

Good Afternoon

My name is Kate Larose, and I serve as the statewide pandemic equity coordinator with the Vermont Center for Independent Living. At VCIL, we are people with disabilities working together for dignity, independence, and civil rights.

Part of my work at VCIL is to ensure that people with disabilities—including COVID longhaulers—have equal access to education, healthcare, and civic life.

I was invited to [testify](#) before this committee back in April to share why certain provisions of S.55 are important to everyone, and especially people with disabilities.

Here's a quick recap:

- In 2018 I was an engaged and active member of my community involved at all levels of local and state government. But then I experienced a traumatic brain injury, became disabled, and got shut out of civic engagement due to lack of accessibility.
- There are [federal civil rights protections](#) to ensure that disabled people have equal access to state and local government meetings and elections, but they often require extraordinary individual and systemic efforts to enforce them.
- Even when [it is known](#) that the majority of polling locations are inaccessible.
- For a moment, at the very start of the pandemic, [H.681](#) ensured that Vermonters could protect both their health and their right to participate in elections.
- Many disabled Vermonters were granted newfound access to civic life
- Only to have the door slammed in our faces once again.
- Around the state—in selectboard meetings, diversity equity and inclusion committee meetings, and Town Meeting Day—Vermonters with disabilities were denied access to all aspects of civic life, including watching proceedings, providing public comment, and voting.
- But it wasn't just the disabled who were denied. This lack of access extends to young people. Working people. People without childcare. People without transportation. In short, people with the least amount of privilege.

I know that laws are often only as good and as detailed as the stories that inform them. And the more stories the better. But here's the thing about asking disabled people to share their stories over and over. It's really hard. It requires vulnerability. And it's a lot of work, especially for people who are completely overwhelmed trying to continually navigate access to the most basic of government services and so-called benefits just to survive.

So today, I will share two stories with you from my own life experience. But please do not for a minute believe that these are the anomaly. This is how it is to try to attain one's civil rights protections. The only anomaly here today is that I have much more privilege than most.

### **One Example**

On January 25, 2023, H.42 was signed into law by Governor Scott.

Shortly thereafter, I reached out to my town of residence to request that they consider one of two aspects of that law—Australian ballot or changing the meeting date—so that I could participate as accommodations under Title II of the ADA.

They put my request on the next selectboard meeting agenda so that me, my disability, and my accommodations request could be discussed amongst my neighbors. I was not able to watch the proceedings of that meeting or easily access the minutes of their decision.

I was provided a denial letter. The reasons the denial? Not enough advanced notice, popular opinion is more important than ensuring rights for all, and limitations of state election law.

So this was my 2023 Town Meeting Day. An audio only experience in which I was not able to participate or even watch the presentations being given.

So I thought okay; lesson learned. I'll give as much advanced notice as possible in hopes of participating in Town Meeting Day 2024. So I submitted my ADA request in April, nearly a full 11 months prior to elections. As of today, I still have not been given an update on my request.

Will I get to participate this year? Who knows. But I tried everything possible in my power to do so.

### **Another Example**

Here's another example. My child requires monthly infusions, but healthcare settings are currently too high risk for them. Given the location requirements for these infusions we have to travel up each time to a property we own that we are in the process of rehabbing for the purpose of renting out. It just so happens that a \$2 billion project is being proposed to be installed feet from where my child gets these needed, monthly medical treatments. The selectboard in this town is being tasked with making what will be the biggest decision they've ever made to date. And it will have consequential health and economic impacts for any properties and people along the proposed route.

These are the accommodations I asked for on May 28, 2023:

- Video and audio access to public meetings with this item on the agenda
- The ability to public comment remotely
- Electronic access to materials shared at these meetings

Again, this required the selectboard to put me and my accommodations on a public meeting agenda. After they talked about me and my disability, the selectboard determined that no accommodations would be offered unless I provided them with a letter from a medical provider. For accommodations that are already standard operating procedure in most towns across the state.

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Jumping through this additional hoop—a barrier put in place just because they could—required me to take time off work, pay for a medical appointment, and resulted in me being shut out of a number of meetings about this matter.

On July 26, 2023 I was able to provide the town with the requested letter. The letter from my medical provider had to go before the selectboard so that they could determine how they wanted to proceed. I was eventually provided access to meetings starting in September. It took over three months and a lot of spoons as a disabled person who only has to ability to work part time to finally gain access.

But when I finally did, this is the notice that was shared on the town's Facebook page. A friendly note announcing that the selectboard just wanted to ensure that everyone was able to participate "from the comfort of their own homes". None of the hoops I was forced to jump through were required. They were placed before me just because they could be.

This is what Vermont's current election law enables town officials to do; construct artificial barriers for disabled people just because they can.

S.55 is needed to prevent this from happening in the future. In this day and age, everyone should be provided with easy access to both virtual and in-person elections and other matters of state and local government.

There is no excuse for it to be otherwise.

Because community and democracy are both stronger when everyone is able to take part.

Thank you.