

106TH CONGRESS
1ST SESSION

S. 412

To reform criminal procedure, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 1999

Mr. DEWINE introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

A BILL

To reform criminal procedure, 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. CONGRESSIONAL OVERSIGHT.**

4 (a) REPORT TO ATTORNEY GENERAL.—Not later
5 than 90 days after the date of enactment of this Act, the
6 Attorney General shall require each United States Attor-
7 ney to—

8 (1) establish an armed violent criminal appre-
9 hension task force comprised of appropriate law en-
10 forcement representatives, which shall be responsible
11 for developing strategies for removing armed violent
12 criminals from the streets; and

1 (2) not less frequently than monthly, report to
 2 the Attorney General on the number of defendants
 3 charged with, or convicted of, violating section
 4 922(g) or 924 of title 18, United States Code, in the
 5 district for which the United States Attorney is ap-
 6 pointed.

7 (b) REPORT TO CONGRESS.—The Attorney General
 8 shall prepare and submit a report to the Congress once
 9 every 6 months detailing the contents of the reports sub-
 10 mitted pursuant to subsection (a)(2).

11 **SEC. 2. PRETRIAL DETENTION FOR POSSESSION OF FIRE-**
 12 **ARMS OR EXPLOSIVES BY CONVICTED FEL-**
 13 **ONS.**

14 Section 3156(a)(4) of title 18, United States Code,
 15 is amended—

16 (1) by striking “or” at the end of subparagraph
 17 (B);

18 (2) by striking “and” at the end of subpara-
 19 graph (C) and inserting “; or”; and

20 (3) by adding at the end the following new sub-
 21 paragraph:

22 “(D) an offense that is a violation of sec-
 23 tion 842(i) or 922(g) (relating to possession of
 24 explosives or firearms by convicted felons);
 25 and”.

1 **SEC. 3. CONFORMING SCIENTER CHANGE FOR TRANSFER-**
 2 **RING A FIREARM TO COMMIT A CRIME OF VI-**
 3 **OLENCE.**

4 Section 924(h) of title 18, United States Code, is
 5 amended by inserting “or having reasonable cause to be-
 6 lieve” after “knowing”.

7 **SEC. 4. FIREARMS POSSESSION BY VIOLENT FELONS AND**
 8 **SERIOUS DRUG OFFENDERS.**

9 Section 924(a)(2) of title 18, United States Code, is
 10 amended—

11 (1) by striking “(2) Whoever” and inserting
 12 “(2)(A) Except as provided in subparagraph (B),
 13 any person who”; and

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

15 “(B) Notwithstanding any other provision of
 16 law, the court shall not grant a probationary sen-
 17 tence to a person who has more than 1 previous con-
 18 viction for a violent felony or a serious drug offense,
 19 committed under different circumstances.”.

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