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PR.2 Testimony  
House Government Operations Committee  
Room 11, Vermont Statehouse  
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Good morning Madam Chair and House Government Operations Committee. I am Mark Hughes, Director of Justice For All and Coordinator for the Racial Justice Reform Alliance. **We are the proponents of the Proposal.**

I am offering additional testimony for your consideration as you move into your committee discussion and possible vote today.

**We support of the amendment as passed by the Senate. Please pass it unanimously.**

2018 introduced new hope as Racial Justice Reform Coalition advanced Act 9 into law. In it for the first time in history was legislation creating a panel and an Executive Director to “promote racial justice reform throughout the State by **mitigating systemic racism in all systems of State government...**”

Our research with Act 54, 2017 (Racial disparities), Act 9, 2018 (Racial Equity) and the Fair and Impartial Policing Policy led us to understand that state laws and institutions inherently create and sustain racial disparities. The constitutional amendment is a continuation of our work to **dismantle this systemic racism**. We successfully convinced the Vermont Democratic Party to adopt a [platform statement](#) to address slavery in the constitution and lobbied the legislature for a resolution, resulting in [H.R.25 \(2018\)](#) (not taken up in House Government Operations). Recently the [League of Cities and Towns passed a resolution](#) and the [Bishop and Episcopal Diocesan Council of Vermont issued a letter of support](#) for the Proposal.

As indicated in the [Proposal, as introduced in the Senate](#), PR.2 has always been about "**addressing systemic racism in our state laws and institutions.**" Despite this fact, much attention in testimony has been given to words "removing all reference to slavery". As indicated in our [original request](#) last year, that has never been the Alliances primary goal. The Vermont Constitution in its current state is unclear on slavery prohibition.

To be clear, this discussion goes beyond slavery. To constitutionalize slavery (or form of servitude) because a person is “bound by the law for the payment of debts, damages, fines, costs, or the like” is tantamount to criminalization of poverty which always has a greater impact on black people. Clearly repercussions on criminalization manifest in all aspects of life and impact our posterity. Clarification of Article I of the constitution enables us to take a major step in the right direction in addressing systemic racism in Vermont. This amendment will serve to nullify any statute supported by this clause and call into question any institution created to sustain the premise of it into perpetuity.

Though the Senate's decision to remove "addressing systemic racism in our state laws and institutions" in the “Purpose” section of the Proposal has created some confusion surrounding our intent, **the current proposed language satisfies our objective of providing clarification on slavery prohibition.**

Many have asked why this is important. This is about our racist national and State history of criminalization and disproportionate incarceration of black (and poor) people. It expands in concentric circles beyond this, adversely impacting African American's fair and equal access to housing, education, health services, employment and economic development.

You have heard testimony that the US constitution makes the language of slavery in our constitution "academic" and it suggests that it has "no practical consequence". But we have come to know that the 13th amendment constitutionalized slavery for the punishment of a crime, when duly convicted. Vermont State laws permit "Imprisonment In Lieu Of Payment of Fines And Costs". Article I of the Vermont constitution **provides an exception that permits slavery when "bound by law for the payment of debts, damages, fines, costs, or the like"**. Collectively, this is the literal criminalization of poverty, the new slavery!

In closing, our work on addressing systemic racism has been ongoing for nearly five years. Our analysis of the necessity to address the constitution is rooted in data driven research. Those challenges, which

are systemic in Vermont, must be addressed at the root – the constitution.

Please pass PR.2 unanimously.

Thank you for your service

Mark