

118TH CONGRESS
2D SESSION

S. 5062

AN ACT

To address sexual harassment and sexual assault of Bureau
of Prisons staff in prisons, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Prison Staff Safety
3 Enhancement Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) In 2023, the Office of the Inspector General
7 of the Department of Justice released a report titled
8 “Evaluation of the Federal Bureau of Prisons’ Ef-
9 forts to Address Sexual Harassment and Sexual As-
10 sault Committed by Inmates Toward Staff” (in this
11 section referred to as the “Inspector General re-
12 port”).

13 (2) The Inspector General report examined all
14 sanctioned inmate sexual incidents in the Bureau of
15 Prisons (in this section referred to as the “Bureau”)
16 between fiscal years 2015 and 2021, and found that
17 inmate-on-staff sexual harassment and sexual as-
18 sault is widespread.

19 (3) The Inspector General report further found
20 that the Bureau does not collect adequate data on
21 inmate-on-staff sexual harassment and sexual as-
22 sault and that, because of the Bureau’s inadequate
23 data, the Bureau has not been able to identify the
24 full scope of inmate-on-staff sexual harassment and
25 sexual assault.

1 (4) The Inspector General report further found
 2 that the Bureau does not have systems to evaluate
 3 the effectiveness of the Bureau’s strategies to miti-
 4 gate inmate-on-staff sexual harassment and sexual
 5 assault.

6 (5) The Inspector General report made rec-
 7 ommendations to the Bureau to address the failures
 8 in the Bureau’s data collection and mitigation ef-
 9 forts, but the Bureau has not implemented these
 10 recommendations.

11 **SEC. 3. ADDRESSING SEXUAL HARASSMENT AND SEXUAL**
 12 **ASSAULT OF BUREAU OF PRISONS STAFF.**

13 (a) DEFINITIONS.—In this section:

14 (1) BUREAU.—The term “Bureau” means the
 15 Bureau of Prisons.

16 (2) CORRECTIONAL OFFICER.—The term “cor-
 17 rectional officer” has the meaning given the term in
 18 section 4051 of title 18, United States Code.

19 (3) INSPECTOR GENERAL.—The term “Inspec-
 20 tor General” means the Inspector General of the De-
 21 partment of Justice.

22 (4) INCARCERATED INDIVIDUAL.—The term
 23 “incarcerated individual” has the meaning given the
 24 term “prisoner” in section 4051 of title 18, United
 25 States Code.

1 (5) SEXUAL ASSAULT.—The term “sexual as-
 2 sault” means an act described in subsection (b), (c),
 3 or (d) of section 920 of title 10, United States Code.

4 (6) SEXUAL HARASSMENT.—The term “sexual
 5 harassment” means unwelcome sexual advances, re-
 6 quests for sexual favors, or other verbal or physical
 7 conduct of a sexual nature that explicitly or implic-
 8 itly affect an individual’s employment, unreasonably
 9 interfere with an individual’s work performance, or
 10 create an intimidating, hostile, or offensive work en-
 11 vironment.

12 (b) IMPLEMENTATION OF RECOMMENDATIONS BY
 13 BUREAU.—

14 (1) IN GENERAL.—Not later than 90 days after
 15 the date of enactment of this Act, the Bureau shall
 16 fully implement each recommendation in the report
 17 released by the Inspector General in 2023 titled
 18 “Evaluation of the Federal Bureau of Prisons’ Ef-
 19 forts to Address Sexual Harassment and Sexual As-
 20 sault Committed by Inmates Toward Staff”.

21 (2) REPORT.—If the Bureau has not fully im-
 22 plemented each recommendation referenced in para-
 23 graph (1) by the deadline under that paragraph, the
 24 Bureau shall submit a report to Congress by that
 25 deadline that includes an explanation of the failure

1 to fully implement each recommendation and a de-
2 tailed timeline for full implementation.

3 (c) DATA ANALYSIS BY INSPECTOR GENERAL.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date as of which the Bureau has fully imple-
6 mented each recommendation referenced in sub-
7 section (b)(1)—

8 (A) the Inspector General shall request
9 from the Bureau, and the Bureau shall provide,
10 updated data on the number and prevalence of
11 sexual harassment and sexual assault incidents
12 perpetrated by incarcerated individuals against
13 a correctional officer or other employee of the
14 Bureau during fiscal years 2022 through 2025;

15 (B) the Inspector General shall conduct an
16 analysis of the data described in subparagraph
17 (A); and

18 (C) the Inspector General shall provide
19 Congress and the Attorney General with the
20 analysis conducted under subparagraph (B) and
21 any additional recommendations, including
22 analysis of whether the Bureau has taken suffi-
23 cient steps to identify the prevalence and scope
24 of sexual harassment and sexual assault inci-
25 dents perpetrated by incarcerated individuals

1 against a correctional officer or other employee
2 of the Bureau and to mitigate such incidents.

3 (2) ANALYSIS OF PUNISHMENTS.—The analysis
4 required under paragraph (1)(C) shall include an
5 analysis of punishments for sexual harassment and
6 sexual assault as of the date of enactment of this
7 Act in facilities controlled by the Bureau of Prisons,
8 including data on the use of such punishments dur-
9 ing the 5-year period preceding the date of enact-
10 ment of this Act.

11 (d) RULEMAKING BY ATTORNEY GENERAL.—Not
12 later than 1 year after receiving the analysis under sub-
13 section (c), the Attorney General shall promulgate a rule
14 adopting national standards for prevention, reduction, and
15 punishment of sexual harassment and sexual assault per-
16 petrated by an incarcerated individual against a correc-
17 tional officer or other employee of the Bureau.

 Passed the Senate December 19 (legislative day, De-
 cember 16), 2024.

 Attest:

Secretary.

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