

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/press-releases/supreme-court-denies-bureau-prisons-request-block-order-will-save-lives>

Public Facing Advocacy Writing

[Skip to main content](#)

WASHINGTON Today the U.S. Supreme Court denied the governments request to stay a preliminary injunction ordered by Judge James S. Gwin of the United States District Court was for the Northern District of Ohio last month at Elkton Federal Correction Institution. This is the first time the Trump administration has asked the Supreme Court to block an order that would protect prisoners from COVID-19.

In a rebuke last week, Judge Gwin [noted that](#) one in four people tested at Elkton had tested positive for COVID-19, and that the BOP was required to expedite the transfer and release the 837 members of the medically vulnerable subclass to home confinement and compassionate release. Nine people have died at the prison, making it one of the more deadly BOP-run prisons during this pandemic.

David Cole, legal director of the ACLU, issued the following statement: "We commend the court for choosing to reaffirm the rights of the people incarcerated at Elkton prison, for whom a prison sentence must not become a death sentence. This is an extraordinary moment, and the lives of 2.3 million incarcerated people around the country are at serious risk from COVID-19. We must see more brave action from courts around the country to protect the lives of incarcerated people, staff who work in these facilities, and the communities they return home to. History will judge us based on how swiftly and boldly we act."

David Carey, senior staff attorney of the ACLU of Ohio, issued the following statement: The federal government has attempted to stall and delay the release of medically-vulnerable individuals at every single turn. Todays ruling confirms the urgent need to comply with Judge Gwins order and respond to the crisis in an efficient and expedient manner. Lives of prisoners, prison staff, and the community depend on swift action to move the most vulnerable people away from the COVID-19 outbreak before it is too late.

[A copy of the order is available.](#)

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