

111TH CONGRESS
1ST SESSION

H. R. 288

To create a separate DNA database for violent predators against children,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2009

Ms. JACKSON-LEE of Texas introduced the following bill; which was referred
to the Committee on the Judiciary

A BILL

To create a separate DNA database for violent predators
against children, and for other purposes.

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 “Save Our Children:
5 Stop the Violent Predators Against Children DNA Act of
6 2009”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Based on sexual assaults reported to law
2 enforcement, there are more 14-year old victims of
3 sexual assault than victims of any other age.

4 (2) In 2007, there were more victims of sexual
5 assault between ages 3 and 17 than in any indi-
6 vidual age group over age 17, and more victims age
7 2 than in any age group over 40.

8 (3) Children, like 5-year-old Samantha Runnion
9 of California, who was abducted, sexually violated,
10 and murdered, are most likely to be victims of sexual
11 assault, with over one-third of all sexual assaults in-
12 volving a victim who was under the age of 12.

13 (4) One of every 7 victims of sexual assault is
14 under the age of 6.

15 (5) Murder is the only major cause of childhood
16 deaths that has increased over the past three dec-
17 ades.

18 (6) Between 300,000 and 400,000 children are
19 victims of some type of sexual abuse or exploitation
20 every year.

21 (7) More attention should be given to seeking
22 solutions to violence against children.

1 **SEC. 3. DNA DATABASE FOR VIOLENT PREDATORS AGAINST**
2 **CHILDREN.**

3 (a) IN GENERAL.—The Attorney General shall estab-
4 lish and maintain, separate from any other DNA data-
5 base, a database solely for the purpose of collecting the
6 DNA information with respect to violent predators against
7 children. Under regulations issued by the Attorney Gen-
8 eral, Federal, State, and local agencies and other entities
9 may submit DNA information to the Attorney General for
10 inclusion in the database and may compare DNA informa-
11 tion against other DNA information in the database.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated \$500,000 to establish
14 the database required by subsection (a).

15 **SEC. 4. INCENTIVE GRANTS.**

16 (a) PROGRAM AUTHORIZED.—From amounts made
17 available to carry out this section, the Attorney General
18 shall make grants to each State that has in effect one or
19 more programs that decrease the rate of recidivism among
20 violent predators against children, for use by the State to
21 implement improvements to such programs.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 such sums as may be necessary.

1 **SEC. 5. CONSEQUENCES FOR VIOLENT PREDATORS**
2 **AGAINST CHILDREN.**

3 Notwithstanding any other provision of law, if a per-
4 son who is a violent predator against children commits a
5 crime that would, in and of itself, establish that person
6 as a violent predator against children, the sentence im-
7 posed on that person for that crime shall, without regard
8 to any mitigating circumstance that would otherwise apply
9 at sentencing, be the maximum authorized by law.

10 **SEC. 6. DEFINITION.**

11 (a) IN GENERAL.—As used in this Act, the term “vio-
12 lent predator against children” means a person who com-
13 mits a crime of violence (including a sex crime) against
14 the person of an individual who has not attained the age
15 of 18 years.

16 (b) STATUTORY RAPE EXCEPTION.—The term “vio-
17 lent predator against children” shall not include a person
18 who commits a sex crime against the person of an indi-
19 vidual who has not attained the age of 18 years if—

20 (1) the individual against whom such crime was
21 committed has attained 16 years of age or older;

22 (2) the person who commits such crime is not
23 more than 4 years older than such individual; and

24 (3) the conduct resulting in the commission of
25 such crime was consensual.