

Judge David L.

BAZELON CENTER
for Mental Health Law

NEWS

Statement on the Supreme Court's Decision in Goodman v. Georgia

January 10, 2006—The Bazelon Center for Mental Health Law issued the following statement by its legal director, Ira Burnim, about the Supreme Court's unanimous ruling today in Goodman v. Georgia.

"In a narrow decision that leaves many questions unanswered, the Supreme Court has ruled that Congress has the authority to apply the Americans with Disabilities Act (ADA) to state prisons, at least insofar as it reaches conduct that could also be challenged under the Fourteenth Amendment.

"People with disabilities remain concerned about whether the Supreme Court will uphold critical rights under the ADA. Just today, Senator Mike DeWine (R-OH) raised these issues in the confirmation hearing of Samuel Alito, who is nominated to replace Justice O'Connor on the Supreme Court. Justice O'Connor was often the swing vote in disability rights cases. Last year she voted to uphold Congress's power to apply the ADA to state courthouses in Tennessee v. Lane. By contrast, Judge Alito has interpreted Congress' powers to legislate in an extremely narrow way.

"We are encouraged that the decision gives Congress more authority than the states have argued it has in this and other cases. Today's decision is a victory for Tony Goodman, who had lost his ADA claims in the lower courts. Nonetheless, it remains unclear how plaintiffs in other situations will fare with claims under Title II of the ADA, which bars discrimination in public services. The justices today avoided the central issue of whether Congress had the power to apply the ADA to state prisons generally."

Goodman v. Georgia was brought by a prisoner with paraplegia who had alleged that he was confined for 23 to 24 hours per day in a 12-by-3 foot cell in which he could not turn his wheelchair around. Mr. Goodman alleged that he was unable to use the toilet and shower at Georgia State Prison without assistance, due to the state's failure to provide accessible facilities. He was often denied assistance, and as a result he injured himself multiple times attempting to transfer from his wheelchair to the shower or toilet; on other occasions he was forced to sit in his own feces and urine. He also claimed that he was denied medical treatment and access to virtually all prison programs and services because of his disability.

Georgia argued that Goodman could not sue the prison for damages because Congress had exceeded its power in authorizing damage suits against states under the ADA's public services provisions. The Eleventh Circuit Court of Appeals had thrown out Goodman's ADA claims on that basis, but the Supreme Court reversed. In writing the decision for a unanimous court, Justice Scalia said that Goodman's claims differed from those of plaintiffs in other Supreme Court cases in this area because they also alleged independent violations of the Constitution itself.

The decision states that while the justices have disagreed about the scope of Congress' power to bar conduct that goes beyond the reach of the Constitution, "no one doubts" that Congress has the power to pass laws that enforce the Fourteenth Amendment by creating remedies against the states for conduct that actually violates the Fourteenth Amendment. However, the court declined to decide how far beyond the boundaries of the Constitution Congress could go. Justice Scalia noted that the Eleventh Circuit had sent Goodman's case back to the trial court to allow him to file a revised complaint, and that once the new complaint was filed, the courts could sort out precisely which ADA claims were authorized.

The Bazelon Center spearheaded the disability community's efforts in the Supreme Court on behalf of Tony Goodman. More information on the case—including the briefs of the parties and amici—is available at www.bazelon.org/issues/disabilityrights/resources/goodman.htm