

105TH CONGRESS
1ST SESSION

H. R. 305

To provide protection from sexual predators.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Ms. SLAUGHTER (for herself, Mr. ACKERMAN, Mr. FAZIO of California, Mr. Frost, Mr. GREEN, Mr. HINCHEY, Mr. HOLDEN, Ms. NORTON, Ms. JACKSON-LEE of Texas, Mrs. LOWEY, Mr. MCINTYRE, Ms. MCKINNEY, Mrs. MALONEY of New York, Mr. MANTON, Mrs. MEEK of Florida, Mr. MENENDEZ, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mrs. MYRICK, Mr. OWENS, Ms. PELOSI, Mr. PORTER, and Mr. SCHUMER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide protection from sexual predators.

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 “Protection from Sexual
5 Predators Act of 1997”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) rape and sexual assaults continue to be seri-
2 ous threats to the safety of communities across
3 America;

4 (2) sexual offenders are much more likely than
5 any other category of criminals to repeat their
6 crimes again and again, even after serving time in
7 prison;

8 (3) the average rape sentence is just 10½
9 years, and the average time served is half of that,
10 approximately 5 years; and

11 (4) repeat sexual offenders frequently strike in
12 more than one State and, while States have primary
13 responsibility for the prosecution of sexual offenders,
14 the option of Federal prosecution provides a needed
15 additional tool to safeguard communities victimized
16 by these individuals.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) States should more seriously consider the
20 relatively high recidivism rate of sexual offenders
21 when deciding whether to plea bargain with a first-
22 time sexual offender and whether to grant parole to
23 sexual offenders; and

24 (2) States should review their treatment and
25 parole supervision programs for sexual offenders to

1 assure that these programs are fulfilling their goals,
2 and, if they are not, these programs should be im-
3 mediately replaced or abandoned.

4 **SEC. 3. FEDERAL JURISDICTION OVER RAPE AND SEXUAL**
5 **ASSAULT CASES.**

6 Section 2241 of title 18, United States Code, is
7 amended by adding at the end the following:

8 “(e) PUNISHMENT FOR SEXUAL PREDATORS.—(1)
9 Whoever, in a circumstance described in paragraph (2) of
10 this subsection—

11 “(A) violates this section; or

12 “(B) engages in conduct that would violate this
13 section, if the conduct had occurred in the special
14 maritime and territorial jurisdiction of the United
15 States, and—

16 “(i) that conduct is in interstate or foreign
17 commerce;

18 “(ii) the person engaging in that conduct
19 crossed a State line with intent to engage in the
20 conduct; or

21 “(iii) the person engaging in that conduct
22 thereafter engages in conduct that is a violation
23 of section 1073(1) with respect to an offense
24 that consists of the conduct so engaged in;

25 shall be imprisoned for life.

1 “(2) The circumstance referred to in paragraph (1)
2 of this subsection is that the defendant has previously
3 been convicted of another State or Federal offense for con-
4 duct which—

5 “(A) is an offense under this section or section
6 2242 of this title; or

7 “(B) would have been an offense under either
8 of such sections if the offense had occurred in the
9 special maritime or territorial jurisdiction of the
10 United States.”.

11 **SEC. 4. ADDITIONAL CONDITION FOR TRUTH IN SENTENC-**
12 **ING GRANTS.**

13 Section 20104 of the Violent Crime Control and Law
14 Enforcement Act of 1994 is amended by adding at the
15 end the following:

16 “(c) **ADDITIONAL REQUIREMENT.**—A State is not eli-
17 gible for a grant under this section unless such State has
18 provided assurances to the Attorney General that such
19 State has in effect laws which allow the court to impose
20 a sentence of life in prison without parole on a defendant
21 in a criminal case who is convicted of a State offense for
22 conduct that—

23 “(1) is an offense under section 2241 or 2242
24 of title 18, United States Code; or

1 “(2) would have been an offense under either of
2 such sections if the offense had occurred in the spe-
3 cial maritime or territorial jurisdiction of the United
4 States;
5 after having previously been convicted of another State or
6 Federal offense for conduct that was an offense described
7 in paragraph (1) or (2).”.

8 **SEC. 5. STUDY OF PERSISTENT SEXUAL PREDATORS.**

9 The National Institute of Justice, either directly or
10 through grant, shall carry out a study of persistent sexual
11 predators. Not later than one year after the date of the
12 enactment of this Act, such Institute shall report to Con-
13 gress and the President the results of such study. Such
14 report shall include—

15 (1) a synthesis of current research in psychol-
16 ogy, sociology, law, criminal justice, and other fields
17 regarding persistent sexual offenders, including—

18 (A) common characteristics of such offend-
19 ers;

20 (B) recidivism rates for such offenders;

21 (C) treatment techniques and their effec-
22 tiveness;

23 (D) responses of offenders to treatment
24 and deterrence; and

- 1 (E) the possibility of early intervention to
- 2 prevent people from becoming sexual predators;
- 3 and
- 4 (2) an agenda for future research in this area.

○