

118TH CONGRESS
2D SESSION

S. 4121

To reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons and the United States Marshals Service, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 15, 2024

Mr. DURBIN (for himself, Mr. COONS, and Mr. SCHATZ) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons and the United States Marshals Service, 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 “Solitary Confinement
5 Reform Act”.

6 **SEC. 2. SOLITARY CONFINEMENT REFORMS.**

7 (a) AMENDMENT.—Chapter 303 of title 18, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

1 **“§ 4052. Solitary confinement**

2 “(a) DEFINITIONS.—In this section:

3 “(1) ADMINISTRATIVE MAXIMUM FACILITY.—

4 The term ‘administrative maximum facility’ means a
5 maximum-security facility, including the United
6 States Penitentiary Administrative Maximum facility
7 in Florence, Colorado, designed to house inmates
8 who present an ongoing significant and serious
9 threat to other inmates, staff, and the public.

10 “(2) ADMINISTRATIVE SEGREGATION.—The
11 term ‘administrative segregation’ means a nonpuni-
12 tive form of separation of an inmate from the gen-
13 eral population of a correctional facility for—

14 “(A) investigative, protective, or preventa-
15 tive reasons resulting from a substantial and
16 immediate threat; or

17 “(B) transitional reasons, including a
18 pending transfer, pending classification, or
19 other temporary administrative matter.

20 “(3) APPROPRIATE LEVEL OF CARE.—The term
21 ‘appropriate level of care’ means the appropriate
22 treatment setting for mental health care that an in-
23 mate with mental illness requires, which may include
24 outpatient care, emergency or crisis services, day
25 treatment, supported residential housing, infirmary
26 care, or inpatient psychiatric hospitalization services.

1 “(4) COVERED FACILITY.—The term ‘covered
2 facility’ means—

3 “(A) with respect to the Bureau of Pris-
4 ons, a facility under the administration of the
5 Bureau of Prisons, or a facility under contract
6 with the Bureau of Prisons to provide housing
7 for inmates in Federal custody; or

8 “(B) a facility under contract with the
9 United States Marshals Service to provide hous-
10 ing for inmates in Federal custody.

11 “(5) DISCIPLINARY HEARING OFFICER.—The
12 term ‘disciplinary hearing officer’ means an indi-
13 vidual who—

14 “(A) in the case of—

15 “(i) the Bureau of Prisons or the
16 United States Marshals Service, is an em-
17 ployee who is a supervisory or administra-
18 tive officer who is employed in the office of
19 the regional director, central office, or dis-
20 trict office; or

21 “(ii) a facility that contracts with the
22 Bureau of Prisons or the United States
23 Marshals Service, is the designee of the Di-
24 rector of the Bureau of Prisons or the Di-

1 rector of the United States Marshals Serv-
2 ice; and

3 “(B) is responsible for conducting discipli-
4 nary hearings for which solitary confinement
5 may be a sanction, as described in section
6 541.8 of title 28, Code of Federal Regulations,
7 or any successor thereto.

8 “(6) DISCIPLINARY SEGREGATION.—The term
9 ‘disciplinary segregation’ means a form of separation
10 from the general population of a facility imposed
11 only by a disciplinary hearing officer as a response
12 to an inmate committing a significant and serious
13 disciplinary infraction.

14 “(7) INTELLECTUAL DISABILITY.—The term
15 ‘intellectual disability’ means a mental impairment
16 characterized by significant limitations in both intel-
17 lectual functioning and adaptive behavior.

18 “(8) MENTAL ILLNESS.—The term ‘mental ill-
19 ness’ means a diagnosable mental, behavioral, or
20 emotional disorder that—

21 “(A) is of sufficient duration to meet diag-
22 nostic criteria within the most recent edition of
23 the Diagnostic and Statistical Manual of Men-
24 tal Disorders published by the American Psy-
25 chiatric Association; and

1 “(B) has resulted in functional impairment
2 that substantially interferes with or limits 1 or
3 more major life activities.

4 “(9) MULTIDISCIPLINARY STAFF COM-
5 MITTEE.—The term ‘multidisciplinary staff com-
6 mittee’ means a committee—

7 “(A) comprised of staff at the facility
8 where an inmate resides who are responsible for
9 reviewing the initial placement of the inmate in
10 solitary confinement and any extensions of time
11 in solitary confinement; and

12 “(B) which shall include—

13 “(i) not less than 1 licensed mental
14 health professional;

15 “(ii) not less than 1 medical profes-
16 sional; and

17 “(iii) not less than 1 member of the
18 leadership of the facility.

19 “(10) OMBUDSMAN.—The term ‘Ombudsman’
20 means the Ombudsman for the Civil Rights of Incar-
21 cerated People established in subsection (e).

22 “(11) ONGOING SIGNIFICANT AND SERIOUS
23 THREAT.—The term ‘ongoing significant and serious
24 threat’ means an ongoing set of circumstances that

1 requires the highest level of security and staff super-
2 vision for an inmate who—

3 “(A) has engaged in assaultive, predacious,
4 or riotous behavior, or seriously attempted es-
5 cape; and

6 “(B) poses a specific risk of physical injury
7 to other inmates, staff, or the public.

8 “(12) PROTECTION CASE.—The term ‘protec-
9 tion case’ means an inmate who, by the request of
10 the inmate or through a staff determination, re-
11 quires protection, as described by section
12 541.23(c)(3) of title 28, Code of Federal Regula-
13 tions, or any successor thereto.

14 “(13) SERIOUS MENTAL ILLNESS.—The term
15 ‘serious mental illness’ means a substantial disorder
16 of thought or mood that significantly impairs judg-
17 ment, behavior, capacity to recognize reality, or abil-
18 ity to cope with the ordinary demands of life.

19 “(14) SIGNIFICANT AND SERIOUS DISCIPLINARY
20 INFRACTION.—The term ‘significant and serious dis-
21 ciplinary infraction’ means—

22 “(A) an act of violence that either—

23 “(i) resulted in or was likely to result
24 in serious injury or death to another; or

1 “(ii) occurred in connection with any
2 act of nonconsensual sex;

3 “(B) an escape, attempted escape, or con-
4 spiracy to escape from within a security perim-
5 eter or custody, or both;

6 “(C) possession of weapons; or

7 “(D) possession of illegal narcotics with in-
8 tent to distribute.

9 “(15) SOLITARY CONFINEMENT.—The term
10 ‘solitary confinement’ means confinement character-
11 ized by substantial isolation in a cell, alone or with
12 other inmates, including administrative segregation,
13 disciplinary segregation, and confinement in any fa-
14 cility designated by the Bureau of Prisons or the
15 United States Marshals Service as a special housing
16 unit, a special management unit, an administrative
17 maximum facility, or any other housing area that is
18 separate from or in any way more restrictive than
19 the general population of the facility in terms of
20 hours out of cell, programming, services, congregate
21 engagement with other people, visits, communica-
22 tions, items, or any other aspect of daily living.

