

109TH CONGRESS
1ST SESSION

H. R. 2530

To ensure that State and local law enforcement agencies execute warrants for the arrest of nonviolent offenders only when children are not present, unless overriding circumstances exist.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2005

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

A BILL

To ensure that State and local law enforcement agencies execute warrants for the arrest of nonviolent offenders only when children are not present, unless overriding circumstances exist.

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. ISSUANCE OF GUIDELINES.**

4 (a) IN GENERAL.—Upon accepting Federal funds, a
5 State or local law enforcement agency should issue guide-
6 lines under which—

7 (1) each warrant for the arrest of a nonviolent
8 offender executed by that agency is executed only—

1 (A) during a time when, and at a location
2 where, the agency reasonably believes no chil-
3 dren are present; or

4 (B) in circumstances other than those
5 specified in subparagraph (A), if a court first
6 determines that overriding reasons, in further-
7 ance of the interests of children, exist (such as
8 the interest in apprehending individuals who en-
9 gage in drug offenses with children or on school
10 grounds); and

11 (2) relevant counseling is made available to
12 each child who witnesses the execution of an arrest
13 warrant under circumstances other than those speci-
14 fied in paragraph (1)(A).

15 (b) DEFINITION.—In this section, the term “non-
16 violent offender” means a person who has never been con-
17 victed of a violent offense, the arrest of whom is sought
18 for a nonviolent offense.

○