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Three Towns Put Sheriff's Discrimination Policy on Town Meeting Ballot

Putney, Marlboro and Dummerston Will Consider Loophole Closures.

The Windham County No Más Polimigra campaign, which seeks reforms to area Fair and Impartial Policing Policies (FIPPs), has succeeded in placing articles on the 2022 Town Meeting ballots of Putney, Marlboro and Dummerston.

The non-binding articles urge the Windham County Sheriff's Office to reform its FIPP to close specific loopholes pertaining to communication and cooperation between local law enforcement and federal immigration agents. The campaign asserts that the original intention of the state's policy, to separate local and federal policing, is rendered moot by these loopholes.

The reforms include: tightening the legal requirements for sharing information; specifying that immigration status cannot be grounds for arrest, citation or detention; protecting the confidentiality of victims and witnesses of crimes; eliminating mere suspicion of illegal border crossing as an excuse for detention; and preventing local holding cells from doubling as federal immigration detention centers.

Statewide Movement

The Windham County campaign is part of a statewide movement led by Justicia Migrante (Migrant Justice), a Vermont organization whose mission is to build the voice, capacity, and power of the farmworker community and engage community partners to organize for economic justice and human rights.

In 2017, Vermont adopted its model Fair and Impartial Policing Policy, which contains the targeted loopholes. The policy was adopted by Sheriff Anderson's predecessor, along with most departments and offices in the state.

Since 2019, when the Vermont legislature specified [H.518] that local departments were free to increase protections beyond the state's requirements, residents have taken up the cause across the state.

The reforms have so far been successfully adopted in Winooski, Burlington, South Burlington, Hartford, Norwich, and Richmond. The Addison County Sheriff's Office reformed its policy in 2020. Brattleboro Police Department made the changes in 2021.

Local Teams Wage Petition Drives

Windham County residents were attracted to the campaign through presentations and other outreach, as well as the publicity from the victory in Brattleboro, and formed local organizing clusters to collect signatures from the required 5% of voters necessary to petition their selectboards to add an article to the ballot.

Voters were engaged in conversation by in-person petitioning at the Putney Co-op and outside the Marlboro Post Office. Widespread petitioning being hindered by COVID and Winter, strategies also included mailing friends with return-addressed envelopes, “take-one” bunches on community bulletin boards, private and public drop-off sites, and even pick-up service.

“Many folks said they were shocked to learn that current policy allows a Sheriff’s deputy, in the process of pulling someone over for something as simple as a missing tail light, to call federal Immigration authorities”, says Putney organizer Jane Katz Field. “Our local police should not be in the business of deportations”.

Referring to Vermont’s migrant farm workers, local organizer John Field says, “Putney people respect the hard-working farmers and agricultural workers whose labor brings us a rich bounty of food. Deporting the very people who produce our milk and cheese rips families apart and is cruel and inhuman. That’s why we think so many townspeople signed petitions urging our county Sheriff to improve his policy.”

For Marlboro resident and organizer Francie Marbury, her motivation is based on a recent experience driving on I-91 with Honduran asylum seekers. When passing a police car in the median, “They were worried that the police presence was dangerous and meant harm. My immediate response was that in Vermont the police are here to help. And then I realized that for many BIPOC folks, especially those whose immigration status is tenuous, that is not the case and, as I’ve learned more about the FIPP, I realize how important it is to close the loopholes identified in our article.”

Dummerston’s petition drive collected 139 certified signatures - nearly double the required amount - within a mere two weeks. Dummerston’s Selectboard, which recently rebuffed a request to adjudicate the issue as a matter of having a town contractor with discriminatory policies, forwarded the article to the ballot without controversy.

Not all towns will have in-person Town Meetings this year, due to COVID, so voters will need to understand the issues on the ballot without the discussion and debate that a Town Meeting affords. For this reason, campaign supporters will be using local networks, social media, and pre-Town Meeting information sessions for broad public education on the issue.

Group Statement on Sheriff's Resistance:

Sheriff Anderson's response has been to needlessly personalize and complicate the campaign's goals and the process of reform. He claims that reform is not necessary because he and his deputies have not involved themselves with immigration authorities, and that reforms can only be made at the conclusion of an indefinite reassessment of the state policy underway by the Vermont Criminal Justice Council.

It is negligent to leave immigrants vulnerable to the abuses of these policy loopholes, and suggest that trust alone is an adequate substitution for policy. To resist codifying these protections contradicts the Sheriff's stated pride in his intentions. There is also an election for the office this November, when Sheriff Anderson could conceivably be replaced. In the meantime, any deputy is free to exploit these loopholes at any time they might desire, without any basis for accountability.

The reforms are simple insertions of language to the current policy, and do not require waiting for a wholesale rewriting of the state policy. Brattleboro Police Department made the reforms just last year, while the Vermont Criminal Justice Council process was already underway. The revisions, and their subsequent approval by the state, were in fact accomplished quickly.

Sheriff Anderson also cites legal concerns with the reforms. Ann Schroeder, a Dummerston organizer who has worked on FIPP reform for years, states, "The Vermont Attorney General's office has to review any changes and indicate that they are in compliance with state policy. They have done that with all of the policies that have been strengthened with this language, without objection". One of the Sheriff's most frequently stated concerns – that departments may lose federal funding – is based on a 2017 executive order that the Biden administration has rescinded.

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