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TO: House Committee on Judiciary
FROM: Office of Racial Equity
DATE: April 28, 2024
RE: Letter in support of Proposal 4, Declaration of Rights...Equality of Rights

Dear Chair LaLonde and members of the House Committee on Judiciary,

Thank you for the opportunity to discuss Proposal 4. The Office of Racial Equity continues to support the passage of Proposal 4, Declaration of rights; government for the people; equality of rights. The Office is grateful that the Senate followed the recommendation of constitutional law experts by separating the proposed Equal Rights Amendment into its own Article rather than adding it to the Common Benefits clause of Article 7 in the version of Proposal 4 that recently passed the Senate.¹ The Office further appreciates the addition of language intended to guide the Vermont Supreme Court to interpret the Article as follows: *‘Nothing in this Article shall be interpreted or applied to prevent the adoption or implementation of measures intended to provide equality of treatment and opportunity for members of groups that have historically been subject to discrimination.’* We are concerned that without this additional guidance, the Equal Rights Amendment could be misinterpreted to claim that socially dominant groups are harmed by the pursuit of equity, diversity, justice, and inclusion. The Office encourages the Committee to read the 2017 article [‘The Curb Cut Effect’ by PolicyLink CEO Angela Glover Blackwell](#) for examples of how efforts to improve equity for one marginalized group benefit us all.²

¹ See Proposal 4 As Passed by Senate Unofficial at <https://legislature.vermont.gov/Documents/2024/Docs/BILLS/PR0004/PR0004%20As%20adopted%20by%20the%20Senate%20Unofficial.pdf>

² Full URL: https://ssir.org/articles/entry/the_curb_cut_effect