

Community Living Is a Civil Right: Indiana Must Remain Vigilant

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A joint statement from the Indiana Disability Alliance

The disability rights movement has always been rooted in a simple belief: people with disabilities belong in their communities.

For decades, people with disabilities were unnecessarily separated from family, friends, schools, workplaces, and neighborhoods because institutional settings were often viewed as the default option for support. Families and advocates worked tirelessly to change that reality, fighting for the right to live, learn, work, and thrive in the communities they call home.

One of the most significant victories in that fight came in 1999 with the U.S. Supreme Court's landmark decision in *Olmstead v. L.C.* The Court recognized that unnecessarily institutionalizing people with disabilities constitutes discrimination under the Americans with Disabilities Act (ADA). The decision affirmed that people with disabilities have the right to receive services in the most integrated setting appropriate to their needs.

Today, that progress faces a new challenge.

The U.S. Department of Justice recently issued a legal opinion that seeks to narrow the interpretation of *Olmstead* and signals a potential retreat from federal enforcement of community integration protections. While this opinion does not overturn *Olmstead*, repeal the ADA, or eliminate Section 504 of the Rehabilitation Act, it raises serious concerns about the federal government's commitment to protecting one of the most important civil rights of people with disabilities.

For members of the Indiana Disability Alliance and the thousands of Hoosiers we represent, this is not simply a legal debate. It is a question of whether people with disabilities will continue to have meaningful choices about where and how they live.

It is about whether a child with a disability can grow up at home with their family and participate fully in school and community life. It is about whether adults with disabilities can live independently, pursue careers, build relationships, and contribute to their

communities with the supports they need. And it is about ensuring that people are not forced into institutional settings simply because the services that make community living possible are unavailable or underfunded.

Community living is not a privilege. It is a civil right.

The Indiana Disability Alliance was founded on the principle that people with disabilities should have every opportunity to participate fully in community life. Our coalition brings together organizations that understand that inclusion strengthens all of our communities.

We have seen firsthand the transformative impact of community-based services and supports across Indiana. We have watched individuals move from waiting lists to meaningful employment. We have seen families remain together because supports were available at home. We have witnessed people build independent lives, develop friendships, and become active participants in civic life when given the opportunity and resources to do so.

These successes are not accidental. They are the result of decades of advocacy, public policy reforms, and legal protections such as Olmstead.

History reminds us why these protections matter. The Olmstead decision originated from the experiences of Lois Curtis and Elaine Wilson, two women who remained confined in a Georgia state hospital even after professionals determined they could live successfully in the community. Their courage helped establish a legal framework that has benefited millions of Americans with disabilities.

Yet civil rights are not always dismantled through sweeping legislative changes. Often, they are weakened through reduced enforcement, shifting interpretations, withdrawn guidance, and policy decisions that gradually limit access to protections. That is why this DOJ opinion deserves our attention.

The good news is that Olmstead remains the law of the land. The ADA remains in force. Section 504 remains in force. The legal protections supporting community integration have not disappeared.

But rights are only meaningful when they are defended.

As Hoosiers, we have a responsibility to remain informed, engaged, and united in protecting the progress we have achieved. Policymakers, community leaders, service providers, advocates, and families must continue working together to strengthen home- and community-based services and ensure that individuals with disabilities have real choices about their lives.

The Indiana Disability Alliance will continue to advocate for policies that promote inclusion, independence, and self-determination. We will continue to work alongside our partners at the local, state, and national levels to protect the rights guaranteed by the ADA, Section 504, and Olmstead. And we will continue to elevate the voices of people with disabilities whose lived experiences remind us why these protections matter.

The fight for community living did not begin with one court case, and it will not end with one legal opinion. It is an ongoing commitment to the belief that every person deserves the opportunity to belong, contribute, and thrive in their community.

People with disabilities are asking for what every person deserves: equal opportunity, equal dignity, and equal access to the communities they call home.

Those are values worth defending—for Indiana and for our nation.

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The Indiana Disability Alliance is a statewide coalition representing people with all disabilities, bringing together organizations to advance public policies that promote independence, community integration, and meaningful opportunity across Indiana.

Through coordinated advocacy, the Alliance works to strengthen home and community-based services and other systems that support individuals in living, learning, working, and participating fully in community life, while preventing unnecessary institutionalization and supporting sustained community living.

You can help the effort to project home and community based services. Share how Medicaid and Medicaid Waiver services help you or your family. If you are on a waiver waiting list, share what services you need and how not having services impacts you and your family. Share your story here: [Help Protect HCBS Services](#)