

106TH CONGRESS
2D SESSION

H. R. 3920

To improve the conditions for women inmates in jails and correctional facilities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2000

Ms. WATERS (for herself, Mrs. CHRISTENSEN, Mr. MEEKS of New York, Ms. JACKSON-LEE of Texas, Mr. CAPUANO, Mrs. MALONEY of New York, Mrs. JONES of Ohio, Mrs. MEEK of Florida, Mr. HILLIARD, Ms. LOFGREN, Mr. OWENS, Ms. NORTON, Ms. KILPATRICK, Ms. CARSON, Mr. PASTOR, Mr. LEWIS of Georgia, Ms. DELAURO, Mrs. MORELLA, Mrs. NAPOLITANO, Mr. JACKSON of Illinois, Mr. CUMMINGS, Mr. CONYERS, and Mr. PAYNE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To improve the conditions for women inmates in jails and correctional facilities.

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 “Protection of Women
5 in Prisons Act of 1999”.

1 **SEC. 2. PROTECTION OF WOMEN INMATES.**

2 Section 20105(b)(1) of the Violent Crime Control and
3 Law Enforcement Act of 1994 (42 U.S.C. 13705(b)(1))
4 is amended—

5 (1) in subparagraph (A), by striking “and”
6 after the semicolon;

7 (2) in subparagraph (B), by striking the period
8 at the end and inserting a semicolon; and

9 (3) by adding at the end the following:

10 “(C) provide assurances, with accom-
11 panying documentation, to the Attorney Gen-
12 eral that the State has in effect policies that
13 are monitored and enforced, in jails and correc-
14 tional facilities throughout the State, that—

15 “(i) restrict the role of male employ-
16 ees with women inmates;

17 “(ii) prohibit male employees from su-
18 pervising women inmates during showering
19 and undressing;

20 “(iii) prohibit male employees from
21 conducting body searches, ‘thorough’ pat
22 searches, and frisks on women inmates ex-
23 cept in the case of an emergency or in the
24 presence of a female employee;

25 “(iv) address the health needs of
26 women inmates;

1 “(v) prohibit the use of shackles or
2 other restraints on pregnant women unless
3 it is shown to be absolutely necessary;

4 “(vi) provide additional protections to
5 women inmates who report violations of
6 this subparagraph to insulate them from
7 retaliatory acts;

8 “(vii) impose disciplinary action
9 against a jail or correctional facility em-
10 ployee who violates the provisions of this
11 subparagraph; and

12 “(viii) require that a male employee
13 who is found to have committed physical or
14 sexual misconduct against a woman inmate
15 is terminated;

16 “(D) provide documentation to the Attor-
17 ney General that jails and correctional facilities
18 throughout the State have—

19 “(i) instituted programs designed to
20 address prior victimization, drug and alco-
21 hol abuse, and high-risk drug and sexual
22 behaviors of women inmates;

23 “(ii) contracted with an outside cor-
24 rectional health care organization to regu-

1 larly assess the status of women’s health in
2 correctional settings;

3 “(iii) complied with national correc-
4 tional health care standards for screening,
5 classifying, and housing that ensure con-
6 tinuity of care for women inmates;

7 “(iv) implemented programs for crisis
8 intervention, suicide precaution, case man-
9 agement, and discharge planning for
10 women inmates; and

11 “(v) made a concerted effort to meet
12 nationally established standards that en-
13 sure the basic level of health care services
14 for women offenders; and

15 “(E) provide documentation to the Attor-
16 ney General that the State corrections depart-
17 ment has—

18 “(i) conducted a needs assessment of
19 minority health needs in correctional set-
20 tings; and

21 “(ii) analyzed its health services to
22 women inmates and classified the health
23 and security risk of each woman inmate.”.

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