

108TH CONGRESS
1ST SESSION

H. R. 2421

To ensure that State and local law enforcement agencies execute warrants for the arrest of nonviolent offenders only during daylight hours and when children are not present, unless overriding circumstances exist.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2003

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

A BILL

To ensure that State and local law enforcement agencies execute warrants for the arrest of nonviolent offenders only during daylight hours and when children are not present, unless overriding circumstances exist.

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. ISSUANCE OF GUIDELINES.**

4 (a) IN GENERAL.—Upon accepting Federal funds, a
5 State or local law enforcement agency should issue guide-
6 lines under which—

7 (1) each warrant for the arrest of a nonviolent
8 offender executed by that agency is executed only—

1 (A) during daylight hours at a location
2 where the agency reasonably believes children
3 are not dwelling; or

4 (B) in circumstances other than those speci-
5 fied in subparagraph (A), if a court determines
6 that overriding reasons, in furtherance of the
7 interests of children, exist (such as the interest
8 in apprehending individuals who engage in drug
9 offenses with children or on school grounds);
10 and

11 (2) relevant counseling is made available to
12 each child who witnesses the execution of an arrest
13 warrant under circumstances other than those speci-
14 fied in paragraph (1)(A).

15 (b) DEFINITION.—In this section, the term “non-
16 violent offender” means a person who has never been con-
17 victed of a violent offense, the arrest of whom is sought
18 for a nonviolent offense.

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