

ACLU and Jenner & Block Sue Bureau of Prisons for Keeping People in Prison Longer Than Law Allows

News

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Jenner & Block, the American Civil Liberties Union, and ACLU of D.C. are challenging the Federal Bureau of Prisons (BOP) for unlawfully incarcerating people longer than the law allows.

The lawsuit contends that the BOP's failure to implement the First Step Act according to its plain language violates the rights of thousands of people who should be returning to their communities and rebuilding their lives but instead remain incarcerated.

The First Step Act was designed to reduce the population in federal prisons, reform extreme sentencing laws, and provide programming and reentry transition services to people in prison. Central to this law is a system of earned time credits, which allows people to earn time out of prison by participating in rehabilitation programs. Rather than transferring people out of prison when they have earned sufficient credits and are otherwise eligible, the BOP is treating this system as discretionary, in violation of the First Step Act.

“It has been six years since the First Step Act was signed, but despite Congress's clear directives, the Bureau of Prisons continues to hold thousands of people in prison longer than the law allows,” said Partner Betsy Henthorne. “We should and do expect better—it's past time for the BOP to ensure that those who have earned their release can return home to their families and communities according to the law Congress passed.”

In addition to Betsy, the Jenner team on this matter has included Associate Brantley Butcher and Paralegal Kenyon North.

Read the *New York Times* coverage of this lawsuit [here](#).

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