

114TH CONGRESS
2D SESSION

S. 3541

To require States and units of local government receiving funds under grant programs operated by the Department of Justice that use such funds for pretrial services programs to submit to the Attorney General a report relating to such programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2016

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

A BILL

To require States and units of local government receiving funds under grant programs operated by the Department of Justice that use such funds for pretrial services programs to submit to the Attorney General a report relating to such programs, 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 “Citizens’ Right to
5 Know Act of 2016”.

1 **SEC. 2. REPORTING REQUIREMENT FOR DEPARTMENT OF**
2 **JUSTICE GRANT RECIPIENTS USING FUNDS**
3 **FOR PRETRIAL SERVICES PROGRAMS.**

4 (a) IN GENERAL.—For each fiscal year in which a
5 State or unit of local government receives funds under any
6 grant program operated by the Department of Justice, in-
7 cluding the Edward Byrne Memorial Justice Assistance
8 grant program under subpart I of part E of title I of the
9 Omnibus Crime Control and Safe Streets Act of 1968 (42
10 U.S.C. 3750 et seq.), and in which the State or unit of
11 local government uses funds received under such program
12 for a pretrial services program, the State or unit of local
13 government shall submit to the Attorney General a report
14 which contains the following:

15 (1) The name of each defendant participating
16 in a pretrial release program administered by the
17 pretrial services program, and whether, as applica-
18 ble, the defendant appeared for trial and any post-
19 release required court appearance.

20 (2) Information relating to the previous arrest
21 record of each defendant participating in the pretrial
22 services program.

23 (3) Information relating to any previous failure
24 by each defendant participating in a pretrial release
25 program administered by the pretrial services pro-

1 gram to appear for trial or any post-release required
2 court appearance.

3 (4) The amount of Federal funds the pretrial
4 services program received during the previous fiscal
5 year.

6 (b) PUBLICATION REQUIREMENT.—Subject to any
7 applicable confidentiality requirements, the Attorney Gen-
8 eral shall, on an annual basis, make publicly available the
9 information received under subsection (a).

10 (c) REDUCTION IN FUNDING.—If a State or unit of
11 local government fails to comply with the requirement
12 under subsection (a) for a fiscal year, the Attorney Gen-
13 eral shall reduce the amount that the State or unit of local
14 government would otherwise receive under each grant pro-
15 gram described in subsection (a) in the following fiscal
16 year—

17 (1) by 10 percent, if the failure to comply with
18 the requirement was the first such failure; or

19 (2) by 20 percent, if the failure to comply with
20 the requirement was the second or subsequent such
21 failure.

22 (d) REALLOCATION.—Amounts not allocated to a
23 State or unit of local government under subsection (c)
24 shall be reallocated under each such grant program to

- 1 States and units of local government that comply with the
- 2 requirement under subsection (a).

