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The Honorable Maxine Grad, Chair
House Committee on Judiciary
Vermont Legislature
Statehouse
Montpelier, Vermont

RE: Fair and Impartial Policing

Dear Chair Grad and Members of the Committee:

Thank you for the opportunity to provide an update and answer questions regarding Fair and Impartial Policing. As background information, the Human Rights Commission's (HRC) former Executive Director, Karen Richards retired in November. I was appointed by the Commission as the Executive Director and began in the position on November 13, 2018. As you know, the HRC has jurisdiction to investigate complaints of discrimination in places of public accommodations. This includes law enforcement agencies providing services to members of the community.

As an interested stakeholder, the HRC actively worked on the Fair and Impartial Policing (FIP) Policy that went into effect in 2017. It's not entirely clear what impact the FIP policy has had on members of the immigrant community or persons of color in Vermont. The HRC has seen several cases in 2017 and 2018 against law enforcement agencies; some of which involve failure to provide interpreters and differential treatment on the basis of race. There are some pending cases at the HRC that certainly raise our concerns about the effectiveness of the FIP policy. Having said that, it may be premature to conclude anything.

To ensure statewide implementation of the FIP policy, this legislative body should require continuous and uniform implicit bias trainings for all law enforcement officers in the State of Vermont and utilize stakeholders to assess the strengths and merits of those trainings. The HRC agrees with all of the recommendations provided by the ACLU in their written testimony to this legislative body.

The HRC remains supportive of the Fair and Impartial Policing Policy, will continue to work with members of the Immigration Task Force and Advisory Panel and is open to receiving feedback on how it can better affirmatively carry out the legislative intent.

Thank you.

Sincerely,

Bor Yang
Executive Director and Legal Counsel