

(b) This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency or of an intelligence agency of the United States.

(Added Pub. L. 99-508, title III, §303(a), Oct. 21, 1986, 100 Stat. 1872.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective 90 days after Oct. 21, 1986, and, in case of conduct pursuant to court order or extension, applicable only with respect to court orders and extensions made after such date, with special rule for State authorizations of interceptions, see section 302 of Pub. L. 99-508, set out as a note under section 3121 of this title.

#### § 1368. Harming animals used in law enforcement

(a) Whoever willfully and maliciously harms any police animal, or attempts or conspires to do so, shall be fined under this title and imprisoned not more than 1 year. If the offense permanently disables or disfigures the animal, or causes serious bodily injury to or the death of the animal, the maximum term of imprisonment shall be 10 years.

(b) In this section, the term “police animal” means a dog or horse employed by a Federal agency (whether in the executive, legislative, or judicial branch) for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of criminal offenders.

(Added Pub. L. 106-254, §2(a), Aug. 2, 2000, 114 Stat. 638; amended Pub. L. 107-273, div. B, title IV, §4003(a)(4), Nov. 2, 2002, 116 Stat. 1811.)

#### Editorial Notes

##### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-273 inserted “to” after “serious bodily injury”.

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-254, §1, Aug. 2, 2000, 114 Stat. 638, provided that: “This Act [enacting this section] may be cited as the ‘Federal Law Enforcement Animal Protection Act of 2000’.”

#### § 1369. Destruction of veterans’ memorials

(a) Whoever, in a circumstance described in subsection (b), willfully injures or destroys, or attempts to injure or destroy, any structure, plaque, statue, or other monument on public property commemorating the service of any person or persons in the armed forces of the United States shall be fined under this title, imprisoned not more than 10 years, or both.

(b) A circumstance described in this subsection is that—

(1) in committing the offense described in subsection (a), the defendant travels or causes another to travel in interstate or foreign commerce, or uses the mail or an instrumentality of interstate or foreign commerce; or

(2) the structure, plaque, statue, or other monument described in subsection (a) is located on property owned by, or under the jurisdiction of, the Federal Government.

(Added Pub. L. 108-29, §2(a), May 29, 2003, 117 Stat. 772.)

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-29, §1, May 29, 2003, 117 Stat. 772, provided that: “This Act [enacting this section and provisions set out as a note under section 109 of Title 23, Highways] may be cited as the ‘Veterans’ Memorial Preservation and Recognition Act of 2003’.”

#### CHAPTER 67—MILITARY AND NAVY

##### Sec.

- 1381. Enticing desertion and harboring deserters.
- 1382. Entering military, naval, or Coast Guard property.
- [1383. Repealed.]
- 1384. Prostitution near military and naval establishments.
- 1385. Use of Army, Navy, Marine Corps, Air Force, and Space Force as posse comitatus<sup>1</sup>
- 1386. Keys and keyways used in security applications by the Department of Defense.
- 1387. Demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery.
- 1388. Prohibition on disruptions of funerals of members or former members of the Armed Forces.
- 1389. Prohibition on attacks on United States servicemen on account of service.

#### Editorial Notes

##### AMENDMENTS

2021—Pub. L. 117-81, div. A, title X, §1045(b), Dec. 27, 2021, 135 Stat. 1905, substituted “Use of Army, Navy, Marine Corps, Air Force, and Space Force as posse comitatus” for “Use of Army and Air Force as posse comitatus” in item 1385.

2009—Pub. L. 111-84, div. E, §4712(b), Oct. 28, 2009, 123 Stat. 2843, added item 1389.

2006—Pub. L. 109-464, §1(b), Dec. 22, 2006, 120 Stat. 3481, added item 1388.

Pub. L. 109-228, §3(b), May 29, 2006, 120 Stat. 389, added item 1387.

1991—Pub. L. 102-190, div. A, title X, §1090(b), Dec. 5, 1991, 105 Stat. 1486, added item 1386.

1990—Pub. L. 101-647, title XXXV, §3547, Nov. 29, 1990, 104 Stat. 4926, struck out item 1383 “Restrictions in military areas and zones”.

1956—Act Aug. 10, 1956, ch. 1041, §18(b), 70A Stat. 626, added item 1385.

#### § 1381. Enticing desertion and harboring deserters

Whoever entices or procures, or attempts or endeavors to entice or procure any person in the Armed Forces of the United States, or who has been recruited for service therein, to desert therefrom, or aids any such person in deserting or in attempting to desert from such service; or

Whoever harbors, conceals, protects, or assists any such person who may have deserted from such service, knowing him to have deserted therefrom, or refuses to give up and deliver such person on the demand of any officer authorized to receive him—

Shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 764; Pub. L. 103-322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

<sup>1</sup> So in original. Probably should be followed by a period.