

VT Renews BIPOC Council Follow up letter to the Statehouse

Date: 9/23/2022

TO:

Honorable Phil Scott, Governor
Senate President Pro Tempore, Rebecca Balint
Speaker of the House of Representatives, Jill Krowinski
Commissioner, Agency of Natural Resources, Julie Moore
Executive Director of Racial Equity, Xusana Davis
Commissioner of Agency of Natural Resources, John Beling
Commissioner of Department of Health, Mark Levine
Secretary of Administration, Chair, Vermont Climate Council, Kristin Clouser

Sent via email and physical copy.

Subject: Experience of Black, Indigenous and People of Color in the legislative process

We write this letter as members of the VT Renews BIPOC Advisory Council, as a follow up to a [previous letter](#) we sent in April 2021 on the subject of centering racial justice and equity in Vermont Climate and Environmental Policy. We must share our collective disappointment in the State's failure to implement its stated commitments to center racial justice and equity as observed through the following actions:

- At the "BIPOC Affinity Public Meeting" for Vermont's Climate Action Plan, the State failed to provide the required protection for safe and productive affinity space for BIPOC to share their input on the climate action plan. When concerns were raised, the Administration chose to focus their engagement and responses to debate the technical legalities of open meeting laws instead of providing support to address the very real threats of harassment towards participants, facilitators and staff involved in the events. In addition to questioning the legitimacy of an affinity space, the administration's non-response to threats further perpetuated harm and marginalized members of the public from participation; essentially denying access to public accommodations afforded under the law.
- The Climate Council to date has not made progress towards ensuring adequate representation of frontline communities (BIPOC, low-income, rural, youth, etc.) in the Council membership. Many appointed members chose to remain in their positions rather than identify representatives from communities most impacted by climate change, which does not reflect the intentions laid out in the adopted Just Transitions guidelines. As a reminder, this power differential upholds white supremacy by segregating BIPOC into advisory roles. Our concern is the perpetuation of our exploitation by placing additional demands on frontline communities to do work on behalf of the state without adequate compensation, resources or authority to make impactful decisions. Furthermore, members of the Renews BIPOC Council have been tokenized at these subcommittee meetings, resulting in at least one individual withdrawing from a subcommittee.

- The Environmental Justice bill was passed without adequate funding for community engagement and funding towards the most underserved communities in Vermont. As part of the historic commitment to environmental justice, President Biden introduced the [Justice40 Initiative](#) in 2022 to ensure that federal agencies deliver 40 percent of the benefits of climate, clean energy, affordable and sustainable housing, clean water, and other investments to underserved communities. We are disappointed that the state has not made a similar commitment towards the disadvantaged communities in Vermont, and we recommended 55% of the environmental funding be directed towards the underserved communities in the state.
- To ensure participation in the Environmental Justice Board is accessible and the public has the opportunity to meaningfully engage in this work, participants must be adequately compensated for their time and contributions. The current compensation model (\$50 per meeting) does not adequately account for the time and labor exerted between meetings to prepare and follow up on action items. The bill as passed does not fulfill the mandate of “[meaningful participation](#)” defined in the bill.
 - We recommend that EJ community liaisons be hired, as designed through the work of the Rights and Democracy, Center for Whole Communities, REJOICE, the Vermont Law School and the Department for Environmental Conservation be made permanent, as paid, full time opportunities to help facilitate the ongoing community engagement this work requires. There needs to be enough funding allocated to support both the Environmental Justice Board and the EJ liaisons if the state chooses to prioritize funding accordingly.
- Legislators and the administration have continuously used “constitutionality” to block state appropriations directed to protected classes, effectively stifling equity informed policy to address historical and current exclusion from legal and economic systems. Instead of the Civil Liberties Act being used to promote redistribution of wealth and public funding, it’s being weaponized to block these initiatives because legislators and the administration do not have the courage to stand by equitable policies. In particular, it was used to block H.273 and the creation of the BIPOC Land Access and Opportunity Board to redistribute funding despite extensive findings to state and federal exclusion of BIPOC from land ownership and land theft from those communities. Until we challenge the status quo, all "precedent" will uphold a system that was inherently designed to impede access to wealth and homeownership for BIPOC communities.
- Throughout the biennium BIPOC and other individuals at the intersection of marginalization, including members of the Renew BIPOC Council, who worked with legislators to develop bills, offered testimony, and advocated for legislation reported condescending, confrontational and dismissive responses to their involvement in the public process. We deserve to have a statehouse that is accessible, inclusive and respectful to all members of the public. Our involvement and demands of the public process should not be met with hostility, while other voices are invited into the process freely and regularly.
- The administration has neglected to center or consider racial justice and equity in the appropriation of COVID-19 funding. The data has shown that BIPOC Vermonters were and are disproportionately impacted by the COVID-19 pandemic from education and health to economic to public safety.

Ultimately, the state is seeking to engage in Diversity, Equity and Inclusion work while being unwilling to address and adapt the status quo policies to allow for safer access and involvement for marginalized communities to participate in community feedback, government commissions or decision-making processes. Therefore, the state is only willing to work on Diversity and is failing to address Equity and Inclusion, and Justice is a far horizon that is not being approached.

In response to these failures, we request the following for the purpose of holding the State accountable to centering racial justice and equity in its environmental and climate policy:

- Meetings with the Environmental Justice Advisory Board nominating entities to discuss the nomination process and provide input on prospective nominees.
- Meetings to discuss the use of “constitutionality” to block the creation of and appropriations to the BIPOC Land Access and Opportunity Board.
- Commitments for appropriations to the Environmental Justice Advisory Board & Land Access and Opportunity Board.
- Meetings with the Office of Racial Equity to develop proactive security, policies, and procedures to protect against racist challenges to BIPOC and other affinity spaces for marginalized communities.

Our coalition will be reaching out shortly to schedule these meetings.

Sincerely,

VT Renews BIPOC Advisory Council:

Ana Mejia, Rights & Democracy, Vermont Releaf Collective

Earl Hatley, Missisquoi Band Abenaki Nation

Mia Schultz, Rights & Democracy, Rutland Area NAACP

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Brian Cina, Vermont State Representative

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In Solidarity,

VT Renews Coalition:

Rights & Democracy

Vermont State Labor Council, AFL-CIO

Northeast Organic Farming Association of Vermont

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