

The Supreme Court - March 24, 2022

by Ian Blodger

Today, the Supreme Court of the United States issued two decisions:

Houston Community College System v. Wilson, No. 20-804: This case concerns whether the First Amendment limits a local government's power to censure its members. Mr. Wilson was elected to the Board of Trustees of the Houston Community College System (HCC), a public entity that operates community colleges. After Mr. Wilson publicly criticized the Board, the Board adopted a resolution "censuring" Mr. Wilson and imposing penalties on him. In litigation, Mr. Wilson claimed the Board's censure violated the First Amendment. The District Court dismissed the complaint. The Fifth Circuit reversed, concluding that Mr. Wilson had a viable First Amendment Claim. In a 9-0 decision, the Supreme Court reversed, concluding that Mr. Wilson does not possess an actionable First Amendment claim arising from the Board's purely verbal censure.

View the Court's [decision](#).

Ramirez v. Collier, No. 21-5592: This case concerns the right of death-row inmates to receive spiritual guidance during execution. The death-row inmate, Mr. Ramirez, sought to have his pastor "lay hands" on him and "pray over" him during his execution by the State of Texas. When that request was denied, he sued, claiming a violation of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) and the First Amendment. The District Court denied Mr. Ramirez's request for a stay of execution, as did the Fifth Circuit. The Supreme Court stayed the execution, granted certiorari, and heard argument on an expedited basis. Today, the Supreme Court in an 8-1 decision agreed that Mr. Ramirez is likely to prevail on the merits of his RLUIPA claim, because Texas's restrictions on religious touch and audible prayer in the execution chamber burden religious exercise and are not the least restrictive means of furthering the State's compelling interests. Justices Sotomayor and Kavanaugh filed separate concurring opinions. Justice Thomas dissented on grounds that "Ramirez has manufactured more than a decade of delay to evade the capital sentence lawfully imposed by the State of Texas."

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