

Union Calendar No. 210

100TH CONGRESS
1ST SESSION

H. R. 3258

[Report No. 100-337]

To amend chapter 13 of title 18, United States Code, to impose criminal penalties for damage to religious property and for obstruction of persons in the free exercise of religious beliefs.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 1987

Mr. GLICKMAN (for himself, Mr. CONYERS, Mr. FAUNTROY, Mr. PETEI, Mr. DORNAN of California, Mr. EDWARDS of California, Mr. SMITH of Florida, Mr. KLECZKA, Mr. WORTLEY, Mr. DAVIS of Illinois, Mr. KILDEE, Mr. LEHMAN of Florida, Mr. MRAZEK, Mr. FAWELL, Mr. BERMAN, Mr. HYDE, Mr. CARDIN, Mr. BRYANT, Ms. KAPTUR, and Mrs. KENNELLY) introduced the following bill; which was referred to the Committee on the Judiciary

OCTOBER 2, 1987

Additional sponsors: Mr. SWINDALL, Mr. FAZIO, Mr. DAUB, Mr. PANETTA, Mr. CHANDLER, Mr. WHITTAKER, Mr. WEISS, Mr. VENTO, Mr. BIAGGI, and Mr. HUGHES

OCTOBER 2, 1987

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend chapter 13 of title 18, United States Code, to impose criminal penalties for damage to religious property and for obstruction of persons in the free exercise of religious beliefs.

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. CRIMINAL PENALTIES FOR DAMAGE TO RELI-**
4 **GIUS PROPERTY AND FOR OBSTRUCTION OF**
5 **PERSONS IN THE FREE EXERCISE OF RELI-**
6 **GIUS BELIEFS.**

7 Chapter 13 of title 18, United States Code, is amended
8 by adding at the end the following new section:

9 **“§ 247. Damage to religious property; obstruction of per-**
10 **sons in the free exercise of religious beliefs**

11 **“(a) Whoever, in any of the circumstances referred to in**
12 **subsection (b) of this section—**

13 **“(1) defaces, damages, or destroys any religious**
14 **real property, because of the religious character of that**
15 **property, or attempts to do so; or**

16 **“(2) obstructs, by force or threat of force, any**
17 **person in the enjoyment of that person’s free exercise**
18 **of religious beliefs, or attempts to do so;**

19 **shall be punished as provided in subsection (c) of this section.**

20 **“(b) The circumstances referred to in subsection (a) are**
21 **that—**

22 **“(1) in committing the offense, the defendant trav-**
23 **els in interstate or foreign commerce, or uses a facility**
24 **or instrumentality of interstate or foreign commerce in**
25 **interstate or foreign commerce; and**

1 “(2) in the case of an offense under subsection
2 (a)(1), the loss resulting from the defacement, damage,
3 or destruction is more than \$10,000.

4 “(c) The punishment for a violation of subsection (a) of
5 this section shall be—

6 “(1) if death results, a fine in accordance with this
7 title and imprisonment for any term of years or for life,
8 or both;

9 “(2) if serious bodily injury results, a fine in ac-
10 cordance with this title and imprisonment for not more
11 than ten years, or both; and

12 “(3) in any other case, a fine in accordance with
13 this title and imprisonment for not more than one year,
14 or both.

15 “(d) As used in this section—

16 “(1) the term ‘religious real property’ means any
17 church, synagogue, religious cemetery, or other reli-
18 gious real property; and

19 “(2) the term ‘serious bodily injury’ means bodily
20 injury that involves a substantial risk of death, uncon-
21 sciousness, extreme physical pain, protracted and obvi-
22 ous disfigurement, or protracted loss or impairment of
23 the function of a bodily member, organ, or mental
24 faculty.”.

1 SEC. 2. TECHNICAL AMENDMENT.

2 The table of sections for chapter 13 of title 18, United
3 States Code, is amended by adding at the end the following
4 new item:

“247. Damage to religious property; obstruction of persons in the free exercise of religious beliefs.”.

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