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Prison Litigation Reform Act Denies Access To Courts For Over 2 Million People (6/16/2009)

In Light Of New Report, ACLU Calls On Congress To Restore Courts As Check On Prisoner Abuse

FOR IMMEDIATE RELEASE

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WASHINGTON – In light of a new report showing that a law intended to reduce so-called “frivolous lawsuits” by prisoners has resulted in barring serious prison abuse cases from reaching the courts, the American Civil Liberties Union today called on Congress to amend parts of the Prison Litigation Reform Act of 1996 (PLRA). The law requires prisoners to exhaust the internal grievance process of their facilities and allege a physical injury due to mistreatment in order to seek redress in the courts.

The troubling consequences of the PLRA are made clear in a Human Rights Watch report released today which finds that the exhaustion and physical injury requirements of the law have been particularly problematic for juveniles who are at higher risk of sexual assault and other violence. The American Civil Liberties Union has long fought to amend parts of the PLRA known as the exhaustion provision, the physical injury provision and the Act’s application to juveniles.

The following can be attributed to Amy Fettig, Counsel to the ACLU National Prison Project:

“For over thirteen years, the Prison Litigation Reform Act has denied access to the courts to countless prisoners who have become victims of abuse, creating a system of injustice that denies redress for prisoners alleging serious abuses, barriers that don’t apply to anyone else. It is time for Congress to pass legislation to restore the courts as a needed check on prisoner abuse.”

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