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(Original Signature of Member)

112TH CONGRESS
2D SESSION

H. R. _____

To permit Federal officers to remove cases involving crimes of violence to
Federal court.

IN THE HOUSE OF REPRESENTATIVES

Mr. REICHERT introduced the following bill; which was referred to the
Committee on _____

A BILL

To permit Federal officers to remove cases involving crimes
of violence to Federal court.

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 “Officer Safety Act of
5 2012”.

6 **SEC. 2. LIMITED LIABILITY.**

7 Section 1442 of title 28, United States Code, is
8 amended by striking subsection (c) and inserting the fol-
9 lowing:

1 “(c) For purposes of subsection (a), a law enforce-
2 ment officer, who is the defendant in a criminal prosecu-
3 tion, shall be deemed to have been acting under the color
4 of his office if the officer—

5 “(1) protected an individual in the presence of
6 the officer from a crime of violence;

7 “(2) provided immediate assistance to an indi-
8 vidual who suffered, or who was threatened with,
9 bodily harm; or

10 “(3) prevented the escape of any individual who
11 the officer reasonably believed to have committed, or
12 was about to commit, in the presence of the officer,
13 a crime of violence that resulted in, or was likely to
14 result in, death or serious bodily injury.

15 “(d) In this section, the following definitions apply:

16 “(1) The terms ‘civil action’ and ‘criminal pros-
17 ecution’ include any proceeding (whether or not an-
18 cillary to another proceeding) to the extent that in
19 such proceeding a judicial order, including a sub-
20 poena for testimony or documents, is sought or
21 issued. If removal is sought for a proceeding de-
22 scribed in the previous sentence, and there is no
23 other basis for removal, only that proceeding may be
24 removed to the district court.

1 “(2) The term ‘crime of violence’ has the mean-
2 ing given that term in section 16 of title 18.

3 “(3) The term ‘law enforcement officer’ means
4 any employee described in subparagraph (A), (B), or
5 (C) of section 8401(17) of title 5 and any special
6 agent in the Diplomatic Security Service of the De-
7 partment of State.

8 “(4) The term ‘serious bodily injury’ has the
9 meaning given that term in section 1365 of title 18.

10 “(5) The term ‘State’ includes the District of
11 Columbia, United States territories and insular pos-
12 sessions, and Indian country (as defined in section
13 1151 of title 18).

14 “(6) The term ‘State court’ includes the Supe-
15 rior Court of the District of Columbia, a court of a
16 United States territory or insular possession, and a
17 tribal court.”.