



# Vermont Partnership

FOR FAIRNESS AND DIVERSITY

**S.116 Testimony**  
**Vermont Senate Judiciary Committee**  
**Statehouse • Montpelier, Vermont • 07 April 2017**

For the record my name is Curtiss Reed, Jr, Executive Director of Vermont Partnership for Fairness & Diversity; and for full disclosure I currently serve as

- Vice-chair of the Vermont State Advisory Committee to the United States Commission on Civil Rights and was the chair of said committee in 2009 when it issued the report on Racial Profiling in Vermont law enforcement
- Member of the Fair and Impartial Policing Commission of the Vermont State Police
- Member of the Vermont Attorney General's Working Group on Community Relations and Law Enforcement Implicit Bias Training
- Member of the Secretary of Education's Harassment, Hazing, and Bullying Commission
- Consultant and trainer on inclusive and equitable business practices including how to mitigate the effects of negative racial implicit bias for the Vermont State Police, City of Burlington including its police department, City of Rutland including its police department, the Department of Fish and Wildlife, and Brattleboro Police Department.

However, I appear before you today exclusively on behalf of Vermont Partnership and not on behalf of any of my other affiliations.

We, in collaboration with the Vermont Department of Tourism & Marketing, are the architects of the Vermont African American Heritage Trail. One purpose of the trail is to attract more tourists of color and their dollars to the Green Mountains. And finally, we are in year 13 of a forty year Vermont Vision for a Multicultural Future Initiative designed in the belief that Vermont's long-term economic success is directly tied to its ability to identify, attract, provide service beyond expectations, and retain business from consumers of color on a massive scale.

Thank you for the opportunity to share my thoughts on S.116. By now I hope you and the committee recognize that within Vermont's community of color lies diverse socio-political economic thought as should be expected. And while we share a common anger, frustration, suffering, and impatience of a history and cultural narrative that has engendered a deep distrust of government our approaches to resolve challenges differs. Think for a moment on the differences between Ella Baker, Whitney Young, Angela Davis, and Martin Luther King who was assassinated 49 years ago this week.

We fully support passage of legislation to create a Racial Justice Board as outlined in the version H.492 being debated on the House floor today. I have included as part of my

testimony our March 29<sup>th</sup> written testimony in support of revising the language H.492 and S.116 shared upon introduction to their respective chambers. I will limit my remarks to observations of S.116 as introduced.

Four parts outlining the operational authority of the proposed S.116 as introduced causes us varying degrees of concern: a) “management ... of the collection of race-based data,” b) activity to “ensure data are publicly available,” c) the “developing ... of trainings to address systemic implicit bias,” and d) activity to “ensure law enforcement compliance with the requirements of 20 V.S.A. § 2366.”

1. To **manage the collection of race-based data** explicitly assumes a hands-on approach—that the Racial Justice Oversight Board will train sworn officers in 50+ law enforcement agencies, public health personnel, educators, and others how to collect, maintain data quality, and report race-based data.
2. **Ensure data are publicly available** As it stands the Vermont State Police, the Burlington Police Department, and the Rutland Police Department have been posting data disaggregated by race for years. Moreover since last year the Crime Research Group under contract with the Vermont Criminal Justice Training Council posts motor stop data disaggregated by race. More broadly minority health disparities data, Youth Risk Behavior Survey data, and harassment/bullying/hazing data are all publicly available online.
3. **Developing trainings on systemic implicit bias** The composition of designated Racial Justice Oversight Board members is weak on subject matter expertise in implicit bias, andragogy (adult learning), training design and delivery.
4. **Ensure law enforcement compliance** Current legislation offers no punitive action against law enforcement agencies that fail to adopt Fair and Impartial Policing (FIP) policies, train sworn officers to FIP policies, or collect and send motor stop data to the VCJTC. H.492, as introduced, does not change that fact. Under H.492 the proposed RJOB has no power to compel law enforcement agencies to adopt FIP policies, to train sworn officers on FIP policies, or collect and send motor stop data to the VCJTC.

Furthermore the bill as introduced suggests that after the Racial Justice Oversight Board’s criminal justice reform activities are complete, its mission will be expanded “to address institutionalized racism in education, health services access, employment, and housing policy.” We believe it a strategic error to deal with these challenges sequentially in isolation as they are interdependent and are best addressed with a multidisciplinary approach.

Finally, in support of the current H.492 bill being debated in the House today, and evidence of our optimism of its passage we launched on last Sunday a call for resumes and curricula vitae amongst our listserv of 400 Vermonters of color—within the first 24 hours we received nearly a dozen superbly qualified subject matter experts of color from around Vermont interested in serving on a Racial Justice Board that moves us forward with a shared vision of racial justice and prosperity. We will deliver these and other candidates to the Attorney General for consideration once a Racial Justice Board becomes enshrined in statute.