

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 386

To amend title 18, United States Code, to provide the penalty of death for certain murders of State and local correctional officers by incarcerated persons, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. SOLOMON 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 the penalty of death for certain murders of State and local correctional officers by incarcerated persons, 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 “Correction Officer Pro-  
5 tection Act of 1993”.

1 **SEC. 2. TITLE 18 AMENDMENT.**

2 (a) IN GENERAL.—Chapter 51 (relating to homicide)  
3 of title 18, United States Code, is amended by adding at  
4 the end the following:

5 **“§ 1118. Murder of State and local correctional offi-**  
6 **cers by prisoners**

7 “(a) Whoever, being incarcerated pursuant to a con-  
8 viction for crime, kills an individual who is a State or local  
9 correctional officer—

10 “(1) while such individual is engaged in carry-  
11 ing out official duties as such officer;

12 “(2) because of the nature of the official duties  
13 of such officer; or

14 “(3) because of such individual’s being such an  
15 officer;

16 shall be subject to the penalty of death, if the killing is  
17 a first degree murder, and subject to the penalties pro-  
18 vided in sections 1111 and 1112 of this title in any other  
19 case.

20 “(b) As used in this section—

21 “(1) the term ‘State or local correctional offi-  
22 cer’ means any person who is a State or local officer  
23 or employee, as such term is defined in section 1501  
24 of title 5, and who in the course of official duty per-  
25 forms corrections-related or law enforcement func-  
26 tions; and

1           “(2) the term ‘State or local government’ in-  
2           cludes the District of Columbia, Puerto Rico, and  
3           any other territory and possession of the United  
4           States.

5           “(c) The procedures applicable to a penalty of death  
6           under section 902(i) of the Federal Aviation Act of 1958  
7           (49 U.S.C. App. 1472(i)) shall also be applicable, as near-  
8           ly as practicable, to a penalty of death under this sec-  
9           tion.”.

10          (b) CLERICAL AMENDMENT.—The table of sections  
11          at the beginning of chapter 51 of title 18, United States  
12          Code, is amended by adding at the end the following:

“1118. Murder of State and local correctional officers by prisoners.”.

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