

ACLU Ohio

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/press-releases/aclu-ohio-statement-dismissal-ex-rel-derek-lichtenwalter-v-dewine>

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COLUMBUS Last week the ACLU of Ohio submitted an amicus brief in *Ex Rel Derek Lichtenwalter v DeWine*, urging the Ohio Supreme Court to immediately release Mr. Lichtenwalter, a person living with HIV who is confined in Belmont Correctional Institute. Today, the Court granted the States motion to dismiss the case.

We're disappointed that the Court has not ordered Mr. Lichtenwalter's release; the state must act now to protect all HIV positive and other medically vulnerable incarcerated people and to prevent a widespread public health disaster across Ohio. We will continue pushing Ohio to do what Justice Donnelly writes that it must: *take serious, unprecedented steps to prevent the catastrophe of unmitigated spread of COVID-19 to the tens of thousands of prisoners*. Every wasted moment puts thousands of lives at risk, noted **Elizabeth Bonham, Staff Attorney for the ACLU of Ohio**.

The ACLU of Ohio asked the Court to call all branches of government to act urgently to protect incarcerated people against the COVID-19 emergency. The ACLU of Ohio agrees with Justice Donnelly's concurrence, and will continue advocating that the entire state heed it:

*The whole of Ohio's government needs to take serious, unprecedented steps to prevent the catastrophe of unmitigated spread of COVID-19 to the tens of thousands of prisoners in Ohio as well as to the tens of thousands of people who are prison employees along with those living in the households of prison employees. *** If each branch of our state government does its part, we have an opportunity, collectively, to be proactive and to protect Ohio's vulnerable prison population from COVID-19."*

[A copy of the decision is available.](#)

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