

Public Law 114–133
114th Congress

An Act

Mar. 9, 2016
[S. 238]

To amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons.

Eric Williams
Correctional
Officer Protection
Act of 2015.
18 USC 1 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Eric Williams Correctional Officer Protection Act of 2015”.

SEC. 2. OFFICERS AND EMPLOYEES OF THE BUREAU OF PRISONS AUTHORIZED TO CARRY OLEORESIN CAPSICUM SPRAY.

(a) IN GENERAL.—Chapter 303 of part III of title 18, United States Code, is amended by adding at the end the following:

18 USC 4049.

“§ 4049. Officers and employees of the Bureau of Prisons authorized to carry oleoresin capsicum spray

“(a) IN GENERAL.—The Director of the Bureau of Prisons shall issue, on a routine basis, oleoresin capsicum spray to—

“(1) any officer or employee of the Bureau of Prisons who—

“(A) is employed in a prison that is not a minimum or low security prison; and

“(B) may respond to an emergency situation in such a prison; and

“(2) to such additional officers and employees of prisons as the Director determines appropriate, in accordance with this section.

“(b) TRAINING REQUIREMENT.—

“(1) IN GENERAL.—In order for an officer or employee of the Bureau of Prisons, including a correctional officer, to be eligible to receive and carry oleoresin capsicum spray pursuant to this section, the officer or employee shall complete a training course before being issued such spray, and annually thereafter, on the use of oleoresin capsicum spray.

“(2) TRANSFERABILITY OF TRAINING.—An officer or employee of the Bureau of Prisons who completes a training course pursuant to paragraph (1) and subsequently transfers to employment at a different prison, shall not be required to complete an additional training course solely due such transfer.

“(3) TRAINING CONDUCTED DURING REGULAR EMPLOYMENT.—An officer or employee of the Bureau of Prisons who completes a training course required under paragraph (1) shall do so during the course of that officer or employee’s regular employment, and shall be compensated at the same rate that the

officer or employee would be compensated for conducting the officer or employee's regular duties.

“(c) USE OF OLEORESIN CAPSICUM SPRAY.—Officers and employees of the Bureau of Prisons issued oleoresin capsicum spray pursuant to subsection (a) may use such spray to reduce acts of violence—

“(1) committed by prisoners against themselves, other prisoners, prison visitors, and officers and employees of the Bureau of Prisons; and

“(2) committed by prison visitors against themselves, prisoners, other visitors, and officers and employees of the Bureau of Prisons.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 303 of part III of title 18, United States Code, is amended by inserting after the item relating to section 4048 the following:

18 USC
prec. 4041.

“4049. Officers and employees of the Bureau of Prisons authorized to carry oleoresin capsicum spray.”.

SEC. 3. GAO REPORT.

Evaluation.
Recommendations.

Not later than the date that is 3 years after the date on which the Director of the Bureau of Prisons begins to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons pursuant to section 4049 of title 18, United States Code, as added by this Act, the Comptroller General of the United States shall submit to Congress a report that includes the following:

(1) An evaluation of the effectiveness of issuing oleoresin capsicum spray to officers and employees of the Bureau of Prisons in prisons that are not minimum or low security prisons on—

(A) reducing crime in such prisons; and

(B) reducing acts of violence committed by prisoners against themselves, other prisoners, prison visitors, and officers and employees of the Bureau of Prisons in such prisons.

(2) An evaluation of the advisability of issuing oleoresin capsicum spray to officers and employees of the Bureau of Prisons in prisons that are minimum or low security prisons, including—

(A) the effectiveness that issuing such spray in such prisons would have on reducing acts of violence committed by prisoners against themselves, other prisoners, prison visitors, and officers and employees of the Bureau of Prisons in such prisons; and

(B) the cost of issuing such spray in such prisons.

(3) Recommendations to improve the safety of officers and employees of the Bureau of Prisons in prisons.

Approved March 9, 2016.

LEGISLATIVE HISTORY—S. 238:

CONGRESSIONAL RECORD:

Vol. 161 (2015): Dec. 16, considered and passed Senate.

Vol. 162 (2016): Feb. 24, considered and passed House.