

The Vermont Human Rights Commission: Support at the State Level for Lesbian and Gay Rights

Sage Russell

Susan Sussman and the Vermont Human Rights Commission, which she heads, are among the strongest and most vocal supporters in state government of full civil and human rights for gay and lesbian Vermonters. There is an irony here, though. Because the civil rights bill currently before the Legislature has not yet been passed, it is legal to discriminate on the basis of sexual orientation in Vermont, and the Human Rights Commission cannot use the legal remedies at its disposal on behalf of gay men and lesbians.

The Vermont Human Rights Commission was established by the State Legislature in 1988, and began formal operations in January 1989. Sussman, who has practiced law in Vermont since 1980, at Vermont Legal Aid in Burlington, and then in the Attorney General's office, first in consumer protection and then as head of the Civil Rights Division, was named its first Executive Director. Its statutory mandate is to enforce the Fair Housing and Public Accommodations Act and the Fair Employment Practices Act when the employer is a state agency. (The Civil Rights Division of the Attorney General's office has jurisdiction over private employers.) It has the authority to investigate and prosecute charges of discrimination in housing, public accommodations, and state employment for people in the protected categories (race, sex, religion, etc.).

These are the specific areas in which people can file charges of discrimination with the Commission. The Commission investigates complaints and attempts conciliation. If it believes that discrimination has occurred and attempts at settlement have failed, it can take the case to court on behalf of the individual(s).

The Human Rights Commission is also charged with increasing public awareness of the importance of full civil and human

rights for all Vermonters, examining the existence of discriminatory practices, and recommending measures to protect civil and human rights. Within the scope of this second mandate, and to the extent that staff and funding permit, the Commission has worked vigorously on behalf of gay men and lesbians in this state.

In 1989 it held state-wide hearings to assess the need for hate crimes legislation, and Sussman provided expert testimony, based in part on the results of these hearings, in support of the Hate Crimes bill in 1990. According to Keith Goslant, co-liaison to the Governor from the gay/lesbian community, Sussman's efforts were crucial in getting the Hate Crimes bill passed. (Goslant also says that Sussman was "wonderful even before she went to the Human Rights Commission"). The Commission maintains statistics and operates a clearinghouse and referral service for discrimination complaints based on sexual orientation. Even though the Human Rights Commission cannot take cases to court, there may be other legal remedies which gay men and lesbians can pursue through private attorneys.

This past year, the Commission developed a state-wide referral list of lawyers experienced in and willing to take discrimination cases. Gay and lesbian issues were included on the survey at Sussman's insistence, and Goslant feels that this sets a very important precedent. Sussman has also conducted training workshops for law enforcement officials on the Hate Crimes law and on sensitivity issues involving sexual orientation, and she expects to do more.

All of this work is carried out by a staff of four: Sussman, two investigators, and an administrative assistant. The assistant, which had been a full-time position, was reduced to half-time in January as a result of state budget cuts. The work of the Commis-



photo Sage Russell

Susan Sussman

sion is directed by five commissioners, who are appointed by the Governor. The commissioners and the staff strongly support passage of the lesbian/gay rights bill now before the Legislature. Susan Sussman has testified in favor of the bill before and expects to do so again in this legislative session.

According to Sussman, if the bill is passed, "it will mean those people who believe they have suffered discrimination (on the basis of sexual orientation) in the sale or rental of housing; in a place of public accommodation, which could be a restaurant, a hotel, a store, a private business, a school; or a person who believes they've suffered discrimination in state employment, whether it involves a hire, a pro-

Quality Home Child Care

A child centered, stress free environment promoting ethnic, family and lifestyle diversity. An alternative to the chaos and frenzy of large day care centers.

Free Trial Day or Half Price Trial Week

- Gay-Lesbian Affirmative • Nutritional Meals & Snacks
- Indoor/Outdoor Activities • Vermont State Registered
- References Available • Lots of TLC

Monday-Friday 8:00-5:00 (additional hours negotiable)
Openings: Ages 2 and up. Carol Altobelli 655-9807
Conveniently located off I-89 near four-corners in Winooski

Therapeutic Massage

Pamela Gale

Certified Massage Therapist



802-864-0903 Burlington, VT

Member VT Massage Guild
Graduate Florida School of Massage

Gift Certificates/Sliding Fee Scale