

105TH CONGRESS  
2D SESSION

# H. R. 3839

To promote protection of Federal law enforcement officers who intervene  
in certain situations.

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IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1998

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

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## A BILL

To promote protection of Federal law enforcement officers  
who intervene in certain situations.

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 “Federal Law Enforce-  
5 ment Officers’ Good Samaritan Act of 1998”.

6 **SEC. 2. PROTECTION OF FEDERAL LAW ENFORCEMENT OF-**  
7 **FICERS WHO INTERVENE IN CERTAIN SITUA-**  
8 **TIONS.**

9 (a) DEFINITIONS.—In this section—

1           (1) the term “crime of violence” has the mean-  
2           ing given that term in section 16 of title 18, United  
3           States Code; and

4           (2) the term “law enforcement officer” has the  
5           meaning given that term in section 8401 of title 5,  
6           United States Code.

7           (b) RULE OF CONSTRUCTION.—Notwithstanding any  
8           other provision of law, for purposes of chapter 171 of title  
9           28, United States Code, or any other provision of law re-  
10          lating to tort liability, a law enforcement officer shall be  
11          construed to be acting within the scope of his or her office  
12          or employment, if the officer takes any action, including  
13          the use of force, that is determined by the officer to be  
14          necessary to—

15                (1) protect an individual in the presence of the  
16                officer from a crime of violence;

17                (2) provide immediate assistance to an individ-  
18                ual who has suffered or who is threatened with bod-  
19                ily harm; or

20                (3) prevent the escape of any individual who the  
21                officer reasonably believes to have committed in the  
22                presence of the officer a crime of violence.

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