

106TH CONGRESS
1ST SESSION

S. 668

To encourage States to incarcerate individuals convicted of murder, rape,
or child molestation.

IN THE SENATE OF THE UNITED STATES

MARCH 19, 1999

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

A BILL

To encourage States to incarcerate individuals convicted of
murder, rape, or child molestation.

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 “Aimee’s Law”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) DANGEROUS SEXUAL OFFENSE.—The term
8 “dangerous sexual offense” means sexual abuse or
9 sexually explicit conduct committed by an individual

1 who has attained the age of 18 years against an in-
 2 dividual who has not attained the age of 14 years.

3 (2) MURDER.—The term “murder” has the
 4 meaning given that term in section 1111 of title 18,
 5 United States Code.

6 (3) RAPE.—The term “rape” means any con-
 7 duct constituting unlawful sexual intercourse with
 8 another individual without the consent of such other
 9 individual.

10 (4) SEXUAL ABUSE.—The term “sexual abuse”
 11 has the meaning given that term in section 3509 of
 12 title 18, United States Code.

13 (5) SEXUAL CONTACT.—The term “sexual con-
 14 tact” has the meaning given that term in section
 15 2246 of title 18, United States Code.

16 (6) SEXUALLY EXPLICIT CONDUCT.—The term
 17 “sexually explicit conduct” has the meaning given
 18 that term in section 2256 of title 18, United States
 19 Code.

20 **SEC. 3. REIMBURSEMENT TO STATES FOR CRIMES COM-**
 21 **MITTED BY CERTAIN RELEASED FELONS.**

22 (a) PENALTY.—

23 (1) IN GENERAL.—Subject to paragraph (2), in
 24 any case in which a State convicts an individual of
 25 murder, rape, or a dangerous sexual offense, who

1 has a prior conviction for any 1 of those offenses in
2 another State, the Attorney General shall transfer
3 an amount equal to the costs of incarceration, prosecution,
4 and apprehension of that individual, from
5 Federal law enforcement assistance funds that have
6 been allocated to but not distributed to the State
7 that convicted such individual of the prior offense, to
8 the State account that collects Federal law enforcement
9 assistance funds of the State that convicted
10 that individual of the subsequent offense.

11 (2) MULTIPLE STATES.—In any case in which
12 a State convicts an individual of murder, rape, or a
13 dangerous sexual offense, who has a prior conviction
14 for any 1 or more of those offenses in more than 1
15 other State, the Attorney General shall transfer an
16 amount equal to the costs of incarceration, prosecution,
17 and apprehension of that individual, from Federal
18 law enforcement assistance funds that have
19 been allocated to but not distributed to each State
20 that convicted such individual of the prior offense, to
21 the State account that collects Federal law enforcement
22 assistance funds of the State that convicted
23 that individual of the subsequent offense.

24 (b) STATE APPLICATIONS.—In order to receive an
25 amount transferred under subsection (a), the chief execu-

1 tive of a State shall submit to the Attorney General an
2 application, in such form and containing such information
3 as the Attorney General may reasonably require, which
4 shall include a certification that the State has convicted
5 an individual of murder, rape, or a dangerous sexual of-
6 fense, who has a prior conviction for 1 of those offenses
7 in another State.

8 (c) SOURCE OF FUNDS.—Any amount transferred
9 under subsection (a) shall be derived by reducing the
10 amount of Federal law enforcement assistance funds re-
11 ceived by the State that convicted such individual of the
12 prior offense before the distribution of the funds to the
13 State. The Attorney General, in consultation with the chief
14 executive of the State that convicted such individual of the
15 prior offense, shall establish a payment schedule.

16 (d) CONSTRUCTION.—Nothing in this section may be
17 construed to diminish or otherwise affect any court or-
18 dered restitution.

19 (e) EXCEPTION.—This section does not apply if an
20 individual convicted of murder, rape, or a dangerous sex-
21 ual offense has escaped prison and subsequently been con-
22 victed for an offense described in subsection (a).

23 **SEC. 4. COLLECTION OF RECIDIVISM DATA.**

24 (a) IN GENERAL.—Beginning with calendar year
25 1999, and each calendar year thereafter, the Attorney

1 General shall collect and maintain information relating to,
2 with respect to each State—

3 (1) the number of convictions during that cal-
4 endar year for murder, rape, and any sex offense in
5 the State in which, at the time of the offense, the
6 victim had not attained the age of 14 years and the
7 offender had attained the age of 18 years; and

8 (2) the number of convictions described in para-
9 graph (1) that constitute second or subsequent con-
10 victions of the defendant of an offense described in
11 that paragraph.

12 (b) REPORT.—Not later than March 1, 2000, and on
13 March 1 of each year thereafter, the Attorney General
14 shall submit to Congress a report, which shall include—

15 (1) the information collected under subsection
16 (a) with respect to each State during the preceding
17 calendar year; and

18 (2) the percentage of cases in each State in
19 which an individual convicted of an offense described
20 in subsection (a)(1) was previously convicted of an-
21 other such offense in another State during the pre-
22 ceding calendar year.

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