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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To foster transparent crime data, to discourage no-cash bail, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To foster transparent crime data, to discourage no-cash bail, 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 “Concerned Citizens Bill
5 of Rights Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “covered grant” means—

1 (A) the grant program authorized under
2 section 1701 of title I of the Omnibus Crime
3 Control and Safe Streets Act of 1968 (34
4 U.S.C. 10381); or

5 (B) the grant program under subpart 1 of
6 part E of title I of the Omnibus Crime Control
7 and Safe Streets Act of 1968 (34 U.S.C. 10151
8 et seq.).

9 (2) the term “criminal courts”—

10 (A) means any court of a State or unit of
11 local government having jurisdiction over crimi-
12 nal matters; and

13 (B) includes the judicial officers serving in
14 a court described in subparagraph (A), includ-
15 ing judges, magistrate judges, commissioners,
16 justices of the peace, or any other person with
17 decision-making authority;

18 (3) the term “jail” means any confinement fa-
19 cility of a State or unit of local government, whether
20 administered by such government or by a private or-
21 ganization on behalf of such government;

22 (4) the term “money bail” means any condition
23 of release from confinement that imposes a financial
24 burden on the person released;

1 (5) the term “prosecution office” means any
2 public agency charged with direct responsibility for
3 prosecuting criminal offenders, including any compo-
4 nent bureau of such an agency; and

5 (6) the terms “State” and “unit of local gov-
6 ernment” have the meanings given such terms in
7 section 901(a) of the Omnibus Crime Control and
8 Safe Streets Act of 1968 (34 U.S.C. 10251(a)).

9 **SEC. 3. CRIME WAVE TRANSPARENCY.**

10 (a) IN GENERAL.—Each State or unit of local gov-
11 ernment shall—

12 (1) fully and accurately report information re-
13 quired by the National Incident-Based Reporting
14 System of the Federal Bureau of Investigation;

15 (2) not later than 30 days after the date of en-
16 actment of this Act, and at the end of each fiscal
17 year thereafter, submit to the Attorney General a re-
18 port describing—

19 (A) any law, rule, policy, or practice in ef-
20 fect in the jurisdiction of the State or unit of
21 local government which requires or results in
22 the nonenforcement of any criminal offenses
23 within such jurisdiction;

24 (B) any law, rule, policy, or practice in ef-
25 fect in the jurisdiction of the State or unit of

1 local government which requires or results in
2 the nonprosecution of any criminal offenses
3 within such jurisdiction;

4 (C) any law, rule, policy, or practice in ef-
5 fect in the jurisdiction of the State or unit of
6 local government which has the effect of with-
7 drawing law enforcement protection from a geo-
8 graphical area or structure that law enforce-
9 ment officers are lawfully entitled to access;

10 (D) the number of criminal offenses de-
11 clined to be prosecuted, disaggregated by each
12 criminal offense;

13 (E) average sentences for filed criminal
14 charges which resulted in punishment,
15 disaggregated by length of sentence issued after
16 a plea of guilty or plea of nolo contendere,
17 length of sentence issued after guilt was deter-
18 mined by trial, and obligations placed on a de-
19 fendant as a result of pretrial diversion; and

20 (F) the average sentences imposed for each
21 crime within the jurisdiction of the State or
22 unit of local government, and the average sen-
23 tences actually served, disaggregated by each
24 criminal offense;

1 (3) not later than 30 days after the date of en-
2 actment of this Act, and at the end of each fiscal
3 year thereafter, submit to the Attorney General a re-
4 port describing efforts to reduce crime within the ju-
5 risdiction of the State or unit of local government,
6 which shall include a discussion of—

7 (A) ongoing strategies to reduce the num-
8 ber of criminal offenses committed within the
9 jurisdiction of the State or unit of local govern-
10 ment;

11 (B) ongoing efforts to hire and retain law
12 enforcement officers;

