



The Federal Prison Oversight Act of 2022

The Problem:

The Bureau of Prisons (BOP) incarcerates over 150,000 people and employs tens of thousands of correctional officers, yet it operates without any meaningful independent oversight. The result has been catastrophic for both incarcerated people and staff, whose health and safety are threatened by systemic failures within the BOP that remain hidden from public scrutiny. These failures have resulted in a host of problems plaguing our federal prisons: unchecked threats and violence, understaffing that jeopardizes safety and undermines reform efforts, inadequate medical care, and more. A recent FAMM poll found that 82% of Americans believe there should be a system of independent oversight of our federal prisons.

The Solution:

The BOP should be subject to independent oversight by the Department of Justice's Office of Inspector General (IG) and individual complaints should be investigated by an independent Ombudsman.

Legislative Summary:

The Federal Prison Oversight Act of 2022 contains two main provisions to improve the safety and accountability of our federal prison system.

The bill tasks the IG with conducting comprehensive, risk-based inspections of the BOP facilities to identify shortcomings that affect incarcerated people and staff, and to provide recommendations to address them. The IG will assign each facility a risk score, and higher-risk facilities will receive more frequent inspections. The IG is further charged with reporting its findings and recommendations to Congress and the public, and the BOP is charged with responding to all inspection reports within 60 days with a corrective action plan.

The bill establishes an Ombudsman within the DOJ tasked with performing targeted investigations into issues that adversely affect the health, safety, welfare, or rights of incarcerated people or staff. The Ombudsman is further charged with communicating its decision on the merits of an investigation to the complainant (if applicable) and the BOP. Upon a finding of previous or continuing significant harm, the Ombudsman shall report their findings to the Attorney General and Congress.

This bill tasks the Ombudsman with creating a secure hotline and online form made available on the website wherein the family members, friends, and representatives of incarcerated people can submit complaints and inquiries regarding issues within the BOP.

Both the IG and the Ombudsman shall have access to all BOP facilities, including the ability to conduct unannounced visits and private interviews with incarcerated people and staff. Communication with the IG and Ombudsman is confidential and privileged.

Finally, the bill states that the Justice Department should dedicate between 0.2 percent and 0.5 percent of the Bureau's annual appropriations to carry out the inspections and investigations.

