

110TH CONGRESS  
1ST SESSION

# H. R. 3462

To improve the tools available to prosecute certain violent crimes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2007

Mr. LAMPSON introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To improve the tools available to prosecute certain violent crimes, and for other purposes.

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 “Prosecutorial Tools  
5 Improvement Act of 2007”.

1 **SEC. 2. MURDER AND OTHER VIOLENT CRIMES COM-**  
2 **MITTED DURING AND IN RELATION TO A**  
3 **DRUG TRAFFICKING CRIME.**

4 (a) IN GENERAL.—Part D of the Controlled Sub-  
5 stances Act (21 U.S.C. 841 et seq.) is amended by adding  
6 at the end the following:

7 **“SEC. 424. MURDER AND OTHER VIOLENT CRIMES COM-**  
8 **MITTED DURING AND IN RELATION TO A**  
9 **DRUG TRAFFICKING CRIME.**

10 “(a) IN GENERAL.—Whoever, during and in relation  
11 to any drug trafficking crime, knowingly commits any  
12 crime of violence against any individual that is an offense  
13 under Federal law punishable by imprisonment for more  
14 than 1 year or a felony offense under State law that is  
15 punishable by a term of imprisonment of 5 years or more,  
16 or threatens, attempts or conspires to do so, shall be pun-  
17 ished by a fine under title 18, United States Code, and—

18 “(1) for murder, kidnapping, conduct that  
19 would violate section 2241 if the conduct occurred in  
20 the special maritime and territorial jurisdiction of  
21 the United States, or maiming, by imprisonment for  
22 any term of years or for life;

23 “(2) for a serious violent felony (as defined in  
24 section 3559 of title 18, United States Code) other  
25 than a felony described in paragraph (1), by impris-  
26 onment for not more than 30 years;

1           “(3) for a crime of violence that is not a serious  
2 violent felony, by imprisonment for not more than  
3 20 years;

4           “(4) for conspiring to commit a crime of vio-  
5 lence, by imprisonment for not more than 10 years;  
6 and

7           “(5) for threatening to commit a crime of vio-  
8 lence, by imprisonment for not more than 8 years.

9           “(b) VENUE.—A prosecution for a violation of this  
10 section may be brought in—

11           “(1) the judicial district in which the murder or  
12 other crime of violence occurred; or

13           “(2) any judicial district in which the drug traf-  
14 ficking crime may be prosecuted.

15           “(c) DEFINITIONS.—In this section—

16           “(1) the term ‘crime of violence’ means an of-  
17 fense that has as an element the use of physical  
18 force against the person of another; and

19           “(2) the term ‘drug trafficking crime’ has the  
20 meaning given that term in section 924(c)(2) of title  
21 18, United States Code.”.

22           (b) CLERICAL AMENDMENT.—The table of contents  
23 for the Comprehensive Drug Abuse Prevention and Con-  
24 trol Act of 1970 (Public Law 91–513; 84 Stat. 1236) is

1 amended by inserting after the item relating to section  
2 423, the following:

“Sec. 424. Murder and other violent crimes committed during and in relation  
to a drug trafficking crime.”.

3 **SEC. 3. EXPANSION OF REBUTTABLE PRESUMPTION**  
4 **AGAINST RELEASE OF PERSONS CHARGED**  
5 **WITH FIREARMS OFFENSES.**

6 Section 3142(e) of title 18, United States Code, is  
7 amended in the matter following paragraph (3), by insert-  
8 ing after “that the person committed” the following: “an  
9 offense under subsection (g)(1) (where the underlying con-  
10 viction is a drug trafficking crime or crime of violence (as  
11 those terms are defined in section 924(c)), (g)(2), (g)(3),  
12 (g)(4), (g)(5), (g)(8), (g)(9), (g)(10), or (g)(11) of section  
13 922,”.

14 **SEC. 4. STATUTE OF LIMITATIONS FOR VIOLENT CRIMES**  
15 **AND TERRORISM OFFENSES.**

16 (a) **STATUTE OF LIMITATIONS FOR VIOLENT**  
17 **CRIMES.**—Chapter 213 of title 18, United States Code,  
18 is amended by adding at the end the following:

19 **“§ 3299A. Violent crime offenses**

20 “No person shall be prosecuted, tried, or punished  
21 for any noncapital felony crime of violence, including any  
22 racketeering activity or gang crime which involves any  
23 crime of violence, unless the indictment is found or the  
24 information is instituted not later than 8 years after the

1 date on which the alleged violation occurred or the con-  
2 tinuing offense was completed.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of chapter 213 of title 18, United States  
5 Code, is amended by adding at the end the following:

“3299A. Violent crime offenses.”.

6 (c) STATUTE OF LIMITATIONS FOR TERRORISM OF-  
7 FENSES.—Section 3286(a) of title 18, United States Code,  
8 is amended—

9 (1) in the subsection heading, by striking  
10 “EIGHT-YEAR” and inserting “TEN-YEAR”; and

11 (2) in the first sentence, by striking “8 years”  
12 and inserting “10 years”.

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