

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/press-releases/legal-aid-society-cleveland-and-aclu-ohio-file-federal-lawsuit-against-city-bedford>

Public Facing Advocacy Writing

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CLEVELAND - Today The Legal Aid Society of Cleveland and the ACLU of Ohio filed a complaint in federal court against the City of Bedford (Ohio), which has enacted and is aggressively enforcing an unconstitutional and discriminatory ordinance known as a criminal activity nuisance ordinance, Bedford Ord. 511.12. This ordinance is primarily and unlawfully used to make housing unavailable to people of color, women, people with disabilities, and other protected classes who seek police protection and services. The ordinance operates without providing targeted renters with basic due process in the form of notice or an opportunity to respond. The Legal Aid Society of Cleveland and ACLU of Ohio ask that the entire ordinance be struck down.

Co-counseled with ACLU Ohio, Legal Aids client is a single mom who has an adult son with disabilities. She has not engaged in any criminal activity, but Bedford still determined that by calling the police for help to deal with a noisy neighbor who also engaged in intimidating conduct, the premises were labeled a criminal nuisance. Rather than provide assistance in response to her requests for help, Bedford has pressured her landlord to evict her, as it has done numerous times with other similarly situated residents. Though it is the property that is technically determined to be the criminal nuisance, the client is essentially being labeled a nuisance since she is suffering the devastating consequences.

Bedford has aggressively enforced its nuisance ordinance to target households like that of Legal Aids client: minorities, renters and voucher-holders (who are overwhelmingly people of Color), women, single parent or guardian households, and people with disabilities.

Legal Aid attorney Jennifer Sheehe states, People should be able to pick-up the phone and call police for help: laws should not be used to penalize, deter, and harass ordinary residents for exercising rights under the United States and Ohio Constitutions to speak about their concerns, ask for police assistance, and petition the government for redress of grievances.

In this context, the ordinance does not distinguish between offenders and victims. Thus, Bedfords law deems a property a nuisance even if the resident is a victim of a crime or, in our clients case, is seeking police assistance to investigate a possible crime. By far the Bedford laws most common application is to penalize property owners when they or their tenants seek police assistance, including when they themselves are the victims of a crime.

Bedford's law was passed for a discriminatory purpose and is used in unconstitutional and deeply problematic ways to punish people simply for asking for police help, said Joseph W. Mead, cooperating attorney for the ACLU of Ohio.

Bedfords criminal activity nuisance ordinance is one of the harshest in the state. Under the ordinance, if two perceived violations of any law (except traffic violations) happen on a property or *anywhere* in the City of Bedford, Bedford can designate the property as a nuisance and fine or prosecute the property owner. When criminal activity occurs on or near a rental property, the City pressures the landlord to evict the tenant or face escalating fines or criminal prosecution.

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Read the [complaint](#)

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