13 (C) ongoing strategies to combat anti-po-
14 lice sentiment;

15 (D) ongoing strategies to prevent repeat
16 offenses by violent offenders; and

17 (E) ongoing strategies to increase prosecu-
18 tion of crime within its jurisdiction; and

19 (4) not later than 30 days after the date of en-
20 actment of this Act, and at the end of each fiscal
21 year thereafter, submit to the Attorney General a re-
22 port describing the criminal offenses committed by
23 persons who have been released from jail on pretrial
24 release, which shall include crime data, in compli-
25 ance with the requirements of the National Incident-

1 Based Reporting System, for individuals who have
2 been released from jail on pretrial release that have
3 been arrested or charged with a felony or violent
4 misdemeanor committed after pretrial release.

5 (b) ENFORCEMENT THROUGH REDUCTION IN GRANT
6 FUNDS.—For any fiscal year beginning on or after the
7 date of enactment of this Act, a State or unit of local gov-
8 ernment that fails to comply with subsection (a) shall be
9 subject to a 20 percent reduction in the amount that
10 would otherwise be made available to the State or unit
11 of local government under covered grants.

12 (c) USE OF AMOUNTS.—Amounts not allocated to a
13 State or unit of local government under a covered grant
14 under subsection (b) for failure to fully comply with sub-
15 section (a) shall be reallocated under the applicable cov-
16 ered grant program to States or units of local government
17 that have not failed to comply with subsection (a).

18 (d) REPORT.—Not later than 30 days after the date
19 of enactment of this Act, and at the end of each fiscal
20 year thereafter, the Attorney General shall publish a re-
21 port listing each State or unit of local government that
22 is not in compliance with subsection (a).

23 (e) ONLINE INFORMATION.—The Attorney General
24 shall maintain a public website on which each report re-

1 quired under subsection (a) or (d) may be accessed in an
2 electronically-searchable format.

3 (f) MONITORING.—In order to ensure that the re-
4 ports required under subsection (a) are true and correct,
5 the Attorney General shall monitor and assess the accu-
6 racy of the reports required under section (a), which shall
7 include conducting audits.

8 **SEC. 4. CRIME IDENTIFICATION TECHNOLOGY ACT OF 1998.**

9 Section 102(b) of the Crime Identification Tech-
10 nology Act of 1998 (34 U.S.C. 40301(b)) is amended—

11 (1) in paragraph (17), by striking “and” at the
12 end;

13 (2) in paragraph (18), by striking the period
14 and inserting “; and”; and

15 (3) by adding at the end the following:

16 “(19) to assist units of local government that
17 have a population of less than 150,000 in complying
18 with the report requirements under section 3(a) of
19 the Concerned Citizens Bill of Rights Act.”.

20 **SEC. 5. DEFUNDING NO CASH BAIL.**

21 (a) IN GENERAL.—In order to be eligible to receive
22 any amounts under a covered grant, a State or unit of
23 local government shall, not later than 30 days after the
24 date of enactment of this Act, and at the end of each fiscal

1 year thereafter, submit to the Attorney General a certifi-
2 cation that—

3 (1) the State or unit of local government does
4 not have in effect a law, rule, policy, or practice that
5 prohibits criminal courts from—

6 (A) imposing money bail for any felony or
7 any violent misdemeanor offense; or

8 (B) taking the criminal history and dan-
9 gerousness of the defendant into account when
10 setting money bail for any felony or violent mis-
11 demeanor offense; and

12 (2) prosecution office of the State or unit of
13 local government does not have in effect a law, rule,
14 policy, or practice of prohibiting the imposition of
15 money bail for any felony or violent misdemeanor of-
16 fense.

17 (b) USE OF AMOUNTS.—Amounts not allocated to a
18 State or unit of local government under a covered grant
19 for failure to fully comply with subsection (a) shall be re-
20 allocated under the applicable covered grant program to
21 States or units of local government that have not failed
22 to comply with subsection (a).