

103^D CONGRESS
1ST SESSION

H. R. 386

To amend title 18, United States Code, to provide the penalty of death for certain murders of State and local correctional officers by incarcerated persons, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. SOLOMON introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide the penalty of death for certain murders of State and local correctional officers by incarcerated persons, 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 “Correction Officer Pro-
5 tection Act of 1993”.

1 **SEC. 2. TITLE 18 AMENDMENT.**

2 (a) IN GENERAL.—Chapter 51 (relating to homicide)
3 of title 18, United States Code, is amended by adding at
4 the end the following:

5 **“§ 1118. Murder of State and local correctional offi-**
6 **cers by prisoners**

7 “(a) Whoever, being incarcerated pursuant to a con-
8 viction for crime, kills an individual who is a State or local
9 correctional officer—

10 “(1) while such individual is engaged in carry-
11 ing out official duties as such officer;

12 “(2) because of the nature of the official duties
13 of such officer; or

14 “(3) because of such individual’s being such an
15 officer;

16 shall be subject to the penalty of death, if the killing is
17 a first degree murder, and subject to the penalties pro-
18 vided in sections 1111 and 1112 of this title in any other
19 case.

20 “(b) As used in this section—

21 “(1) the term ‘State or local correctional offi-
22 cer’ means any person who is a State or local officer
23 or employee, as such term is defined in section 1501
24 of title 5, and who in the course of official duty per-
25 forms corrections-related or law enforcement func-
26 tions; and

1 “(2) the term ‘State or local government’ in-
2 cludes the District of Columbia, Puerto Rico, and
3 any other territory and possession of the United
4 States.

5 “(c) The procedures applicable to a penalty of death
6 under section 902(i) of the Federal Aviation Act of 1958
7 (49 U.S.C. App. 1472(i)) shall also be applicable, as near-
8 ly as practicable, to a penalty of death under this sec-
9 tion.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of chapter 51 of title 18, United States
12 Code, is amended by adding at the end the following:

“1118. Murder of State and local correctional officers by prisoners.”.

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