

S 1435

Prison Rape Elimination Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jul 21, 2003

Current Status: Became Public Law No: 108-79.

Latest Action: Became Public Law No: 108-79. (Sep 4, 2003)

Law: 108-79 (Enacted Sep 4, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/1435>

Sponsor

Name: Sen. Sessions, Jeff [R-AL]

Party: Republican • **State:** AL • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. DeWine, Mike [R-OH]	R · OH		Jul 21, 2003
Sen. Durbin, Richard J. [D-IL]	D · IL		Jul 21, 2003
Sen. Feinstein, Dianne [D-CA]	D · CA		Jul 21, 2003
Sen. Kennedy, Edward M. [D-MA]	D · MA		Jul 21, 2003

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Bills of Interest - Exchange of Letters	Dec 15, 2003

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
108 HR 1707	Related bill	Jul 18, 2003: Placed on the Union Calendar, Calendar No. 121.
108 HR 1765	Related bill	Apr 22, 2003: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

(This measure has not been amended since it was introduced. The expanded summary of the Senate passed version is repeated here.)

Prison Rape Elimination Act of 2003 - (Sec. 4) Directs the Bureau of Justice Statistics to carry out, annually, a comprehensive statistical review and analysis of the incidence and effects of prison rape. Requires: (1) the review and analysis to be based on a sample of not less than ten percent of all Federal, State, and county prisons, and a representative sample of municipal prisons, that includes at least one prison from each State; and (2) Federal, State, or local officials or facility administrators that receive a request from the Bureau to participate in the national survey and provide access to any inmates under their legal custody.

Establishes within the Department of Justice the Review Panel on Prison Rape to carry out, for each calendar year, public hearings concerning the operation of the three prisons with the highest incidence of prison rape and the two prisons with the lowest incidence in each category of facilities identified. Declares that the purpose of these hearings shall be to collect evidence to aid in the identification of common characteristics of: (1) victims and perpetrators of prison rape; (2) prisons and prison systems with a high incidence of prison rape; and and (3) prisons and prison systems that appear to have been successful in deterring prison rape.

Requires the Attorney General to submit an annual report to Congress and the Secretary of Health and Human Services on Bureau and Panel activities regarding prison rape. Authorizes appropriations for FY 2004 through 2010.

(Sec. 5) Establishes within the National Institute of Corrections (NIC) a national clearinghouse for the provision of information, assistance, and training to Federal, State, and local authorities for the prevention, investigation, and punishment of prison rape.

(Sec. 6) Directs the Attorney General to make grants to to assist States in ensuring that budgetary circumstances do not compromise efforts to protect inmates and to safeguard the communities to which inmates return. Authorizes appropriations for FY 2004 through 2010, with a limitation.

(Sec. 7) Establishes the National Prison Rape Reduction Commission to: (1) study the impact of prison rape on Federal, State, and local governments and on communities and social institutions; and (2) report recommended national standards for enhancing the detection, prevention, reduction, and punishment of prison rape.

(Sec. 8) Directs the Attorney General, within one year after receiving such report, to publish a final rule adopting national standards. Provides for a five percent reduction of any amount of grant funds for prisons that a State would otherwise receive for a fiscal year, unless the chief executive of the State submits to the Attorney General: (1) a certification that the State has adopted, and is in full compliance with, the national standards; or (2) an assurance that not less than five percent of such amount shall be used only to enable the State to adopt and achieve full compliance with such standards, so as to ensure that such certification may be submitted in future years. Requires the Attorney General to publish an annual report listing each grantee that is not in compliance with the standards.

(Sec. 9) Prohibits the receipt of Federal grants by penal facility accreditation organizations that fail to adopt accreditation standards for the detection, prevention, reduction, and punishment of prison rape.

Actions Timeline

- **Sep 4, 2003:** Signed by President.
- **Sep 4, 2003:** Signed by President.
- **Sep 4, 2003:** Became Public Law No: 108-79.
- **Sep 4, 2003:** Became Public Law No: 108-79.
- **Sep 2, 2003:** Presented to President.
- **Sep 2, 2003:** Presented to President.
- **Jul 25, 2003:** Considered by unanimous consent. (consideration: CR H7764-7771)
- **Jul 25, 2003:** Mr. Sensenbrenner asked unanimous consent to take from the Speaker's table and consider.
- **Jul 25, 2003:** Passed/agreed to in House: On passage Passed without objection.(text: CR H7766-7771)
- **Jul 25, 2003:** On passage Passed without objection. (text: CR H7766-7771)
- **Jul 25, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 22, 2003:** Message on Senate action sent to the House.
- **Jul 22, 2003:** Received in the House.
- **Jul 22, 2003:** Held at the desk.
- **Jul 21, 2003:** Introduced in Senate
- **Jul 21, 2003:** Passed/agreed to in Senate: Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent.(consideration: CR S9659-9664; text as passed Senate: CR S9659-9664)
- **Jul 21, 2003:** Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S9659-9664; text as passed Senate: CR S9659-9664)