

The Olmstead decision at 25: People with disabilities matter

Your Turn

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Guest columnist

This month marks the 25th anniversary of the U.S. Supreme Court's "Olmstead" decision — a case that was a watershed moment in the lives of Americans with disabilities.

To some, the 6-3 decision meant an end to the forced, "unjustified institutionalization" of people with disabilities. To some, it meant that and a whole lot more. It was about dignity. It was about civil and human rights. It was about personal choice — about acknowledging that people with disabilities — like all people everywhere — should be able to choose "where" and "how" to live their lives.

Taken together, the Olmstead decision was a long-overdue affirmation by the nation's highest court that people with disabilities matter. What they need matters. What they want matters. What they say matters.

In that same spirit, it is incumbent on all of us working in the disability community, especially those of us in government, to ensure that the voice of people with disabilities is at the center of everything we do — every policy, every decision, every practice.

To that end, it is imperative that we take long-overdue steps to ensure that happens — common-sense, practical steps suggested in our previous annual reports:

Staffing: We need to ensure that diversity in the workplace — especially positions at the most senior levels of government — includes people with lived disability experience, individuals as well as family members. Successful organizations place the right people in the right positions.

- All government offices and committees — not just those focused on disability issues — should have meaningful representation from the disability community on their staff, because every issue affects people with disabilities.

- All government offices that make policies specifically for people with disabilities should be largely staffed, if not also led, by people with lived disability experience — a standard widely applied to any office making policy regarding a specific segment of the pop-

ulation.

Policy Making: We need to ensure that policy decisions are driven and guided by the needs and preferences of people with lived disability experience, individuals as well as family members. Successful organizations seek meaningful input from the people they serve prior to decisions being made.

- All government officials who make policies specifically for people with disabilities should be required to engage regularly, directly, and personally with people with lived disability experience.

- All government public meetings, including legislative hearings, should be offered in hybrid fashion, providing individuals with disabilities and family members the option to participate by video or in-person.

Since our office's founding 6 years ago, we have tried to lead by example. We have lived disability experience. We have regular, personal engagement with individuals and families. And we have a profound commitment to seeing and hearing the people we serve — a commitment that includes a shared sense of urgency.

Going forward, I don't expect that to change. Even during the transition to a new administration in 2026, I expect that the voice of individuals and families will reign supreme in the work of our office. The approach might change, but the commitment should certainly remain.

In her opinion for the majority in the Olmstead case, Justice Ruth Bader Ginsburg explained, "In sum, we conclude that Title II of the ADA requires States to provide community based treatment for persons with mental disabilities, when the State's treatment professionals have determined that such placement is appropriate, *when the affected persons do not oppose such treatment [emphasis added] ...*"

Central to this decision is the individual's preference, the individual's voice.

Clearly, the high court got it right. Clearly, too, the rest of us should follow their lead and heed the disability community's clarion call, which is embodied in that landmark decision: "Nothing about us without us."

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