



# **2020 LEGISLATIVE REPORT**

**Executive Director of Racial Equity  
Racial Equity Advisory Panel**

**JANUARY 20, 2021**

## STATUTORY GROUNDING

### 3 V.S.A. § 5003(f)

“[o]n or before January 15, 2020, and annually thereafter, the [Executive Director of Racial Equity] shall report to the House and Senate Committees on Government Operations demonstrating the State's progress in identifying and remediating systemic racial bias within State government.”

### 3 V.S.A. § 5002(c)(3)

“on or before January 15, 2020, and annually thereafter, [the Racial Equity Advisory Panel shall] report to the House and Senate Committees on Government Operations on:(A) the extent to which the State is achieving the performance targets and measures as developed pursuant to subsection 5003(c) of this title; and(B) the nature and quality of the collaboration between the Governor's Cabinet and the Executive Director.”

# COVID-19

## WELCOMING AND XENOPHOBIA

“[O]ut-of-state ‘xenophobia’ was heightened in 2020, where people flagrantly reported and harassed people driving with out-of-state license plates for their mere presence in Vermont.”

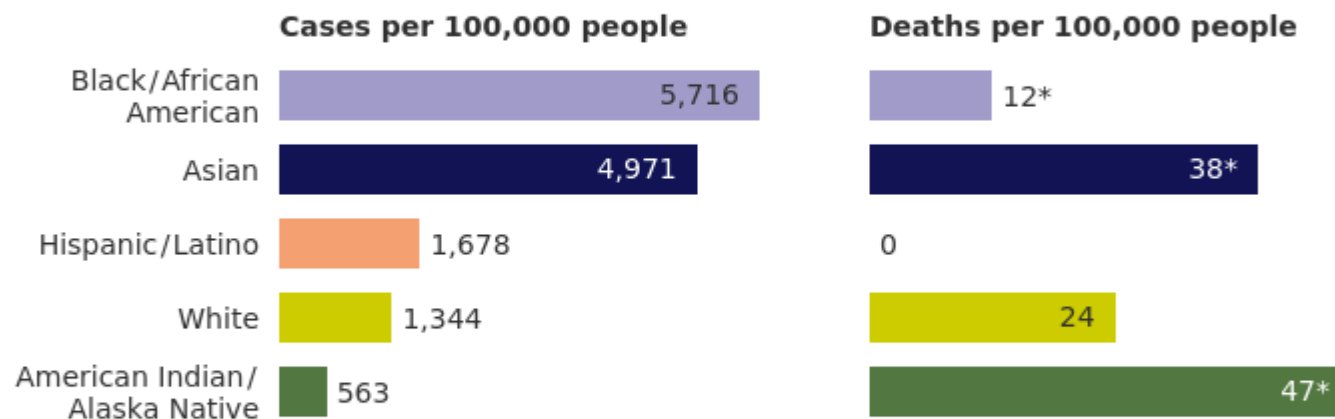


# COVID-19

## DISPARATE INFECTION & DEATH RATES

“One of the largest frustrations for equity practitioners in 2020 was combating the misguided belief that there are qualities inherent to people of color that make them more vulnerable in times of crisis or widespread illness.”

In **Vermont**, through January 19, Black/African American people were most likely to have contracted COVID-19. American Indians/Alaska Natives were most likely to have died.



**Notes:** Vermont has reported race data for 91% of cases and 93% of deaths, and ethnicity data for 84% of cases and 86% of deaths. Graphic only includes demographic groups reported by the state. Race categories are mutually exclusive and include both Hispanic/Latino and non-Hispanic/Latino ethnicity.

\* Based on fewer than 10 deaths among members of this race/ethnicity. Interpret with caution.

# COVID-19

## DATA COLLECTION AND REPORTING

**“[D]espite race and ethnicity data being a part of the standard CDC form required for COVID-19 patient intake, Vermont providers were only collecting this information at a rate of roughly 27% by the early spring.”**

# ELECTION 2020

**“In conversations with the Racial Equity Task Force, candidates of color for elected office in Vermont described being threatened and harassed with seemingly no recourse.”**

# CENSUS 2020

“U.S. Census Bureau introduced a new measure called “differential privacy”... it has a destructive effect on states with localities with small populations.”

