



**Senate Committee on Government Operations**

**Disability Advocacy Day 2026**

**Disability Rights Vermont Testimony**

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Honored Chair, Vice Chair, and Senators,

Good afternoon, I am Laura Cushman, and I am an attorney at Disability Rights Vermont. Thank you for this opportunity to speak with you today, on Disability Advocacy Day. If you are not familiar with us, Disability Rights Vermont is the Protection and Advocacy (P&A) agency for the State of Vermont. The Protection and Advocacy (P&A) system is a nationwide network of federally mandated non-profit legal organizations advocating for the rights of people with disabilities. The United States Congress established the P&A system in the 1970s after news media exposed the horrific and negligent treatment of people with disabilities at a New York State facility, called Willowbrook. P&As receive federal grants to investigate and remedy abuse, neglect, and serious rights violations impacting individuals with disabilities, whether perpetrated by state actors, private facilities, caregivers, employers or others. Given our role as the P&A, Disability Rights Vermont is also designated by the Governor as Vermont's Mental Health Care Ombudsman.

Over 25% of Vermonters live with disabilities. Every one of us is only one accident, or trauma away from being a person with disabilities. Ableism is a social prejudice against people with disabilities based in a belief that people with typical abilities are superior. People with disabilities are not broken, they are not less-than, and they do not require fixing.

If our policy makers ignore the reality that negative stereotypes and misconceptions about disability, have othered the disabled members of our community as inferior, then the policies they create will fail to meet Vermont's Constitution's promise in Chapter I, Article 8 that our State government is instituted for the common benefit, protection and security of all the people, families, and communities, of Vermont.

Disability Rights Vermont has been focusing efforts and working in coalition with other civil rights, and disability rights organizations, including the Human Rights Commission, American Civil Liberties Union of Vermont, the Vermont Center for Independent Living, the League of Woman Voters, and others, to make recommendations that will remedy

institutional inequity in our voting systems. Vermont has failed to ensure that all Vermonters can access every opportunity to vote. It's true that 71% of registered voters in Vermont cast a ballot in the presidential general election in 2024. Which puts us in the top 10% in the nation for general elections. However, according to the MIT Election & Data Science Lab (2026), Vermont is ranked 49<sup>th</sup> in the U.S. in disability access performance, as Vermonters with disabilities are deterred from voting. This is a shameful statistic. One contributing factor that deters Vermont voters with disabilities is that Town Meeting is wholly inaccessible to many disabled Vermonters, because 68% of towns still use floor votes for town meeting day, as well as for votes for public offices, select boards, budgets, and municipal policies. Any person who is confined to their home due to disability is automatically excluded from voting in these elections. That is a violation of the Title II of the Americans with Disabilities Act (ADA), and the Vermont Public Accommodations Act (VPAA).

Although many Vermonters are very attached to this tradition of floor votes, we have also learned that when we know better, we must do better. To do better, we must make participation in town meetings and open meetings, engagement in the vote, as well as one's ability to run for public office, universally accessible. The legislature must set clear and appropriate standards for access to local meetings and local elections.

We clearly advocate for disability access, but accessibility is about more than compliance with the law. Everyone should be able to fully participate in the democratic process and to answer their duty to civically engage. If we are committed to that, then we must develop solutions to meet the needs of all users, with disabilities or without. Universal design provides a path for us to broaden accessibility not only to people with disabilities, but also to non-English speaking Vermonters, Vermonters caring for small children and elders, rural Vermonters who lack transportation, and those Vermonters who must work on Town Meeting Day.

DRVT and our coalition of civil and disability rights organizations support enacting a Vermont Voting Rights Act, as proposed in S. 298, but insist that for our electoral process to be truly inclusive, and to effectively protect the rights of all Vermonters, it must incorporate the following:

- Local non-advisory public bodies, like state non-advisory public bodies, should hold all regular and special meetings in a hybrid fashion. This could be accomplished by eliminating the distinction between state and local non-advisory public bodies in 1 V.S.A. § 312.
- Title 17, Chapter 55, should be reviewed for consistency with the ADA and VPAA, including local government's affirmative obligation to review the accessibility of their local policies and procedures to ensure that all residents are able to

exercise their fundamental right to vote and participate in electoral politics, and expand access by offering hybrid participation and by implementing Australian ballots in all elections.

- S.297 which proposes to authorize municipalities to adopt an electronic ballot return for local elections that use Australian Ballot is only truly effective if all municipalities are using Australian Ballot. Again, Australian Ballots are essential for voter accessibility.
- By making all participation in public meetings and voting more accessible we reduce the overall need for reasonable accommodation requests. And where accommodation is still needed by people with disabilities, they should have a standardized process to follow, which does not require them to publicly disclose their personal health information, as they do now in some localities. It is imperative that we ensure that future reasonable accommodation requests should be made confidentially to a designated person, with appropriate training.

You have an enormous amount of important work and proposals to consider before you. For these bills related to voting, and for the 38 other bills currently before this Senate Committee on Government Operations, I ask that you consider each of them from a disability perspective and with a clear understanding how your decisions might impact Vermonters with disabilities, directly or indirectly.

I appreciate your time and attention and for allowing me to advocate on Disability Advocacy Day.

I am available and happy to answer any questions or provide additional information.

Thank you,

Laura Cushman