

In the year 2018, America is once again fully engaged in a reckoning with our original sin of building a nation on the backs of slaves and the graves of indigenous peoples. Discussions of race are on at the forefront of public conversation, and abandoned are the neo-liberal delusions of a “post-racial” society. We are seeing yet another virulent backlash against even the perception of progress, embodied by the first African-American president in over 200 years of nationhood. Conversely, the very public and proud assertion that yes, Black Lives Matter, has grabbed a toe-hold in the national conversation. Never has it been more clear, more thoroughly researched, or more on display in the very palms of our hands, that systemic racism is unequivocally woven into the fabric of our society, and that the consequences are incredibly deadly.

Yet as the voices of dissent grow louder, the sanctions from the federal government grow stronger. The current administration’s penchant for racially motivated immigration policies, revival of debunked and disastrous policies such as the war on drugs, and support of cointelpro-type reports on so-called ‘black identity extremists,’ makes it clear that the civil liberties of people of color in this nation are in ever-increasing peril. The walk-back of decades of federal policy meant to offer civil protections to some of our most vulnerable citizens makes it incumbent upon us to do everything we can to bolster those protections here in our state.

But these are not the reasons why the state of Vermont needs legislation to mitigate systemic racism in all public structures and systems. Vermont needs this legislation for the plain and simple reason that *systemic racism exists in all public structures and systems in the state of Vermont*. This is the fault of no one man and no one administration, in truth it is the tainted legacy of this nation manifesting itself, even here in our progressive and idyllic green mountain home.

Rev. Dr. Martin Luther King Jr., in the very same year that the Civil Rights Act was passed in congress, made this prediction in his 1964 London speech:

“I mentioned that racial segregation is about dead in the United States, but it’s still with us. We are about past the day of legal segregation. We have about ended *de jure* segregation, where the laws of the nation or of a particular state can uphold it, because of the civil rights bill and the Supreme Court’s decision and other things. We have passed the day when the Negro can’t eat at a lunch counter, with the exception of a few isolated situations, or where the Negro can’t check in a motel or hotel. We are fastly passing that day. But there is another form of segregation coming up. It is coming up through housing discrimination, joblessness and the *de facto* segregation in the public schools. And so the ghettoized conditions that exist make for many problems, and it makes for a hardcore, *de facto* segregation that we must grapple with on a day-to-day basis.

And so, this is the problem that we face, and this is a problem that we are forced to deal with. And we are going to deal with it in a determined way.”

As unfortunately prophetic as Dr. King’s words were regarding continued segregation and discrimination against black people in this nation, our resolve to deal with it in any substantive way has fallen tragically short. This is not anecdotal, and we do not have to wonder just how very true Dr. King’s words turned out to be; we need only look at the reports and statistics put out by our very own state commissions. In their December 15, 2017 Act 54- Racial Disparities in State Systems Report, the Vermont Attorney General and Human Rights Commission Task Force had this to say:

*The Civil Rights Movement of the fifties and sixties saw enormous progress on issues related to race. Additional laws were enacted to protect the rights of People of Color including Title VII of the Civil Rights Act of 1964 which prohibited employment discrimination based on race, color, national origin and religion. Four years later, housing discrimination based on these categories was outlawed by the Fair Housing Act of 1968. While these laws, in theory, provide remedies for intentional discrimination or discrimination that has an adverse impact on particular protected classes, they have not changed the underlying racial oppression. This is because White people continue to control virtually every power structure in the country, including federal, state and local governments and their agencies, corporations, businesses, schools, etc.*

This damning report goes on to list the statistical evidence of disparate treatment and opportunity that people of color face in Vermont, particularly in the areas of education, labor and employment, housing, healthcare, and economic development. The culminating recommendation of this report reads:

*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.** Addressing such a long-standing and complicated problem is incredibly challenging but doing nothing is not an option. We have done that for far too long with predictable results.*

S.281, The Equity Commission for the Mitigation of Systemic Racism bill currently in the Government Operations Committee of the Vermont Senate seeks to do exactly that. This commission would perform a variety of critical functions including managing and overseeing the state-wide collection of race-based data and ensuring such data are publicly available, creating and disseminating Model Fairness and Diversity Policy for all state systems, providing model Systemic Racism Awareness Training and education, as well as advising all state government and public education institutions on systemic racism.