

Introduction

The Bill S.19 redacts 23 V.S.A. chapter 24 from Sec. 1. 7 V.S.A. chapter 40, which said “A person under 21 years of age shall not possess, purchase, or attempt to purchase tobacco products, tobacco substitutes, or tobacco paraphernalia...subject to a civil penalty of \$25.00. An action under this subsection shall be brought in the same manner as a traffic violation.”

We support this Bill. It promotes racial justice and promotes the internationally backed studies that punishment does not effectively address drug use.

Problems

There are three primary social problems this bill will address: disproportionate punishment on BIPOC youth in Windham County, trauma-inducing policies regarding youth, and the misunderstanding that punishment is effective to public health dilemmas.

According to the YRBS (Youth Risk Behavior Survey), in Windham County, the rate at which White Non-Hispanic students under 13 who tried cigarettes decreased to 6% while for BIPOC rate for students under the same range increased to 20%. **The judicial penalties for tobacco possession are most likely to disproportionately affect BIPOC youth – for youth under 13.**

You are at least twice as likely to be stopped for a traffic violation if you’re Black in at least 1 town in the following counties: Windham, Bennington, Rutland, Windsor, Washington, Lamoille, Chittenden, and Franklin; this is in more than 57% of Vermont. Considering the judicial penalties for tobacco possession are also considered traffic violations, we are introducing trauma related to known police biases at an early age. Therefore, it can be implied that **these judicial penalties may worsen the relationship between police and the Black community in Vermont, and cause undue trauma early in Black lives.**

It is known in the international realm of public health that punishment and stigmatization WORSENS drug use, while social solidarity and public health approaches REDUCE drug use. A mere google search will reveal the numerous research studies and journal articles that share this conclusion. Furthermore, contextually, American drug police and the use of punishment can be traced back to the founding of the Federal Bureau of Narcotics by Harry Anslinger – known to consistently frame the drug problem as something “nonwhite”. We must use modern scientific conclusions to support the eradication of racist system and **approach drug use behaviors with remedies that work – solidarity and intervention, NOT punishment.**

Solution

Our VT Legislature declared in the 2021 session that “racism constitutes a public health emergency in Vermont...that this legislative body commits to the sustained and deep work of eradicating systemic racism...actively fighting racist practices, and participating in the creation of more just and equitable systems, ... to coordinating work and participating in ongoing action, grounded in science and data, to eliminate race-based health disparities”.

As such, it is **your duty to repeal the antiquated use of punishment to address tobacco use** – especially in our youth. Instead, we must show solidarity. We encourage this body to not only view this bill as a

step towards racial justice, but also as a step towards proven methods of addressing public health problems as such.

References

- [Legislative Bill S.19 as introduced](#)
- [2019 VT YRBS](#)
- [VRJA Traffic Stop Data](#)
- [List of studies of drug use, punishment, and public health](#)
- [A Drug War Leader](#)

Signed

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