

quired under clause (i), a staff member of a juvenile facility decides to place a covered juvenile in room confinement, the staff member shall first—

- (I) explain to the covered juvenile the reasons for the room confinement; and
- (II) inform the covered juvenile that release from room confinement will occur—

(aa) immediately when the covered juvenile regains self-control, as described in subparagraph (B)(i); or

(bb) not later than after the expiration of the time period described in subclause (I) or (II) of subparagraph (B)(ii), as applicable.

(B) MAXIMUM PERIOD OF CONFINEMENT.—If a covered juvenile is placed in room confinement because the covered juvenile poses a serious and immediate risk of physical harm to himself or herself, or to others, the covered juvenile shall be released—

(i) immediately when the covered juvenile has sufficiently gained control so as to no longer engage in behavior that threatens serious and immediate risk of physical harm to himself or herself, or to others; or

(ii) if a covered juvenile does not sufficiently gain control as described in clause (i), not later than—

(I) 3 hours after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm to others; or

(II) 30 minutes after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm only to himself or herself.

(C) RISK OF HARM AFTER MAXIMUM PERIOD OF CONFINEMENT.—If, after the applicable maximum period of confinement under subclause (I) or (II) of subparagraph (B)(ii) has expired, a covered juvenile continues to pose a serious and immediate risk of physical harm described in that subclause—

(i) the covered juvenile shall be transferred to another juvenile facility or internal location where services can be provided to the covered juvenile without relying on room confinement; or

(ii) 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 needs of the covered juvenile.

(D) SPIRIT AND PURPOSE.—The use of consecutive periods of room confinement to evade the spirit and purpose of this subsection shall be prohibited.

(Added Pub. L. 115-391, title VI, §613(a), Dec. 21, 2018, 132 Stat. 5247.)

PART V—IMMUNITY OF WITNESSES

CHAPTER 601—IMMUNITY OF WITNESSES

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6001. Definitions.

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AMENDMENTS

1994—Pub. L. 103-322, title XXXIII, §330013(1), Sept. 13, 1994, 108 Stat. 2146, added heading for chapter 601.

1970—Pub. L. 91-452, title II, §201(a), Oct. 15, 1970, 84 Stat. 926, added part V and items 6001 to 6005.

§ 6001. Definitions

As used in this chapter—

(1) “agency of the United States” means any executive department as defined in section 101 of title 5, United States Code, a military department as defined in section 102 of title 5, United States Code, the Nuclear Regulatory Commission, the Board of Governors of the Federal Reserve System, the China Trade Act registrar appointed under 53 Stat. 1432 (15 U.S.C. sec. 143), the Commodity Futures Trading Commission, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Maritime Commission, the Federal Power Commission, the Federal Trade Commission, the Surface Transportation Board, the National Labor Relations Board, the National Transportation Safety Board, the Railroad Retirement Board, an arbitration board established under 48 Stat. 1193 (45 U.S.C. sec. 157), the Securities and Exchange Commission, or a board established under 49 Stat. 31 (15 U.S.C. sec. 715d);

(2) “other information” includes any book, paper, document, record, recording, or other material;

(3) “proceeding before an agency of the United States” means any proceeding before such an agency with respect to which it is authorized to issue subpoenas and to take testimony or receive other information from witnesses under oath; and

(4) “court of the United States” means any of the following courts: the Supreme Court of the United States, a United States court of appeals, a United States district court established under chapter 5, title 28, United States Code, a United States bankruptcy court established under chapter 6, title 28, United States Code, the District of Columbia Court of Appeals, the Superior Court of the District of Columbia, the District Court of Guam, the District Court of the Virgin Islands, the United States Court of Federal Claims, the Tax Court of the United States, the Court of International Trade, and the Court of Appeals for the Armed Forces.

(Added Pub. L. 91-452, title II, §201(a), Oct. 15, 1970, 84 Stat. 926; amended Pub. L. 95-405, §25, Sept. 30, 1978, 92 Stat. 877; Pub. L. 95-598, title III, §314(l), Nov. 6, 1978, 92 Stat. 2678; Pub. L. 96-417, title VI, §601(1), Oct. 10, 1980, 94 Stat. 1744; Pub. L. 97-164, title I, §164(1), Apr. 2, 1982, 96 Stat. 50; Pub. L. 102-550, title XV, §1543, Oct. 28, 1992, 106 Stat. 4069; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516; Pub. L. 103-272, §4(d), July 5, 1994, 108 Stat. 1361; Pub. L. 103-322, title XXXIII, §330013(2), (3), Sept. 13, 1994, 108 Stat. 2146; Pub. L. 103-337, div. A, title