

104TH CONGRESS
1ST SESSION

H. R. 713

To provide protection from sexual predators.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 1995

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

A BILL

To provide protection from sexual predators.

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 “Protection from Sexual
5 Predators Act of 1995”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) rape and sexual assaults continue to be seri-
9 ous threats to the safety of communities across
10 America;

11 (2) sexual offenders are much more likely than
12 any other category of criminals to repeat their

1 crimes again and again, even after serving time in
2 prison; and

3 (3) the average rape sentence is just 10½
4 years, and the average time served is half of that,
5 approximately 5 years.

6 (b) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that—

8 (1) States should more seriously consider the
9 relatively high recidivism rate of sexual offenders
10 when deciding whether to plea bargain with a first-
11 time sexual offender and whether to grant parole to
12 sexual offenders; and

13 (2) States should review their treatment and
14 parole supervision programs for sexual offenders to
15 assure that these programs are fulfilling their goals,
16 and, if they are not, these programs should be im-
17 mediately replaced or abandoned.

18 **SEC. 3. FEDERAL JURISDICTION OVER RAPE AND SEXUAL**

19 **ASSAULT CASES.**

20 Section 2241 of title 18, United States Code, is
21 amended by adding at the end the following:

22 “(e) PUNISHMENT FOR SEXUAL PREDATORS.—(1)
23 Whoever, in a circumstance described in paragraph (2) of
24 this subsection—

25 “(A) violates this section; or

1 “(B) engages in conduct, in or affecting inter-
2 state or foreign commerce, that would be a violation
3 of subsection (a), (b), or (c) of this section, if the
4 offense had occurred in the special maritime and ter-
5 ritorial jurisdiction of the United States;
6 shall be imprisoned for life.

7 “(2) The circumstance referred to in paragraph (1)
8 of this subsection is that the defendant has previously
9 been convicted of another State or Federal offense for con-
10 duct which—

11 “(A) is an offense under this section or section
12 2242 of this title; or

13 “(B) would have been an offense under either
14 of such sections if the offense had occurred in the
15 special maritime or territorial jurisdiction of the
16 United States.”.

17 **SEC. 4. ADDITIONAL CONDITION FOR TRUTH IN SENTENC-**
18 **ING GRANTS.**

19 Section 20102(a) of the Violent Crime Control and
20 Law Enforcement Act of 1994 is amended—

21 (1) by inserting “(A)” after “(1)”;

22 (2) by redesignating existing paragraph (2) as
23 subparagraph (B);

24 (3) by redesignating existing subparagraphs (A)
25 through (D) as clauses (i) through (iv) respectively;

1 (4) by redesignating existing clauses (i) and (ii)
2 as subclauses (I) and (II);

3 (5) by striking the period at the end and insert-
4 ing “; and”; and

5 (6) by adding at the end the following:

6 “(2) has in effect laws which allow the court to
7 impose a sentence of life in prison without parole on
8 a defendant in a criminal case who is convicted of
9 a State offense for conduct which—

10 “(A) is an offense under section 2241 or
11 2242 of title 18, United States Code; or

12 “(B) would have been an offense under ei-
13 ther of such sections if the offense had occurred
14 in the special maritime or territorial jurisdiction
15 of the United States;

16 after having previously been convicted of another State or
17 Federal offense for conduct that was an offense described
18 in subparagraph (A) or (B).”

19 **SEC. 5. STUDY OF PERSISTENT SEXUAL PREDATORS.**

20 The National Institute of Justice, either directly or
21 through grant, shall carry out a study of persistent sexual
22 predators. Not later than one year after the date of the
23 enactment of this Act, such Institute shall report to Con-
24 gress and the President the results of such study. Such
25 report shall include—

- 1 (1) a synthesis of current research in psychol-
2 ogy, sociology, law, criminal justice, and other fields
3 regarding persistent sexual offenders, including—
4 (A) common characteristics of such offend-
5 ers;
6 (B) recidivism rates for such offenders;
7 (C) treatment techniques and their effec-
8 tiveness;
9 (D) responses of offenders to treatment
10 and deterrence; and
11 (E) the possibility of early intervention to
12 prevent people from becoming sexual predators;
13 and
14 (2) an agenda for future research in this area.

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