

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

In the Matter of the
Federal Bureau of Prisons' Execution
Protocol Cases

LEAD CASE: *Roane, et al. v. Garland*

THIS DOCUMENT RELATES TO:

ALL CASES

Case No. 19-mc-0145 (TSC)

JOINT STATUS REPORT

The parties respectfully submit this joint status report pursuant to the Court's minute order dated September 8, 2021.

1. Plaintiffs in this case are death-sentenced federal prisoners who claim that the Federal Bureau of Prisons' 2019 Execution Protocol Addendum, as amended, violates the Eighth Amendment of the Constitution.

2. On July 1, 2021, the Attorney General of the United States issued a memorandum directing the Department of Justice's Office of Legal Policy, under the supervision of the Deputy Attorney General, to review the Department's policies and procedures for federal executions, including the 2019 Execution Protocol Addendum, the execution regulations, and relevant provisions of the *Justice Manual*. The memorandum states that "[n]o federal executions will be scheduled during the pendency of these reviews" and directs the Federal Bureau of Prisons "to suspend the use of the Addendum pending" further review.

3. In light of these developments, the parties stipulated to a stay and administrative closure of this action while the Department of Justice reviews its policies and procedures for executions. ECF No. 433. The parties further stipulated that they would submit joint status reports to this Court beginning six months after the Court's order administratively closing this case and

every ninety days thereafter during the pendency of the Department of Justice’s review of the Federal Execution Protocol Addendum. *Id.* at 4. The parties stipulated that these reports “shall state whether the review is still pending and whether there is an anticipated date as to the completion of the review.” *Id.*

4. The Court subsequently adopted the stipulation, stayed proceedings, directed the administrative closure of this case, and ordered the parties to submit joint status reports on the schedule the parties proposed. Min. Order (Sept. 8, 2021).

5. In accordance with the Court’s September 8, 2021 order, the parties report that the Department of Justice’s review of the policies and procedures for federal executions, including the 2019 Execution Protocol Addendum, is nearing completion and is expected to be completed before the next status report, scheduled for March 3, 2025.

6. Following the completion of the Department of Justice’s review, the parties will confer about next steps and file a joint status report.

Respectfully submitted,

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