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*** CURRENT THROUGH P.L. 109-1, APPROVED 1/7/05 ***

TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART II. CRIMINAL PROCEDURE
CHAPTER 207. RELEASE AND DETENTION PENDING JUDICIAL PROCEEDINGS

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

18 USCS § 3152 (2005)

§ 3152. Establishment of pretrial services

(a) On and after the date of the enactment of the Pretrial Services Act of 1982 [enacted Sept. 27, 1982], the Director of the Administrative Office of the United States Courts (hereinafter in this chapter [18 USCS §§ 3141 et seq.] referred to as the "Director") shall, under the supervision and direction of the Judicial Conference of the United States, provide directly, or by contract or otherwise (to such extent and in such amounts as are provided in appropriation Acts), for the establishment of pretrial services in each judicial district (other than the District of Columbia). Pretrial services established under this section shall be supervised by a chief probation officer appointed under section 3654 of this title [18 USCS § 3654] or by a chief pretrial services officer selected under subsection (c) of this section.

(b) Beginning eighteen months after the date of the enactment of the Pretrial Services Act of 1982 [enacted Sept. 27, 1982], if an appropriate United States district court and the circuit judicial council jointly recommend the establishment under this subsection of pretrial services in a particular district, pretrial services shall be established under the general authority of the Administrative Office of the United States Courts.

(c) The pretrial services established under subsection (b) of this section shall be supervised by a chief pretrial services officer selected by a panel consisting of the chief judge of the circuit, the chief judge of the district, and a magistrate [United States magistrate judge] of the district or their designees. The chief pretrial services officer appointed under this subsection shall be an individual other than one serving under authority of section 3654 of this title [18 USCS § 3654].

HISTORY:

(Added Jan. 3, 1975, P.L. 93-619, Title II, § 201, 88 Stat. 2086; Sept. 27, 1982, P.L. 97-267, § 2, 96 Stat. 1136.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The bracketed words "United States magistrate judge" were inserted in subsec. (c) on the authority of Act Dec. 1, 1990, P.L. 101-650, Title III, § 312, which appears as 28 USCS § 631 note.

A prior § 3152 (Act June 22, 1966, P.L. 89-465, § 3(a), 80 Stat. 216), which defined the terms "judicial officer" and "offense", was repealed by Act Jan. 3, 1975, P.L. 93-619, Title II, § 201, 88 Stat. 2086. See 18 USCS § 3156.

Amendments:

1982. Act Sept. 27, 1982 substituted the heading and this section for ones which read:

"§ 3152. Establishment of pretrial services agencies

"The Director of the Administrative Office of the United States Courts shall establish, on a demonstration basis, in each of ten representative judicial districts (other than the District of Columbia), a pretrial services agency authorized to maintain effective supervision and control over, and to provide supportive services to, defendants released under

this chapter. The districts in which such agencies are to be established shall be designated by the Chief Justice of the United States after consultation with the Attorney General, on the basis of such considerations as the number of criminal cases prosecuted annually in the district, the percentage of defendants in the district presently detained prior to trial, the incidence of crime charged against persons released pending trial under this chapter, and the availability of community resources to implement the conditions of release which may be imposed under this chapter."

Other provisions:

Authorization of appropriations. Act Sept. 27, 1982, P.L. 97-267, § 9, 96 Stat. 1139, provides:

"(a) There are authorized to be appropriated, for the fiscal year ending September 30, 1984, and each succeeding fiscal year thereafter, such sums as may be necessary to carry out the functions and powers of pretrial services established under section 3152(b) of title 18, United States Code.

"(b) There are authorized to be appropriated for the fiscal year ending September 30, 1983, and the fiscal year ending September 30, 1984, such sums as may be necessary to carry out the functions and powers of the pretrial services agencies established under section 3152 of title 18 of the United States Code in effect before the date of enactment of this Act ."

