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January 24, 2018

The Honorable Jeanette White
Chair, Senate Committee on Government Operations
Vermont Legislature
Statehouse
Montpelier, Vermont

RE: S. 281

Dear Senator White and Members of the Committee:

Thank you for the opportunity to address the committee with regard to this bill. The Human Rights Commission does not have a formal position on this bill but based on its work on the Act 54 Racial Disparities in State Systems, can provide some information with regard to the questions posed by the Chair.

What is the bill intended to address? As indicated in my testimony on Act 54, the report required by Section 3 identified existing racial disparities in state systems of education, labor and employment, economic development, and access to housing and healthcare. This bill presents one way of potentially addressing these disparities.

What is the problem? These disparities require focus and attention if we are going to provide equality of opportunity in Vermont.

How will this approach provide a solution? In order to address them, there needs to be a coordinated effort among all state agencies and departments that is data-driven. Any such effort requires a person or an entity to manage it or it will get lost in the shuffle of competing priorities. This review board could be that vehicle but it is unclear how the work envisioned by the bill would actually be accomplished by this entity. The membership consists primarily of state entities that already have significant initiatives on their collective plates and a review or oversight board would not have the authority or ability to direct the underlying work that agencies need to do.

How will we know if it has been successful? The Joint Report from the Attorney General and the Human Rights Commission on Racial Disparities in State Systems¹

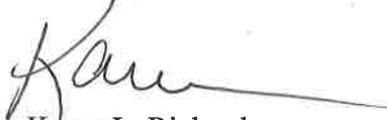
¹ <http://hrc.vermont.gov/sites/hrc/files/publications/2017-12-15%20Report%20and%20Recommendations%20Act%2054%20Final.pdf>

recommends using the state's results-based accountability (RBA) process to come up with indicators, benchmarks and ways to measure success. The results of this process could potentially be reviewed by the board.

How will we measure to see if anyone is better off? As an example, data indicates disparities in the retention of people of color in the state workforce both in terms of voluntary and involuntary separation. Using that baseline measurement, the state could identify ways to support employees of color and reduce voluntary and involuntary separations with the goal of eliminating the disparities.

The main question about an RBA approach to this issue is whether the system has the capacity to add this as a priority area of analysis and how to ensure that all state entities track some aspect of the disparities.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen', with a long horizontal flourish extending to the right.

Karen L. Richards
Executive Director