Please enter as testimony for the record:

Mark Hughes
Burlington, Vermont
March 25, 2019
Re: S.132, H.496 and Civilian oversight of LE

Legislative Delegation,

Please demand the withdrawal of S.132 and H.496 and call for public hearings on civilian oversight of law enforcement and on the Criminal Justice Training Council's response (pursuant duties under Title 20, 2101 and 2104) to allegations of Bennington police chief's biased enforcement.

The newly introduced notion of "biased incidents" in the wake of the Morris case has set a standard of policy violence that is harmful to black and brown people in Vermont. This "bias language" creates a distraction and in some cases an alternative to a duty to prosecute the law. The problem will be exacerbated by the creation of the "Bias Incident Working Group"; confused by the re-designation of hate crimes to "bias crimes" and obfuscated by the replacement of criminal infractions with civil penalties.

Sufficient laws exist to address simple assault, disturbing the peace, stalking and hate crimes. Civil injunctive relief is also available. The laws must simply be equally prosecuted. The amendment to S.132 that was adopted on March 19th, 2019, removed Sec. 1, 13 V.S.A. § 1466, in it its entirety. The removal of the preexisting language in subsection (a), withdraws the Attorney General's ability to impose a civil penalty or injunctive relief. H.496 in House Judiciary is proposing the use of language from 13 V.S.A. § 1062 to create civil penalties and changing our longstanding Hate Crimes statute (13 V.S.A. § 1455), to a "Bias Motivated" Crime bill. None of this is helpful.

The path that we are on has already emboldened white supremacists and from the perspective of many diminishes law enforcement legitimacy. None of this is conducive to building the trust required to promote the cooperation needed to keep our communities safe. Please withdraw the bills and call for public hearings.

I ask that this be entered on the record in the respective committees.

Thank you for your service.

Mark