

United States v. Georgia (2006)

In *United States v. Georgia*, the United States Supreme Court held, in a unanimous decision, that the rights protected under the Americans with Disabilities Act, or the ADA, extended to inmates held in state prisons. The Court also abolished sovereign immunity in cases where the Eighth Amendment is involved. The case came about as a result of Tony Goodman, a paraplegic man in a Georgia state prison, who attempted to sue the state under Title II of the ADA. The state of Georgia argued that they were immune to civil suits based on sovereign immunity under the Eleventh Amendment that holds that Congress cannot pass laws that allow non-consenting states to be sued by their people, except for specific circumstances. The US federal government interceded on Goodman's behalf, with the case then being taken up by the Supreme Court. *US v. Georgia* partially determined the extent to which the ADA covers disabled Americans, improved the situation of disabled individuals in state prison systems, and further eroded the sovereign immunity claimed by states in cases where ADA violations are alleged.

The case focused on the protections of the Americans with Disabilities Act, a 1990 federal law that banned discrimination against people with disabilities. Title II of the ADA specifically prohibits state or local governments from discriminating against disabled people in public services. The ADA allows disabled people who believe they were discriminated based on their disabilities to file lawsuits against the discriminating entity. Several key constitutional issues surrounding the implementation of the ADA were central to the case. Those issues included whether or not Congress could use lawsuits filed under the ADA to go around states' protection from getting sued. Sovereign immunity is granted to states by the Eleventh Amendment of the US Constitution. Also relevant is the Eighth Amendment, which prohibits the use of cruel and unusual punishment. Additionally, the case involved the Fourteenth Amendment, which gives the federal government the authority to protect the rights of American citizens by forbidding states from abridging rights guaranteed by the federal government.

The US brought the case to the Supreme Court on behalf of Goodman, a paraplegic man who used a wheelchair for mobility and was an inmate at the Georgia State Prison. Goodman sustained spinal cord injuries in a vehicular accident prior to his incarceration that left him paralyzed. The prison administration refused to make Goodman's cell accessible, forcing him into a cell that was three feet by twelve feet for twenty-three hours a day. Goodman also could not turn his wheelchair around within the confines of the cell. He was often refused assistance in and out of his wheelchair to use the toilet or bathing facilities, resulting in several injuries and being forced to wait in his own excrement. Goodman also claimed that he was excluded from social, educational, and religious activities because of his disability. Arguing the case at the Supreme Court on the side of the US and Goodman was Paul Clement, who was acting solicitor general of the US, and Samuel Bagenstos. The state of Georgia was represented by Gregory Castanias and Gene Schaerr.

The Supreme Court received many *amici curiae*, or "friend-of-the-court briefs" submitted to the Court by third parties who had a vested interest in the outcome of the case, in support of Goodman and the US. The Court received briefs from the American Civil Liberties Union, the Southern Poverty Law Center, the American Psychologists Association, and other civil rights and medical organizations. The Court also received a brief from former President George H. W. Bush, who personally signed the ADA into law during his time as president. The briefs emphasized the importance of the ADA in protecting the rights of disabled people to access public and private spaces, urging the Court not to undermine the law with their ruling.

Goodman first filed suit in 1999, claiming his rights were being violated under Title II of the ADA. He

argued for the Court to allow financial damages and injunctive relief, which would force Georgia to end the discriminatory treatment against him. Georgia argued that Goodman could not file the suit since the Eleventh Amendment and sovereign immunity protected the state from lawsuits. The district court sided with the state on both the monetary and injunctive relief grounds and granted their appeal for summary judgment, which meant that the state was under no obligation to alter their treatment of Goodman. Goodman appealed the decision to the Eleventh Circuit of the US Court of Appeals in September 2004. The Eleventh Circuit partially disagreed with the district court, finding that Goodman did have a right to injunctive relief. However, the circuit court agreed that Goodman could not sue for monetary damages. While the circuit court was deciding the case, the US government filed a suit against the state of Georgia on Goodman's behalf. The US government argued that the ADA removed the states' right to sovereign immunity in cases of disability discrimination. The circuit court disagreed, stating that the Eleventh Amendment protected the state in that case. The Supreme Court then interceded, granting certiorari for the case in May 2005, which meant the case would be heard before the Supreme Court. The Court heard the arguments for US v. Georgia in November 2005.

The US government's suit appealed to the 2004 case of *Tennessee v. Lane*. In that case, the Supreme Court found in a five-to-four decision that states did not have sovereign immunity from lawsuits filed alleging violation of the ADA when plaintiffs cannot enter the courthouse due to inaccessibility for the disabled. Representing Goodman, Bagenstos cited a national epidemic of ADA violations in state prisons. Justice Antonin Scalia claimed Bagenstos' argument was irrelevant since the case was from Georgia, and there was not such a record of violations in the state. However, Justice Stephen Breyer pointed out that the general brief included a case in which a Georgian facility allowed mentally ill young people to be shackled in chairs and sprayed with pepper spray. Bagenstos also argued that monetary damages are necessary to deter further violations by the states against disabled prisoners.

The state's lawyers argued that siding against Georgia would lead to disabled incarcerated individuals suing states for frivolous reasons. Representing Georgia, Castanias stated that by allowing claims like Goodman's under the ADA, the court opened states up to lawsuits about access to television for disabled inmates. He cited the fact that two district courts had granted relief to prisoners based on lack of television access using Title II of the ADA. He argued that if there are actual violations, prisoners should file a lawsuit under Section 1983 of federal civil rights law, which allows individuals to sue state officials directly for violations of civil rights. Scalia disagreed with that justification, stating that state officials do not have money for potential petitioners to take. Also representing Georgia, Schaerr argued that Congress should not have the authority to overrule how states run their prisons. He also described the cases being brought against states for having inaccessible televisions. Justice Anthony Kennedy stopped Schaerr from using that line of reasoning, as Goodman's complaints went far beyond television access.

In a unanimous decision authored by Justice Antonin Scalia, the Court found that Title II of the ADA abolished states' sovereign immunity in cases of disability discrimination if Eighth Amendment violations are alleged. The Court asserted that the Fourteenth Amendment allows the federal government to intercede when a state abridges the rights of an American citizen, which applies in the case. The scope of the decision was narrow, as they did not answer the question of whether the same precedent holds if Eighth Amendment violations are not alleged. However, the case precedent remains influential, with over 1100 citing cases as of 2022. The case more broadly spoke to the strength of the ADA and the federal authority to enforce it. During the court proceedings, several politicians involved in the passage of the ADA came out in support of Goodman, stating that their intention for the law was to protect the rights of all disabled Americans, including those incarcerated. The lead sponsor of the ADA in the Senate, Senator Tom Harkin, attended the oral arguments in the Supreme Court, and published statements describing the decades of effort that was put into the passage of the ADA, imploring the Court to uphold those rights.

After the passage of the Americans with Disabilities Act, disabled people had statutory grounds to file lawsuits over discrimination in public accommodations. In the years that followed, lawsuits alleging discrimination determined what disabled people had rights to access, and under what circumstances they were entitled to reasonable accommodations. *US v. Georgia* demonstrated that even after a decade with the ADA as federal law, people with disabilities were being denied

their rights. Incarcerated individuals with disabilities have been frequently subjected to unequal treatment and the case aided in their ability to sue for damages. Beyond the impact on those incarcerated, the case also demonstrated that the ADA was a powerful piece of legislation, and states could not simply argue that their sovereignty supersedes the rights of the disabled.

Sources

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