

116TH CONGRESS  
2D SESSION

# H. R. 5777

To amend title 18, United States Code, to provide a penalty for assault or homicide committed by certain State or local law enforcement officers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2020

Mr. JOHNSON of Georgia (for himself, Mr. CLAY, Mrs. WATSON COLEMAN, Mr. HASTINGS, Ms. NORTON, Mr. THOMPSON of Mississippi, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. CLYBURN, Mr. RICHMOND, Mrs. BEATTY, Ms. PRESSLEY, Mr. CLEAVER, Mr. RUSH, Ms. CLARKE of New York, Ms. JOHNSON of Texas, and Ms. TLAIB) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to provide a penalty for assault or homicide committed by certain State or local law enforcement officers, 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 “Police Accountability  
5 Act of 2020”.

1 **SEC. 2. ASSAULT OR HOMICIDE BY CERTAIN STATE OR**  
2 **LOCAL LAW ENFORCEMENT OFFICERS.**

3 (a) IN GENERAL.—Chapter 1 of title 18, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing:

6 **“§ 28. Assault or homicide by certain State or local**  
7 **law enforcement officers**

8 “(a) OFFENSE.—Whoever, being a State or local law  
9 enforcement officer in a public agency which receives Fed-  
10 eral funding under subpart 1 of part E of title I of the  
11 Omnibus Crime Control and Safe Streets Act of 1968 (42  
12 U.S.C. 3750 et seq.) engages in any conduct in the line  
13 of duty that, were the conduct to occur in the special mari-  
14 time and territorial jurisdiction of the United States,  
15 would constitute an offense under section 1111 or 1112  
16 shall be punished as is provided for that offense under  
17 such section.

18 “(b) DEFINITION.—In this section—

19 “(1) the term ‘State or local law enforcement  
20 officer’ means an employee of a State or local gov-  
21 ernment—

22 “(A) who has statutory authority to make  
23 arrests or apprehensions;

24 “(B) who is authorized by the agency of  
25 the employee to carry firearms; and

26 “(C) whose duties are primarily—

1           “(i) engagement in or supervision of  
2           the prevention, detection, investigation, or  
3           prosecution of, or the incarceration of any  
4           person for, any violation of law; or

5           “(ii) the protection of Federal, State,  
6           local, or foreign government officials  
7           against threats to personal safety; and

8           “(2) the term ‘State or local government’  
9           means the government—

10           “(A) of a State, the District of Columbia,  
11           the Commonwealth of Puerto Rico, or any other  
12           territory or possession of the United States; or

13           “(B) of a political subdivision of such a  
14           State, District, Commonwealth, territory or  
15           possession.”.

16           (b) CLERICAL AMENDMENT.—The table of sections  
17           at the beginning of chapter 1 of title 18, United States  
18           Code, is amended by adding at the end the following new  
19           item:

          “28. Assault or homicide by certain State or local law enforcement officers.”.

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