

UNDERSTANDING THE IMPACT OF COVID-19 IN OHIO

The Big Picture

The COVID-19 pandemic has affected nearly every facet of society, unveiling how current systems have and continue to fail communities in Ohio and across the country. Ohio's elected officials like Governor Mike DeWine, Lieutenant Governor John Husted, Attorney General David Yost, and the Director of the Ohio Department of Health Dr. Amy Acton have been applauded for the state's early response efforts. However, with the increase in testing and data collection and the unfortunate exploitation of COVID-19 by some politicians, it has become clear that many of Ohio's most marginalized communities need more to be healthy and safe — now and long before this pandemic hit.

Who is Most Affected By COVID-19?

- ★ People who are incarcerated in Ohio have been identified as the most susceptible to the spread of Coronavirus. The latest reporting found the Marion Correctional Institution to be the nation's leading hotspot with 73 percent of incarcerated people testing positive for Coronavirus.ⁱ
- ★ Similar to other states, there are significant racial disparities among those who have tested positive for Coronavirus in Ohio. Of the more than 11,499 cases where the Ohio Department of Health accounted for race, 24.1 percent of patients were African American, despite comprising just 13 percent of the state's population.ⁱⁱ
- ★ Reporting from early April showed nearly 30 percent of confirmed COVID-19 cases in Columbus and Worthington were young people between ages 20 - 29.ⁱⁱⁱ

Voting Rights

- ★ As a result of COVID-19, only some of Ohio's polling locations were open for in-person voting on the scheduled Primary Election Day on March 17, 2020. Governor Mike DeWine signed a bill which extended absentee voting by mail only until April 28.^{iv}
- ★ According to recent reporting from the Ohio Secretary of the State, nearly 3 out of 4 registered voters in the state have not requested an absentee ballot for the primary election. Of the 7.77 million people registered, about 1.67 million Ohioans had asked for an absentee ballot as of April 17, 2020.^v Lower voter turnout may be attributed to unfamiliarity with or distrust in the vote-by-mail method and in the belief that the presidential primaries have already been determined.
- ★ Another confusing primary election update came on April 24 when Secretary of the State Frank LaRose explained that people who have not yet cast their ballot — either by mailing in an absentee ballot or dropping it off at the Board of Elections — can now vote provisionally in-person at their county Board of Elections on April 28 from from 6:30 am - 7:30 pm.^{vi} This last minute decision will not do enough to help folks who already face significant barriers to the ballot box.
- ★ Voting rights groups, including the League of Women Voters and the ACLU of Ohio filed a lawsuit challenging Ohio's new primary, citing that voters who are of color, low-income, or have disabilities; as well as students and young people will be disproportionately impacted and disenfranchised. The courts ultimately decided not to change the state's amended plan for the primary election.^{vii}
- ★ URGE joined the Ohioans for Secure and Fair Elections coalition and endorsed a ballot initiative which would modernize the state's elections through a constitutional amendment that would expand voter registration, solidify early voting, and ensure timely ballots for military and overseas citizens.
- ★ In March 2020, the Ohio Ballot Board voted 3-2 to split the ballot initiative into four different issues, citing that it invalidated the single subject rule, which is a state law that requires ballot initiatives to address a single issue.^{viii} Ohio is one of 15 states in the country that have single subject rules for statewide constitutional amendments.^{ix}

- ★ On March 5, the Ohioans for Secure and Fair Elections coalition filed a complaint with the Ohio Supreme Court appealing the Ballot Board's unprecedented partisan decision to split the pro-democracy amendment into four different issues.^x
- ★ On April 14, the Ohio Supreme Court overturned the Ballot Board's attempt to split the constitutional amendment into four separate issues. The Ohioans for Secure and Fair Elections coalition is suing the State of Ohio to amend the state's requirements for signature collection during the COVID-19 pandemic.^{xi}
- ★ On April 28, the Franklin County Court of Commons Pleas denied Ohioans for Secure and Fair Elections coalition any relief from the ballot initiative signature collection requirements, despite the COVID-19 pandemic. The coalition is continuing to seek relief from the Federal courts with hearings in May.^{xii}
- ★ Despite mixed messages and general confusion around who could vote provisionally on April 28, Secretary of the State Frank LaRose send a directive to the state's board of elections explaining that unless the individual who voted provisionally has a disability, lacks a permanent address, or never received their absentee ballot after requesting it, their provisional vote will not count.^{xiii}

