

S 1965

MERCY Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Aug 5, 2015

Current Status: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure:

Latest Action: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure:

CR S6387-6388) (Aug 5, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/1965>

Sponsor

Name: Sen. Booker, Cory A. [D-NJ]

Party: Democratic • **State:** NJ • **Chamber:** Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Durbin, Richard J. [D-IL]	D · IL		Aug 5, 2015
Sen. Lee, Mike [R-UT]	R · UT		Aug 5, 2015
Sen. Paul, Rand [R-KY]	R · KY		Aug 5, 2015
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Sep 9, 2015
Sen. Lankford, James [R-OK]	R · OK		Sep 9, 2015

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Aug 5, 2015

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
114 S 2123	Related bill	Oct 26, 2015: Placed on Senate Legislative Calendar under General Orders. Calendar No. 279.
114 HR 1672	Related bill	Apr 29, 2015: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
114 S 675	Related bill	Mar 9, 2015: Read twice and referred to the Committee on the Judiciary.

Maintaining dignity and Eliminating unnecessary Restrictive Confinement of Youths Act of 2015 or the MERCY Act

Amends the federal criminal code to prohibit the use of room confinement at a juvenile facility for discipline, punishment, retaliation, or any reason other than as a temporary response to a covered juvenile's behavior that poses a serious and immediate risk of physical harm to any individual, including such juvenile.

Defines: (1) "room confinement" as the involuntary placement of a juvenile alone in a cell, room, or other area; and (2) "covered juvenile" as a juvenile who is being proceeded against for an alleged act of juvenile delinquency or who has been adjudicated delinquent under such provisions, or who is being proceeded against as an adult in U.S. district court for an alleged criminal offense.

Requires a staff member of a juvenile facility: (1) before placing a covered juvenile in room confinement, to attempt to use less restrictive techniques, including talking with the juvenile in an attempt to de-escalate the situation; and (2) upon deciding to place such juvenile in room confinement, to inform the juvenile of the reasons for the confinement and that release will occur immediately when the juvenile regains self-control or otherwise within either 3 hours if the juvenile poses a serious and immediate risk of physical harm to others or 30 minutes if the juvenile poses a risk of physical harm only to himself or herself.

Requires that if a covered juvenile continues to pose a serious and immediate risk of physical harm after the applicable maximum period of confinement has expired: (1) the juvenile shall be transferred to another juvenile facility or internal location where services can be provided without relying on room confinement; or (2) if a qualified mental health professional believes the level of crisis service needed is not currently available, a staff member of the juvenile facility shall initiate a referral to a location that can meet the juvenile's needs.

Prohibits the use of consecutive periods of room confinement to evade the spirit and purpose of this Act.

Actions Timeline

- **Aug 5, 2015:** Introduced in Senate
- **Aug 5, 2015:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S6387-6388)