Committee on or before November 1, 2017.

On October 9, 2017, the HRC and AGO requested an extension of the November 1, 2017 deadline to allow for additional stakeholder forums. The extension was granted until December 15, 2017. We are currently working on the report.

Summary of process:

- ❖ Around 100 stakeholders attended three public forums;
- ❖ Forums were held 9/28/17 (Montpelier-day); 11/20/17 (Brattleboro-evening) and 11/28/17 (Burlington- evening);
- ❖ Stakeholders identified areas of existing (data to show) and perceived (data may or may not exist) disparities in each of the five areas of inquiry, chose one or two to focus on, and then identified the root causes of the disparity, partners who can assist in addressing it and possible ways to address it;
- ❖ There was surprising consensus in the latter two groups about the most important areas for continued focus. (The first group completed a different task).

Summary of Stakeholder Input:

Education:

- ❖ Recruitment, hiring and retention of educators of color; and
- ❖ Curriculum that is not representative, culturally responsive, social justice oriented, inclusive of accurate indigenous history.

Labor & Employment:

- ❖ Recruitment, hiring, promotion and retention of people of color in state government

Economic Development:

- ❖ Lack of support for, and development and nurturing of businesses operated by people of color

Healthcare

- ❖ Racism as a social health determinant

Housing

- ❖ Lack of sufficient affordable housing
- ❖ Discrimination by private landlords

Strategies:

Act 54 asks for “a strategy” to address racial disparities across these systems. That is simply not possible though the single strategy could be: *Vermont state government will devote sufficient resources to reducing identified racial disparities across all systems of state government.*

How that will be done to accomplish that is the crucial inquiry. Here are some ideas:

- ❖ Identify Vermont agencies/departments/commissions/councils, etc. that are currently engaged in affirmative efforts to address racial disparities;
- ❖ Examine what these entities are doing and what is and is not working well;
- ❖ Work to replicate what is working throughout state government by:
 - ✓ Tasking all Vermont agencies/departments/commissions/councils, etc. with identifying a performance measure that is related to a racial disparity that the entity will track as part of the Results Based Accountability (RBA) initiative;
 - ✓ Having each agency/department identify an EEO officer who will oversee the work related to that performance measure;
 - ✓ Requiring EEO officers to gather public input, particularly input from affected groups on an annual basis;
 - ✓ Having the EEO officers convene on at least an annual basis to review and revise the work, examine trends, etc.
 - ✓ Requiring that all state contracts contain language related to reduction of identified racial disparities