23 “(16) SPECIAL ADMINISTRATIVE MEASURES.—
24 The term ‘special administrative measures’ means
25 measures used to—

1 “(A) prevent disclosure of classified infor-
2 mation upon written certification to the Attor-
3 ney General by the head of an element of the
4 intelligence community (as defined under sec-
5 tion 3 of the National Security Act of 1947 (50
6 U.S.C. 3003)) that the unauthorized disclosure
7 of such information would pose a threat to na-
8 tional security and that there is a danger that
9 the inmate will disclose such information, as de-
10 scribed by section 501.2 of title 28, Code of
11 Federal Regulations, or any successor thereto;
12 or

13 “(B) protect persons against the risk of
14 death or serious bodily injury, upon written no-
15 tification to the Director of the Bureau of Pris-
16 ons by the Attorney General or, at the Attorney
17 General’s direction, by the head of a Federal
18 law enforcement agency, or the head of an ele-
19 ment of the intelligence community (as defined
20 under section 3 of the National Security Act of
21 1947 (50 U.S.C. 3003)), that there is a sub-
22 stantial risk that the communications of an in-
23 mate or contacts by the inmate with other per-
24 sons could result in death or serious bodily in-
25 jury to persons, or substantial damage to prop-

1 erty that would entail the risk of death or seri-
2 ous bodily injury to persons, as described by
3 section 501.3 of title 28, Code of Federal Regu-
4 lations, or any successor thereto.

5 “(17) SPECIAL HOUSING UNIT.—The term ‘spe-
6 cial housing unit’ means a housing unit in a covered
7 facility, in which inmates are securely separated
8 from the general inmate population for disciplinary
9 or administrative reasons, as described in section
10 541.21 of title 28, Code of Federal Regulations, or
11 any successor thereto.

12 “(18) SPECIAL MANAGEMENT UNIT.—The term
13 ‘special management unit’ means a nonpunitive
14 housing program with multiple, step-down phases for
15 inmates whose history, behavior, or situation re-
16 quires enhanced management approaches in order to
17 ensure the safety of other inmates, the staff, and the
18 public.

19 “(19) SUBSTANTIAL AND IMMEDIATE
20 THREAT.—The term ‘substantial and immediate
21 threat’ means any set of temporary and unforeseen
22 circumstances that require immediate action in order
23 to combat a threat to the physical safety of an in-
24 mate, other inmates, staff, or the public.

25 “(b) USE OF SOLITARY CONFINEMENT.—

1 “(1) IN GENERAL.—The placement of a Federal
2 inmate in solitary confinement within a covered fa-
3 cility shall be limited to situations in which such
4 confinement—

5 “(A) is limited to the briefest term and the
6 least restrictive conditions practicable, including
7 not less than 4 hours of out-of-cell time every
8 day, which may include work assignments,
9 staff-led programs, peer-led programs, volunteer
10 programs, time in a day room or recreation
11 area with at least several other people, meals,
12 or other similar congregate activities with at
13 least several other people in a group setting
14 conducive to meaningful human interaction, un-
15 less the inmate poses a substantial and imme-
16 diate threat;

17 “(B) is consistent with the rationale for
18 placement and with the progress achieved by
19 the inmate;

20 “(C) allows the inmate to participate in
21 meaningful work assignments and programming
22 opportunities and privileges as consistent with
23 those available in the general population as
24 practicable, either individually or in a con-
25 gregate setting;

1 “(D) allows the inmate to have as much
2 meaningful interaction with others, such as
3 other inmates, visitors, clergy, licensed mental
4 and physical health professionals, or through
5 social and legal telephone calls, as practicable;

6 “(E) allows the inmate access to all rou-
7 tine and emergency medical services; and

8 “(F) complies with the provisions of this
9 section.

10 “(2) TRANSITIONAL PROCESS FOR INMATES IN
11 SOLITARY CONFINEMENT.—

12 “(A) INMATES WITH UPCOMING RELEASE
13 DATES.—The Director of the Bureau of Prisons
14 shall establish—

15 “(i) policies to ensure that an inmate
16 with an anticipated release date of 180
17 days or less is not housed in solitary con-
18 finement, unless—

19 “(I) such confinement is limited
20 to not more than 5 days of adminis-
21 trative segregation relating to the up-
22 coming release of the inmate; or

23 “(II) the inmate poses a substan-
24 tial and immediate threat; and

1 “(ii) a transitional process for each
2 inmate with an anticipated release date of
3 180 days or less who is held in solitary
4 confinement under clause (i)(II), which
5 shall include—

6 “(I) substantial re-socialization
7 programming in a group setting;

8 “(II) regular mental health coun-
9 seling to assist with the transition;
10 and

11 “(III) re-entry planning services
12 offered to inmates in a general popu-
13 lation setting.

14 “(B) INMATES IN LONG-TERM SOLITARY
15 CONFINEMENT.—The Director of the Bureau of
16 Prisons and the Director of the United States
17 Marshals Service shall each establish a transi-
18 tional process for each inmate who has been
19 held in solitary confinement for more than 30
20 days and who will transition into a general popu-
21 lation unit, which shall include—

22 “(i) substantial re-socialization pro-
23 gramming in a group setting; and

24 “(ii) regular mental health counseling
25 to assist with the transition.

1 “(3) PROTECTIVE CUSTODY UNITS.—The Di-
2 rector of the Bureau of Prisons and the Director of
3 the United States Marshals Service—

4 “(A) shall establish within the Federal
5 prison system additional general population
6 protective custody units that provide sheltered
7 general population housing to protect inmates
8 from harm that they may otherwise be exposed
9 to in a typical general population housing unit;

10 “(B) shall establish policies to ensure that
11 an inmate who is considered a protection case
12 shall, upon request of the inmate, be placed in
13 a general population protective custody unit;

14 “(C) shall create an adequate number of
15 general population protective custody units to—

16 “(i) accommodate the requests of in-
17 mates who are considered to be protection
18 cases; and

19 “(ii) ensure that inmates who are con-
20 sidered to be protection cases are placed in
21 facilities as close to their homes as prac-
22 ticable;

23 “(D) may not place an inmate who is con-
24 sidered to be a protection case in solitary con-

1 finement due to the status of the inmate as a
2 protection case unless—

3 “(i) the inmate requests to be placed
4 in solitary confinement, in which case, at
5 the request of the inmate, the inmate shall
6 be transferred to a general population pro-
7 tective custody unit or, if appropriate, a
8 different general population unit; or

9 “(ii) such confinement is limited to—
10 “(I) not more than 5 days of ad-
11 ministrative segregation; and

12 “(II) is necessary to protect the
13 inmate during preparation for trans-
14 fer to a general population protective
15 custody unit or a different general
16 population unit; and

17 “(E) shall provide any inmate in protective
18 custody access to all of the equivalent pro-
19 grams, services, amenities, including access to
20 communication, and conditions as people in the
21 general population of the facility.

