

## **Congressman David Dreier**

### **H.R. 3900, the Justice for Peace Officers Act**

### **Summary**

Murdering a law enforcement officer is one of the most heinous crimes one can commit. Peace officers are dedicated to upholding the law and put themselves at great risk protecting the public.

Under current law, it is a federal crime to kill a federal law enforcement officer and peace officers engaged in a federal crime investigation. H.R. 3900, the "Justice for Peace Officers Act," makes it a federal crime to murder a peace officer -- whether federal, state or local -- and flee the country, providing concurrent jurisdiction for the federal government to prosecute the suspect. This legislation builds on the provisions of H.R. 2363, the Peace Officer Justice Act, by enhancing the punishment for cop-killers and those who aid them, providing priority to state/local prosecutors in such cases, making clear that the bill does not supersede state/local jurisdiction and urging the renegotiation of the U.S.-Mexico Extradition Treaty to resolve the death penalty/life imprisonment roadblock. Specifically, H.R. 3900:

- Makes such an act punishable by the death penalty or life imprisonment for 1<sup>st</sup> degree murder (consistent with the provisions of H.R. 2363);
- Makes such an act punishable by a minimum of 30 years or life imprisonment for 2<sup>nd</sup> degree murder (under current law, 2<sup>nd</sup> degree murder is punishable by any term of years or life);
- Makes the punishment for any individual found guilty of aiding or abetting another individual suspected of killing a peace officer and fleeing the country a minimum of 15 years. The current punishment for aiding or abetting an individual facing the death penalty or life imprisonment is a maximum of 15 years (18 USC 3);
- Makes any term of imprisonment imposed under this bill consecutive to any other sentence of imprisonment by a Federal or State court or by a court of a foreign state;
- Gives local/state authorities priority to prosecute suspected cop-killers who flee the country;
- Makes clear that nothing in the bill supersedes the authority of local/state prosecutors; and
- Directs the Secretary of State to enter into formal discussions with the Mexican government on the U.S.-Mexico Extradition Treaty, and all available actions that the Mexican Government can take to persuade the Mexican Supreme Court to reconsider its October 2001 ruling so that the possibility of life imprisonment will not have an effect on the timely extradition of criminal suspects from Mexico to the United States.

Under Title 18 USC Sec. 1073, it is already a federal crime to flee to another state or foreign country to avoid prosecution. The Justice for Peace Officers Act simply extends this concept by making it a federal crime to kill a peace officer and flee the country, with penalties that match the seriousness of this crime.