

H.387: An act relating to establishing the Task Force to Study
and Develop Reparation Proposals for the Institution of
Chattel Slavery

Representative Brian Cina

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Purpose

This bill proposes to establish the Task Force to Study and Develop Reparation Proposals for the Institution of Chattel Slavery to:

- (1) study and consider a State apology and proposal for reparations for the institution of slavery; and
- (2) make recommendations to the General Assembly on appropriate remedies.

Legislative Findings

From 1619 to 1865, approximately 4,000,000 Africans and their descendants were enslaved in the United States and the colonies that became the United States.

From 1789 through 1865, the United States constitutionally and statutorily sanctioned the institution of slavery.

The slavery that flourished in the United States constituted an immoral and inhumane deprivation of the lives, liberty, citizenship rights, and cultural heritage of Africans and denied Africans the fruits of their own labor.

Legislative Findings

An inquiry into the ongoing effects of the institution of slavery and its legacy of persistent systemic structures of discrimination on living African Americans and society in the United States can be based in a preponderance of academic research, legal documentation, community evidence, and culture markers.

Following the abolition of slavery, government at the federal, state, and local level continued to perpetuate, condone, and often profit from continued practices that brutalized and disadvantaged African Americans. These practices included sharecropping, convict leasing, Jim Crow laws, redlining, unequal education, and disproportionate treatment at the hands of the criminal justice system.

Legislative Findings

As a result of both historic and continued discrimination, African Americans currently suffer debilitating economic, educational, and health hardships, including:

(A) having nearly 1,000,000 Black people incarcerated;

(B) an unemployment rate more than twice the current White unemployment rate;
and

(C) an average of less than 1/16 of the wealth of White families, a disparity that has worsened, not improved, over time.

H.387- Task Force to study and develop reparation proposals for any person as result of:

(A) the institution of slavery, including:

(i) the transatlantic and domestic slave trade that existed from 1565 in colonial Florida and from 1619 through 1865 within the other colonies that became the United States; and

(ii) the constitutional and statutory support for the institution of slavery by both federal and state governments;

(B) the de jure and de facto discrimination against freed slaves and their descendants from the end of the Civil War to the present, including economic, political, educational, and social discrimination;

H.387- Task Force to study and develop reparation proposals for any person as result of:

(C) the lingering negative effects of the institution of slavery and the discrimination described in subdivisions (1) and (2) of this subsection (b) on living African Americans and on society in Vermont and the United States;

(D) the use of instructional resources and technologies to deny the inhumanity of slavery and the crime against the humanity of people of African descent in Vermont and the United States;

(E) the role of Northern complicity in the Southern-based institution of slavery; and

(F) the direct benefits to public and private institutions, including institutions of higher education, corporations, religious institutions, and associations;

H.387- Task Force to Study and Develop Reparation Proposals for the Institution of Chattel Slavery to:

(2) recommend appropriate ways to educate the Vermont public of the Task Force's findings

(3) recommend appropriate remedies in consideration of the Task Force's findings on the matters described in this section

(4) submit to the General Assembly the study completed pursuant to Sec. 2 of this act, together with any recommendations.

H.387- Task Force to Study and Develop Reparation Proposals for the Institution of Chattel Slavery

Membership:

Convenes an 11-member task force, appointed by Governor and the Legislature. At minimum, four appointees shall represent major civil society and reparations organizations that have historically championed the cause of reparatory justice, including the NAACP, Justice For All, and Black Lives Matter. Members shall be drawn from diverse backgrounds to represent the interests of communities of color throughout the State, have experience working to implement racial justice reform, and, to the extent possible, represent geographically diverse areas of the State

H.387- Task Force to Study and Develop Reparation Proposals for the Institution of Chattel Slavery

Duties:

Identify, compile, and synthesize the relevant corpus of evidentiary documentation of the institution of slavery that existed within the United States and the colonies that became the United States from 1619 through 1865.

Recommend appropriate ways to educate the Vermont public of the Task Force's findings.

Recommend appropriate remedies in consideration of the Task Force's findings, including apology, changes in policy and law, reversal of injuries, compensation, rehabilitation, restitution, and other reparations.

Report due to General Assembly one year from date of first meeting.

Slavery in Vermont

Vermont Constitution abolishes slavery, **with exceptions**, on July 8, 1777.

"Among this slave-holding and lawless elite were Vermont Supreme Court Judge Stephen Jacob and Levi Allen, described by Whitfield as "Ethan's troublesome brother." And nearly 60 years after the supposed abolition of slavery in Vermont, Ethan Allen's daughter, Lucy Caroline Hitchcock, returned to Burlington from Alabama in possession of two slaves — a mother and child. Hitchcock continued to enslave this pair for six years in the Queen City."

<https://www.sevendaysvt.com/vermont/uvm-slavery-study-challenges-vermonts-abolitionist-rep/Content?oid=2296191>

Harvey Amani Whitfield, *The Problem of Slavery in Early Vermont, 1777-1810*: Vermont Historical Society, 2014.

"The language of the act was sufficiently vague that slaveholding may have persisted without sanction in a few cases for several years."

Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and 'Race' in New England 1780-1860*, Ithaca, N.Y.: Cornell University Press, 1998, p.64.

From Slavery to Systemic Racism

Some examples of the legacy of slavery:

- Sharecropping
- Convict leasing
- Jim Crow laws
- Redlining
- Unequal education
- Disproportionate treatment in the criminal justice system

Systemic Racism in Vermont

Act 54 (2017) Task Force Report by the Attorney General and the Human Rights Commission:

- Acknowledged "racial disparities within the state systems of education, labor and employment, access to housing and healthcare and economic development."
- Stated "While slavery has been outlawed in this country for over 150 years, the vestiges of it and of Jim Crow remain today in the form of systemic racism"
- Concluded "Everyone who has grown up in this country is a beneficiary of a White Supremacy culture..." We are on a path to reversing this but it will require difficult decisions."

Dismantling Systemic Racism in Vermont

- Acknowledged racial disparities across all systems of state government in [Act 54 \(2017\)](#).
- Committed to "dismantling systemic racism" in [Act 9 \(2018\)](#) and hired the Racial Equity Director.
- Introduced [H.R.25 \(2018\)](#), which urged the 2019 Senate to Amend the Constitution to ensure that slavery is completely prohibited.
- Passed [Act 33 \(2021\)](#), which created Health Equity Advisory Commission empowered to address disparities and to promote equity in health care.
- Passed [J.R.H.6 \(2021\)](#), which declared that "racism constitutes a public health emergency in Vermont" and committed to "eradicating systemic racism."
- [PR.2](#), a proposal to amend the constitution to ensure that slavery is completely prohibited to "serve as a foundation for addressing systemic racism in our State's laws and institutions."
- NEXT STEP: Bring in witnesses and hear testimony. Pass [H.387](#) and establish a Task Force to Study and Develop Reparation Proposals for the Institution of Chattel Slavery.