

116TH CONGRESS
2D SESSION

S. 4662

To amend title 18, United States Code, to criminalize blocking law enforcement officers who have been injured by a criminal act or in the line of duty from accessing emergency medical services.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2020

Mr. GRAHAM introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to criminalize blocking law enforcement officers who have been injured by a criminal act or in the line of duty from accessing emergency medical services.

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 “Penalizing Radicals
5 and Others who Thwart Emergency Care and Transpor-
6 tation for Law Enforcement Officers Act of 2020” or the
7 “PROTECT Law Enforcement Officers Act of 2020”.

1 **SEC. 2. PREVENTING LAW ENFORCEMENT OFFICERS FROM**
 2 **ACCESSING EMERGENCY MEDICAL SERVICES.**

3 (a) IN GENERAL.—Chapter 7 of title 18, United
 4 States Code, is amended by adding at the end the fol-
 5 lowing:

6 **“§ 120. Preventing law enforcement officers from ac-**
 7 **cessing emergency medical services**

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘emergency medical services’—

10 “(A) means any health care services pro-
 11 vided under emergency conditions; and

12 “(B) includes—

13 “(i) any personnel, facilities, and
 14 equipment needed for the effective provi-
 15 sion of services described in subparagraph
 16 (A); and

17 “(ii) transportation to, from, or be-
 18 tween facilities for the provision of services
 19 described in subparagraph (A);

20 “(2) the term ‘law enforcement officer’
 21 means—

22 “(A) any officer, agent, or employee of a
 23 State, unit of local government, or Indian Tribe
 24 authorized by law or by a government agency to
 25 engage in or supervise the prevention, detection,
 26 or investigation of any criminal violation of law,

1 including such an individual who is employed or
 2 volunteers in a full-time, part-time, or auxiliary
 3 capacity; and

4 “(B) a Federal law enforcement officer, as
 5 defined in section 115; and

6 “(3) the term ‘line of duty injury’ means—

7 “(A) an injury sustained in the course of—

8 “(i) performance of line of duty activ-
 9 ity or a line of duty action; or

10 “(ii) authorized commuting; or

11 “(B) any injury not described in subpara-
 12 graph (A) if the injury was brought about by
 13 the hostile action of an individual where—

14 “(i) the individual knew the injured
 15 party was a law enforcement officer; and

16 “(ii) nothing motivated the hostile ac-
 17 tion to so great a degree as did—

18 “(I) the status of the injured
 19 party as a law enforcement officer; or

20 “(II) retaliation for line of duty
 21 activity or a line of duty action per-
 22 formed by any law enforcement offi-
 23 cer.

24 “(b) OFFENSE.—

1 “(1) IN GENERAL.—It shall be unlawful, in any
2 circumstance described in subsection (d), to know-
3 ingly prevent, or attempt to prevent, a law enforce-
4 ment officer from immediately accessing emergency
5 medical services in response to suffering—

6 “(A) bodily injury resulting from a crimi-
7 nal act; or

8 “(B) a line of duty injury.

9 “(2) PROOF REQUIREMENTS.—In a prosecution
10 under paragraph (1), the Government shall not be
11 required to prove knowledge by the defendant that
12 the law enforcement officer suffered bodily injury re-
13 sulting from a criminal act or a line of duty injury.

14 “(c) PENALTIES.—Any person who violates sub-
15 section (b)—

16 “(1) shall be fined under this title, imprisoned
17 for not more than 20 years, or both; and

18 “(2) if the law enforcement officer dies as a re-
19 sult of the failure to receive timely emergency med-
20 ical services, shall be fined under this title, impris-
21 oned for any term of years or for life, or both.

22 “(d) CIRCUMSTANCES DESCRIBED.—The circum-
23 stances described in this subsection are that—

24 “(1) the conduct described in subsection (b) oc-
25 curs during the course of, or as the result of, the

1 travel of the defendant or the law enforcement offi-
2 cer—

3 “(A) across a State line or national border;

4 or

5 “(B) using a channel, facility, or instru-
6 mentality of interstate or foreign commerce;

7 “(2) the defendant uses a channel, facility, or
8 instrumentality of interstate or foreign commerce in
9 connection with the conduct described in subsection
10 (b);

11 “(3) in connection with the conduct described in
12 subsection (b), the defendant employs a firearm,
13 dangerous weapon, explosive or incendiary device, or
14 other weapon that has traveled in interstate or for-
15 eign commerce; or

16 “(4) the conduct described in subsection (b)
17 otherwise affects interstate or foreign commerce.”.

18 (b) TECHNICAL AND CONFORMING AMENDMENT.—

19 The table of sections for chapter 7 of title 18, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

“120. Preventing law enforcement officers from accessing emergency medical
services.”.

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