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18 USCS § 3153 (2005)

§ 3153. Organization and administration of pretrial services

(a) (1) With the approval of the district court, the chief pretrial services officer in districts in which pretrial services are established under section 3152(b) of this title [*18 USCS § 3152(b)*] shall appoint such other personnel as may be required. The position requirements and rate of compensation of the chief pretrial services officer and such other personnel shall be established by the Director with the approval of the Judicial Conference of the United States, except that no such rate of compensation shall exceed the rate of basic pay in effect and then payable for grade GS-16 of the General Schedule under section 5332 of title 5, United States Code.

(2) The chief pretrial services officer in districts in which pretrial services are established under section 3152(b) of this title [*18 USCS § 3152(b)*] is authorized, subject to the general policy established by the Director and the approval of the district court, to procure temporary and intermittent services to the extent authorized by section 3109, of title 5, United States Code. The staff, other than clerical staff, may be drawn from law school students, graduate students, or such other available personnel.

(b) The chief probation officer in all districts in which pretrial services are established under section 3152(a) of this title [*18 USCS § 3152(a)*] shall designate personnel appointed under chapter 231 of this title [*18 USCS §§ 3651 et seq.*] to perform pretrial services under this chapter [*18 USCS §§ 3141 et seq.*].

(c) (1) Except as provided in paragraph (2) of this subsection, information obtained in the course of performing pretrial services functions in relation to a particular accused shall be used only for the purposes of a bail determination and shall otherwise be confidential. Each pretrial services report shall be made available to the attorney for the accused and the attorney for the Government.

(2) The Director shall issue regulations establishing the policy for release of information made confidential by paragraph (1) of this subsection. Such regulations shall provide exceptions to the confidentiality requirements under paragraph (1) of this subsection to allow access to such information—

(A) by qualified persons for purposes of research related to the administration of criminal justice;

(B) by persons under contract under section 3154(4) of this title [*18 USCS § 3154(4)*];

(C) by probation officers for the purpose of compiling presentence reports;

(D) insofar as such information is a pretrial diversion report, to the attorney for the accused and the attorney for the Government; and

(E) in certain limited cases, to law enforcement agencies for law enforcement purposes.

(3) Information made confidential under paragraph (1) of this subsection is not admissible on the issue of guilt in a criminal judicial proceeding unless such proceeding is a prosecution for a crime committed in the course of obtaining pretrial release or a prosecution for failure to appear for the criminal judicial proceeding with respect to which pretrial services were provided.

HISTORY:

(Added Jan. 3, 1975, P.L. 93-619, Title II, § 201, 88 Stat. 2086; Sept. 27, 1982, P.L. 97-267, § 3, 96 Stat. 1136.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Amendments:

1982. Act Sept. 27, 1982 substituted this heading and section for ones which read:

"§ 3153. Organization of pretrial services agencies

"(a) The powers of five pretrial services agencies shall be vested in the Division of Probation of the Administrative Office of the United States Courts. Such Division shall establish general policy for such agencies.

"(b)

(1) The powers of each of the remaining five pretrial services agencies shall be vested in a Board of Trustees which shall consist of seven members. The Board of Trustees shall establish general policy for the agency.

"(2) Members of the Board of Trustees shall be appointed by the chief judge of the United States district court for the district in which such agency is established as follows:

"(A) one member, who shall be a United States district court judge;

"(B) one member, who shall be the United States attorney;

"(C) two members, who shall be members of the local bar active in the defense of criminal cases, and one of whom shall be a Federal public defender, if any;

"(D) one member, who shall be the chief probation officer; and

"(E) two members who shall be representatives of community organizations.

"(c) The term of office of a member of the Board of Trustees appointed pursuant to clauses (C) (other than a public defender) and (E) of subsection (b)(2) shall be three years. A vacancy in the Board shall be filled in the same manner as the original appointment. Any member appointed pursuant to clause (C) (other than a public defender) or (E) of subsection (b)(2) to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

"(d)

(1) In each of the five demonstration districts in which pretrial service agencies are established pursuant to subsection (a) of this section, the pretrial service officer shall be a Federal probation officer of the district designated for this purpose by the Chief of the Division of Probation and shall be compensated at a rate not in excess of the rate prescribed for GS-16 by section 5332 of title 5, United States Code.