22 “(4) VULNERABLE POPULATIONS.—A covered
23 facility may not place an inmate in solitary confine-
24 ment if—

1 “(A) the inmate is 21 years of age or
2 younger, is 60 years of age or older, has a seri-
3 ous mental illness or disability (as defined in
4 section 3 of the Americans with Disabilities Act
5 of 1990 (42 U.S.C. 12102)), has been deter-
6 mined by a licensed mental health professional
7 to likely be significantly adversely affected by
8 placement in solitary confinement, is pregnant
9 or in the first 8 weeks of the postpartum recov-
10 ery period after giving birth, or is caring for a
11 child in a facility program, unless—

12 “(i) the inmate poses a substantial
13 and immediate threat;

14 “(ii) all other options to de-escalate
15 the situation have been exhausted, includ-
16 ing less restrictive techniques such as—

17 “(I) penalizing the inmate
18 through loss of privileges;

19 “(II) speaking with the inmate in
20 an attempt to de-escalate the situa-
21 tion; and

22 “(III) a licensed mental health
23 professional providing an appropriate
24 level of care;

1 “(iii) such confinement is limited to
2 the briefest term and the least restrictive
3 conditions practicable, including access to
4 medical and mental health treatment;

5 “(iv) such confinement is reviewed by
6 a multidisciplinary staff committee for ap-
7 propriateness every 24 hours; and

8 “(v) as soon as practicable, but not
9 later than 5 days after such confinement
10 begins, the inmate is diverted, upon release
11 from solitary confinement, to—

12 “(I) a general population unit;

13 “(II) a protective custody unit
14 described in paragraph (3); or

15 “(III) a mental health treatment
16 program as described in subsection
17 (c)(2);

18 “(B) the inmate is lesbian, gay, bisexual,
19 transgender (as defined in section 115.5 of title
20 28, Code of Federal Regulations, or any suc-
21 cessor thereto), intersex (as defined in section
22 115.5 of title 28, Code of Federal Regulations,
23 or any successor thereto), or gender noncon-
24 forming (as defined in section 115.5 of title 28,
25 Code of Federal Regulations, or any successor

1 thereto), if the placement is solely on the basis
2 of such identification or status; or

3 “(C) the inmate is HIV positive, if the
4 placement is solely on the basis of the HIV
5 positive status of the inmate.

6 “(5) LIMITATIONS ON THE USE OF RESTRAINTS
7 AND OTHER REQUIREMENTS.—The Director of the
8 Bureau of Prisons and the Director of the United
9 States Marshals Service, or any facility that con-
10 tracts with the Bureau of Prisons or the United
11 States Marshals Service, shall ensure that—

12 “(A) no inmate, including individuals in
13 solitary confinement, shall be placed in re-
14 straints during out-of-cell time, unless—

15 “(i) determined to be necessary for
16 safety, security, or mitigation of flight risk
17 during the transportation of an inmate;

18 “(ii) an individualized determination
19 is made at the time that restraints are nec-
20 essary to prevent a specific, significant,
21 and unreasonable risk of imminent serious
22 physical injury to other inmates or staff
23 based on concrete and reasonable evidence
24 of such risk; and

1 “(iii) the least restrictive form of re-
2 straints shall be used for no longer than
3 necessary to abate such imminent harm,
4 provided that—

5 “(I) restraints may not be used
6 for more than 2 hours unless a deter-
7 mination is made that there is an on-
8 going significant and serious threat of
9 imminent serious physical injury to
10 other inmates or staff, at which time
11 the regional director shall be notified
12 about the continued use of restraints;

13 “(II) any continued use of re-
14 straints shall be meaningfully re-
15 viewed at least every 12 hours and
16 discontinued once restraints are no
17 longer necessary to prevent an ongo-
18 ing significant and serious threat of
19 imminent serious physical injury to
20 other inmates or staff and at each 12-
21 hour interval, the regional director
22 shall be notified about the continued
23 use of restraints; and

24 “(III) restraints shall not be used
25 for more than 3 days, unless the Di-

1 rector of the Bureau of Prisons or the
2 Director of the United States Mar-
3 shals Service, as applicable, or a des-
4 ignee—

5 “(aa) provides prior ap-
6 proval for the use of restraints
7 for more than 3 days;

8 “(bb) makes a written find-
9 ing that the continued use of re-
10 straints is necessary to prevent
11 an ongoing significant and seri-
12 ous risk of imminent serious
13 physical injury to other inmates
14 or staff; and

15 “(cc) if restraints continue
16 to be used for more than 5 days,
17 at least every 3 days, reviews and
18 approves the continued use of re-
19 straints; and

20 “(B) no limitation on access to services,
21 treatment, visiting, or basic needs, such as pro-
22 vision of clothing, food, and bedding, shall be
23 imposed as a form of punishment or for any
24 other reason except where there is an ongoing

1 significant and serious threat to the physical
2 safety of the inmate, other inmates, or staff;

3 “(C) no restricted diet or any other change
4 in diet shall be imposed as a form of punish-
5 ment; and

6 “(D) an inmate shall—

7 “(i) always have access to any author-
8 ized personal property belonging to the in-
9 mate; and

10 “(ii) regardless of the unit the inmate
11 is housed in or the status the inmate has
12 been assigned, always have access to the
13 commissary and to contact visitation with
14 visitors, except where there is a specific
15 significant risk to the physical safety of the
16 inmate, other inmates, staff, or the public.

