

106TH CONGRESS
1ST SESSION

H. R. 370

To amend the Violent Crime Control and Law Enforcement Act of 1994
to prevent luxurious conditions in prisons.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1999

Mr. FRANKS of New Jersey introduced the following bill; which was referred
to the Committee on the Judiciary

A BILL

To amend the Violent Crime Control and Law Enforcement
Act of 1994 to prevent luxurious conditions in prisons.

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. SHORT TITLE.**

4 This Act may be cited as the “No Frills Prison Act”.

5 **SEC. 2. ELIMINATION OF LUXURIOUS PRISON CONDITIONS.**

6 (a) STATES.—Section 20102(a) of the Violent Crime
7 Control and Law Enforcement Act of 1994 is amended—

8 (1) by inserting “(A)” after “(1)”;

9 (2) by redesignating existing paragraph (2) as

10 subparagraph (B);

1 (3) by redesignating existing subparagraphs (A)
2 through (D) as clauses (i) through (iv) respectively;

3 (4) by redesignating existing clauses (i) and (ii)
4 as subclauses (I) and (II);

5 (5) by striking the period at the end and insert-
6 ing “; and”; and

7 (6) by adding at the end the following:

8 “(2) provides living conditions and opportuni-
9 ties to prisoners within its prisons that are not more
10 luxurious than those conditions and opportunities
11 the average prisoner would have experienced if such
12 prisoner were not incarcerated, and does not provide
13 to any such prisoner—

14 “(A)(i) earned good time credits;

15 “(ii) less than 40 hours a week of work
16 that either offsets or reduces the expenses of
17 keeping the prisoner or provides resources to-
18 ward restitution of victims;

19 “(iii) unmonitored phone calls, except when
20 between the prisoner and the prisoner’s imme-
21 diate family or legal counsel;

22 “(iv) in-cell television viewing;

23 “(v) the viewing of R, X, or NC-17 rated
24 movies, through whatever medium presented;

1 “(vi) possession of any pornographic mate-
2 rials;

3 “(vii) any instruction (live or through
4 broadcasts) or training equipment for boxing,
5 wrestling, judo, karate, or other martial art, or
6 any bodybuilding or weightlifting equipment of
7 any sort;

8 “(viii) except for use during required work,
9 the use or possession of any electric or elec-
10 tronic musical instrument, or practice on any
11 musical instrument for more than one hour a
12 day;

13 “(ix) use of personally owned computers or
14 modems;

15 “(x) possession of in-cell coffee pots, hot
16 plates, or heating elements;

17 “(xi) any living or work quarters into
18 which the outside view is obstructed;

19 “(xii) food exceeding in quality or quantity
20 that which is available to enlisted personnel in
21 the United States Army;

22 “(xiii) dress or hygiene, grooming and ap-
23 pearance other than those allowed as uniform
24 or standard in the prison; or

1 “(xiv) equipment or facilities at public ex-
2 pense for publishing or broadcasting content
3 not previously approved by prison officials as
4 consistent with prison order and prisoner dis-
5 cipline; and

6 “(B) in the case of a prisoner who is serv-
7 ing a sentence for a crime of violence which re-
8 sulted in serious bodily injury to another—

9 “(i) housing other than in separate
10 cell blocks intended for violent prisoners
11 and designed to emphasize punishment
12 rather than rehabilitation;

13 “(ii) less than 9 hours a day of phys-
14 ical labor, with confinement to cell for any
15 refusing to engage in that labor, but a
16 prisoner not physically able to do physical
17 labor may be assigned to alternate labor;

18 “(iii) any temporary furlough, leave,
19 excursion, or other release from the prison
20 for any purpose, unless the prisoner re-
21 mains at all times under physical or me-
22 chanical restraints, such as handcuffs, and
23 under the constant escort and immediate
24 supervision of at least one armed correc-
25 tional officer;

1 “(iv) any viewing of television;

2 “(v) any inter-prison travel for com-
3 petitive sports, whether as a participant or
4 spectator;

5 “(vi) more than one hour a day spent
6 in sports or exercise; or

7 “(vii) possession of personal property
8 exceeding 75 pounds in total weight or
9 that cannot be stowed in a standard size
10 United States military issue duffel bag.”.

11 (b) FEDERAL.—

12 (1) GENERALLY.—The Attorney General shall
13 by rule establish conditions in the Federal prison
14 system that, as nearly as may be, are the same as
15 those conditions required in State prisons under sec-
16 tion 20102(a) of the Violent Crime Control and Law
17 Enforcement Act of 1994 as amended by this
18 section.

19 (2) CONFORMING AMENDMENT.—Section 3624
20 of title 18, United States Code, is amended by strik-
21 ing subsection (b).

○