

[Floor Situation](#) | [Summary](#) | [Background](#) | [Cost](#) | [Staff Contact](#)

[S. 238, Eric Williams Correctional Officer Protection Act of 2015](#)

FLOOR SITUATION

On Wednesday, February 24, 2016, the House will consider [S. 238](#), *the Eric Williams Correctional Officer Protection Act of 2015*, under suspension of the rules. S. 238 was introduced on January 22, 2015 by Sen. Pat Toomey (R-PA), and was referred to the Senate Committee on the Judiciary, which discharged the bill by unanimous consent on December 16, 2015. The bill passed the Senate on the same day by unanimous consent.

SUMMARY

S. 238 would authorize the Director of the Bureau of Prisons (BOP) to issue oleoresin capsicum spray to Bureau officers and employees working in prisons, with the exception of low security prisons. These individuals, after completing a required training, would be authorized to use the spray to reduce acts of violence committed by prisoners. No later than three years after the date oleoresin capsicum spray is first issued, the Comptroller General would be required to report to Congress on the effectiveness and advisability of using the spray.

BACKGROUND

This legislation would make permanent an expiring BOP pilot program which provides oleoresin capsicum spray, more commonly known as pepper spray, to select and trained staff. The objective of the pilot program is to protect staff, inmates, and others from an inmate posing a threat when other methods of control are not feasible. This program complies with the Department of Justice (DOJ) 2011 Policy Statement on Use of Less-Than-Lethal Devices which authorizes DOJ officers to use less-than-lethal devices only in situation where reasonable force is necessary to protect any person from physical harm. DOJ officers are not authorized to use these devices if voice commands or physical control achieves the law enforcement objective or for the purpose to punish, harass or abuse any person.¹

COST

A Congressional Budget Office estimate is unavailable at this time.

¹ See Department of Justice Operations Memorandum, "[Oleoresin Capsicum Aerosol Spray Pilot Program](#)," Feb 26, 2015.

STAFF CONTACT

For questions or further information please contact [Molly Newell](#) with the House Republican Policy Committee by email or at 2-1374.