Abortion Access

- ★ On March 18, Governor Mike DeWine and the Director of the Ohio Department of Health Amy Acton issued a public health order telling medical centers to stop all elective, non-essential surgeries.^{xiv}
- ★ Shortly thereafter, in a politicized attack, Attorney General Dave Yost ordered two Ohio abortion clinics that provide surgical abortion care to stop all abortions based on the incorrect assertion that abortion care is non-essential.^{xv}
- ★ Lawyers representing Ohio's abortion clinics filed a motion for a temporary restraining order. On March 30, a federal judge ruled that Ohio's abortion clinics could perform surgical abortions if they could not be delayed because of a medical condition or if the delay would prevent the abortion under Ohio law.^{xvi}

- ★ Attorney General Yost was denied an appeal he made against the temporary restraining orders the clinics were granted, allowing the clinics to continue providing the full range of abortion care during Coronavirus.^{xvii}
- ★ On April 10, a federal judge extended the temporary restraining order. Clinics and their legal teams expect a preliminary injunction to be granted soon. For now, abortion care is legal and accessible in Ohio.^{xviii}
- ★ On April 24, a federal court granted a preliminary injunction, extending relief for people who are in need of abortion access in Ohio. This means abortion care will continue to be accessible during the COVID-19 pandemic.^{xix}

Incarcerated People

- ★ Two Ohio prisons have been identified as hotspots for COVID-19. After six incarcerated people with confirmed cases of COVID-19 died and dozens more tested positive, a federal judge ordered Elkton Federal Correctional Institution to start transferring or releasing people with various medical and age classifications.^{xx}
- ★ 80 percent of the incarcerated population at the Marion Correctional Institution has tested positive for COVID-19. As for May 13, 2020, two people incarcerated there have died. Governor DeWine and other elected officials have failed to acknowledge the severity the situation is in Ohio's overcrowded, infected prison system.^{xxi}
- ★ Young incarcerated people in the juvenile detention system have tested positive for COVID-19. In late April, an 18-year-old in Cuyahoga Hills Juvenile Facility tested positive for Coronavirus. There is limited testing and data collection in Ohio's juvenile detention system.^{xxii}

ⁱ 73% Of Inmates At An Ohio Prison Test Positive for Coronavirus. WOSU NPR News. Accessed April 21, 2020. <https://www.npr.org/sections/coronavirus-live-updates/2020/04/20/838943211/73-of-inmates-at-an-ohio-prison-test-positive-for-coronavirus>

ⁱⁱ Gov. Mike DeWine Creates Minority Task Force To Examine Disproportionate Number of African-Americans With Coronavirus. Cleveland.com. Accessed April 21, 2020. https://www.cleveland.com/news/2020/04/gov-mike-dewine-creates-minority-task-force-to-examine-disproportionate-number-of-african-americans-with-coronavirus.html?utm_source=Newsletter&utm_medium=Newsletter%20-%20Capitol%20Letter&utm_campaign=Newsletter%20-%20Capitol%20Letter

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- ^{ix} Single-Subject Rule. Ballotpedia. Accessed April 27, 2020. https://ballotpedia.org/Single-subject_rule
- ^x Ohioans for Secure and Elections Challenge Ballot Board Decision in Ohio Supreme Court Case and Refile Petitions with Ohio AG. ACLU Ohio. Accessed April 14, 2020. <https://www.acluohio.org/archives/press-releases/ohioans-for-secure-and-fair-elections-challenge-ballot-board-decision-in-ohio-supreme-court-and-refile-petitions-with-ohio-ag>.
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