

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

# H. R. 3685

To amend title 18, United States Code, to authorize prosecutions as adults of certain armed offenders who are juveniles.

---

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 1993

Mr. POMBO introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 18, United States Code, to authorize prosecutions as adults of certain armed offenders who are juveniles.

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. PROSECUTION AS ADULTS OF VIOLENT JUVE-**  
4 **NILE OFFENDERS.**

5 Section 5032 of title 18, United States Code, is  
6 amended by adding at the end the following new para-  
7 graph:

8 “Notwithstanding any other provision of this section  
9 or any other law, a juvenile who was 13 years old or older  
10 on the date of the commission of an offense under section

1 113 (a), (b), or (c), 1111, 1113, 2111 or 2113 (if the  
2 juvenile was in possession of a firearm during the offense),  
3 or 2241 (a) or (c) (if the juvenile was in possession of  
4 a firearm during the offense) of this title shall be pros-  
5 ecuted as an adult in Federal court. No juvenile pros-  
6 ecuted as an adult under this paragraph shall be incarcer-  
7 ated in an adult prison. If a juvenile prosecuted under this  
8 paragraph is convicted, the juvenile shall be entitled to file  
9 a petition for resentencing pursuant to applicable sentenc-  
10 ing guidelines when he or she reaches the age of 16. The  
11 United States Sentencing Commission shall promulgate  
12 guidelines or amend existing guidelines, if necessary, to  
13 carry out the purposes of this paragraph. For resentencing  
14 determinations pursuant to subsection (b), the Commis-  
15 sion may promulgate guidelines, if necessary, to permit  
16 sentencing adjustments which may include adjustments  
17 which provide for supervised releases, for defendants who  
18 have clearly demonstrated an exceptional degree of respon-  
19 sibility for the offense and a willingness and ability to re-  
20 frain from future criminal conduct.”.

○