



Ohio Judge Adds COVID-19 Vaccination Condition of Probation

Think twice before getting in trouble with the law in Franklin County, Ohio, if it is not on your plan to get vaccinated against COVID-19. A local judge recently began including vaccination against COVID-19 as a condition of defendants' terms of probation, as he [confirmed](#) to local outlet WSYX.

Common Pleas Judge Richard Frye said last week he added the vaccine as a condition on three cases in the week of the roughly 20 sentences he imposed.

Frye said he discussed the matter in open court with the defendants, and they attributed their unvaccinated status to procrastination. None raised any "philosophical, medical or religious objection."

"It occurred to me that at least some of these folks need to be encouraged not to procrastinate," Frye [said](#) in an interview, and added that he believes requiring people to get vaccinated is a "reasonable condition" when asking them to get employed and "be out in the community."

The judge also stated that he "just wanted them [people on probation] to be safe in the community," and justified his practice by citing Ohio's low vaccination rate. The Ohio Department of Health [reports](#) that there are just 47 percent of Ohioans who got at least one dose of the COVID-19 vaccine. The trend of vaccination has [flatlined](#), and a high rate of vaccine hesitancy among the residents of the Buckeye State [raises](#) concerns among local officials and lawmakers.

Frye declined to "speculate" what would happen if a defendant raised any exemption to vaccination, but said this would be a different situation entirely than people who have simply put the matter off. Frye also said he did not know if any other judges were doing something similar. Reportedly, a spokesman for the Supreme Court also could not say how widespread the practice is, but provided a link to a [media report](#) about a judge offering to shorten probation stretches for those who get the vaccine. According to that report, Judge David Matia, who oversees Cuyahoga County's drug court, gives unvaccinated convicts an option to get a shortened probation if they can prove they got a COVID-19 vaccine. Matia argues that "incentives work much better than sanctions in influencing behavior positively."

The *Columbus Dispatch* [describes](#) the case of one of the offenders, Cameron Stringer, who pleaded guilty to a charge of improperly handling firearms in a motor vehicle, and was sentenced to two years' probation. As part of his probation, Stringer must give a sample during random drug screenings, remain out of legal trouble, return the gun in question to its owner, and get a COVID-19 vaccine within 30 days of his sentencing, according to [court documents](#).



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Written by [Veronika Kyrylenko](#) on July 2, 2021

Another criminal offender, Sylvaun Latham, who was sentenced for a gun and drug charge, was shocked by the options provided to him. “The whole atmosphere of the courtroom changed,” he [said](#), recounting the situation at the hearings. “Everyone had this look on their face. I broke character and asked [my attorney], ‘Can he do this?’” Latham said Judge Frye told him he had a choice between five years’ probation or just one year on the condition that he receives the COVID-19 vaccine.

“I’m shaking at this point. I don’t like where this is going,” said Latham, who reportedly decided on the terms of the vaccine at the moment and planned to contact the American Civil Liberties Union (ACLU) for protection. “I feel like it is an overstep especially when he asked me if I’d get it [COVID-19 vaccine] and I said I really don’t want to get it,” said Latham.

Gary Daniels, a lobbyist with the ACLU, expressed concern about the practice that he described as “problematic, at a minimum.” Daniels compared the condition with Ohio judges who have [ordered](#) defendants convicted of crimes not to procreate. “It doesn’t have any real relationship to community control,” Daniels said of Frye’s practice.

There are also reports of incentives for offenders in jail to take the jab.

New York State prison officials [offer](#) its 34,000 inmates care packages, barbecue parties, and even conjugal visits for getting vaccinated against COVID-19.

In Massachusetts, if inmates in prison receive both doses of the COVID-19 vaccine, watch and read educational materials, and submit a form for approval, they could shorten their sentence, the Department of Corrections [said](#) in a memo.

The Virginia Department of Corrections [announced](#) on January 21 that inmates who receive the vaccine will get “free email stamps and telephone credits” along with packages of commissary items, such as snacks.

In Texas, the Department of Criminal Justice is [opening](#) visitation to contact visits and some can go mask-free when any particular unit reaches a 70-percent vaccination rate.



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