

114TH CONGRESS
2D SESSION

H. R. 4760

To make an attack on a police officer a hate crime, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2016

Mr. BUCK (for himself, Mr. GOWDY, Mr. SESSIONS, Mr. CHAFFETZ, and Mr. RATCLIFFE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To make an attack on a police officer a hate crime, 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 “Blue Lives Matter Act
5 of 2016”.

6 **SEC. 2. HATE CRIME AGAINST POLICE OFFICERS.**

7 (a) IN GENERAL.—Chapter 13 of title 18, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

1 **“§ 250. Hate crimes against police officers**

2 “(a) IN GENERAL.—Whoever, in any circumstance
3 described in section 249(a)(2)(B) of this title, knowingly
4 causes bodily injury to any person, or attempts to do so,
5 because of the actual or perceived status of the person
6 as a police officer—

7 “(1) shall be imprisoned not more than 10
8 years, fined in accordance with this title, or both;
9 and

10 “(2) shall be imprisoned for any term of years
11 or for life, fined in accordance with this title, or
12 both, if—

13 “(A) death results from the offense; or

14 “(B) the offense includes kidnapping or an
15 attempt to kidnap, aggravated sexual abuse or
16 an attempt to commit aggravated sexual abuse,
17 or an attempt to kill.

18 “(b) CERTIFICATION REQUIREMENT.—

19 “(1) IN GENERAL.—No prosecution of any of-
20 fense described in this section may be undertaken by
21 the United States, except under the certification in
22 writing of the Attorney General, or a designee,
23 that—

24 “(A) the State does not have jurisdiction;

25 “(B) the State has requested that the Fed-
26 eral Government assume jurisdiction;

1 “(C) the verdict or sentence obtained pur-
2 suant to State charges left demonstratively
3 unvindicated the Federal interest in eradicating
4 bias-motivated violence; or

5 “(D) a prosecution by the United States is
6 in the public interest and necessary to secure
7 substantial justice.

8 “(2) RULE OF CONSTRUCTION.—Nothing in
9 this subsection shall be construed to limit the au-
10 thority of Federal officers, or a Federal grand jury,
11 to investigate possible violations of this section.

12 “(c) GUIDELINES.—All prosecutions conducted by
13 the United States under this section shall be undertaken
14 pursuant to guidelines issued by the Attorney General, or
15 the designee of the Attorney General, to be included in
16 the United States Attorneys’ Manual that shall establish
17 neutral and objective criteria for determining whether a
18 crime was committed because of the actual or perceived
19 status of any person.

20 “(d) STATUTE OF LIMITATIONS.—

21 “(1) OFFENSES NOT RESULTING IN DEATH.—
22 Except as provided in paragraph (2), no person shall
23 be prosecuted, tried, or punished for any offense
24 under this section unless the indictment for such of-
25 fense is found, or the information for such offense

1 is instituted, not later than 7 years after the date
2 on which the offense was committed.

3 “(2) OFFENSES RESULTING IN DEATH.—An in-
4 dictment or information alleging that an offense
5 under this section resulted in death may be found or
6 instituted at any time without limitation.

7 “(e) DEFINITIONS.—In this section:

8 “(1) POLICE OFFICER.—The term ‘police offi-
9 cer’ means any officer or employee of the United
10 States, any State, or any political subdivision of a
11 State, while engaged in the enforcement or prosecu-
12 tion of any of the criminal laws of the United States,
13 a State, or any political subdivision of a State.

14 “(2) STATE.—The term ‘State’ includes the
15 District of Columbia, Puerto Rico, and any other
16 territory or possession of the United States.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of such chapter is amended by adding
19 at the end the following new item:

“250. Hate crimes against police officers.”.

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