

117TH CONGRESS
1ST SESSION

H. R. 2092

To direct the Director of the Bureau of Prisons to implement a pilot program to reduce the amount of contraband that enters correctional facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2021

Mr. HORSFORD (for himself and Mr. MCKINLEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To direct the Director of the Bureau of Prisons to implement a pilot program to reduce the amount of contraband that enters correctional facilities, and for other purposes.

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 “Contraband Elimini-

5 nation and Safety Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Mail service is one of the oldest and most
9 commonly used methods to introduce contraband

1 into correction facilities, creating an expensive and
2 often lethal problem for both inmates and employees
3 of the Federal prison facility.

4 (2) Processing mail in-house puts staff mem-
5 bers in danger of substance exposure and increases
6 risk of contraband items entering the facility.

7 (3) Studies have consistently found that pris-
8 oners who maintain close contact with their family
9 members while incarcerated have better post-release
10 outcomes and lower recidivism rates.

11 (4) Effective offsite mail processing ensures
12 that prisoners' right to receive mail is protected and
13 gives prison officials a safe, defensible alternative to
14 mail restrictions that are unreasonable and arbi-
15 trary.

16 **SEC. 3. PILOT PROGRAM TO REDUCE CONTRABAND.**

17 (a) ESTABLISHMENT.—Not later than 180 days after
18 the date of the enactment of this Act, the Director of the
19 Bureau of Prisons shall establish a pilot program to—

20 (1) permit a Federal prison facility to screen
21 mail and packages for contraband at an offsite se-
22 cure facility before such mail and packages arrive at
23 the Federal prison facility pursuant to subsection
24 (c);

1 (2) protect employees of the Federal prison fa-
2 cility and individuals incarcerated at such facilities
3 from contraband; and

4 (3) ensure effective, ongoing communication for
5 individuals who are incarcerated.

6 (b) REQUIREMENTS.—The pilot program under sub-
7 section (a) shall—

8 (1) screen, digitize, and reprint—

9 (A) hand-written postal mail in a secure
10 facility; and

11 (B) digital mail, including photos and cor-
12 respondence, from a web-based application de-
13 veloped to provide individuals the opportunity
14 to communicate with individuals who are incar-
15 cerated;

16 (2) permit employees of a Federal prison facil-
17 ity to review mail digitized pursuant to paragraph
18 (1) on a web-based application, in advance of its ar-
19 rival at the facility; and

20 (3) permit employees of a Federal prison facil-
21 ity to electronically verify the authenticity of legal
22 mail prior or upon its arrival at a Federal prison fa-
23 cility, without violating attorney-client privilege.

24 (c) NO ADDITIONAL EQUIPMENT.—The pilot pro-
25 gram under subsection (a) shall not require additional

1 equipment or infrastructure to be developed or obtained
2 by the Bureau of Prisons. The Director may enter into
3 a contract with an entity to meet the requirements of the
4 pilot program under subsection (a).

5 (d) POPULATION.—The pilot program under sub-
6 section (a) shall—

7 (1) operate for no less than two years; and

8 (2) shall represent not less than 10 percent of
9 individuals incarcerated at Federal prison facilities.

10 (e) REPORTING.—Not later than one year after the
11 date of the enactment of this Act, and not later than one
12 year after the pilot program under subsection (a) ends,
13 the Director shall submit a report to the Committees on
14 the Judiciary and the Subcommittees on Commerce, Jus-
15 tice, Science, and Related Agencies of the Committees on
16 Appropriations of the House of Representatives and the
17 Senate, including—

18 (1) whether the pilot program under subsection
19 (a) has reduced the presence of contraband in Fed-
20 eral prison facilities;

21 (2) the impact of such pilot program on the
22 safety of employees and inmates of the Federal pris-
23 on facilities; and

1 (3) recommendations for implementing a sus-
2 tainable solution to reducing the amount of contra-
3 band that enters a Federal prison facility.

4 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out the pilot pro-
6 gram under this section such sums as may be necessary
7 for each of the fiscal years 2022 to 2023.

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