

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/press-releases/federal-judge-orders-elkton-identify-and-evaluate-prisoners-eligible-transfer-out>

Public Facing Advocacy Writing

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CLEVELAND Today, Judge James S. Gwin of the United States District Court of the Northern District of Ohio granted a preliminary injunction ordering Elkton officials to identify, within one day, all members of the subclass of medically vulnerable prisoners encompassed by the class action habeas petition filed by the ACLU of Ohio and the Ohio Justice and Policy Center on April 16. Following identification, Elkton officials are ordered to evaluate the prisoners eligibility for transfer out of Elkton through any means, including but not limited to compassionate release, parole or community supervision, transfer furlough, or non-transfer furlough within two weeks. Elkton officials must quarantine prisoners for 14 days prior to transfer out of Elkton.

Countless lives will be saved as a result of this order. Even since we filed our class action the death toll at Elkton has doubled. Judge Gwin was absolutely correct in recognizing the dire situation at Elkton and we are eager to assist and facilitate the release of the members of the medically vulnerable class, said David Carey, Senior Staff Attorney for the ACLU of Ohio.

In undertaking the evaluation, the judge further rules that older prisoners with heart, pulmonary, diabetes or immunity risks should receive priority review, and that any members of the class action transferred out of Elkton cannot return to the facility until the threat of the virus is abated or until a vaccine is available.

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

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