

ACLU's' Plan to destroy Vermont's legal System

First before the 10 points are put into perspective, from the research I've been able to uncover, I discovered who founded the ACLU. They were founded to defend communist in the US in 1920's going forward. In fact one of the Founders Elizabeth Gurley Flynn became the President of the CP of A. One of the primary founders Roger Baldwin was a rich Wesleyan draft dodger traveled in radical Left circles and tried to "defund" the FBI in the 1920's. Communism is the biggest threat to the US and our way of freedom and liberty. What we see in China, North Korea and the former USSR – which still practices suppression of freedom is who they represented in the US.

Ten Point Plan

1. End Qualified Immunity – Is a mantra or a LL designed mislead Americans to think it provides public officials immunity from prosecution for wrongdoing, it does not – expect in US Congress. All Vermont municipal officials are entitled to Qualified/Sovereign Immunity – even our legislators.

Q/S Immunity is derived from an Federal law in 1871 that actually allows citizens to sue governmental offices if they abuse their power and deny constitutionally protected civil rights – 42 USC 1983

All Q/S Immunity does is require a court(s) to determine if the merits of a Civil Suit of an alleged misconduct were outside the official parameters of the job. This is an important layer of Due Process.

In essence it puts a hurdle in front of Plaintiff lawyers in a Civil Suit that wants to sue you the people. After all when a cop, fire chief or public official is sued, they're suing we who pay the bill. In other words they want to 2nd guess a cop or government official in civil court where a simple majority wins irrespective of their officials legal duties.

Let say an Act 250 Committee ruled against you and you didn't like it. You hire a lawyer to sue the committee members. That lawyer needs to convince a judge(s) that the 250 Committee members operated outside the legal constraints of their position. If they win then they go to trial and then have to convince a jury of wrong doing. The problem is that most Q/S Immunity cases are thrown out without merit and they don't get a chance to pull the handle on the lottery machine.

In the case of law enforcement there is a ton of case law and US Supreme Court decisions to overcome Qualified/Sovereign Immunity. And lawyers don't like that.

One last thought, if VT removes Q/S Immunity from police then that will open the door to challenge all Q/S immunity – why just the police?? And that after VT spent nearly \$1MM defending a Q/S Immunity case against the State by state employees who wanted more compensation after Irene and thought the state treated them unfairly. Thankfully the State won.

To sum it, this is a money grab to increase the payout of the Blue Line Lottery

2. Remove Police from Schools. Why require a law when each school district can make their own decisions based on their experience. SRO's are at schools as part of a community policing effort. To educate young one that cops are there to help them. They are also there to insure the safety of your kids and step in when Bullying occurs.

How soon we forget Columbine or Sandy Hook. And of course it's much harder to have drugs in a school when a cop is on premises. Or for school officials to hide criminal activity – assaults.

Please remember that the SRO usually gets involved in these volatile situations when the highly trained educators and school social worker can't deal with the issue. They then blame the cop for their failure with their sweet darling kids. Did I forget the School Physiologist?

3. Limit Police in low-grade crimes – LOL. This is the scourge of most communities, petty thieves and people who chose to treat their neighbors as trash. This goes against proven theory, when you eliminate LL Crime, communities Flourish.(The Broken Glass theory) This theory was proven in NYC by Rudi and Bloomberg. NYC had one of the highest crime and murder rates in the U.S. and was transformed to one of the safest - that is until Delblasio. Who's to deal with the low lives ineffective social workers? No one! Local businesses and communities live with it.

This point presumes the State doesn't have social workers or mental health workers. We have a good number of social workers, for families/child welfare, domestic violence, mental health, alcohol and drug counselors, school SW's and counselors. etc.

The problem is they're Not organized or structured well or have effective mandates to act. They are falling their clients and us. And the cops are on the wrong end this disaster. Why don't the SW's handle these problems, cops refer issues to them today.

So! Fix the failed social welfare system 1st! And as they turn the tide then we can think about restructuring police services; perhaps more paramedic 1st responder police??

4. Ban use of Military Weapons – What are they talking about bullet or bombproof vehicles? History of policing shows police are lagers. They're always catching up to their adversaries. Cops were unarmed and became armed when they started getting killed. Same with the FBI, they were investigators until 5 were killed in a shoot-out with better-armed criminals. And of course the ACLU and the VT legislators want you to forget 9-1-1, terrorism and hostage situations. Hard to set fire and turn over a vehicle designed to easily resist such attacks.

What ban did Antifa have when they used high-powered Lasers to blind three police officers?

5. Ban the use of advanced surveillance and autonomous devices – Why? What we've seen in Antifa and BLM riots is the sophisticated use of electronics and anti-surveillance techniques and the use of the Internet to coordinate rioters.

Using advanced technology all police have to do is film rioters, and then using facial recognition with AI, identify the rioters and arrest them. They have incontrovertible evidence with the video and the AI Facial Rec. The biggest advantage for these thugs and gangsters is anonymity.

Just imagine an autonomous armored vehicle with sophisticated surveillance equipment, which can't be burned or turned over, being used to disperse rioters. It takes the fun out of rioting because cops can't be hurt or intimidated by big mobs.

So it seems the ACLU went to ISIS, Al queda, Antifa and BLM and said how can we help you?

6. Require Outside Counsel to review Police Misconduct - Huh? Was this drawn up by the Bar Association? 1st of all, who's going to pay for this additional lawyer and their team? And who are they going to be the ACLU? A way for the legislature to fund the ACLU?