17 “(6) SPECIAL HOUSING UNITS.—The Director
18 of the Bureau of Prisons, the Director of the United
19 States Marshals Service, and any facility that con-
20 tracts with the Bureau of Prisons or the United
21 States Marshals Service shall—

22 “(A) limit administrative segregation—

23 “(i) to situations in which such seg-
24 regation is necessary to—

1 “(I) control a substantial and im-
2 mediate threat that cannot be ad-
3 dressed through alternative housing;
4 or

5 “(II) temporarily house an in-
6 mate pending transfer, pending classi-
7 fication, or pending resolution of an-
8 other temporary administrative mat-
9 ter; and

10 “(ii) to a duration of not more than
11 15 consecutive days, and not more than 20
12 days in a 60-day period, unless—

13 “(I) the inmate requests to re-
14 main in administrative segregation
15 under paragraph (3)(D)(i); or

16 “(II) in order to address the con-
17 tinued existence of a substantial and
18 immediate threat, a multidisciplinary
19 staff committee approves a temporary
20 extension, which—

21 “(aa) may not be longer
22 than 15 days; and

23 “(bb) shall be reviewed by
24 the multidisciplinary staff com-
25 mittee every 3 days during the

1 period of the extension, in order
2 to confirm the continued exist-
3 ence of the substantial and im-
4 mediate threat;

5 “(B) limit disciplinary segregation—

6 “(i) to situations in which such seg-
7 regation is necessary to address an inmate
8 who has been found to have committed a
9 significant and serious disciplinary infrac-
10 tion by a disciplinary hearing officer and
11 poses an ongoing significant and serious
12 threat, and alternative sanctions would not
13 adequately regulate the behavior of the in-
14 mate;

15 “(ii) in the case of a prohibited act
16 categorized as a 400-level prohibited act
17 under section 541.3 of title 28, Code of
18 Federal Regulations, or any successor
19 thereto, by prohibiting the use of discipli-
20 nary segregation;

21 “(iii) in the case of a prohibited act
22 categorized as a 300-level prohibited act
23 under section 541.3 of title 28, Code of
24 Federal Regulations, or any successor
25 thereto, by—

1 “(I) prohibiting the use of dis-
2 ciplinary segregation for the first such
3 prohibited act; and

4 “(II) limiting disciplinary seg-
5 regation to a duration of not more
6 than 15 days, for a second or subse-
7 quent such prohibited act;

8 “(iv) in the case of a prohibited act
9 categorized as a 200-level prohibited act
10 under section 541.3 of title 28, Code of
11 Federal Regulations, or any successor
12 thereto, by—

13 “(I) limiting disciplinary segrega-
14 tion to a duration of not more than
15 30 days, for the first such prohibited
16 act; and

17 “(II) limiting disciplinary seg-
18 regation to a duration of not more
19 than 60 days, for a second or subse-
20 quent such prohibited act;

21 “(v) in the case of a prohibited act
22 categorized as a 100-level prohibited act
23 under section 541.3 of title 28, Code of
24 Federal Regulations, or any successor
25 thereto, by—

1 “(I) limiting disciplinary segrega-
2 tion to a duration of not more than
3 60 days, for the first such prohibited
4 act; and

5 “(II) limiting disciplinary seg-
6 regation to a duration of not more
7 than 90 days, for a second or subse-
8 quent such prohibited act; and

9 “(vi) in addition to any other limita-
10 tion under this subparagraph, limiting dis-
11 ciplinary segregation to a duration of not
12 more than 30 consecutive days, and not
13 more than 40 days in any 60-day period,
14 unless a multidisciplinary staff committee,
15 in consultation with the disciplinary hear-
16 ing officer who presided over the discipli-
17 nary hearing for the inmate, determines
18 that the significant and serious disciplinary
19 infraction which the inmate was found to
20 have committed is of such an egregious
21 and violent nature that a longer sanction is
22 appropriate and approves a longer sanc-
23 tion;

24 “(C) ensure that any time spent in admin-
25 istrative segregation during an investigation

1 into an alleged offense is for as short a dura-
2 tion as possible, is not longer than 15 consecu-
3 tive days, and is credited as time served for a
4 disciplinary segregation sentence;

5 “(D) ensure that concurrent sentences are
6 imposed for disciplinary violations arising from
7 the same episode; and

8 “(E) ensure that an inmate may be re-
9 leased from disciplinary segregation for good
10 behavior before completing the term of the in-
11 mate, unless the inmate poses a substantial and
12 immediate threat to the safety of other inmates,
13 staff, or the public.

14 “(7) SPECIAL MANAGEMENT UNITS.—The Di-
15 rector of the Bureau of Prisons shall eliminate the
16 use of special management units.

17 “(8) ADMINISTRATIVE MAXIMUM FACILITIES.—
18 The Director of the Bureau of Prisons shall—

19 “(A) limit segregation in an administrative
20 maximum facility to situations in which such
21 segregation is necessary to—

22 “(i) implement special administrative
23 measures, as directed by the Attorney Gen-
24 eral; or

1 “(ii) house an inmate who has been
2 found to have committed a significant and
3 serious disciplinary infraction by a discipli-
4 nary hearing officer and who poses an on-
5 going significant and serious threat to the
6 safety of other inmates, staff, or the public
7 that cannot be addressed through alter-
8 native housing; and

9 “(B) issue final approval of referral of any
10 inmate who poses an ongoing significant and
11 serious threat for placement in an administra-
12 tive maximum facility.

13 “(9) RIGHT TO REVIEW PLACEMENT IN SOLI-
14 TARY CONFINEMENT.—The Director of the Bureau
15 of Prisons, the Director of the United States Mar-
16 shals Service, or any facility that contracts with the
17 Bureau of Prisons or the United States Marshals
18 Service, shall ensure that no inmate shall be placed
19 in solitary confinement without—

20 “(A) written notice provided to the inmate
21 thoroughly detailing the basis for placement or
22 continued placement in solitary confinement not
23 later than 6 hours after the beginning of such
24 placement, including—

1 “(i) thorough documentation explain-
2 ing why such confinement is permissible
3 and necessary;

4 “(ii) thorough documentation explain-
5 ing the reason an exception applied if—

6 “(I) an exception under para-
7 graph (2)(A), (3)(D), (4)(A), (6)(A),
8 or (6)(B) is used to justify placement
9 or continued placement in solitary
10 confinement; or

11 “(II) an exception under para-
12 graph (1) is used to justify increased
13 restrictive conditions in solitary con-
14 finement; and

15 “(iii) thorough documentation explain-
16 ing a clear plan for returning the indi-
17 vidual to less restrictive conditions as
18 promptly as possible;

19 “(B) a timely, thorough, and continuous
20 review process that—

21 “(i) occurs not less than 7 days after
22 placement in solitary confinement, and
23 thereafter at least—

24 “(I) on a weekly basis for an in-
25 mate in a special housing unit; and

1 “(II) on a monthly basis for an
2 inmate at an administrative maximum
3 facility;

4 “(ii) includes private, face-to-face
5 interviews with a multidisciplinary staff
6 committee;

7 “(iii) examines whether—

8 “(I) placement in solitary con-
9 finement was and remains necessary;

