



**June 22, 2026**

**WASHINGTON, DC** – In response to the release of the Department of Justice (DOJ) memorandum stating that federal courts have misapplied and misinterpreted how the U.S. Supreme Court ruled in *Olmstead v. L.C.*, 527 U.S. 581, 119 S.Ct. 2176 (1999), that the unjustified institutionalization of people with disabilities is a form of unlawful discrimination under the Americans with Disabilities Act (ADA), and that states must provide community based services to individuals with disabilities, the [Council of Parent Attorneys and Advocates \(COPAA\)](#), [Council for Exceptional Children \(CEC\)](#), [National Center for Learning Disabilities \(NCLD\)](#), and [The Center for Learner Equity \(CLE\)](#) condemn this illogical, harmful, and pernicious interpretation.

The administration's efforts to deny civil rights to people with disabilities cannot be carried out through DOJ memorandums nor by executive order. This action demonstrates the administration's clear intent to misapply the law against the rights of individuals with disabilities. This memo, combined with the announcement by the Department of Education of their intent to sign Interagency Agreements (IAAs) that will transfer key functions of the Office for Civil Rights to DOJ demonstrate that the education and civil rights of more than 70 million children and adults with disabilities are under a full frontal attack by the administration.

In *Olmstead v. L.C.*, the Supreme Court ruled that under the ADA, a person involuntarily confined on account of cognitive impairment, the Court held that the definition of discrimination under the ADA included the concept of least restrictive environment (LRE). It set up a duty to plan and implement LRE rights and programs among the states. The Court explained, "[t]he ADA stepped up earlier measures to secure opportunities for people with developmental disabilities to enjoy the benefits of community living." *Id.* at 599. Justice Ginsburg stated that "institutional placement of persons who can handle and benefit from community settings perpetuates unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life." *Id.* at 600.

In the nearly 30 years since this ruling, the federal courts have all uniformly determined that people with disabilities have a right to be included, and live, in their communities. This administration's memorandum analysis is erroneous and misinterprets *Olmstead*, federalism, and Congressional authority to enact laws.

**Contacts:**

COPAA: Selene Almazan, Esq., Legal Director, [selene@copaa.org](mailto:selene@copaa.org)

CEC: Chad Rummel, CEO, [crummel@cec.org](mailto:crummel@cec.org)

CLE: Jennifer Coco, Interim Exec. Director, [jcoco@centerforlearnerequity.org](mailto:jcoco@centerforlearnerequity.org)

NCLD: Jacqueline Rodriguez, Ph.D., CEO, [jrodriguez@nclcd.org](mailto:jrodriguez@nclcd.org)