

Kate Logan (Director of Programming and Policy, Rights and Democracy)
Testimony to the VT Senate Government Operations Committee
RE: S.281, An act relating to the Equity Commission for the Mitigation of Systemic Racism

Thank you to the members of the Government Operations Committee for hearing testimony on S.281. I am Kate Logan, the Director of Programming and Policy for Rights and Democracy, or RAD. RAD is a member of the Racial Justice Reform Coalition and is committed to considering, on the one hand, the disparate impacts of particular social and economic issues on the basis of race, but on the other hand also to supporting the efforts of our coalition partners and advance reform initiatives for more directly addressing the root causes of racial inequality in Vermont and beyond. S.281 is designed to address the root causes of racial inequality. S.281 is the first draft of a piece of legislation that would create the infrastructure needed to implement the recommendations of the Attorney General's and Human Rights Commission's task force on racial disparities in state systems and forthcoming recommendations regarding reforms to the criminal and juvenile justice systems. Rather than review the findings or recommendations of those studies, I will use my time to discuss the reasons why this infrastructure needs to be developed and why the panel's recommendations need to be implemented with the oversight of a permanent Equity Commission for the Mitigation of Systemic Racism in Vermont.

Racial injustice in the United States is far more often an effect of structural racism rather than personal, conscious racial prejudice. In a state such as Vermont, where overall there is a culture of fairness, a love for equality and freedom, and a distaste for racial prejudice, many white folks may feel alarmed and confused by evidence that Vermont is not that much different than any other place in the post-slavery and post-Civil Rights Era United States. How can white folks respond to the diverse, identifiable harms that are done to people of color in Vermont when those white folks are not racially prejudiced? Or at least not consciously so? Why is structural racism so persistent? What can we do about it?

Studies of implicit bias, which is also known as implicit social cognition, help to reveal to the involuntary attitudes or stereotypes that affect our understanding, actions, and decisions.

Implicit bias can be positive. For example, you may love children and so smile when you see a child. But implicit bias can also be negative, especially where negative stereotypes influence our response to those who are unlike us. This is especially a threat within relatively homogenous societies where there is not a high a level of integration among historically distinct social or cultural groups. I was lucky to grow up in a place where people of color were the majority of my peers, and where I formed my attitudes toward and beliefs about people of color based on living side by side with my friends, witnessing the good and trustworthy testimony of my peers regarding the subtle but devastating presence of implicit racial bias and structural racism, even within our own “melting pot” community. This kind of awareness is far less likely to happen organically for the average white Vermonter. The Equity Commission will enable progress towards racial equity by combatting implicit racial bias and structural racism.

The *lack* of awareness of implicit racial bias and systemic racism is part of what it has meant to be a white person in the United States. Similarly, it has been the burden of non-whites to know that white people see them differently than they see themselves. As early as the 19th century, African-American social commentators were aware of the fact that white people did not know about black experience. The fact is that stereotypes move in to fill the void when we do not have concrete knowledge about those who come from historically distinct groups. Humans are creatures who form opinions about things so that we can make decisions about how to act. As such, there is no such thing as neutrality when it comes to race in the United States. Either one is aware of what race means in the real lives of people of color, or one is not, and if not then implicit bias arises, implicit bias that is structured by prejudicial stereotypes or false beliefs that things are not as bad as they really are. In fact, these false beliefs makes sense. As a white person, I do not personally experience the sharp end of systemic racism. In fact, the world seems to welcome my presence and reward my hard work and my talents. For the most part, I feel respected and protected within my community. Further, I do not consciously harbor racial prejudice myself and so cannot imagine that I am doing anything wrong. However, this lack of

awareness of the experience of people of color creates two harmful barriers toward systemic change, especially in places where whites are the majority demographic group.

Among scholars of social injustice, the term “epistemic injustice” has become increasingly common. Epistemic injustice refers to the power imbalances that exist among different social groups when it comes to **knowing**. It occurs when implicit bias structures one social group’s ability to hear and believe members of other social groups when they speak about their experience. These are the two barriers: hearing and believing. In the context of race relations in the United States, the inability to *hear and be heard by* another person is what scholars call “testimonial injustice,” that is, “when the hearer gives a deflated level of credibility to a speaker’s word.” We have all likely experienced a time when someone spoke over us, or thought so little of us that the meaning of our words seemed to not register in the least. Likewise, the inability to *believe and be believed by* another person is called “hermeneutic injustice,” that is, when another person’s knowledge about the world as they experience it is discounted. It creates a situation in which members of the oppressed group are not given the space to effectively *create knowledge* about their own experience and then have it regarded as having equal status.

This creates a conundrum: we want to address systemic racism, but white folks in Vermont are likely highly unaware of the lived experiences of people of color in their communities. This means that white folks are more likely to be skeptical of the testimony and knowledge claims that people of color make. This does not mean that we should walk up to the nearest person of color and ask them to educate us on their lived experience. That might be something that a person of color would want to do, but it might not. Rather, we must systematically address ignorance and its negative consequences by creating educational and training programs and data gathering infrastructure, as well as opening seats of power to people of color. Only by combating implicit bias and sidestepping involuntarily prejudiced decision making processes of well-intended white folks will we be able to address systemic racism. It is precisely this that a permanent Equity Commission would provide infrastructure around. I urge the Committee to

consider proposed amendments to this bill, along with the recommendations of the advisory panels, and to establish a permanent Equity Commission for the Mitigation of Systemic Racism in Vermont.