10 “(II) the conditions of confine-
11 ment comply with this section; and

12 “(III) whether any exception
13 under paragraph (2)(A), (3)(D),
14 (4)(A), (6)(A), or (6)(B) used to jus-
15 tify placement or continued placement
16 in solitary confinement or any excep-
17 tion under paragraph (1) used to jus-
18 tify increased restrictive conditions in
19 solitary confinement was and remains
20 warranted; and

21 “(iv) includes written findings on the
22 decision for placement in solitary confine-
23 ment or continued placement in solitary
24 confinement, consistent with paragraph
25 (9)(A), that are electronically retained in

1 the personnel file of the inmate for not less
2 than 3 years from the date of placement;

3 “(C) a process to appeal the initial place-
4 ment or continued placement of the inmate in
5 solitary confinement;

6 “(D) prompt and timely written notice of
7 the appeal procedures; and

8 “(E) copies of all documents, files, and
9 records relating to the placement of the inmate
10 in solitary confinement, unless such documents
11 contain contraband, classified information, or
12 sensitive security-related information, main-
13 tained in a central electronic database for not
14 less than 3 years.

15 “(c) MENTAL HEALTH CARE FOR INMATES IN SOLI-
16 TARY CONFINEMENT.—

17 “(1) MENTAL HEALTH SCREENING.—Not later
18 than 6 hours after an inmate in the custody of a
19 covered facility is placed in solitary confinement, the
20 inmate shall receive a comprehensive, face-to-face
21 mental health evaluation by a licensed mental health
22 professional in a confidential setting.

23 “(2) MENTAL HEALTH TREATMENT PRO-
24 GRAM.—An inmate diagnosed with a serious mental

1 illness after an evaluation required under paragraph
2 (1)—

3 “(A) shall not be placed in solitary confine-
4 ment except as provided in subsection (b)(4);
5 and

6 “(B) shall be diverted to a mental health
7 treatment program within the covered facility
8 that provides an appropriate level of care to ad-
9 dress the mental health needs of the inmate.

10 “(3) CONTINUING EVALUATIONS.—After each
11 10-calendar-day period an inmate is held in contin-
12 uous placement in solitary confinement—

13 “(A) a licensed mental health professional
14 shall conduct a comprehensive, face-to-face, out-
15 of-cell mental health evaluation of the inmate in
16 a confidential setting; and

17 “(B) the Director of the Bureau of Pris-
18 ons, the Director of the United States Marshals
19 Service, or any facility that contracts with the
20 Bureau of Prisons or the United States Mar-
21 shals Service, as applicable, shall adjust the
22 placement of the inmate in accordance with this
23 subsection.

24 “(4) REQUIREMENT.—The Director of the Bu-
25 reau of Prisons, the Director of the United States

1 Marshals Service, and any facility that contracts
2 with the Bureau of Prisons or the United States
3 Marshals Service shall operate mental health treat-
4 ment programs in order to ensure that inmates of all
5 security levels with serious mental illness have access
6 to an appropriate level of care.

7 “(d) TRAINING FOR COVERED FACILITY STAFF.—

8 “(1) TRAINING.—All employees of a covered fa-
9 cility who interact with inmates on a regular basis
10 shall be required to complete training in—

11 “(A) the recognition of symptoms of men-
12 tal illness;

13 “(B) the potential risks and side effects of
14 psychiatric medications;

15 “(C) de-escalation techniques for safely
16 managing individuals with mental illness;

17 “(D) consequences of untreated mental ill-
18 ness;

19 “(E) the long- and short-term psycho-
20 logical effects of solitary confinement; and

21 “(F) de-escalation and communication
22 techniques to divert inmates from situations
23 that may lead to the inmate being placed in sol-
24 itary confinement.

1 “(2) NOTIFICATION TO MEDICAL STAFF.—An
2 employee of a covered facility shall immediately no-
3 tify a member of the medical or mental health staff
4 if the employee—

5 “(A) observes an inmate with signs of
6 mental illness, unless such employee has knowl-
7 edge that the inmate’s signs of mental illness
8 have previously been reported; or

9 “(B) observes an inmate with signs of a
10 mental health crisis.

11 “(e) OMBUDSMAN FOR THE CIVIL RIGHTS OF INCAR-
12 CERATED PEOPLE.—

13 “(1) IN GENERAL.—Within the Department of
14 Justice, there shall be a position of the Ombudsman
15 for the Civil Rights of Incarcerated People and an
16 Office of the Ombudsman for the Civil Rights of In-
17 carcerated People.

18 “(2) APPOINTMENT.—

19 “(A) IN GENERAL.—The Ombudsman shall
20 be appointed by the Attorney General and shall
21 report directly to the Director of the Bureau of
22 Prisons and the Director of the United States
23 Marshals Service.

24 “(B) QUALIFICATIONS.—The Ombudsman
25 shall have a background in corrections and civil

1 rights and shall have expertise on the effects of
2 prolonged solitary confinement and restrictive
3 housing.

4 “(3) REPORTING.—The Director of the Bureau
5 of Prisons and the Director of the United States
6 Marshals Service shall ensure that each covered fa-
7 cility provides multiple internal ways for inmates
8 and others to promptly report civil rights violations
9 and violations of this section to the Ombudsman, in-
10 cluding—

11 “(A) not less than 4 procedures, including
12 written mail correspondence, email correspond-
13 ence, telephone calls, and in-person interviews,
14 for inmates and others to report civil rights vio-
15 lations and violations of this section to an enti-
16 ty or office that is not part of the facility, and
17 that is able to receive and immediately forward
18 inmate reports to the Ombudsman, allowing the
19 inmate to communicate confidentially and to re-
20 main anonymous upon request; and

21 “(B) not less than 4 procedures, including
22 written mail correspondence, email correspond-
23 ence, telephone calls, and in-person interviews,
24 for inmates and others to report civil rights
25 abuses and violations of this section to the Om-

1 budsman in a confidential manner, allowing the
2 inmate to remain anonymous upon request.

3 “(4) NOTICE.—

4 “(A) BUREAU OF PRISONS.—The Director
5 of the Bureau of Prisons shall ensure that each
6 Bureau of Prisons facility and any facility that
7 contracts with the Bureau of Prisons provides
8 inmates with the notice described in subpara-
9 graph (C).

10 “(B) MARSHALS SERVICE.—The Director
11 of the United States Marshals Service shall en-
12 sure that each facility that contracts with the
13 United States Marshals Service provides in-
14 mates with the notice described in subpara-
15 graph (C).

