



GREEN JUSTICE LEGAL

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For Immediate Release

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Inmates and Activists Stop New Prison on Strip Mine Site in Kentucky

Washington, DC – In response to a federal lawsuit filed by [Green Justice](#) attorneys, [the Bureau of Prisons \(BOP\)](#) [announced it withdrew its intent to construct a new \\$510 million federal prison in Letcher County, Kentucky.](#)

The lawyers represented prisoners and activists concerned about the new facility being sited on a former mountaintop removal coal mine and near an active mine and coal sludge pond.

Marianne Cufone, lead attorney with Green Justice, said, “The lawsuit highlighted that both the process and actual building of the USP Letcher facility conflicted with various federal laws. The Bureau of Prisons did the right thing in withdrawing its construction plans.”

Twenty-one federal prisoners from around the country, [the Abolitionist Law Center](#) and [Friends of Lilley Cornett Woods and North Fork River Watershed](#) brought the lawsuit against the Bureau of Prisons. [The Campaign to Fight Toxic Prisons](#) supported the plaintiffs in their case with a grassroots organizing campaign, which garnered support across the country.

“This outcome couldn’t have happened without the courage of local residents in Letcher County and current inmates, all who risked significant blow back for standing up to oppose this prison,” according to co-founder of the Campaign to Fight Toxic Prisons, Panagioti Tsolkas.

“Spending hundreds of millions of dollars to build a new prison makes no sense with the substantial decreases in the federal prison population over the last several years,” said Dustin McDaniel, Executive Director of the Abolitionist Law Center. “We hope the BOP’s action ends this prison project permanently, and that it also signifies a turning point nationally, away from investing money in prison construction, and toward increased investment in communities devastated by mass incarceration.”

One of the prisoner-plaintiffs, Jason Palacios agreed with McDaniel, “Spend money to rehabilitate--NOT incarcerate.”

The initial lawsuit was filed by attorney Emily Posner in 2018, after more than three years of a controversial environmental impact analysis process. She said, “Some proponents of the new prison speculate that this withdrawal is temporary, but that seems misguided, given the many problems with the project. In these times of climate uncertainty, this is not the type of federal investment needed, funds should be used to create meaningful and sustainable economic opportunities for the people of southeastern Kentucky.”

In April 2019, Friends of Lilley Cornett Woods, whose individual members have long opposed the prison due to its likely impacts on surrounding natural areas and threatened and endangered species, joined together to participate in the case. [The amended complaint can be found here.](#)

Elvenia Blair said, “This prison would have threatened the health and well-being of inmates, correctional workers and our already fragile environment, including habitat for several endangered bat species. I am so relieved this project is not moving forward.”



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Winning this outcome is an important step toward changing the U.S. prison system. Publication of the withdrawal notice is expected in the Federal Register by Monday, June 17th.

*[Abolitionist Law Center](#) is a public interest law firm organized for the purpose of abolishing class and race based mass incarceration in the United States. ALC is a plaintiff in *Barroca v. Bureau of Prisons* and has participated in every NEPA public comment period related to the proposed prison in Letcher County, KY.*

[Campaign to Fight Toxic Prisons](#) conducts grassroots organizing, advocacy and direct action to challenge the prison system which puts prisoners at risk of dangerous environmental conditions, as well as impacting surrounding communities and ecosystems by their construction and operation.

[Friends of Lilley Cornett Woods and North Fork River Watershed](#) - exists for the purpose of conserving and strengthening the environmental integrity of Letcher County and the human and natural environments of the broader Appalachian region. By fighting against extractive economic development based on the exploitation of natural resources and marginalized communities, FOLC advocates for a future economy based on a just transition away from resource extraction and prison construction.

[Green Justice](#) - is a virtual law firm that connects independent lawyers with special expertise and law students nationwide, to collectively work cases that defend people, wildlife and habitats from injustices in the natural and built environments.