



# PRISON TRANSPARENCY PROJECT REPORT:

## *Repeal of the Prison Litigation Reform Act (PLRA)*

**Prepared by:**

**Prison Transparency Project**

**Founder:**

**Dr. Angela Cotellessa Meyers**

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# REPEAL OF THE PRISON LITIGATION REFORM ACT (PLRA)

## The Legacy of the PLRA

- **Historical Context:** The Prison Litigation Reform Act (PLRA) was enacted in 1996 as part of a broader effort to curb what was seen as an overabundance of frivolous lawsuits filed by prisoners. While the intention behind the PLRA was to streamline the legal process, its effects have been far-reaching and, in many cases, detrimental to justice and accountability within the prison system.

- **Current Impact:** The PLRA imposes significant barriers for incarcerated individuals seeking to challenge their conditions of confinement, the actions of correctional officers, or other forms of mistreatment. As a result, it has become a tool that protects bad actors within the system from facing repercussions for their actions.

## The Need for Repeal

- **Protecting Bad Actors:** One of the most troubling aspects of the PLRA is that it effectively shields correctional officers and prison administrators from accountability. By making it more difficult for prisoners to file lawsuits, the PLRA allows misconduct and abuse to go unchecked, perpetuating a culture of impunity within the prison system.

- **Misalignment with Modern Values:** The PLRA is a relic of the 1990s, a time when tough-on-crime policies were at their peak. However, these policies do not align with modern values or the current understanding of justice, rehabilitation, and human rights. Today, there is a growing recognition that the rights of incarcerated individuals must be protected and that the prison system should be held to account for abuses.

## The Case for Repealing the PLRA

- **Restoring Justice and Accountability:** Repealing the PLRA would remove the barriers that currently prevent prisoners from seeking justice. It would ensure that

those who engage in misconduct, abuse, or neglect within the prison system are held accountable for their actions.

- **Aligning with Modern Thinking:** Modern values emphasize rehabilitation, restorative justice, and the protection of human rights. The PLRA, with its focus on limiting prisoners' access to the courts, stands in direct opposition to these principles. Repealing the PLRA would be a significant step toward aligning the legal framework with contemporary views on justice and fairness.

## Moving Forward

- **Legislative Action:** It is imperative that lawmakers take steps to repeal the PLRA and replace it with legislation that upholds the rights of incarcerated individuals and ensures accountability within the prison system. This new legislation should reflect modern values, focusing on transparency, justice, and the humane treatment of all individuals, regardless of their incarceration status.

- **Advocacy and Awareness:** The repeal of the PLRA will require concerted efforts from advocates, legal professionals, and the public. Raising awareness about the harmful effects of the PLRA and building a coalition to support its repeal will be crucial in bringing about this necessary change.

This report is part of a series produced by the Prison Transparency Project, aimed at uncovering and addressing issues within the prison system. For additional reports and recommendations, please visit our website at <https://prisontransparency.com>.