



H.R. 115 – Thin Blue Line Act (Rep. Buchanan, R-FL)

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FLOOR SCHEDULE:

Scheduled for consideration on May 18, 2017, under a closed [rule](#).

TOPLINE SUMMARY:

[H.R. 115](#) would amend the federal criminal [code](#) to add to the list of statutory aggravating factors considered in making death penalty determinations, so that the killing or attempted killing of a member of law enforcement, firefighter, or other first responder, is also considered.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 115 “would have no significant effect on the federal budget.”

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The number of police officer deaths arising from shootings [increased](#) 56% in 2016. Further, in the same year, ambush-style killings of law enforcement officers [also](#) dramatically increased by 167%. According to the [committee report](#), already included in the list of aggravating offenses is a provision applying to “high public officials,” which could extend to federal law enforcement. There is currently no provision that covers a defendant who kills or attempt to kill a state or local law enforcement officer. The expansion of the aggravating factors would likely be limited, as most capital cases are considered at the state level and there are likely a limited number of instances in which a state or local officer is killed during the commission of a federal offense.

This legislation would amend Section 3592(c) of Title 18, concerning mitigating and aggravating factors to be considered in determining whether a death sentence is justified. It would add to the list of factors, the killing or attempted killing of a law enforcement officer, firefighter, or first responder while or because of their official duties, or because of their status as a public official, as an aggravating factor.

COMMITTEE ACTION:

H.R. 115 was introduced on January 3, 2017 and was referred to the House Committee on the Judiciary. It was ordered reported, 19-12, on April 27, 2017.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: Congress has the power to enact this legislation pursuant to the following: "The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution."