



Californians for Olmstead

FACT SHEET

The Supreme Court *Olmstead* Decision

- Before the passage of the Americans with Disabilities Act (ADA), people with disabilities experienced a long history of social exclusion, forced commitment to institutions, abuse, neglect and discrimination in education and employment.
- The ADA was the world's first comprehensive prohibition of discrimination on the basis of disability, passed after Congressional hearings documented the "staggering isolation" of people with disabilities. The ADA was passed by overwhelmingly bi-partisan majorities and was signed into law by President George H.W. Bush on July 26, 1990.
- In 1999, the ADA was the basis of the Supreme Court's decision in *Olmstead v. L.C.*, which ruled that unnecessary segregation in institutions is a type of discrimination that violates Title II of the ADA.
- Like *Brown v. the Board of Education*, the primary focus of the *Olmstead* decision is on the right to integration, in this case the integration of people with disabilities into the community. **The Court wrote that unnecessary institutionalization "perpetuates unwarranted assumptions" that people with disabilities "are incapable or unworthy of participating in community life."**
- Federal courts have consistently ruled that the protections of the *Olmstead* decision apply to people living in the community, not just to those who are already institutionalized.
- Courts have also held that bad economic times for a state do not alone relieve it from its obligations to citizens with disabilities under the ADA or the *Olmstead* decision.

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