

To the Vermont House Committee on Judiciary:

I urge the members of the House Committee on Judiciary to unanimously vote yes on Prop 4.

I was admitted to the Vermont bar as an attorney in 1995 and worked for the Vermont Judiciary for almost two decades. The Vermont Constitution has a special role in our Vermont jurisprudence.

Transgender people of all ages come out in order to live as their authentic selves. There is reason to be worried and frightened by the hate and lies spread about transgender and nonbinary people and other marginalized groups. Looking around shows us how tenuous civil rights actually are, and how easy it is for majorities to pass legislation that negatively impacts and circumscribes the lives of numerical minorities and those with less political and economic power.

In many states and across the federal government, right-wing ideologues have denied the rights of transgender people to be visible as themselves, travel with documents that properly reflect their gender, obtain medically necessary health care, learn about diverse identities and histories, and even safely access public facilities such as bathrooms.

With this onslaught of anti-trans laws and regulations we need the strongest possible firewall, equal protection guarantees under the Vermont Constitution. We can no longer rely on the Fourteenth Amendment to the United States Constitution, because the United States Supreme Court has eviscerated the protections provided by the Bill of Rights.

Prop 4 modernizes the protections found in Vermont's Common Benefits clause by explicitly naming the groups that have faced discrimination and exclusion and are entitled to equal treatment under Vermont law. This is consistent with Article 1 and Article 7 of the Vermont Constitution and with our cherished Vermont values of liberty and equality.

By embedding these rights in the Vermont Constitution, Prop 4 assures that future politicians will not be able to undermine the fundamental rights set forth. Prop 4 will provide additional constitutional authority and guidance for our Vermont courts. It communicates that Vermont's leaders and voters reject the wave of hate emboldening attacks on marginalized Vermonters.

In November, Prop 4 will allow Vermonters from all political parties to stand together to say no to hate and yes to freedom and unity.

Please vote yes on Prop 4 to send a strong message of support to the full Vermont House. Thank you.

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