

99TH CONGRESS
2D SESSION

S. 2867

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 1986

Mr. METZENBAUM introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend chapter 13 of title 18, United States Code, to impose criminal penalties for damage to religious property and for injury to 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 **GIOUS PROPERTY AND INJURY TO PERSONS IN**
5 **THE FREE EXERCISE OF RELIGIOUS BELIEFS.**

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

1 **“§ 247. Damage to religious property; injury to persons in**
2 **the free exercise of religious beliefs**

3 **“(a) Whoever, travels in, or uses a facility or instrumen-**
4 **tality of, interstate or foreign commerce with intent to—**

5 **“(1) deface, damage, or destroy any religious real**
6 **property, because of the religious character of that**
7 **property; or**

8 **“(2) obstruct, by force or threat of force, any**
9 **person in the enjoyment of that person’s free exercise**
10 **of religious beliefs;**

11 **shall be punished as provided in subsection (b) of this section.**

12 **“(b) The punishment for a violation of subsection (a) of**
13 **this section shall be—**

14 **“(1) if death results, a fine in accordance with this**
15 **title and imprisonment for any term of years or for life,**
16 **or both;**

17 **“(2) if serious bodily injury results, a fine in ac-**
18 **cordance with this title and imprisonment for not more**
19 **than fifteen years, or both; and**

20 **“(3) in any other case, a fine in accordance with**
21 **this title and imprisonment for not more than five**
22 **years, or both.**

23 **“(c) As used in this section—**

24 **“(1) the term ‘religious real property’ means any**
25 **church, synagogue, religious cemetery, or other reli-**
26 **gious real property; and**

1 “(2) the term ‘serious bodily injury’ means bodily
2 injury that involves a substantial risk of death, uncon-
3 sciousness, extreme physical pain, protracted and obvi-
4 ous disfigurement, or protracted loss or impairment of
5 the function of a bodily member, organ, or mental
6 faculty.”.

7 **SEC. 2. TECHNICAL AMENDMENT.**

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

“247. Damage to religious property; injury to persons in the free exercise of reli-
gious beliefs.”.

