

Senate Committee on Government Operations**S.55 Open Meeting Law****Disability Rights Vermont Testimony****Lindsey Owen, Executive Director****February 27, 2024**

Thank you for inviting me to speak with you today about the proposed changes to Open Meeting Law in Vermont. My name is Lindsey Owen, and I am the Executive Director at Disability Rights Vermont. I have been with the organization for over eleven years. I started as an intern doing a semester in practice from Vermont Law School, and was hired on a part time basis while I finished law school the following semester. I worked as an advocate until I was sworn in to the Vermont Bar in November 2013. I served as a staff attorney for the next 8 years or so and have served as the Executive Director in May 2021.

I know that Disability Rights Vermont is included as a member in the proposed Working Group, but for those committee members who may not be familiar with our organization I will provide a little context and history. Disability Rights Vermont is the Protection and Advocacy agency for the State of Vermont. The Protection and Advocacy system was established after much attention in the media of horrific treatment of people with disabilities at a place named Willowbrook that was supposed to be providing care to these individuals. The abuse and neglect was profound and shocking. As a result, P&As across the country receive a variety of federal grants to investigate and remedy abuse, neglect and serious rights violations impacting individuals with disabilities and perpetrated by state actors, facilities, caregivers, employers and others. DRVT represents victims of crime who have disabilities, we administer the Vermont Communication and Support Project which provides communication specialists in administrative or judicial proceedings to individuals whose disabilities impact their ability to communicate. DRVT is engaged in a lot of advocacy work to increase and improve access to the electoral process.

Last year DRVT testified on this bill when it was first introduced with a proposal to allow public bodies to not have a physical location available for members of the public. DRVT testified about the importance of voice and inclusivity. This latest draft clearly embodies those principles. DRVT thanks you all for that work and effort.



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In light of the proposed bill including DRVT as a member of the Working Group, DRVT has only a few recommendations for this committee to consider at this time:

NEW Subsection (D)(3)(D): DRVT suggests adding a fourth subsection here that states electronic meetings will provide captioning capabilities at all times, and interpreter services upon request.

NEW Subsection (D)(3)(E): DRVT suggests adding a fifth subsection here that states electronically recorded meetings will be made available with captioning or ASL interpretation video overlay upon request.

Subsection (D)(6): DRVT suggests clarifying that a request for accommodation should enable the person to attend and participate in the public meeting, not just access.

NEW Subsection (D)(7): DRVT would recommend adding a provision that addresses the process by which an accommodation can be requested and the manner by which a decision is made regarding the request. DRVT suggests that the privacy of the individual making the request be respected and not unnecessarily disclosed and that the decision be made by a subcommittee or individual member of the public body specifically designated to address requests for accommodation. A record of requests for accommodations should be maintained.

Subsection (f)(3): DRVT suggests that the Working Group not cease to exist cart blanche, but that the language reflect the ability to continue the Working Group in the event the results of the Working Group efforts necessitate follow up. Perhaps: The Working Group shall cease to exist on the date that it submits the report required by this section, unless the Working Group concludes its continuation would benefit the purpose of this bill.

Thank you,

Lindsey Owen