

# **Proposed Federal Law: The Police Officer Self-Defense Protection Act**

**Section 1: Purpose and Intent** The purpose of this Act is to provide federal protection for law enforcement officers who use force, including lethal force, in self-defense when facing a credible threat of serious injury or death, while simultaneously instituting safeguards to prevent misuse of such protections and to protect the rights and safety of all citizens.

## **Section 2: Definition of Justified Self-Defense for Law Enforcement Officers**

- (a) A law enforcement officer shall be considered justified in the use of force, including lethal force, if:
  - (i) The officer has a reasonable belief that their life or the life of another innocent person is in immediate danger of serious bodily harm or death from an armed or violent suspect.
  - (ii) The officer's actions are proportionate to the immediate threat posed.
- (b) "Reasonable belief" in this context shall be based on the perspective of a reasonable officer with similar training and experience, placed in similar circumstances.

## **Section 3: Protection from Prosecution**

- (a) A law enforcement officer who uses justified self-defense as defined under this Act shall be protected from criminal prosecution under federal law.
- (b) This immunity shall extend only to actions taken while performing lawful duties within the scope of employment and does not apply if the officer's actions are found to involve:
  - (i) Reckless disregard for human life,
  - (ii) Criminal intent beyond self-defense,
  - (iii) Gross misconduct or willful violation of department policies.

## **Section 4: Review Mechanism and Accountability Standards**

- (a) Independent Review Boards (IRB) shall be established at the state level, composed of civilian oversight, law enforcement experts, and legal professionals to review incidents where lethal force is used. The purpose of these boards is to assess:
  - (i) Whether the force used was justified under the criteria of this Act,
  - (ii) Whether the officer's actions adhered to department policies and training standards.
- (b) IRBs shall conduct investigations and release a public report with their findings, recommendations, and conclusions.

## **Section 5: Training and Policy Standardization**

- (a) Federal grants shall be made available to state and local agencies for enhanced officer training, particularly in use-of-force protocols.

- (b) Law enforcement agencies receiving federal funds under this Act must implement standardized training programs and protocols based on best practices as identified by the Department of Justice.

## **Section 6: Exceptions and Limitations**

- (a) This Act does not protect officers in cases where:
  - (i) The officer initiated the confrontation with an intent to cause harm,
  - (ii) The use of force was excessive relative to the perceived threat, or
  - (iii) There is substantial evidence of the officer's intent to harm without cause.

**Section 7: Effective Date** This Act shall take effect six months after its enactment, allowing time for training and policy updates at state and local levels.

**Section 8: Severability** If any provision of this Act or its application is held invalid, other provisions shall remain effective without the invalid provisions.

## **Section 9: Preemption and Federal Jurisdiction**

### **1. Federal Preemption in Self-Defense Cases**

- (a) This Act shall establish federal preemption over state laws in cases where a law enforcement officer's use of force meets the criteria for justified self-defense as defined in this Act.
- (b) When federal preemption applies, the officer shall be shielded from state-level prosecution unless evidence arises that the officer's conduct falls outside the protections provided in this Act.

### **2. Federal Intervention Mechanism**

- (a) Upon investigation by the Independent Review Board (IRB), if the officer's actions are deemed consistent with the justified self-defense standard, federal immunity shall automatically be extended.
- (b) Federal courts shall have exclusive jurisdiction to review disputes regarding the applicability of federal immunity, thereby superseding state prosecution where the federal standard for justified self-defense is met.
- (c) Any criminal proceeding initiated at the state level must be referred to a federal court if the officer's defense is grounded in this Act.

### **3. Federal Notification Requirement**

- (a) In any instance where a state authority seeks to prosecute an officer for actions that appear to meet the federal self-defense criteria, the case shall be subject to review by the U.S. Department of Justice (DOJ).
- (b) The DOJ shall, within 30 days, issue a determination as to whether federal immunity applies. If immunity applies, federal authorities will assert jurisdiction and prohibit state prosecution.

### **4. Enhanced IRB Oversight and Reporting**

- (a) To promote transparency and ensure accountability, IRB findings for cases that assert federal preemption must be reported to the public and state authorities.

- (b) The DOJ shall periodically publish summaries of cases where federal preemption applied, offering details on the circumstances and IRB findings to reinforce accountability standards.