

THE DEFENDER

ACLU NEWS

Vermont

American Civil Liberties Union of Vermont FALL 2020



This is a year of historic and related crises—a global pandemic, the devastating economic fallout, a continuing political crisis—and we have seen that race and racism are central to all of them. This moment has exposed, again, the extent to which white supremacy remains deeply and structurally imbedded in the fabric of our nation.

But as traumatic and difficult as this year has been, there have also been glimpses of a better society in which the promise of American democracy is fulfilled – a country not defined by structural racism, policing and prisons, and profits over people, but by mutual aid, solidarity, and a broader collective awareness of what is possible when we invest in and support all members of our community.

We've seen that in the multiracial, multigenerational, sustained nationwide protests in response to the police murder of George Floyd, unfolding on a scale without precedent and in spite of a brutal and heavily militarized response by local police and the federal government. The Black Lives Matter movement has succeeded in radically shifting the national consciousness on systemic racism in this country and the role of police in perpetuating it, while inspiring unprecedented civic engagement in hundreds of cities and towns, from L.A. to Burlington.

Angela Davis said recently, “This moment holds possibilities for change we have never before experienced.” It is essential to recognize that in the midst of these related crises we have an opportunity to dismantle so much of the racial and economic oppression on which this country was founded and which continues to this day—and we must do that through sustained political engagement.

This moment implicates all of the ACLU's work, in ways both new and deeply familiar. The ACLU of Vermont was founded in 1967, in direct response to the civil rights movements of the 1960s. Through more than five decades, racial justice has remained at the core of our work—from police accountability and criminal justice reform to voting rights and reproductive freedom.

For all that has changed, and no matter what this election year holds in store, our mission remains unchanged—to realize the promise of justice and equality for all people, particularly those from whom that promise has been withheld throughout our history. This year and always, we thank you for your support, your engagement, and your voice.

—James Duff Lyall, Executive Director

Why I Support the ACLU of Vermont



“As a mother, business owner, and mental health advocate, I believe in the need for criminal justice reform, including challenging systemic racism and decriminalizing poverty, substance use, and mental health conditions. The ACLU has led the way for Vermont to create a smarter criminal justice system that reduces our dependence on prisons and invests in our communities. I simply wanted to do what I could to support their efforts, while calling on others to join me, particularly at such a critical time in our history.”

Nicole Grenier,
Waterbury, Vermont

Give Today

acluvt.org/give

THANK YOU!

Reimagining Police Reform

In Vermont this year, we exposed excessive force and abuse of power in the troubled St. Albans Police Department, won a settlement in our lawsuit challenging systemic racial profiling by Bennington police, and helped to strengthen police oversight legislation in the State House.

And yet this advocacy, though important, is not enough. Vermont spends more than \$500 million every year on policing and prisons, investing in a punitive system that fails to deliver justice and comes at the expense of other community needs—health care, housing, childcare, education, and jobs.



Photo credit: Gordon Miller/Waterbury Roundabout

The result? Black and Brown residents are disproportionately stopped, searched, and imprisoned, videos of police brutality surface regularly, and the number of people killed by Vermont police has increased every year for decades.

For far too long, the police have been allowed to police themselves, accruing enormous power with little meaningful oversight or accountability. At the same time, we all know the safest communities don't have more police—they have more resources. For anything to change, we must fundamentally reimagine the role of police in our communities, and we are supporting the many community members working at the state and local levels to do just that.

In this election year, please join us and our partners in asking candidates for public office if they will work to advance racial justice and police accountability with this ten-point action plan:

- End qualified immunity.
- Remove police from schools.
- Ban police use of military-grade equipment and techniques.
- Prohibit use of new and invasive surveillance technologies.
- Limit police involvement in low-level offenses.
- Require appointment of independent counsel to prosecute misconduct.
- Increase transparency so that police misconduct cannot be concealed.
- Establish community control and authority over police.
- Require robust, system-wide, data collection and analysis.
- INVEST in communities, NOT policing.

