

**AMENDMENT TO H.R. 2152, AS REPORTED  
OFFERED BY MR. TED LIEU OF CALIFORNIA**

Page 4, insert after line 3 the following:

1           (4) The number of defendants who are subject  
2           to monetary bail, are unable to post bond, and re-  
3           main incarcerated

4           (5) The change in the rate of defendants failing  
5           to appear before and after the pretrial release pro-  
6           gram was implemented.

7           (6) The change in recidivism rates for all de-  
8           fendants before and after the pretrial release pro-  
9           gram was implemented.

10          (7) The daily cost to monitor each defendant  
11          released before their trial.

12          (8) The daily cost to detain each defendant be-  
13          fore their trial.

Add at the end of the bill the following:

14 **SEC. 3. ELIGIBILITY FOR GRANTS UNDER THE BYRNE JAG**  
15 **PROGRAM.**

16          Section 505 of the Omnibus Crime Control and Safe  
17 Streets Act of 1968 (34 U.S.C. 10156) is amended—

18           (1) in subsection (a)—

1 (A) by adding at the end the following:

2 “(3) ELIGIBILITY.—Beginning with the third  
3 fiscal year beginning after the enactment of the  
4 ‘Citizens’ Right to Know Act of 2018’ , the Attorney  
5 General shall not allocate any amounts appropriated  
6 to carry out this part to any State that uses pay-  
7 ment of money as a condition of pretrial release with  
8 respect to criminal cases.”; and

9 (B) in paragraph (1) by striking “in para-  
10 graph (2)” and inserting “in paragraphs (2)  
11 and (3)”;

12 (2) in subsection (f)—

13 (A) BY STRIKING “IF THE ATTORNEY GEN-  
14 ERAL” AND INSERTING “(1) IN GENERAL.—If  
15 the Attorney General

16 (B) by adding at the end the following:

17 “(2) STATE INELIGIBLE DUE TO SYSTEM OF  
18 BAIL.—Notwithstanding paragraph (1), if the Attor-  
19 ney General determines with respect to any grant  
20 period that a State is made ineligible by subsection  
21 (a)(3), the Attorney General shall reallocate any  
22 amounts allocated to or that would have been allo-  
23 cated to such State for such period—

24 “(A) among the other eligible States; and

1                   “(B) in proportion to allocations among el-  
2                   igible States under subsection (a).”.

3 **SEC. 4. PROHIBITION OF MONEY BAIL IN FEDERAL CRIMI-**  
4                   **NAL CASES.**

5           Notwithstanding any provision of Federal law, no jus-  
6   tice, judge, or other judicial official in any court created  
7   by or under article III of the Constitution of the United  
8   States may use payment of money as a condition of pre-  
9   trial release in any criminal case.

