

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.

My work includes assessing and responding to the current pandemic related issues Vermonters with disabilities are experiencing—including for COVID longhaulers—developing resources and community, and supporting people in advocating for equal access to education, healthcare, and civic life.

I am here today as both an employee and as a Vermonter.

In 2018 my life was brimming with civic engagement. I attended city council and school board meetings, was appointed to multiple statewide councils, drove to the statehouse to testify at public hearings, and even ran for a house seat that I lost by a couple dozen votes. I had ample opportunity to be an engaged community member.

Shortly thereafter, I experienced a traumatic brain injury and became disabled. Of all the things that changed for me during that time, one of the most challenging was losing the ability to be part of the community. Lack of accessible participation options meant that I was suddenly and completely shut out of civic engagement. This is the reality for many people with disabilities. I am hopeful that S.55 will change that.

And to look forward, we need to look back.

In 1991, [Title II of the Americans with Disabilities Act](#) was issued. Under Title II, people with disabilities must have equal opportunity to participate in and benefit from state and local government programs, services, and activities, including meetings and elections.

In 2017, the U.S. Government Accountability Office sampled 178 polling locations to determine accessibility and released [a report](#) sharing their findings. Their focus was on impediments to physical accessibility. They found that 60% of polling locations were inaccessible.

In 2018, the Vermont Secretary of State's office launched the use of the [Omniballot](#)—a tablet and online based system compatible with accessibility devices to ensure that some people with disabilities can vote independently.

In 2020, the COVID public health emergency began. [H.681](#) was signed into law. Section 1 reads:

*"It is the intent of the General Assembly that, if the COVID-19 pandemic continues its expected spread in the State of Vermont, the citizens of Vermont should be able to*

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*protect their health, safety, and welfare while also continuing to exercise their right to participate in elections in order to maintain our democratic institutions. “*

This included suspending the requirement for petitions with signatures, provided a means for electronic meeting participation, and enabled town meetings to be conducted via Australian ballot. (It is also worth noting that current COVID-19 spread today is far greater than it was when this bill was signed into law.)

And for all the harms that came along with the pandemic, one of the silver linings was that—for many people with disabilities [including myself and others](#)—state and local governments provided an accessible means for equal participation.

In 2021—before we’d even heard of Omicron, and kids weren’t yet eligible for vaccination—Governor Scott declared the end of the pandemic in Vermont via a gold seal decree. And with it, went newly created accessibility.

Shortly thereafter, I and many others had civic participation taken from us once again.

Here are just two examples I experienced:

- In August of 2021 the City of Saint Albans held a meeting to create their diversity, equity, and inclusion committee. Community members wanting to public comment reached out to the city manager requesting virtual access to which he replied, “We find the quality of participation diminishes greatly when we are not in the same room.”
- In March of 2022 I was able to request an absentee ballot for the town of Canaan. When I received my ballot, I found it nearly empty. I was unable to vote on the town or school budget, and the latter failed by a handful of votes. There was no means of identification on the ballot request or the ballot itself identifying that most of the articles were not included.

And that brings us to 2023. This year—despite having H.42 signed into law which gave towns the tools they needed to make voting accessible to all, 175 selectboards choose to move ahead with local elections that were inaccessible to many—especially older Vermonters and those with disabilities.

(As one town clerk [was reported](#) as saying, “it’s nothing exciting or unusual...it’s back to business”.)

Despite [federal civil rights law](#) being clear about providing people with disabilities “full and equal opportunity to vote in all elections”, under current Vermont law, selectboards have the option to discriminate. Despite public comment, published commentary, and submitted ADA requests for reasonable accommodations, that’s exactly what most towns around the state did.

I’ll share just a few examples with you here.

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In Brattleboro, [appeals for accessibility](#) resulted in a 3-2 vote for no remote option.

In Cambridge, [multiple people requested accessible voting options](#) for health and safety reasons at a public meeting, but only one individual—who put their request in writing which is not a requirement—was [granted an accommodation](#).

In one central Vermont town, an individual put in an accommodation request to vote on their town budget. The town clerk said that wasn't possible. The voter later received their absentee ballot and the budget article was listed. When they called to thank the clerk they were told it was a printing error and that that version of the ballot would have to be returned, their vote uncounted.

In my current town of Newark, the selectboard considered my request but determined it wasn't reasonable. When I requested the minutes from the meeting in which this was decided, I was told that the only way to access selectboard meeting minutes was to schedule a time to go to the clerk's office in person to view paper copies stored in the vault. This was the town meeting experience I was offered instead: a blank screen with bad sound, no absentee ballot option, and when I asked a question I was quickly told by the moderator that I could not speak.

As you consider amendments to S.55, I hope you will remember these stories.

Accessibility and inclusion don't happen by accident and they don't happen by virtue of good intentions. They happen because laws are passed, and passed again, until we get it right.

I want to leave you today with this excerpt from the Vermont Coalition for Disability Rights' [Statement on Inclusive Town Meetings](#):

*"...for too long, Town Meeting Day has not provided opportunity for equal representation including for people with disabilities, older Vermonters, those without access to transportation, and people who are unable to obtain childcare or time off from work.*

*At VCDR we believe that the ability to exercise one's civil right to vote in local elections is an essential prerequisite to equitable access to life in Vermont.*

*Though the ongoing pandemic further uncovered and perpetuated deep disparities in many ways, it also provided unprecedented access and inclusion in others. One of these ways was shifting town meetings so that anyone could vote—whether they were able to be physically present in the room or not...*

*VCDR recognizes that community and democracy are both stronger when everyone is able to take part."*

Thank you.