

# **Bazelon Staff Comment on the Importance of the 20th Anniversary of the Americans with Disabilities Act**

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July 26, 2010

## **Robert Bernstein, PhD, Executive Director**

"From the inception of the Americans with Disabilities Act (ADA), the Bazelon Center has worked to make sure that the law's protections include people with mental disabilities, and we continue to advocate in the courts, with legislative bodies, and with federal and local agencies to ensure that it has its intended impact.

"On this 20th anniversary of the ADA's enactment, I am happy to report that there has been a positive shift in thought about the role of public systems for people with mental disabilities. Unfortunately, however, a bold act of Congress does not instantly reverse discrimination that is embedded in society and reflected in its institutions.

"Much work remains to fulfill the promise of the ADA. Our challenge today is to deconstruct the systemic barriers that sustain segregation. The Bazelon Center is working closely with the U.S. Department of Justice and the Centers for Medicare and Medicaid Services to ensure that the ADA's benefits extend to all people with serious mental illnesses in all facets of their lives."

## **Lewis Bossing, Senior Staff Attorney**

"At the Bazelon Center, we've fought stereotypes about people with mental disabilities for a long time -- pernicious stereotypes, like thinking that people with disabilities can't learn, work and achieve like everyone else.

"Stereotyping is made easier by segregation. Even after the Olmstead decision, in which the Supreme Court confirmed that unnecessary segregation is disability discrimination that violates the ADA, we still see adults with mental illnesses warehoused, often in jails and prisons, and we see children with emotional disorders packed off to segregated classrooms, schools or residential facilities.

"The ADA and its requirements, which include making reasonable accommodations to level the playing field, have helped educate all of us that people with disabilities have just as much to contribute to the workplace and to our larger communities as anyone else. But we still have a long way to go toward obtaining full community integration."

## **Bonnie Milstein, Director of Housing Policy**

"The passage of the ADA capped several productive legislative and regulatory years for individuals with disabilities. The fact that no one stares at curbs cut in sidewalks or at attractive, affordable housing in good neighborhoods or baseball fans with disabilities sitting in the bleachers highlights the success of the ADA and the civil rights laws that precede it. This 20th anniversary not only provides an important benchmark for measuring the progress that individuals with mental disabilities have made in gaining the education, jobs, housing and community integration that is their right, but also the distance they still must go to achieve full integration into their communities."

## **Chris Koyanagi, Policy Director**

"The Americans with Disabilities Act has paved the way for people with mental disabilities to become more integrated into American life. In particular, the ADA has been an important underpinning for supported employment and

supported education programs that aid people with mental disabilities in achieving educational and employment goals. This access to education and employment has enabled many individuals with mental disabilities to feel integrated into their communities and allowed them to fully participate in community life. These accomplishments would not have been possible without the ADA's protections and the more positive climate it has created toward people with mental disabilities."

### **Laurel Stine, Director of Federal Relations**

"The landmark ADA has lifted significant barriers for Americans with mental illnesses, improving their access to employment, education and public services. It represents a personal victory for mental health consumers and a shared public victory for our nation in the realization of self-determination and community integration. However, despite reforms, people with mental illnesses continue to endure unnecessary hardships. The Bazelon Center remains vigilant in maintaining the integrity of the ADA and providing legal and policy advocacy to ensure its long-term impact."