16 “(C) CONTENTS.—A notice described in
17 this subparagraph shall provide inmates with—

18 “(i) notice of how to report civil rights
19 violations and violations of this section in
20 accordance with paragraph (3), includ-
21 ing—

22 “(I) notice prominently posted in
23 the living and common areas of each
24 such facility;

1 “(II) individual notice to inmates
2 at initial intake into the Bureau of
3 Prisons or the United States Marshals
4 Service, when transferred to a new fa-
5 cility, and when placed in solitary con-
6 finement;

7 “(III) notice to inmates with dis-
8 abilities in accessible formats; and

9 “(IV) written or verbal notice in
10 a language the inmate understands;
11 and

12 “(ii) notice of permissible practices re-
13 lated to solitary confinement in the Bureau
14 of Prisons or the United States Marshals
15 Service, including the requirements of this
16 section.

17 “(5) FUNCTIONS.—The Ombudsman shall—

18 “(A) review all complaints the Ombudsman
19 receives;

20 “(B) investigate all complaints that allege
21 a civil rights violation or violation of this sec-
22 tion;

23 “(C) refer all possible violations of law to
24 the Criminal Division or the Inspector General
25 of the Department of Justice;

1 “(D) refer to the Director of the Bureau
2 of Prisons or the United States Marshals Serv-
3 ice allegations of misconduct involving staff of
4 the Bureau of Prisons or the United States
5 Marshals Service, respectively;

6 “(E) identify areas in which the Bureau of
7 Prisons or the United States Marshals Service
8 can improve the policies and practices of the
9 Bureau to ensure that the civil rights of in-
10 mates are protected;

11 “(F) identify areas in which the Bureau of
12 Prisons or the United States Marshals Service
13 can improve solitary confinement policies and
14 practices and reduce the use of solitary confine-
15 ment; and

16 “(G) propose changes to the policies and
17 practices of the Bureau of Prisons and the
18 United States Marshals Service to mitigate
19 problems and address issues the Ombudsman
20 identifies.

21 “(6) ACCESS.—The Ombudsman—

22 “(A) shall have unrestricted access to every
23 area of any covered facility;

24 “(B) shall be able to speak privately and
25 confidentially with inmates and staff; and

1 “(C) may make unannounced visits to any
2 covered facility.

3 “(7) ANNUAL REPORTS.—

4 “(A) IN GENERAL.—Not later than De-
5 cember 31 of each year, the Ombudsman shall
6 submit to the Committee on the Judiciary of
7 the Senate and the Committee on the Judiciary
8 of the House of Representatives a report on the
9 activities of the Office of the Ombudsman for
10 the fiscal year ending in such calendar year and
11 make the report publicly available on a website.

12 “(B) CONTENTS.—Each report submitted
13 under subparagraph (A) shall—

14 “(i) contain full and substantive anal-
15 ysis, in addition to statistical information;

16 “(ii) identify the recommendations the
17 Office of the Ombudsman has made on ad-
18 dressing reported civil rights violations and
19 violations of this section and reducing the
20 use and improving the practices of solitary
21 confinement in covered facilities;

22 “(iii) contain a summary of problems
23 relating to reported civil rights violations
24 and violations of this section, including a
25 detailed description of the nature of such

1 problems and a breakdown of where the
2 problems occur among covered facilities;

3 “(iv) contain an inventory of the items
4 described in clauses (ii) and (iii) for which
5 action has been taken and the result of
6 such action;

7 “(v) contain an inventory of the items
8 described in clauses (ii) and (iii) for which
9 action remains to be completed and the pe-
10 riod during which each item has remained
11 on such inventory;

12 “(vi) contain an inventory of the items
13 described in clauses (ii) and (iii) for which
14 no action has been taken, the period dur-
15 ing which each item has remained on such
16 inventory, the reasons for the inaction, and
17 shall identify any official of the Bureau of
18 Prisons or the United States Marshals
19 Service who is responsible for such inac-
20 tion;

21 “(vii) contain recommendations for
22 such legislative or administrative action as
23 may be appropriate to resolve problems
24 identified in clause (iii); and

1 “(viii) include such other information
2 as the Ombudsman determines necessary.

3 “(C) SUBMISSION OF REPORTS.—Each re-
4 port required under this paragraph shall be
5 provided directly to the Committees described
6 in subparagraph (A) without any prior review,
7 comment, or amendment from the Director of
8 the Bureau of Prisons, the Director of the
9 United States Marshals Service, or any other
10 officer or employee of the Department of Jus-
11 tice, the Bureau of Prisons, or the United
12 States Marshals Service.

13 “(8) REGULAR MEETINGS WITH THE DIREC-
14 TOR.—The Ombudsman shall meet regularly with
15 the Director of the Bureau of Prisons and the Direc-
16 tor of the United States Marshals Service to identify
17 problems with reported civil rights violations and the
18 solitary confinement policies and practices of the
19 Bureau of Prisons and the United States Marshals
20 Service, including overuse of solitary confinement,
21 and to present recommendations for such adminis-
22 trative action as may be appropriate to resolve prob-
23 lems relating to reported civil rights violations and
24 the solitary confinement policies and practices of the

1 Bureau of Prisons and the United States Marshals
2 Service.

3 “(9) RESPONSIBILITIES OF THE BUREAU OF
4 PRISONS AND UNITED STATES MARSHALS SERV-
5 ICE.—The Director of the Bureau of Prisons and
6 the Director of the United States Marshals Service
7 shall establish procedures requiring that, not later
8 than 90 days after the date on which a recommenda-
9 tion is submitted to the Director of the Bureau of
10 Prisons or the Director of the United States Mar-
11 shals Service by the Ombudsman, the Director of
12 the Bureau of Prisons or the Director of the United
13 States Marshals Service, as applicable, or another
14 appropriate employee of the agency, issue a formal
15 response to the recommendation and take remedial
16 action to comply with the recommendation.

17 “(10) NON-APPLICATION OF THE PRISON LITI-
18 GATION REFORM ACT.—Inmate reports sent to the
19 Ombudsman may not be considered an administra-
20 tive remedy under section 7(a) of the Civil Rights of
21 Institutionalized Persons Act (42 U.S.C.
22 1997e(a)).”.

23 (b) TECHNICAL AND CONFORMING AMENDMENT.—
24 The table of sections for chapter 303 of title 18, United

1 States Code, is amended by inserting after the item relat-
 2 ing to section 4051 the following:

“4052. Solitary confinement.”.

3 **SEC. 3. REASSESSMENT OF INMATE MENTAL HEALTH.**

4 Not later than 180 days after the date of enactment
 5 of this Act, the Director of the Bureau of Prisons and
 6 the Director of the United States Marshals Service shall—

7 (1) assemble a team of licensed mental health
 8 professionals, which may include licensed mental
 9 health professionals who are not employed by the
 10 Bureau of Prisons or the United States Marshals
 11 Service, to conduct a comprehensive mental health
 12 reevaluation for each inmate held in solitary confine-
 13 ment at a covered facility for more than 30 days as
 14 of the date of enactment of this Act, including a
 15 confidential, face-to-face, out-of-cell interview by a li-
 16 censed mental health professional; and

17 (2) adjust the placement of each inmate in ac-
 18 cordance with section 4052(c) of title 18, United
 19 States Code, as added by section 2.

