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

Page 4, insert after line 3 the following:

(4) The number of defendants who are subject to monetary bail, are unable to post bond, and remain incarcerated

(5) The change in the rate of defendants failing to appear before and after the pretrial release program was implemented.

(6) The change in recidivism rates for all defendants before and after the pretrial release program was implemented.

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

(8) The daily cost to detain each defendant before their trial.

Add at the end of the bill the following:

SEC. 3. ELIGIBILITY FOR GRANTS UNDER THE BYRNE JAG PROGRAM.

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

(1) in subsection (a)—
(A) by adding at the end the following:

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

(B) in paragraph (1) by striking “in paragraph (2)” and inserting “in paragraphs (2) and (3)”; and

(2) in subsection (f)—

(A) BY STRIKING “IF THE ATTORNEY GENERAL” AND INSERTING “(1) IN GENERAL.—If the Attorney General

(B) by adding at the end the following:

“(2) STATE INELIGIBLE DUE TO SYSTEM OF BAIL.—Notwithstanding paragraph (1), if the Attorney General determines with respect to any grant period that a State is made ineligible by subsection (a)(3), the Attorney General shall reallocate any amounts allocated to or that would have been allocated to such State for such period—

“(A) among the other eligible States; and
“(B) in proportion to allocations among eligible States under subsection (a).”.

SEC. 4. PROHIBITION OF MONEY BAIL IN FEDERAL CRIMINAL CASES.

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