



# NATIONAL FRATERNAL ORDER OF POLICE®

---

328 MASSACHUSETTS AVE., N.E.  
WASHINGTON, DC 20002

**PATRICK YOES**  
NATIONAL PRESIDENT

**JIM PASCO**  
EXECUTIVE DIRECTOR

16 May 2024

The Honorable James D. Jordan  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Jerrold L. Nadler  
Ranking Member  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman and Representative Nadler,

I am writing on behalf of the members of the Fraternal Order of Police to share our growing frustration that certain Members of the Committee, led by Representative Chip Roy, persist in blocking the consideration of H.R. 743, the "Protect and Serve Act," which is a top legislative priority designed to deter and punish those who would target law enforcement officers with violence.

We spoke to Mr. Roy directly, who told us he "supports law enforcement" but continues to block the "Protect and Serve Act." This bill was drafted specifically to address the increasing number of ambush-style attacks on law enforcement officers by imposing, in limited circumstances, Federal penalties on individuals who deliberately target local, State or Federal law enforcement officers with violence.

To be clear, the bill would not make every assault on a law enforcement officer a Federal crime. The bill would expand existing Federal law prohibiting assaults to include someone who "knowingly assaults a law enforcement officer" with the intent to kill or cause serious bodily injury. But it would only be applicable in cases where the U.S. Attorney General certifies that the State does not have jurisdiction or has asked the Federal government to assume jurisdiction; or if the verdict or sentence at the State level "left demonstratively unvindicated the Federal interest in protecting public safety"; or if a Federal prosecution is in the public interest and necessary to "secure substantial justice."

These are very specific and narrow circumstances that were designed with incidents like the mass murders of law enforcement officers in Dallas and Baton Rouge in 2016. In both of those cases the cop-killer did not survive, but it was widely agreed that there would have been a compelling Federal interest to prosecute these murderers.

The FOP learned that Mr. Roy was working to craft an amendment that would strike the provisions giving the Federal government the authority to bring charges if, for example, a "woke" rogue prosecutor who does not take violence targeting law enforcement officers seriously and does not secure justice for the officer or his or her surviving family.



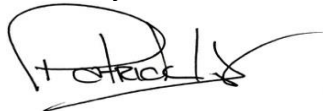
Mr. Chairman, as of the end of April, there have been 34 officers shot and six killed in 26 ambush-style attacks on law enforcement officers. If any other profession were plagued by this level of violence, Congress would act. Why is it acceptable to ignore this level of violence against these selfless public servants?

Law enforcement is a dangerous profession—officers are always in harm’s way and are prepared, if necessary, to lay down their lives in the line of duty. While there is no legislation that Congress could pass that will completely protect officers from harm in the course of performing their duty, we can help deter and punish individuals who target officers for violence by enacting H.R. 743, the “Protect and Serve Act,” a bill that unanimously passed this committee in 2018 just before passing the House on an overwhelming 382-35 vote. Passing the “Protect and Serve Act” would be a strong show of support for the men and women in the line of fire and send a clear message to those who would seek to do them harm.

It is our strong conviction that legislation targeting would-be cop-killers should transcend the obscure and opportunistic objections to Federal authority cited by Mr. Roy. There is a substantial body of existing laws—the entirety of Chapter 7 of Title 18 for example—that Mr. Roy may believe to violate the principles of Federalism, yet this concern did not prevent him from voting in favor of H.R. 7343, the “Detain and Deport Illegal Aliens Who Assault Cops Act,” legislation which, like the “Protect and Serve Act” expands the authority of the Federal government to act in certain cases when local or State law is violated. Mr. Roy’s arguments against the “Protect and Serve Act” and his vote on H.R. 7343 are inconsistent, to say the least.

On behalf of the more than 373,000 members of the Fraternal Order of Police, I urge the Committee to take violence against law enforcement officers seriously and to do what can be done to deter and punish those who deliberately target these brave men and women for violence by considering and favorably reporting H.R. 743, the “Protect and Serve Act.” If I can provide any additional information about this legislation, please do not hesitate to contact me or Executive Director Jim Pasco in our Washington, D.C. office.

Sincerely,



Patrick Yoes  
National President

cc: Gary Wolske, President, Ohio State Lodge  
Greg Toyas, National Trustee, Ohio State Lodge  
Michael Essig, President, New York State Lodge  
Joseph Battaglia, National Trustee, New York State Lodge