



H.R. 2152 – Citizens Right to Know Act of 2017 (Rep. Poe, R-TX)

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FLOOR SCHEDULE:

Expected to be considered on May , 2018, under a closed [rule](#).

The rule also provides for consideration of H.R. 5645, the SMARTER Act, and S.J. Res. 57.

TOPLINE SUMMARY:

[H.R. 2152](#) would provide augmented oversight over pretrial release programs by requiring states and local entities that receive Department of Justice grants to perform required recordkeeping and submit a report to the Attorney General on pretrial release programs.

COST:

The Congressional Budget Office (CBO) [estimates](#) that “implementing the bill’s provisions would cost the department less than \$500,000 each year; such spending would be subject to the availability of appropriated funds.”

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

While commercial bail is typically used to ensure court appearances for defendants, pretrial release programs were originally established for those who could not post financial surety bonds. These programs provide the court with options to make pretrial release decisions and provide for the supervision of defendants and lay out conditions of their release. Many have become [concerned](#) that these programs have grown bloated beyond their original intent, often allowing for the release of violent and repeat offenders, including those that could in fact post a commercial bond. The government in turn is responsible for funding a portion of these programs.

This legislation would require states or local governments that receive DoJ grants and use those grants for pretrial services, to annually report on what portion of funds are used for such services and provide information on those participating in pretrial release programs. The Department of Justice would be required

to publish this information. The DOJ would be permitted to reduce allocated grants for failure to comply with the terms of this legislation.

A committee report can be found [here](#).

COMMITTEE ACTION:

H.R. 2152 was introduced on April 26, 2017, and was referred to the House Committee on the Judiciary where it was [reported](#), amended, on March 7, 2018, by a vote of 14-10.

GROUPS IN SUPPORT

- American Civil Rights Union
- American Legislative Exchange Council (ALEC) - Criminal Justice Reform Task Force
- American Values
- Children First Foundation
- Christian Coalition
- Coalition for a Fair Judiciary
- Crime Survivors
- Crime Victims United
- Free Congress / American Opportunity Foundation
- Klaas Kids Foundation
- Let Freedom Ring
- National Association of Police Organizations, Inc
- Parents of Murdered Children
- Professional Bail Agents Association

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact H.R. 2152 pursuant to: Article I, Section 8, Clause 18 of the U.S. Constitution.

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