

Criminal Justice Issues and Prisoners' Rights

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CLEVELANDThe American Civil Liberties Union of Ohio filed a lawsuit today against the Ohio Department of Rehabilitation and Correction (ODRC) on behalf of James Handwork, a hard-of-hearing man incarcerated at Lake Erie Correctional Institution who has been denied access to two functioning hearing aids. The lawsuit, filed today in the U.S. District Court for the Northern District of Ohio, is challenging an ODRC policy of denying prisoners access to two hearing aids, in violation of the 8th Amendment to the U.S. Constitution and the Americans with Disabilities Act.

Handwork requires hearing aids in both ears due to hearing damage incurred while serving in the U.S. Army in the 1980s. His outdated hearing aids no longer function properly and cannot be repaired, but ODRC has informed him that only one aid will be replaced. In denying Handwork two functioning hearing aids, officials have cited a statewide policy of providing only one working hearing aid, even for prisoners who have a medical need for two.

Using a one-size-fits-all policy that arbitrarily denies needed medical care to individuals in state custody is in clear violation of the ADA, said Freda Levenson, legal director of the ACLU of Ohio. Federal law requires that prisons care for individuals medical needs on a case-by-case basis, and the state has a responsibility to ensure that all people housed in prisons are treated humanely.

Read the [complaint](#).

Read the [Defendants' First Motion for Summary Judgment](#).

Read the [Plaintiff's Motion for Extension to File Response to Motion for Summary Judgment](#).

View the ACLU of Ohios award winning documentary, [Prisons for Profit](#).

Problems like this are made worse when private companies are profiting off of incarcerated people, said Mike Brickner, senior policy director of the ACLU of Ohio. When a private corporation puts its bottom line above the safety, security, and medical needs of individuals whose lives are entrusted to the state, prisoners, prison workers, and taxpayers all suffer."

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