



IN THE CONGRESS OF THE
UNITED STATES

March 31, 2021

Sponsor: Senator Schlorp (L-CA)

Introduce the Following Bill to the Congress of the United States of America:

A Bill

To Define and Prohibit Lynchings So as to Right Historical Wrongs.

S. 11

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Legislation may be cited as “The Anti-Lynching Act”

SECTION 2. Title 18 of the United States Code shall be amended to insert the following:

“ SEC. 250. ANTI-LYNCHING PROVISIONS

- (a) Whoever wilfully conspires with another person to cause serious bodily harm to any person, or otherwise conspires to violate Sections 245, 247, or 249 of this title, or section 901 of the Civil Rights Act of 1968, because of the real or perceived race, religion, color, sexuality, or nation of origin of the attacked person, regardless of whether or not said perpetrators claim to act under the color of the law, shall be imprisoned and prosecuted in a manner consistent with other violations of this Title and State Law.

(b) Any officer of any state or municipal subdivision thereof which fails, neglects, or refuses to protect the life of any person who, due to any real or perceived race, religion, color, gender, sexuality, or nation of origin, find their life under threat by a mob, defined herein as an assembly of two or more people who seek to extrajudicially deprive any person of their life or property, shall, due to having denied said person or persons equal protection under the law, and due to having denied said person or persons rights guaranteed to all citizens of the United States, shall be charged in the following manner:

- (1) Any State or Municipal Officer who possesses the power to protect the life of any person or persons victim to the actions described in this section, or fails, neglects, or refuses to do so, or any state or municipal officer who fails, neglects, or refuses to make all reasonable efforts to apprehend the perpetrators of the actions described in this section and make all reasonable efforts to prosecute said perpetrators to the best of their ability shall be guilty of a felony and, upon conviction, serve a term not exceeding five years.
 - (2) Any State or Municipal Officer who knowingly, while having in their custody or control a prisoner, conspires to commit an action described by this section without the authority of the law, or otherwise conspires to let any individual be taken from their custody for the purpose of committing any of the actions described by this section, shall, upon conviction, be guilty of a felony, and shall serve a sentence equal to that of other conspirators.
- (c) In such a case wherein an officer is found to have been guilty of any of the previously mentioned offenses, the county, state, or jurisdiction under which they were operating and through whose authority such crimes were committed shall, via prosecution in the District Court or any court of the United States which has jurisdiction therein, be required to forfeit an amount consistent with the severity of the crime and consistent with State and Federal Law to the victim or the family of said victim.

- (1) Any officer or county which fails to comply with any lawful order of the court shall be held in contempt and liable to any punishment resulting thereof.
- (2) In the event that any previously mentioned action occurs in more than one county, or in the event that a capture happens in one county but the crime happens in another, both counties shall be held liable for restitution.”

SECTION 3. The Table of Sections for title 18 shall be amended by inserting “250. Anti-Lynching Provisions” after Section 249

SECTION 4. This legislation shall be enacted and enforced by the Department of Justice

SECTION 5. This bill shall go into effect after Fiscal Year 2022.

SECTION 6. All laws in conflict with this legislation are hereby declared null and void.