106TH CONGRESS
1ST SESSION

H. R. 51

To amend title 18, United States Code, to prohibit taking a child hostage
in order to evade arrest.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mrs. KELLY introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit taking
a child hostage in order to evade arrest.

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. CHILD HOSTAGE-TAKING TO EVADE ARREST**

4 **OR OBSTRUCT JUSTICE.**

5 (a) IN GENERAL.—Chapter 55 of title 18, United

6 States Code, is amended by adding at the end the follow-

7 ing new section:

"§ 1205. Child hostage-taking to evade arrest or ob-struct justice

"(a) IN GENERAL.—Whoever uses force or threatens to use force against any officer or agency of the Federal Government, and seizes or detains, or continues to detain, a child in order to—

>   "(1) obstruct, resist, or oppose any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ, process, or warrant of any court of the United States; or

>   "(2) compel any department or agency of the Federal Government to do or to abstain from doing any act;

or attempts to do so, shall be punished in accordance with subsection (b).

"(b) SENTENCING.—Any person who violates sub-section (a)—

>   "(1) shall be imprisoned not less than 10 years and not more than 25 years;

>   "(2) if injury results to the child as a result of the violation, shall be imprisoned not less than 20 years and not more than 35 years; and

>   "(3) if death results to the child as a result of the violation, shall be subject to the penalty of death or be imprisoned for life.

1   "(c) DEFINITION.—For purposes of this section, the

2 term 'child' means an individual who has not attained the

3 age of 18 years.".

4   (b) CLERICAL AMENDMENT.—The table of sections

5 for chapter 55 of title 18, United States Code, is amended

6 by adding at the end the following new item:

"1205. Child hostage-taking to evade arrest or obstruct justice.".

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