

The Protect & Serve Act (H.R. 743)

A Primer

About the *Protect & Serve Act*

The [Protect & Serve Act](#) (H.R. 743) was re-introduced in February, 2023 by Rep. John Rutherford (FL-5) to the 118th Congress. It creates a new federal crime for *knowingly* targeting a federal, state, or local police officer with violence.

There would need to be a federal link for Federal prosecutors to intervene and the Attorney General would need to certify that the state or local government unit doesn't have jurisdiction or that it has requested federal jurisdiction. Or it must be shown that federal oversight would somehow be in the best interest of the public.

The penalty is a sentence of up to 10 years in prison. Killing, attempting to kill, or kidnapping an officer carries a potential term of life in prison. An FOP rep told me that the bill would apply some mandatory minimum sentences, "which the feds are known for."

Why the *Protect & Serve Act* is Needed

The *Protect & Serve Act* was drafted in response to the rise in violence, especially ambush attacks, targeting law enforcement officers. It would serve as a deterrent and send a resounding message that attacks on officers of the law won't be tolerated.

Some data on violence perpetrated on police officers . . .

The number of [officers shot has increased](#) by 60% since 2018, with a record-breaking 378 officers shot in 2023 alone, per the Fraternal Order of Police (FOP). This doesn't account for the tens of thousands of police officers who are stabbed, kicked, punched, intentionally struck by cars, and assaulted with projectiles and chemical weaponry each year. This data is recorded in the Law Enforcement Officers Killed and Assaulted (LEOKA) database, published by the FBI. An easier-to-read [table](#) can be found on the National Law Enforcement Memorial Fund's website; the last update was in March, 2023.

What is the Status of the *Protect & Serve Act*?

The *Protect & Serve Act* was previously introduced in the 115th, 116th, and 117th Congresses. The bill has been gaining momentum in the 118th Congress. It currently has 97 co-sponsors in the House and although most of these are Republicans, it does have a moderate amount of bipartisan support. It has yet to be introduced on the Senate side.

The bill is supported by several law enforcement organizations, including FOP, National Police Association, Federal Law Enforcement Officers Association, Major Cities Chiefs Association, and several others.

It's currently stalled in the House Judiciary Committee by a small group of Republicans. You can read more about this aspect [here](#). Though I haven't been able to learn which specific House Judiciary Committee members won't support this bill, this [article](#) should offer some clues. I've also included a list at the bottom of this document.

What About Other Similar Bills That Have Been Introduced?

Several federal bills seeking to increase sentencing for assaulting police officers have been introduced in the 118th Congress. H.R. 743, however, is gaining the most momentum (save for being stuck in the House Judiciary Committee) and has the most realistic chance of passing. This can be attributed, in part, to the fact that it doesn't contain the controversial death penalty component.

You can read in-depth about these bills [here](#). For a shorter read, I created a [cheat sheet](#).

Aren't There Already Laws on the Books Penalizing Violence Perpetrated on Police Officers?

While most states in the union have laws that penalize crimes against police officers, they vary in verbiage and application.

Florida, for example, passed the [Combating Violence, Disorder, and Looting and Law Enforcement Protection Act](#) in 2021, which is targeted in its messaging. One component is that it *mandates* sentencing for intentionally harming an officer.

[California](#), in contrast, has a *general* assault statute that includes enhanced penalties for harming a police officer.

Even if a state law exists, that doesn't mean it's being applied properly. In fact, depending on the political persuasion of a district attorney's office, the application of justice can be quite arbitrary.

Republican House Judiciary Committee Members Who *Have NOT* Yet Signed on as Co-sponsors to H.R. 743

Rep. Jim Jordan (OH-04)

Darrell Issa (CA-48)

Ken Buck (CO-04)

Matt Gaetz (FL-01)

Andy Biggs (AZ-05)

Tom McClintock (CA-05)

Thomas Massie (KY-04)

Chip Roy (TX-21)

Dan Bishop (NC-08)

Victoria Spartz (IN-05)

Cliff Bentz (OR-02)

Ben Cline (VA-06)

Kelly Armstrong (ND-At large)

Barry Moore (AL-02)

Harriet Hageman (WY-At large)

Kevin Kiley (CA-03)

Ways to Lobby for H.R.743

- Urge your U.S. representative to co-sponsor the *Protect & Serve Act* (H.R. 743). You can find out if your representative is a co-sponsor [here](#).
- If you live in a district of a Republican House Judiciary Committee Member, urge that they prioritize H.R. 743. Please refer to the list contained in this document.
- Watch and share this [short video](#) about the increase of violence targeting police officers, and why H.R. 743 is so critical.
- Consider writing a letter-to-the-editor for your favorite news publication, explaining why H.R. 743 needs to pass.
- Spread the word! Tell your family members, friends, and networks why we need this bill. Encourage them to lobby their U.S. representatives.