“[T]he federal administration maintained its insistence that U.S. residents who were undocumented be excluded from the enumeration. This harms states like Vermont, whose communities would not be fully represented or fully accounted for in social, legal, and fiscal decisions because swaths of them are rendered invisible.”

“[Vermont] attained a total response rate of 99.9%, which places the state in a five-way tie for the state with the highest response rate. These gains were made possible through the creation of the 2020 Vermont Complete Count Committee...”

# MOVEMENT FOR JUSTICE

Somewhere between 422 and 742 people of color were murdered by the government in the U.S. in 2020.

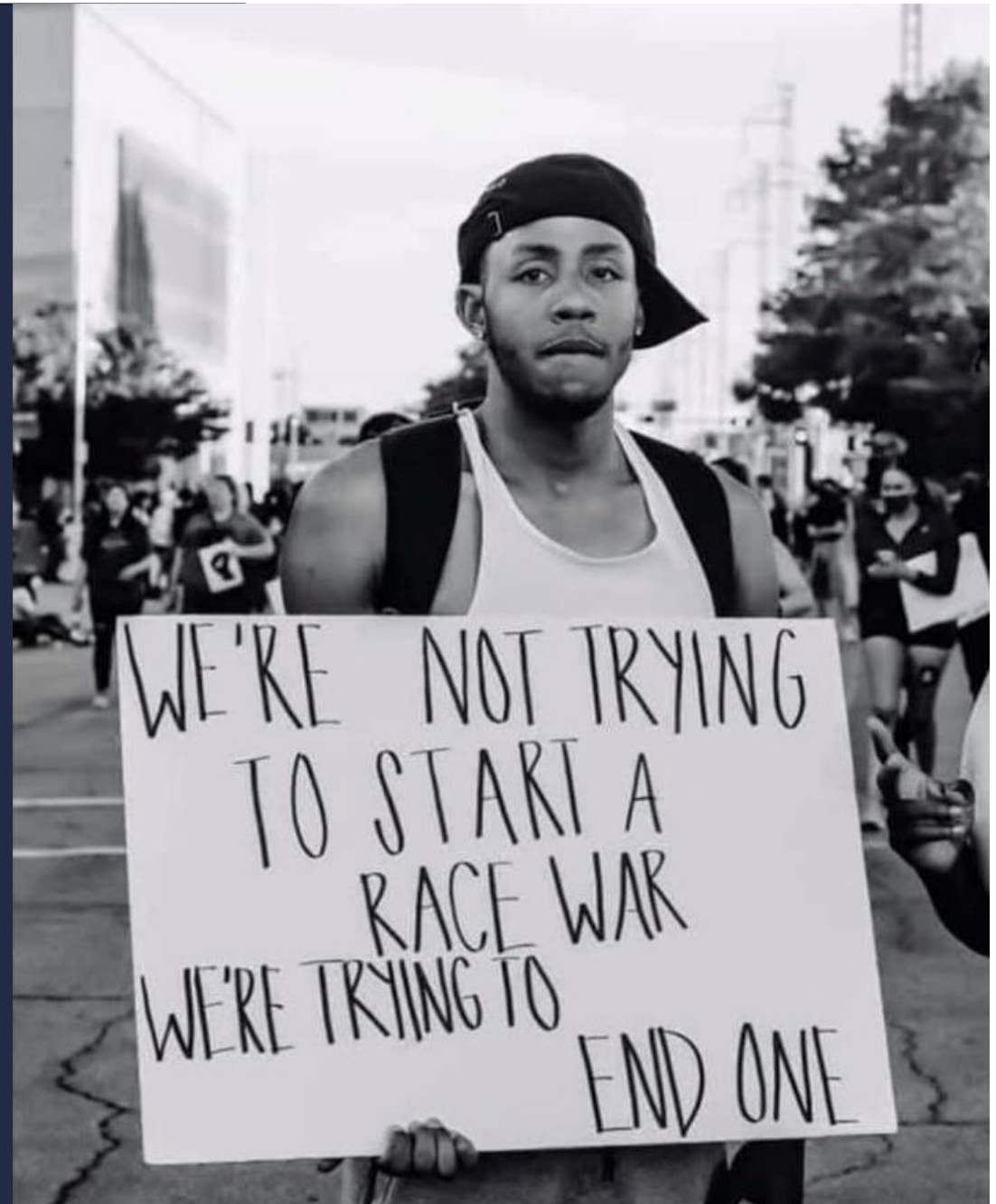
“In response, the Action and Allyship Guide was created to help the public understand some of the underlying issues contributing to racial inequity and some of their solutions.”





## MOVEMENT FOR JUSTICE

“The calls for justice grew louder and more numerous. Vermont saw its share of demonstrations as well. Some ended in violence, many were quite positive, and some went largely unnoticed.”



# PRESIDENTIAL EXECUTIVE ORDER 13950

## “Combating Race and Sex Stereotyping”

### PROVISIONS OF THE ORDER

Claims that racial/gender equity trainings are racist/sexist in nature because they “are designed to divide us,” and “decrease opportunities for minorities,” and “distract from the pursuit of excellence.”

- Bars equity trainings deemed to teach these “divisive concepts” by or for federal employees or their subcontractors;
- requires such language in every government contract; and
- establishes hotline to investigate “violations.”

### GUIDANCE FROM EDRE

- In October 2020 and January 2021, EDRE issued guidance memoranda to state, municipal, and community partners advising how to proceed.
- The Order is not likely to have a large impact on equity trainings in Vermont.
- EDRE and others continue to monitor the pending legal actions brought as a result of the Order.

# ADMINISTRATIVE MATTERS

## EQUITY IMPACT ASSESSMENTS

The state's executive agencies are now required to complete EIAs for all budget and policy proposals. Legislative members, judicial staff, and staff of the Attorney General's Office have also taken steps to begin incorporating EIAs in their work.

## EQUITY LIAISONS

SOV staff across the state agencies/departments who would serve as "point person" for equity-related work in their agencies/departments, liaise with EDRE, and help agency/department leadership maintain an equity lens in their day-to-day work.

## ...AND MORE

- SOV RE resource hub
- ERG/Affinity Groups
- Hiring guidelines
- Workforce equity at SOV

# LEGISLATIVE SESSION 2020

## BUDGET

- Economic Stimulus Equity Fund
- Specialized Training (CRF)
- Dashboard (CRF)
- Translations

## POLICY

- Criminal justice
- Land use/Zoning
- Environmental justice
- Housing

## PROCESS

- Balancing timing with urgency
- Representation and access to be heard
- Anchoring the budget versus anchoring the need

# WORKGROUPS RELATED TO EQUITY

- “A large part of the state’s work in “identifying and remediating systemic racial bias within State government” happens through the research and deliberations of these workgroups. Therefore, providing adequate support for them is critical.”
- 17-9-2
- Symposium

Group <sup>13</sup>	Formal Title <sup>14</sup>
CJC	Vermont Criminal Justice Council [M]
DEW	Diversifying the Educator Workforce (Vermont delegates to NESSC) [M]
EMRTF	Economic Mitigation and Recovery Task Force [M]
ESESAWG	Ethnic and Social Equity Standards Advisory Working Group [M]
FIP	Fair and Impartial Policing Committee
GWEDC	Governor's Workforce Equity and Diversity Council [L]
HHB	Harassment, Hazing and Bullying Advisory Council
HRC	Vermont Human Rights Commission [L]
JRII	Justice Reinvestment [M]
LTRTF	Long-Term Recovery Task Force [M]
RDAP	Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel
REAP	Racial Equity Advisory Panel
RETF	Racial Equity Task Force [M]
SEC	Social Equity Legislative Caucus
SHCSTF	State House Curatorial Special Task Force [M]
VCCC	Vermont 2020 Complete Count Committee
VCNAA	Vermont Commission on Native American Affairs
JDEC	Vermont National Guard Joint Diversity Executive Council [M]



**GRACIAS**

**Xusana.Davis@vermont.gov**  
**racialequity.vermont.gov**