

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2530

To ensure that State and local law enforcement agencies execute warrants for the arrest of nonviolent offenders only when children are not present, unless overriding circumstances exist.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2005

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

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## A BILL

To ensure that State and local law enforcement agencies execute warrants for the arrest of nonviolent offenders only when children are not present, unless overriding circumstances exist.

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. ISSUANCE OF GUIDELINES.**

4       (a) IN GENERAL.—Upon accepting Federal funds, a  
5       State or local law enforcement agency should issue guide-  
6       lines under which—

7               (1) each warrant for the arrest of a nonviolent  
8       offender executed by that agency is executed only—

1 (A) during a time when, and at a location  
2 where, the agency reasonably believes no chil-  
3 dren are present; or

4 (B) in circumstances other than those  
5 specified in subparagraph (A), if a court first  
6 determines that overriding reasons, in further-  
7 ance of the interests of children, exist (such as  
8 the interest in apprehending individuals who en-  
9 gage in drug offenses with children or on school  
10 grounds); and

11 (2) relevant counseling is made available to  
12 each child who witnesses the execution of an arrest  
13 warrant under circumstances other than those speci-  
14 fied in paragraph (1)(A).

15 (b) DEFINITION.—In this section, the term “non-  
16 violent offender” means a person who has never been con-  
17 victed of a violent offense, the arrest of whom is sought  
18 for a nonviolent offense.

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