

105TH CONGRESS
2D SESSION

S. 2023

To provide increased penalties for drug offenses involving minors.

IN THE SENATE OF THE UNITED STATES

MAY 1, 1998

Mr. ASHCROFT introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide increased penalties for drug offenses involving minors.

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 “Protect Our Children
5 Act of 1998”.

6 **SEC. 2. INCREASED PENALTIES FOR DISTRIBUTING DRUGS**
7 **TO MINORS.**

8 Section 418 of the Controlled Substances Act (21
9 U.S.C. 859) is amended—

10 (1) in subsection (a), by striking “one year”
11 and inserting “3 years”; and

1 (2) in subsection (b), by striking “one year”
2 and inserting “5 years”.

3 **SEC. 3. INCREASED PENALTY FOR DRUG TRAFFICKING IN**
4 **OR NEAR A SCHOOL OR OTHER PROTECTED**
5 **LOCATION.**

6 Section 419 of the Controlled Substances Act (21
7 U.S.C. 860) is amended—

8 (1) in subsection (a), by striking “one year”
9 and inserting “3 years”; and

10 (2) in subsection (b), by striking “three years”
11 each place that term appears and inserting “5
12 years”.

13 **SEC. 4. INCREASED PENALTIES FOR USING MINORS TO DIS-**
14 **TRIBUTE DRUGS.**

15 Section 420 of the Controlled Substances Act (21
16 U.S.C. 861) is amended—

17 (1) in subsection (b), by striking “one year”
18 and inserting “3 years”; and

19 (2) in subsection (c), by striking “one year”
20 and inserting “5 years”.

21 **SEC. 5. USE OF MINORS IN CRIMES OF VIOLENCE.**

22 (a) IN GENERAL.—Chapter 1 of title 18, United
23 States Code, is amended by adding at the end the follow-
24 ing:

1 **“§ 25. Use of minors in crimes of violence**

2 “(a) PENALTIES.—Except as otherwise provided by
3 law, whoever, being not less than 18 years of age, know-
4 ingly and intentionally uses a minor to commit a crime
5 of violence, or to assist in avoiding detection or apprehen-
6 sion for a crime of violence, shall—

7 “(1) be subject to 2 times the maximum impris-
8 onment and 2 times the maximum fine for the crime
9 of violence; and

10 “(2) for second or subsequent convictions under
11 this subsection, be subject to 3 times the maximum
12 imprisonment and 3 times the maximum fine other-
13 wise provided for the crime of violence in which the
14 minor is used.

15 “(b) DEFINITIONS.—In this section:

16 “(1) CRIME OF VIOLENCE.—The term ‘crime of
17 violence’ has the same meaning as in section 16.

18 “(2) MINOR.—The term ‘minor’ means a per-
19 son who is less than 18 years of age.

20 “(3) USES.—The term ‘uses’ means employs,
21 hires, persuades, induces, entices, or coerces.”.

22 (b) CONFORMING AMENDMENT.—The analysis for
23 chapter 1 of title 18, United States Code, is amended by
24 adding at the end the following:

“25. Use of minors in crimes of violence.”.