

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/press-releases/aclu-urges-madison-county-probate-court-stop-refusing-marriage-licenses-incarcerated>

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COLUMBUSThe American Civil Liberties Union of Ohio sent a letter today to the Madison County Probate Court urging it to discontinue its policy of refusing marriage licenses to incarcerated people. Courts have been very clear that incarcerated people have a right to marriage, and blanket bans on that right are unconstitutional.

Madison County is essentially enforcing a ban on legal marriage, said Elizabeth Bonham, staff attorney at the ACLU of Ohio. An individuals incarceration status does not disqualify them from the right to wed.

This same trend was seen in Hamilton County earlier this year, but as a result of a letter sent by the ACLU of Ohio, the Hamilton County Probate Court revoked its unconstitutional policy two weeks later. The Court also began proactively informing incarcerated people of how to obtain a marriage license.

Madison County is explicitly denying people marriage licenses because they are incarcerated. The right to marry is fundamental in the United States plain and simple yet policies like this reinforce the erasure and oppression of incarcerated people. There is no justification for this marriage ban and the ACLU is calling on Madison County to end its practice immediately, said Bonham.

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[Read the letter to the Madison County Probate Court](#)

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