20 **SEC. 4. DIRECTOR OF THE BUREAU OF PRISONS.**

21 Section 4041 of title 18, United States Code, is
 22 amended—

23 (1) by inserting “(a) IN GENERAL.—” before
 24 the “The Bureau of Prisons shall be”; and

25 (2) by adding at the end the following:

1 “(b) OMBUDSMAN.—The Director of the Bureau of
2 Prisons shall—

3 “(1) meet regularly with the Ombudsman for
4 the Civil Rights of Incarcerated People appointed
5 under section 4052(e) to identify how the Bureau of
6 Prisons can address reported civil rights violations
7 and reduce the use of solitary confinement and cor-
8 rect problems in the solitary confinement policies
9 and practices of the Bureau;

10 “(2) conduct a prompt and thorough investiga-
11 tion of each referral from the Ombudsman, through
12 the designees of the Ombudsman, under section
13 4052(e)(5)(D), and after each such investigation
14 take appropriate disciplinary action against any Bu-
15 reau of Prisons employee who is found to have en-
16 gaged in misconduct or to have violated Bureau of
17 Prisons policy, and notify the Ombudsman of the
18 outcome of each such investigation; and

19 “(3) establish procedures requiring a formal re-
20 sponse by the Bureau of Prisons to any rec-
21 ommendation of the Ombudsman in the annual re-
22 port submitted under section 4052(e)(7) not later
23 than 90 days after the date on which the report is
24 submitted to Congress.”.

1 **SEC. 5. DIRECTOR OF THE UNITED STATES MARSHALS**
2 **SERVICE.**

3 Section 561 of title 28, United States Code, is
4 amended by adding at the end the following:

5 “(j) OMBUDSMAN.—The Director of the United
6 States Marshals Service shall—

7 “(1) meet regularly with the Ombudsman for
8 the Civil Rights of Incarcerated People appointed
9 under section 4052(e) to identify how the United
10 States Marshals Service can address reported civil
11 rights violations and reduce the use of solitary con-
12 finement and correct problems in the solitary con-
13 finement policies and practices of the United States
14 Marshals Service;

15 “(2) conduct a prompt and thorough investiga-
16 tion of each referral from the Ombudsman, through
17 the designees of the Ombudsman, under section
18 4052(e)(5)(D), and after each such investigation
19 take appropriate disciplinary action against any
20 United States Marshals Service employee who is
21 found to have engaged in misconduct or to have vio-
22 lated United States Marshals Service policy, and no-
23 tify the Ombudsman of the outcome of each such in-
24 vestigation; and

25 “(3) establish procedures requiring a formal re-
26 sponse by the United States Marshals Service to any

1 recommendation of the Ombudsman in the annual
2 report submitted under section 4052(e)(7) not later
3 than 90 days after the date on which the report is
4 submitted to Congress.”.

5 **SEC. 6. DATA TRACKING OF USE OF SOLITARY CONFINEMENT.**
6 **MENT.**

7 Section 4047 of title 18, United States Code, is
8 amended by adding at the end the following:

9 “(d) PRISON SOLITARY CONFINEMENT ASSESS-
10 MENTS.—

11 “(1) IN GENERAL.—Not later than March 31
12 and September 30 of each year, the Director of the
13 Bureau of Prisons and the Director of the United
14 States Marshals Service shall each prepare and
15 transmit to the Committee on the Judiciary of the
16 Senate and the Committee on the Judiciary of the
17 House of Representatives a semi-annual assessment
18 of the use of solitary confinement (as defined in sec-
19 tion 4052(a)) in covered facilities and shall make the
20 respective assessment publicly available on the
21 website of the Bureau of Prisons or the United
22 States Marshals Service, as applicable.

23 “(2) CONTENTS.—Each assessment submitted
24 under paragraph (1) shall include—

1 “(A) the policies and regulations of the
2 Bureau of Prisons, including any changes in
3 policies and regulations, and the United States
4 Marshals Service for determining which inmates
5 are placed in each form of solitary confinement,
6 or housing in which an inmate is separated
7 from the general population during the report-
8 ing period, and a detailed description of each
9 form of solitary confinement in use, including
10 all maximum and high security facilities, all
11 special housing units, all special management
12 units, all administrative maximum facilities (as
13 defined in section 4052(a)), and all communica-
14 tion management units;

15 “(B) the total number of inmates and per-
16 centage of individuals in the custody of the Bu-
17 reau of Prisons and the United States Marshals
18 Service, listed separately, who are housed in
19 each type of solitary confinement described in
20 subparagraph (A) at the time of the report, and
21 the total number and the percentage of all in-
22 mates who have spent at least some time in
23 each form of solitary confinement during the re-
24 porting period;

1 “(C) the reason for placement, including
2 disciplinary segregation, protective custody, ad-
3 ministrative segregation, or other segregation
4 and the length of time in restrictive housing;

5 “(D) the demographics of all inmates
6 housed in each type of solitary confinement de-
7 scribed in subparagraph (A), including race,
8 ethnicity, religion, age, gender identity, mental
9 health care level, pregnancy or post-partum sta-
10 tus, or identification as lesbian, gay, bisexual,
11 transgender, intersex, or gender non-con-
12 forming;

13 “(E) the policies and regulations of the
14 Bureau of Prisons and the United States Mar-
15 shals Service, including any updates in policies
16 and regulations, for subsequent reviews or ap-
17 peals of the placement of an inmate into or out
18 of solitary confinement;

19 “(F) the number of reviews of and appeals
20 for each type of solitary confinement placement
21 described in subparagraph (A) that occurred
22 during the reporting period and the number of
23 reviews or appeals that directly resulted in a
24 change of placement;

1 “(G) a description of the general condi-
2 tions and restrictions for each type of solitary
3 confinement described in subparagraph (A), in-
4 cluding the number of hours spent in confine-
5 ment in a cell separated from the general popu-
6 lation or in restraints, and the percentage of
7 time these conditions involve housing a single
8 inmate in a cell;

9 “(H) the mean and median length of stay
10 in each form of solitary confinement described
11 in subparagraph (A), based on all individuals
12 released from solitary confinement during the
13 reporting period, including maximum and high
14 security facilities, special housing units, special
15 management units, administrative maximum fa-
16 cilities, communication management units, and
17 any maximum length of stay during the report-
18 ing period;