Our elected leaders must understand that Vermonters want to see transformative changes to policing in this state, and they need to hear from you. It is time to demand that our laws and our investments match our values, and to affirm—now and always—that Black Lives Matter.

Advancing Smart Justice

When we launched Smart Justice Vermont in 2018, our goal was to reduce Vermont's prison population by at least 50% and eliminate racial disparities in our criminal legal system. Vermonters are fed up with failed "tough on crime" policies and have consistently and strongly supported our call to prioritize people over prisons.

Some public officials have been more skeptical, including multiple past Department of Corrections Commissioners who said publicly that our 50% decarceration goal was "unrealistic." It is now clear they were wrong.

By May of this year, the number of incarcerated Vermonters stood at 1,360, a roughly 20% reduction from this time last year, and a 38% reduction from the high of 2,200 incarcerated Vermonters one decade ago. Vermont's women's prison saw its population cut in half, in a matter of months.

In the midst of a public health crisis, Vermont achieved a rate of decarceration that many expected would take years, at best, and more than enough to offset the number of people imprisoned out-of-state at a cost of \$7 million per year.

Much of that progress was made in response to COVID-19 by implementing the same "smart justice" strategies we have championed for years, proving what the ACLU and our partners have said all along—Vermont can and must reduce its reliance on prisons by investing in our communities.

What does Justice Reinvestment do?

- ✓ People can earn time off their sentences for good behavior.
- ✓ People can appeal when they are imprisoned for technical violations of community supervision.
- ✓ People who have served their minimum sentences are eligible for presumptive parole.
- ✓ Stakeholders will make recommendations for reducing racial and geographic disparities in Vermont's criminal legal system.

"Justice Reinvestment" bill which Governor Scott signed into law in July.

The bill addresses some of the biggest drivers of incarceration in our state—a punitive parole system, extreme sentencing laws—and represents significant progress toward creating a criminal legal system that is more just, humane, and rooted in community-based solutions.

Still, this work is far from over. The fact that Vermont's prison population is again increasing while Governor Scott refuses to use his executive authority to release more people shows how fragile these reforms can be and how much work remains. Now is not the time to go backwards on our progress, and with your support, we will create a smarter justice system for Vermont.

The challenge now is to ensure these lessons are not forgotten. Our top legislative priority this year was passing legislation to reduce unnecessary incarceration and invest the savings in programs that support people and communities. We are happy to report that after months of study, deliberation, and advocacy by the ACLU and our partners, the legislature passed a

Save the Date:
2020 (Virtual)
Annual Meeting

November 19, 2020
5pm-6:30pm

Join us for our 53rd Annual Meeting on November 19th.

We will be discussing the implications of this pivotal election for our civil liberties and our democracy, in Vermont and nationwide. Learn how the ACLU is responding, this year and beyond.

All current ACLU members are eligible to vote for new board members prior to the meeting.

To register for the meeting and to vote for board members visit acluvt.org/2020-annualmeeting starting October 1st. Voting will remain open until November 18th.

If you would like to request a paper ballot, please email info@acluvt.org or call 802-223-6304.

We look forward to seeing you in November.

ACLU

Vermont

PO BOX 277
MONTPELIER VT 05601

www.acluvt.org

Vote like your rights depend on it. Because they do.

We don't have to tell you how much is at stake in this year's election. As we contend with COVID-19 in our communities, we must simultaneously protect our health and our civil liberties—including our fundamental right to vote.

Together with our partners, we have been diligently working to ensure that vote by mail is an option for all Vermonters eligible to vote. We will continue to share voting information with as many Vermonters as possible and encourage strong and safe participation on Election Day.

In other states where increasingly aggressive voter suppression efforts pose an existential threat to our democracy, ACLU affiliates are on the front lines, including successful litigation efforts to expand access to voting while protecting public health.

ACLU
Vermont

Printed on 100% recycled paper.

