



S.1593 – Pretrial and Integrity and Safety Act of 2017 (115th Congress)

[Congress.gov Link Update](#)

Title	Pretrial Integrity and Safety Act of 2017 “A bill to provide grants to States and Indian tribes to reform their criminal justice system to encourage the replacement of the use of payment of secured money bail as a condition of pretrial release in criminal cases, and for other purposes.”
Introduced by	Kamala Harris, D-CA, Rand Paul, R-KY
Co-sponsors	
Bill History	Introduced 7/20/2017. Read twice and referred to the Committee on 7/20/2017.
Committee	Senate Judiciary
Companion Bills	115 H.R.4019 Sponsored by Rep. Ted Lieu, D-CA (identical bill) ¹
Summary of Bill	The bill authorizes \$10 million in grants per State and Indian tribes a year over a three-year period to incentivize states to replace their money bail systems.
Key Provisions	<p>Section 2 Purpose and findings of Congress: The purpose of the bill is to provide grants to States and Indian tribes to reform their criminal justice system by replacing the use of payment of money bail. Congress found that the money bail system has proven to be an ineffective method of protecting the public safety.</p> <p>Section 3 amends Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) by adding Sec. 3031, which defines a number of key terms and Sec. 3032.</p> <p>Sec. 3032 authorizes the Assistant Attorney General to grant funds for the replacement of money bails and a National Pretrial Reporting Program. The duration of the grants is for a 3-year period.</p> <p>Replacement of Money Bail</p> <ul style="list-style-type: none"> • Grants a max. of \$10 million a year to States and tribal court systems. (b)(2)(A) • Requires funds to be used for developing the long-term, sustainable capacity to perform more effective pretrial practices. (c)(1) • Elements of the reform should include individualized, pretrial assessments that measure the risk of flight and risk of anticipated criminal conduct; a presumption of release in most cases; a defendant has counsel as soon as feasible after custodial restraint or the first appearance before a magistrate, judge, or other judicial officers; and instituting a system of data collection and reporting to determine the effectiveness of the program replacing the money bail system. (c)(2) • Benchmarks for grant-recipients include defendants return to court rates are not less 95%; overall releases rates of defendants pending trial are not less than 85%; and 100% of defendants have an attorney at the first appearance of the defendant before a magistrate, judge, or other judicial officer. (c)(3)

¹ See <https://www.congress.gov/bill/115th-congress/house-bill/4019>.

	<p>National Pretrial Reporting Program</p> <ul style="list-style-type: none"> • Grants a max. of \$5 million a year to eligible entities. (b)(2)(B) • Purpose of the program is to collect data on the processing of defendants by courts of States and units of local government. (a)(2) • Requires entities to submit to the Assistant Attorney General a report that contains: (A) a summary of activities carried out with grant funds; (B) an assessment of whether activities are meeting the need for the program; (C) data on the money bail program of the State or Indian tribe; and (D) such other information as the Assistant Attorney General may require. (d)(1)
Related Federal Bills	No Money Bail Act of 2017 ² , was introduced in the House 03/08/17 and was referred to the subcommittee on Crime, Terrorism, Homeland Security and Investigations on 03/17/17. ³
Action in States	New Jersey’s Bail Reform and Speed Trial Act. ⁴
Related Partner Reports (with hyperlinks)	<p>NAACP Legal Defense and Educational Fund (Statement on S.1593, 7.20.2017) LDF Statement on the Proposed Pretrial Integrity and Safety Act of 2017</p> <p>American Civil Liberties Union (Comment on S.1593, 7.20.2017) ACLU COMMENT ON THE INTRODUCTION OF THE PRETRIAL INTEGRITY AND SAFETY ACT, A FEDERAL BAIL REFORM BILL (ACLU of Washington Report, 9.16.2016) No Money, No Freedom: The Need for Bail Reform</p> <p>National Association of Criminal Defense Lawyers (Newsletter Column by Ivan Dominquez, Ezar Dunkle-Polier, and Alexandra Funk) NACDL Applauds Introduction of Bipartisan ‘Pretrial Integrity and Safety Act of 2017’</p>
Other Sources and Publications (with hyperlinks)	<p>New York Times (Article by Kamala Harris and Rand Paul 7.20.2017) https://www.nytimes.com/2017/07/20/opinion/kamala-harris-and-rand-paul-lets-reform-bail.html</p> <p>Pretrial Justice Institute (Blog Article by Cherise Fanno Burdeen, on 7.26.2017)⁵ http://www.pretrial.org/pretrial-integrity-safety-act-another-step-toward-justice/</p> <p>The Hill (Article by Lydia Wheeler, published on 9.8.2017) http://thehill.com/regulation/349703-law-enforcement-leaders-back-bail-reform</p>
For Actions on criminal justice reform: [Link TBA]	

² See <https://www.congress.gov/bill/115th-congress/house-bill/1437/text>.

³ See <https://www.congress.gov/bill/115th-congress/house-bill/1437>.

⁴ Alan Feuer, *New Jersey is Front Line in a National Battle Over Bail*, New York Times, (Aug. 21, 2017) <https://www.nytimes.com/2017/08/21/nyregion/new-jersey-bail-reform-lawsuits.html> (Plaintiffs in a New Jersey lawsuit claim that a New Jersey bail reform law violates the 14th Amendment due process clause. Another New Jersey plaintiff claimed that although he could post bail, the bail reform law forced individuals to be released and fitted with an electronic ankle bracelet. The plaintiff in that case claims that the electronic ankle bracelet led to severe deprivations of liberty).

⁵ Discusses why national bail reform matters and how it’s a step towards justice.