19 “(I) the number of inmates who, after a
20 stay of 5 or more days in solitary confinement,
21 were released directly from solitary confinement
22 to the public during the reporting period;

23 “(J) the individual daily fixed cost for each
24 form of solitary confinement described in sub-
25 paragraph (A) in use during the reporting pe-

1 riod, including as compared with the average
2 daily fixed cost of housing an inmate in the
3 general population;

4 “(K) statistics for inmate assaults on cor-
5 rectional officers and staff of the Bureau of
6 Prisons or the United States Marshals Service,
7 inmate-on-inmate assaults, and staff-on-inmate
8 use of force incidents in the various forms of
9 solitary confinement described in subparagraph
10 (A) and statistics for such assaults in the gen-
11 eral population;

12 “(L) the policies for mental health screen-
13 ing, mental health treatment, and subsequent
14 mental health reviews for all inmates, including
15 any update to the policies, and any additional
16 screening, treatment, and monitoring for in-
17 mates in solitary confinement;

18 “(M) a statement of the types of mental
19 health staff that conducted mental health as-
20 sessments for the Bureau of Prisons and the
21 United States Marshals Service during the re-
22 porting period, a description of the different po-
23 sitions in the mental health staff of the Bureau
24 of Prisons and the United States Marshals
25 Service, and the number of part- and full-time

1 psychologists and psychiatrists employed by the
2 Bureau of Prisons and the United States Mar-
3 shals Service during the reporting period;

4 “(N) data on mental health and medical
5 indicators for all inmates in solitary confine-
6 ment, including—

7 “(i) the number of inmates requiring
8 medication for mental health conditions;

9 “(ii) the number of inmates diagnosed
10 with an intellectual disability;

11 “(iii) the number of inmates diag-
12 nosed with a serious mental illness;

13 “(iv) the number of suicides;

14 “(v) the number of attempted suicides
15 and number of inmates placed on suicide
16 watch;

17 “(vi) the number of instances of self-
18 harm committed by inmates;

19 “(vii) the number of inmates with
20 physical disabilities, including blind, deaf,
21 and mobility-impaired inmates; and

22 “(viii) the number of instances of
23 force-feeding of inmates;

1 “(O) the type and number of hours of pro-
2 gramming received by inmates in restrictive
3 housing; and

4 “(P) any other relevant data.”.

5 **SEC. 7. NATIONAL COORDINATING CENTER ON SOLITARY**
6 **CONFINEMENT REDUCTION AND REFORM.**

7 (a) **DEFINITION OF ELIGIBLE ENTITY.**—In this sec-
8 tion, the term “eligible entity” means an entity, or a part-
9 nership of entities, that has demonstrated expertise in the
10 fields of—

11 (1) solitary confinement, including the reduc-
12 tion and reform of its use; and

13 (2) providing technical assistance to corrections
14 agencies on how to reduce and reform solitary con-
15 finement.

16 (b) **REQUIREMENTS.**—Not later than 180 days after
17 the date of enactment of this Act, the Bureau of Justice
18 Assistance shall enter into a cooperative agreement, on a
19 competitive basis, with an eligible entity for the purpose
20 of establishing a coordinating center for State, local, and
21 Federal corrections systems, which shall conduct activities
22 such as—

23 (1) providing on-site technical assistance and
24 consultation to Federal, State, and local corrections

1 agencies to safely reduce the use of solitary confine-
2 ment;

3 (2) acting as a clearinghouse for research, data,
4 and information on the safe reduction of solitary
5 confinement in prisons and other custodial settings,
6 including facilitating the exchange of information be-
7 tween Federal, State, and local practitioners, na-
8 tional experts, and researchers;

9 (3) creating a minimum of 10 learning sites in
10 Federal, State, and local jurisdictions that have al-
11 ready reduced their use of solitary confinement and
12 that will coordinate with other Federal, State, and
13 local agencies to participate in training, consultation,
14 and other forms of assistance and partnership with
15 these learning sites;

16 (4) conducting evaluations of jurisdictions that
17 have decreased their use of solitary confinement to
18 determine best practices;

19 (5) conducting research on the effectiveness of
20 alternatives to solitary confinement, such as step-
21 down or transitional programs, strategies to re-
22 integrate inmates into the general population in a
23 facility, the role of officers and staff culture in re-
24 form efforts, and other research relevant to the safe
25 reduction of solitary confinement;

1 (6) developing and disseminating a toolkit for
2 systems to reduce the excessive use of solitary con-
3 finement;

4 (7) developing and disseminating an online self-
5 assessment tool for State and local jurisdictions to
6 assess their own use of solitary confinement and
7 identify strategies to reduce the use of solitary con-
8 finement; and

9 (8) conducting public webinars to highlight new
10 and promising practices.

11 (c) ADMINISTRATION.—The program under this sec-
12 tion shall be administered by the Bureau of Justice Assist-
13 ance.

14 (d) REPORT.—On an annual basis, the coordinating
15 center shall report to the Committee on the Judiciary of
16 the Senate and the Committee on the Judiciary of the
17 House of Representatives on its activities and any changes
18 in solitary confinement policy at the Federal, State, or
19 local level that have resulted from the activities of the co-
20 ordinating center.

21 (e) DURATION.—The Bureau of Justice Assistance
22 shall enter into a cooperative agreement under this section
23 for 5 years.

24 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

25 There is authorized to be appropriated—

1 (1) to the Director of the Bureau of Prisons
2 such sums as may be necessary to carry out sections
3 2, 3, 4, and 6, and the amendments made by such
4 sections;

5 (2) to the Director of the United States Mar-
6 shals Service such sums as may be necessary to
7 carry out sections 2, 3, 5, and 6, and the amend-
8 ments made by such sections; and

9 (3) to the Bureau of Justice Assistance such
10 sums as may be necessary to carry out section 7.

11 **SEC. 9. REGULATIONS.**

12 The Director of the Bureau of Prisons and the Direc-
13 tor of the United States Marshals Service shall prescribe
14 rules, in accordance with section 553 of title 5, United
15 States Code, to carry out this Act and the amendments
16 made by this Act.

17 **SEC. 10. EFFECTIVE DATE.**

18 (a) IN GENERAL.—Except as otherwise provided, this
19 Act and the amendments made by this Act shall take ef-
20 fect 18 months after the date of enactment of this Act.

21 (b) CONTRACTORS.—For facilities that contract with
22 the Bureau of Prisons or the United States Marshals
23 Services, this Act and the amendments made by this Act

- 1 shall apply to contracts finalized and entered into after
- 2 the effective date of this Act.

○