So for an alleged misconduct we're going to have an AG, a States Attorney, an outside attorney, the plaintiff's attorney and a defense attorney. And, that on top of that the police investigators.

Are we going to add the CRB and legislators too? Who in the heck is going to pay for these shenanigans?

And at what level of alleged misconduct? An OIS or I didn't like the way the cop spoke to me??

This is just another way to destroy American Jurisprudence, bypass due process and go right to the lynch mob and another money grab.

7. Increase Transparency – Why just the police. How about all municipal employees and teachers? This silly notion sets the ball in motion to sue again. Or use this information in a

civil suit where in most states, as I understand and may be inaccurate, prior conduct of individuals is not admissible, especially in rape cases as to not unduly influence the jury.

8. Expand Legislative Oversight – They already have legislative oversight. All one has to do is see the slew of poorly crafted laws they have passed over the last 8 years in regard to policing. The VT Constitution did not and does not envision the legislature as being a police commission. They are supposed to be lawmakers - not judge and jury as well. Give us a break! They make the laws cops enforce them pretty simple.

Are they going to team up with the Special Prosecutor, the AG, the SA's the CRB and the Police investigators.

9. Appointment of a Police Civil Review Board – What's its real purpose? We already have a civilian review board for our police. They're called the City Council, Selectboard etc. After all the Police Chief 's reports to the Civil Authority. As do the police that work for them. We have the State's Attorneys, the AG Office, the Police Review Board and the Feds. Police have more scrutiny than any other civil organization in the State or the country. All police are licensed in VT and the legislature imposed one of the strictest review policies in the U.S. that all dept's need to follow.

Why not a Civilian Review Board of homeowners and developers to oversee Act 250 Boards, or ANR? Clearly they manage to trample over citizens rights. Or a separate review board to oversee teachers, after all bad teachers could do more harm to society than a few bad cops.

Or a CRB to oversee Fire and EMS to review their actions after each call to ensure they're following State or Federal Guidelines, especially after someone dies or a house burns down?

It is clear that more people die under EMS jurisdiction than police. We have the EMS Medical Directors, the ME and the ER Docs that review the cases for us. Why should we trust them? These are rhetorical points, intended to make one see the fallacy of CRB's.

CRB's are a political bodies and will act based on the political issues and the party in power; fairness and due process is not in their vocabulary as we are seeing today in other jurisdictions. Will they join with the Special Prosecutor, AG, SA, the legislature and police investigators? There is a ton of evidence the CRBs are not effective and become abusive. Case-in-point the liberal NJ Supreme Court recently, with the NJ AG support, stuck down Newark NJ's CRB powers.

10. Investing in communities not policing – What ill-conceived idiocy. It is the police that enable us to have a stable secure place to live. Investing in Police is investing in the community; it is the best investment we can make. We should increase that investment!

Without police we clearly do not need a legislature or municipal gov't's. We can throw-out all of our state and local laws – they're not need. There will be no one to enforce them.

Without police we'll be like Somalia or Afghanistan or Portland for that matter, with local warlords running neighborhoods.

Without good government and effective policing you have places like Chicago, Detroit, Baltimore and now NYC with its sky rocketing violence and crime. Without effective government and policing you have BLM and Antifa mobs rioting, stealing and destroying private and public property.

As for BLM according to Patrisse Cullor co-founder of BLM is an admitted Marxist (communist) working with an organization created by Marxist. The Marxist goal is to go after the bedrock of any society - Law and Order. Anyone who has studied the Bolshevik Revolution or Hitler's rise to power knows it was done with street gangs and violence.

Recommendations

First and foremost the legislature is attacking the issue of violence involving the police. Instead of examining the Root cause of OIS, people refusing to follow lawful orders,

resisting arrest and assaulting on cops – they want to blame cops for the individuals bad and criminal behavior. Simply using statistics to say theirs Racism is misleading, fallacious and ridiculous. FBI stats are clear – black men disproportionately commit more crimes then other race classes. This is especially true in places like Baltimore, Chicago, Atlanta, Detroit etc. all cities run buy black mayors and police chiefs.

Focus on the why and correct that and the problem is solved.

- Pass a law to require every member of the Senate and House Ops committee to ride 2 eight hour tours with a busy PD during their busy times – to get a 1st hand look at what cops are facing. And without a bullet resistant vest, after-all cops don't face dangerous people.
- Provide funding to create and sustain regional Virtual Reality training location to help train police in unusual as well as violent situations. This should include 4-8 hours a year compensation for the all cops that take the training.
- Pass a law that requires individuals to De-escalate when asked to by the police – Misdemeanor with min of 1 year in state custody; week-end jail, community service and for hardcore actions a min of 6 months confinement.
- Make it a misdemeanor to refuse to ID oneself to a police officer. Many of the issues involving individuals fighting with police stems for a belief that one doesn't need to follow this or that law. You need to demonstrate that when individuals choose to disregard the Law That You Made it will not be tolerated! Of course who can blame them if the State and its legislature cavalierly flaunt of Federal Laws.
- Define the difference between a peaceful demonstration and a riot. Riot defined as when the rights of other citizens are obstructed or they're put in danger, when private and public property is damaged or destroyed, and when people refuse to obey lawful orders, the parameters of their permit or to disband when ordered to do so.
- Make it a crime to harass public officials or private individuals at their homes. It's one thing to peacefully demonstrate in public areas such as town or municipal centers. Going to ones home is tantamount to intimidation as well as disturbing the peace and tranquility of the neighborhood. Nowhere in the Constitution does it guarantee the right to harass and frightens ones family.