

State of Vermont

House of Representatives



Montpelier, Vermont

Joint House Resolution

J.R.H. 32

Joint resolution expressing regret for the sterilization of Vermonters pursuant to the Sterilization Act of 1931

Offered by: Representative Donahue of Northfield

Whereas, the state-sponsored sterilization of many Vermonters, based upon the false science and misguided social judgment that they were genetically inadequate and of poor heredity stock, is one of the most unfortunate chapters in our state's history, and

Whereas, in 1912, the General Assembly passed legislation to "authorize and provide for the sterilization of imbeciles, feeble-minded and insane persons, rapists, confirmed criminals and other defectives" which Governor John Mead vetoed on the advice of Attorney General R.E. Brown that the measure was unconstitutional in part due to its discriminatory intent and lack of due process, and

Whereas, the Senate overrode the governor, and although the House of Representatives upheld his veto after a successful Senate override, the idea of broadly based sterilization legislation was not permanently defeated, and

Whereas, Francis Galton, the cousin of Charles Darwin, coined the term "eugenics" meaning "the science of improving the genetic condition of the human race," and

Whereas, in 1925, UVM zoology professor Henry F. Perkins established the Eugenics Survey of Vermont with a stated mission to determine the extent of defective behavior and depraved immorality in the state by combining biology, education, and social work, and

Whereas, in 1927, when addressing a conference of social workers in Montpelier, Perkins reported his purportedly highly academic findings proving a blood or heredity foundation in the mental degeneration in classes of families he defined as pirate, gypsy, and chorea, and

Whereas, Perkins predicted that legislation, which he had assisted in drafting, providing for sterilizing the "socially inadequate" individuals would be introduced, and

Whereas, in Buck v. Bell, 274 US 200 (1927), U.S. Supreme Court Justice Oliver Wendell Holmes held that Virginia's sterilization law was neither unconstitutional nor a denial of due process, and

Whereas, in 1931, as a result of the pseudoscience and hearsay that permeated the reports of the Vermont Eugenics Survey, as well as the establishment of the Vermont Commission on Country Life, that in part was an expansion of the survey's activities, the General Assembly adopted Act No. 174, "An Act for Human Betterment By Voluntary Sterilization," which was intended:

to prevent the procreation of idiots, imbeciles, feeble-minded or insane persons, when the public welfare of idiots, imbeciles, feeble-minded or insane persons likely to procreate, can be improved by voluntary sterilization, and

Whereas, as a result of this legislation, a large number of individuals were subjected to this state-sponsored sterilization program, many without their knowledge or consent, and

Whereas, although the Eugenics Survey was ended in 1936, and the forced sterilizations ultimately halted, the damage to many Vermont families was widespread, and poor Irish and Italian immigrants, along with other persons in poverty, were among those targeted, and

Whereas, individuals diagnosed with mental disabilities and persons of French Canadian and Abenaki ancestry were disproportionately affected and harmed, and

Whereas, it is impossible for the General Assembly to undo the grievous damage that was inflicted on these persons and their families, but it can issue a strong statement denouncing this dark chapter in Vermont's history to demonstrate the legislature's resolve to guard against such events occurring in the future, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly expresses its profound sorrow and sincere regret that such a program of sterilizations was sanctioned under an act of this legislative body.