

THE PROTECT AND SERVE ACT

America is in the middle of a much-needed debate about improving transparency and accountability in law enforcement. This important debate is being impeded by agitators who have been willing to use violence to make a political point, including through looting and rioting. This permissive attitude towards violence puts law enforcement officers at risk, both by placing them in danger during violent protests or by intentional targeting for harassment and abuse.

During 2020 there have been 41 law enforcement officers killed in the U.S. This is an increase of over 20% during the same time last year. Of those, 8 were ambushed in premeditated attacks while the other 31 felonious deaths occurred in the line of duty.

The Protect and Serve Act would address this problem by giving federal prosecutors the tools they need to hold accountable those who target law enforcement for assault and attacks. The Protect and Serve Act would support law enforcement officers by:

- o Making it a federal crime to knowingly cause, or attempt to cause, bodily injury to a law enforcement officer. Offenders are subject to imprisonment for up to 10 years.*
- o An offender could receive a life sentence if a death results from the offense, or the offense includes kidnapping, attempted kidnapping, or attempted murder.*

This law would apply to federal law enforcement officers and to state and local officers where there is a federal connection.

To pursue prosecution under this Act, the Attorney General must certify one of the following:

- o The state or local government does not have jurisdiction;*
- o A state or local government has requested federal jurisdiction;*
- o The state verdict or sentence left federal interest in protecting public safety “demonstrably unvindicated”;* OR
- o A prosecution is in the public interest and is necessary to secure substantial justice*

In 2018, the Protect and Serve Act passed the House by a vote of 382-35, with the support of 220 Republicans and 162 Democrats.

The Protect and Serve Act has been endorsed by the Federal Law Enforcement Officers Association, Fraternal Order of Police, Major County Sheriffs of America, National Association of Police Organizations, and Southern States Police Benevolent Association.