

105TH CONGRESS  
1ST SESSION

# H. R. 727

To amend chapter 51 of title 18, United States Code, to establish Federal penalties for the killing or attempted killing of a law enforcement officer of the District of Columbia, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 1997

Ms. MOLINARI introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend chapter 51 of title 18, United States Code, to establish Federal penalties for the killing or attempted killing of a law enforcement officer of the District of Columbia, 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 “Officer Brian Gibson  
5        District of Columbia Police Protection Act”.

1 **SEC. 2. PENALTIES FOR KILLING OR ATTEMPTING TO KILL**  
2 **A DISTRICT OF COLUMBIA LAW ENFORCE-**  
3 **MENT OFFICER.**

4 (a) IN GENERAL.—

5 (1) ESTABLISHMENT AS FEDERAL OFFENSE.—

6 Chapter 51 of title 18, United States Code, is  
7 amended by adding at the end the following:

8 **“§ 1123. Protection of law enforcement officers of the**  
9 **District of Columbia**

10 “(a) DEFINITION OF LAW ENFORCEMENT OFFI-  
11 CER.—In this section, the term ‘law enforcement officer  
12 of the District of Columbia’ means a public servant au-  
13 thorized by law or by the District of Columbia to conduct  
14 or engage in the prevention, investigation, or prosecution  
15 or adjudication of an offense, and includes those engaged  
16 in corrections, parole, or probation functions.

17 “(b) PENALTIES FOR MURDER OR MAN-  
18 SLAUGHTER.—Whoever kills a law enforcement officer of  
19 the District of Columbia engaged in or on account of the  
20 performance of the official duties of that law enforcement  
21 officer—

22 “(1) in the case of—

23 “(A) murder in the first degree (as de-  
24 scribed in section 1111), shall be punished by  
25 death or by imprisonment for life; and

1           “(B) murder in the second degree (as de-  
2           scribed in section 1111), shall be imprisoned for  
3           any term of years or for life; and

4           “(2) in the case of manslaughter, shall be pun-  
5           ished as provided in section 1112.

6           “(c) PENALTY FOR ATTEMPTED MURDER OR MAN-  
7           SLAUGHTER.—Whoever attempts to kill a law enforcement  
8           officer of the District of Columbia engaged in or on ac-  
9           count of the performance of the official duties of that law  
10          enforcement officer, shall be punished as provided in sec-  
11          tion 1113.”.

12           (2) CLERICAL AMENDMENT.—The table of sec-  
13          tions at the beginning of chapter 51 of title 18,  
14          United States Code, is amended by adding at the  
15          end the following:

“1123. Protection of law enforcement officers of the District of Columbia.”.

16           (b) AGGRAVATING CIRCUMSTANCES FOR IMPOSITION  
17          OF DEATH PENALTY.—Section 3592(c) of title 18, United  
18          States Code, is amended by inserting after paragraph (16)  
19          the following:

20           “(17) LAW ENFORCEMENT OFFICERS OF DIS-  
21          TRICT OF COLUMBIA.—

22           “(A) IN GENERAL.—The defendant com-  
23          mitted the offense against a law enforcement  
24          officer of the District of Columbia—

1                   “(i) while he or she is engaged in the  
2                   performance of his or her official duties;

3                   “(ii) because of the performance of his  
4                   or her official duties; or

5                   “(iii) because of his or her status as  
6                   a public servant.

7                   “(B) DEFINITION OF LAW ENFORCEMENT  
8                   OFFICER OF DISTRICT OF COLUMBIA.—In this  
9                   subparagraph, the term ‘law enforcement officer  
10                  of the District of Columbia’ means a public  
11                  servant authorized by law or by the District of  
12                  Columbia to conduct or engage in the preven-  
13                  tion, investigation, or prosecution or adjudica-  
14                  tion of an offense, and includes those engaged  
15                  in corrections, parole, or probation functions.”.

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