

106TH CONGRESS
1ST SESSION

H. R. 3158

To establish Federal safeguards for the prevention of sexual misconduct
of women inmates at State correctional institutions.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 1999

Ms. NORTON (for herself, Ms. JACKSON-LEE of Texas, Ms. MILLENDER-MCDONALD, Mrs. JONES of Ohio, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish Federal safeguards for the prevention of sexual
misconduct of women inmates at State correctional institutions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SAFEGUARDS FOR PREVENTION OF SEXUAL**
4 **MISCONDUCT BY CORRECTIONAL STAFF.**

5 (a) REDUCTION OF FUNDS.—In addition to any re-
6 duction of funds under any other law, a State that does
7 not have, or that fails to implement, the safeguards de-
8 scribed in subsection (b) shall not receive 10 percent of
9 the funds that would otherwise be allocated to the State

1 under subtitle A of title II of the Violent Crime Control
2 and Law Enforcement Act of 1994 (42 U.S.C. 13701).

3 (b) SAFEGUARDS.—The safeguards described in this
4 subsection are the following:

5 (1) That each State department of corrections
6 provide mandatory sexual harassment and abuse
7 awareness training to the officials and staff of that
8 department.

9 (2) That each State department of corrections
10 periodically submit a report to the attorney general
11 of the State for the purpose of detecting any pattern
12 of sexual harassment or abuse of women inmates.

13 (3) That each State department of corrections
14 carry out a system under which—

15 (A) women inmates are able to confiden-
16 tially report sexual harassment or abuse by offi-
17 cials or staff of that department;

18 (B) those reports are investigated; and

19 (C) those officials or staff determined to be
20 responsible for such sexual harassment or abuse
21 are sanctioned.

22 (4) That the State have criminal penalties ex-
23 plicitly prohibiting custodial sexual misconduct by
24 correctional staff against women inmates.

1 (5) That the State submit reports on the com-
2 pliance of the State with these safeguards to the
3 Congress and to the Attorney General at such times,
4 in such manner, and containing such information as
5 the Attorney General may require.

6 (c) REALLOCATION.—Any funds that are not allo-
7 cated for failure to comply with this section shall be reallo-
8 cated to States that comply with this section.

9 (d) COMPLIANCE DATE.—Each State shall have not
10 more than 3 years from the date of the enactment of this
11 Act in which to implement this section.

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