

AMENDMENT TO RULES COMMITTEE PRINT 118-

36

OFFERED BY MR. FITZGERALD OF WISCONSIN

Add at the end of subtitle C of title XVII the following:

1 **SEC. 17___ . USE OF BYRNE GRANT FUNDING FOR PUBLIC**
2 **SAFETY REPORT SYSTEMS.**

3 (a) **PUBLIC SAFETY REPORTING.**—Section 501 of the
4 Omnibus Crime Control and Safe Streets Act of 1968 (34
5 U.S.C. 10152) is amended—

6 (1) in subsection (a)(1), by adding at the end
7 the following:

8 “(J) A public safety report system de-
9 scribed in subsection (i).”; and

10 (2) by adding at the end the following:

11 “(i) **PUBLIC SAFETY REPORT SYSTEM DE-**
12 **SCRIBED.**—A public safety report system described in this
13 subsection shall include the following:

14 “(1) **IN GENERAL.**—The public safety report
15 system shall provide judges and prosecutors in the
16 jurisdiction, at no cost, a public safety report for
17 each defendant charged with an offense described in
18 subparagraph (A), and shall include the following:

1 “(A) The criteria for setting bail for an in-
2 dividual charged with—

3 “(i) murder, manslaughter (except in-
4 voluntary manslaughter), or attempted
5 murder;

6 “(ii) rape, attempted rape, or any
7 other felony sexual abuse offense or at-
8 tempt to commit such an offense;

9 “(iii) any felony assault offense;

10 “(iv) kidnapping;

11 “(v) robbery;

12 “(vi) a felony offense involving resist-
13 ing or obstructing an officer;

14 “(vii) carjacking;

15 “(viii) unlawful possession of a fire-
16 arm in the commission of a felony; or

17 “(ix) any other violent felony.

18 “(B) Identifying information regarding
19 each defendant charged with an offense de-
20 scribed in subparagraph (A), the case filed
21 against the defendant, and the offense with
22 which the defendant is charged.

23 “(C) Information on the eligibility of each
24 such defendant for a personal bond.

1 “(D) Information regarding the applica-
2 bility of any required or discretionary bond con-
3 ditions for each such defendant.

4 “(E) A summary of the criminal history of
5 the defendant, including information regarding
6 any—

7 “(i) previous misdemeanor or felony
8 conviction;

9 “(ii) pending charges;

10 “(iii) previous sentence imposing a
11 term of imprisonment;

12 “(iv) previous conviction or pending
13 charges for any offense described in sub-
14 paragraph (A); and

15 “(v) previous failure of the defendant
16 to appear in court following release on bail.

17 “(2) USE OF SYSTEM.—The public safety re-
18 port system shall be used by the jurisdiction as fol-
19 lows:

20 “(A) In the case of a State or Tribal court
21 in that jurisdiction that is considering the re-
22 lease on bail of a defendant charged with an of-
23 fense described in subparagraph (A) of para-
24 graph (1)—

1 “(i) the prosecutor shall use the pub-
2 lic safety report system developed under
3 paragraph (1) to prepare a public safety
4 report with respect to the defendant;

5 “(ii) the prosecutor shall provide the
6 public safety report prepared under clause
7 (i) to the State or Tribal court as soon as
8 practicable, but not later than 48 hours
9 after the defendant’s arrest; and

10 “(iii) the court shall consider the pub-
11 lic safety report before setting bail; and

12 “(B) To submit each public safety report
13 prepared under subparagraph (A)(i) to the Na-
14 tional Crime Information Center.”.

15 (b) FRAUD IN CONNECTION WITH POSTING BAIL.—
16 Section 1033(f)(1)(A) of title 18, United States Code, is
17 amended by inserting before the comma the following:
18 “(including the posting of monetary bail, criminal bail
19 bonds, and Federal immigration bail bonds)”.

