

[~117H2858]

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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To authorize the court to depart from a statutory minimum in the case of a juvenile offender, youthful victim offender, and certain other minors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. WESTERMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize the court to depart from a statutory minimum in the case of a juvenile offender, youthful victim offender, and certain other minors, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Sara’s Law and the
5 Preventing Unfair Sentencing Act of 2023”.

1 **SEC. 2. SENTENCING YOUTHFUL VICTIM OFFENDERS WHO**
2 **HAVE BEEN TRAFFICKED, ABUSED, OR AS-**
3 **SAULTED.**

4 (a) SENTENCING YOUTHFUL VICTIM OFFENDERS.—

5 (1) IN GENERAL.—Section 3553 of title 18,
6 United States Code, is amended by adding at the
7 end the following:

8 “(h) SENTENCING YOUTHFUL VICTIM OFFEND-
9 ERS.—

10 “(1) STATUTORY MINIMUMS.—In the case of a
11 youthful victim offender, the court shall have the au-
12 thority to impose a sentence that is below a level es-
13 tablished by statute as a minimum sentence so as to
14 consider the effect of trauma on the offender’s con-
15 duct.

16 “(2) SUSPENSION OF SENTENCE.—In the case
17 of a youthful victim offender, the court shall have
18 the authority to suspend any portion of an imposed
19 sentence.

20 “(3) YOUTHFUL VICTIM OFFENDER DE-
21 FINED.—In this subsection, the term ‘youthful vic-
22 tim offender’ means an individual who—

23 “(A) has not attained the age of 18; and

24 “(B) has been convicted of a violent of-
25 fense against a person who the court finds, by
26 clear and convincing evidence, engaged in con-

1 duct against such individual, not earlier than 1
2 year before such violent offense, that is an of-
3 fense under section 1591 or an offense under
4 chapter 71, 109A, 110, or 117.”.

5 (2) APPLICATION.—The amendments made by
6 this section shall apply only to a conviction entered
7 on or after the date of the enactment of this Act.

8 (b) DIRECTIVE TO SENTENCING COMMISSION.—Pur-
9 suant to its authority under section 994(p) of title 28,
10 United States Code, and in accordance with this section,
11 the United States Sentencing Commission shall review and
12 amend, if appropriate, its guidelines and its policy state-
13 ments with respect to youthful victim offenders (as such
14 term is defined in section 3553 of title 18, United States
15 Code) to ensure that the guidelines and policy statements
16 are consistent with the amendments made by subsection
17 (a).