

112TH CONGRESS
1ST SESSION

H. R. 815

To amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 2011

Mr. GERLACH (for himself and Mr. COHEN) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim.

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 “Justice for Public
5 Servants Act of 2011”.

6 **SEC. 2. AGGRAVATING FACTORS FOR DEATH PENALTY.**

7 Section 3592(c) of title 18, United States Code, is
8 amended by inserting after paragraph (16) the following:

1 “(17) KILLING OF MEMBER OF CONGRESS.—
2 The defendant committed the offense against a
3 Member of Congress (as defined in section 2106 of
4 title 5) or an employee of Congress (as defined in
5 section 2107 of title 5)—

6 “(A) while he or she is engaged in the per-
7 formance of his or her official duties;

8 “(B) because of the performance of his or
9 her official duties; or

10 “(C) because of his or her status as a pub-
11 lic official or employee.

12 “(18) KILLING OF LAW ENFORCEMENT OFFI-
13 CER.—

14 “(A) The defendant killed or attempted to
15 kill, in the circumstance described in subpara-
16 graph (B), a person who is authorized by law—

17 “(i) to engage in or supervise the pre-
18 vention, detention, investigation, or pros-
19 ecution, or the incarceration of any person
20 for any criminal violation of law;

21 “(ii) to apprehend, arrest, or pros-
22 ecute an individual for any criminal viola-
23 tion of law; or

24 “(iii) to be a firefighter or other first
25 responder.

1 “(B) The circumstance referred to in sub-
2 paragraph (A) is that the person was killed—

3 “(i) while he or she was engaged in
4 the performance of his or her official du-
5 ties;

6 “(ii) because of the performance of his
7 or her official duties; or

8 “(iii) because of his or her status as
9 a public official or employee.”.

○