

H.R. 1149 - The Justice for Public Safety Officers Act
Sponsored by Rep. David Dreier (R-CA)
Summary

Murdering a law enforcement officer is an especially despicable and heinous crime. On April 29, 2002, Los Angeles County Sheriff's Deputy David March was brutally murdered execution-style during a routine traffic stop. Suspect Armando Garcia fled to Mexico within hours of Deputy March's death and has eluded prosecution by U.S. authorities. At the time Mexico's refusal to extradite individuals who may face the death penalty or life imprisonment has complicated efforts to bring Garcia back to the U.S. to face justice.

On November 29, 2005, the Mexican Supreme Court ruled to allow extradition for suspects facing life in prison in the U.S. for their crimes. The decision, which overturns a four year old ban on such extraditions, will now pave the way for more extraditions to the U.S. from Mexico. Consequently, on February 23, 2006, U.S. authorities, working with Mexican law enforcement, arrested Armando Garcia in Tonalá, Jalisco, Mexico. He was extradited to the U.S and now awaits trial.

Under federal law, it is a crime to kill a federal public safety officer or state/local officers if they are engaged in a federal investigation. It is also a federal crime to flee to another country to avoid prosecution. However, such a crime is punishable by no more than five years in prison or even merely a fine. The Justice for Public Safety Officers Act would increase the penalties for such an act by:

- Making it an offense to kill, attempt to kill, or conspire to kill a federally protected safety officer while that individual is engaged in official duties, for performing official duties, or because of past performance of official duties.
- In the case of murder, makes such an act punishable by a mandatory minimum of 30 years in prison
- In the case of attempted murder, makes such an act punishable by a mandatory minimum of 15 years in prison
- Defining federally protected public safety officer as a public safety officer for a public agency or an individual working for a public agency that has received a Federal grant, contract, subsidy, loan, guarantee, insurance, or other form of Federal assistance in excess of \$10,000. The bill also defines the term public safety officer as an individual serving a public agency in an official capacity, as a judicial officer, as a law enforcement officer, as a firefighter, as a chaplain, or as a member of a rescue squad or ambulance crew.

In addition, the legislation also makes it a crime to travel between states or countries with the intent to avoid prosecution, custody, or confinement for the killing, attempted killing, or conspiracy to kill and establishes a fine and mandatory minimum of 10 years in prison for such an act.