



STATE OF FLORIDA

ASHLEY MOODY
ATTORNEY GENERAL

August 11, 2020

The Honorable Jerrold Nadler
Chairman, House Judiciary Committee
2132 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jim Jordan
Ranking Member, House Judiciary Committee
2056 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Val Demings
217 Cannon House Office Building
Washington, D.C. 20515

The Honorable John Rutherford
711 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Nadler, Ranking Member Jordan, Congresswoman Demings, and Congressman Rutherford:

I write in support of House Bill H.R. 1325, the Protect and Serve Act of 2019.

This bill, which was co-sponsored by Congresswoman Val Demings and Congressman John Rutherford, along with thirty-five other members of the House of Representatives, provides Federal penalties for individuals who deliberately target Federal, State, Local or Tribal law enforcement officers with violence. The identical bill passed the House in 2018, with overwhelming bipartisan support, during the 115th Congress. The bill was re-introduced and

referred to the House Judiciary Committee on February 22, 2019. It has not progressed in the House Judiciary Committee since it was introduced.

The Protect and Serve Act provides for a Federal prison term of up to ten years for anyone who knowingly assaults a Federal, State, Local or Tribal law enforcement officer, causing serious bodily injury, under circumstances where the crime affects interstate or foreign commerce. If a death results from the assault, the statute would authorize a prison term up to life. A Federal prosecution, under Title 18 of the United States Code, would not proceed unless the Attorney General certifies that the involved State does not have jurisdiction or has requested the Federal government to proceed, or that there is an independent Federal interest in public safety or substantial justice at stake. But in an appropriate case, the full resources of the Federal government would be available to prosecute violent felons who cross state lines or use the instrumentalities of interstate commerce to assault our law enforcement personnel.

Law enforcement line-of-duty deaths in 2020 have already exceeded those of 2019. Twenty-eight law enforcement officers have been feloniously killed in the first half of 2020. That is an increase of 17 percent over 2019, and reflects the increasingly hostile environment in which our sworn law enforcement officers operate. And it is quite possible that with COVID-19 claiming the lives of many first responders, the actual number of law enforcement line-of-duty deaths in the first half of 2020 will turn out to be even higher, once all of the COVID-related deaths are tallied. As Florida's chief law enforcement officer, as well as a former federal prosecutor and State circuit court judge, and the spouse of a federal law enforcement officer, I am deeply concerned about these line-of-duty deaths. Our law enforcement personnel deserve the highest level of protection that the law can provide, as they put their lives and safety on the line for us during these difficult times.

A total of 220 Republican and 162 Democratic House Members voted for the Protect and Serve Act of 2018, with only 35 members voting against it. The language of the current version of the bill is virtually identical to that of the 2018 bill, which passed the House with such an overwhelming majority. It cannot be that the nation's law enforcement officers now have less of a need for the strongest possible support from our lawmakers. I urge Congress to pass the Protect and Serve Act of 2019 now, and to show our Federal, State, Local and Tribal law enforcement officers that they can depend upon our unwavering support.

Sincerely,

A handwritten signature in blue ink that reads "Ashley Moody". The signature is written in a cursive, flowing style.

Ashley Moody
Florida Attorney General

cc: The Honorable Marco Rubio
The Honorable Rick Scott