

115TH CONGRESS
1ST SESSION

H. R. 4331

To amend title 18, United States Code, to provide a penalty for assault or homicide committed by certain State or local law enforcement officers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2017

Mr. JOHNSON of Georgia (for himself, Mr. CLAY, Ms. NORTON, Mr. CUMMINGS, Mrs. WATSON COLEMAN, Mr. ELLISON, Mr. HASTINGS, Mr. GRIJALVA, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide a penalty for assault or homicide committed by certain State or local law enforcement officers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Police Accountability
5 Act of 2017”.

1 **SEC. 2. ASSAULT OR HOMICIDE BY CERTAIN STATE OR**
2 **LOCAL LAW ENFORCEMENT OFFICERS.**

3 (a) IN GENERAL.—Chapter 1 of title 18, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 28. Assault or homicide by certain State or local**
7 **law enforcement officers**

8 “(a) OFFENSE.—Whoever, being a State or local law
9 enforcement officer in a public agency which receives Fed-
10 eral funding under subpart 1 of part E of title I of the
11 Omnibus Crime Control and Safe Streets Act of 1968 (42
12 U.S.C. 3750 et seq.) engages in any conduct in the line
13 of duty that, were the conduct to occur in the special mari-
14 time and territorial jurisdiction of the United States,
15 would constitute an offense under section 1111 or 1112
16 shall be punished as is provided for that offense under
17 such section.

18 “(b) DEFINITION.—In this section—

19 “(1) the term ‘State or local law enforcement
20 officer’ means an employee of a State or local gov-
21 ernment—

22 “(A) who has statutory authority to make
23 arrests or apprehensions;

24 “(B) who is authorized by the agency of
25 the employee to carry firearms; and

26 “(C) whose duties are primarily—

1 “(i) engagement in or supervision of
2 the prevention, detection, investigation, or
3 prosecution of, or the incarceration of any
4 person for, any violation of law; or

5 “(ii) the protection of Federal, State,
6 local, or foreign government officials
7 against threats to personal safety; and

8 “(2) the term ‘State or local government’
9 means the government—

10 “(A) of a State, the District of Columbia,
11 the Commonwealth of Puerto Rico, or any other
12 territory or possession of the United States; or

13 “(B) of a political subdivision of such a
14 State, District, Commonwealth, territory or
15 possession.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of chapter 1 of title 18, United States
18 Code, is amended by adding at the end the following new
19 item:

“28. Assault or homicide by certain State or local law enforcement officers.”.

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