

FEB 27 1996

JUDICIARY

HOUSE FILE
BY GRUBBS

2375

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to information regarding persons released from
2 custody pending trial.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2375

1 Section 1. NEW SECTION. 602.8104A PRETRIAL RELEASE
2 INFORMATION.

3 1. The clerk of the district court shall compile the
4 following information regarding persons, who shall only be
5 identified by case number, accused of a public offense who are
6 released from custody while awaiting trial under chapter 811:

7 a. The offense with which the person is charged.

8 b. The date of any court appearances scheduled in the case
9 which the accused did not attend.

10 c. Whether a warrant has been issued for the person's
11 arrest for failure to appear in accordance with the terms of
12 the person's pretrial release.

13 d. Whether the person has failed to comply with a
14 condition of pretrial release imposed under chapter 811.

15 e. The magistrate or judge who ordered the pretrial
16 release.

17 2. This information shall be updated on a monthly basis
18 and shall be a public record.

19 3. Not later than March 15 of each year, the clerk shall
20 prepare a report to the chief judge of the judicial district
21 containing the following information for the previous calendar
22 year:

23 a. The number of accused persons who failed to attend a
24 scheduled court appearance.

25 b. The number of accused persons for whom a warrant for
26 the person's arrest was issued for failure to appear.

27 c. The number of accused persons who were arrested for
28 another offense while on pretrial release and the offense for
29 which they were arrested.

30 d. The number of persons who were convicted of the same
31 offense or of a felony within the six years previous to the
32 date upon which charges were filed in the case for which the
33 person was on pretrial release.

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EXPLANATION

35 This bill provides that the clerk of the district court

1 shall keep a record of persons released from custody while
2 awaiting trial. The record shall only identify the person by
3 case number and shall be a public record.

4 The record shall contain information regarding the offense
5 with which the person released is accused, whether the person
6 has failed to appear for scheduled court dates or violated a
7 condition of pretrial release, and the judge or magistrate
8 which issued the pretrial release order.

9 The clerk shall make a report to the chief judge of the
10 judicial district by March 15 of each year including
11 information on the number of persons placed on pretrial
12 release, the number who failed to appear, the number who were
13 arrested while on pretrial release and their offense, the
14 number who were subject to an arrest warrant for failure to
15 appear, and the number of persons convicted of the same
16 offense or a felony within the previous six years.

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