"(2) In each of the five remaining demonstration districts in which pretrial service agencies are established pursuant to subsection (b)(1) of this section, after reviewing the recommendations of the judges of the district court to be served by the agency, each such Board of Trustees shall appoint a chief pretrial service officer, who shall be compensated at a rate to be established by the chief judge of the court, but not in excess of the rate prescribed for GS-15 by section 5332 of title 5, United States Code.

"(3) The designated probation officer or the chief pretrial service officer, subject to the general policy established by the Division of Probation or the Board of Trustees, respectively, shall be reasonable for the direction and supervision of the agency and may appoint and fix the compensation of such other personnel as may be necessary to staff such agency, and may appoint such experts and consultants as may be necessary, pursuant to section 3109 of title 5, United States Code. The compensation of such personnel so appointed shall be comparable to levels of compensation established under chapter 53 of title 5, United States Code."

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18 USCS § 3154 (2005)

§ 3154. Functions and powers relating to pretrial services

Pretrial services functions shall include the following:

(1) Collect, verify, and report to the judicial officer, prior to the pretrial release hearing, information pertaining to the pretrial release of each individual charged with an offense, including information relating to any danger that the release of such person may pose to any other person or the community, and, where appropriate, include a recommendation as to whether such individual should be released or detained and, if release is recommended, recommend appropriate conditions of release; except that a district court may direct that information not be collected, verified, or reported under this paragraph on individuals charged with Class A misdemeanors as defined in section 3559(a)(6) of this title [*18 USCS § 3559(a)(6)*].

(2) Review and modify the reports and recommendations specified in paragraph (1) of this section for persons seeking release pursuant to section 3145 of this chapter [*18 USCS § 3145*].

(3) Supervise persons released into its custody under this chapter [*18 USCS §§ 3141 et seq.*].

(4) Operate or contract for the operation of appropriate facilities for the custody or care of persons released under this chapter [*18 USCS §§ 3141 et seq.*] including residential halfway houses, addict and alcoholic treatment centers, and counseling services.

(5) Inform the court and the United States attorney of all apparent violations of pretrial release conditions, arrests of persons released to the custody of providers of pretrial services or under the supervision of providers of pretrial services, and any danger that any such person may come to pose to any other person or the community, and recommend appropriate modifications of release conditions.

(6) Serve as coordinator for other local agencies which serve or are eligible to serve as custodians under this chapter [*18 USCS §§ 3141 et seq.*] and advise the court as to the eligibility, availability, and capacity of such agencies.

(7) Assist persons released under this chapter [*18 USCS §§ 3141 et seq.*] in securing any necessary employment, medical, legal, or social services.

(8) Prepare, in cooperation with the United States marshal and the United States attorney such pretrial detention reports as are required by the provisions of the Federal Rules of Criminal Procedure relating to the supervision of detention pending trial.

(9) Develop and implement a system to monitor and evaluate bail activities, provide information to judicial officers on the results of bail decisions, and prepare periodic reports to assist in the improvement of the bail process.

(10) To the extent provided for in an agreement between a chief pretrial services officer in districts in which pretrial services are established under section 3152(b) of this title [*18 USCS § 3152(b)*], or the chief probation officer in all other districts, and the United States attorney, collect, verify, and prepare reports for the United States attorney's office of information pertaining to the pretrial diversion of any individual who is or may be charged with an offense, and perform such other duties as may be required under any such agreement.

(11) Make contracts, to such extent and in such amounts as are provided in appropriation Acts, for the carrying out of any pretrial services functions.

(12) (A) As directed by the court and to the degree required by the regimen of care or treatment ordered by the court

18 USCS § 3154

as a condition of release, keep informed as to the conduct and provide supervision of a person conditionally released under the provisions of section 4243 or 4246 of this title [18 USCS § 4243 or 4246], and report such person's conduct and condition to the court ordering release and the Attorney General or his designee.

(B) Any violation of the conditions of release shall immediately be reported to the court and the Attorney General or his designee.

(13) If approved by the district court, be authorized to carry firearms under such rules and regulations as the Director of the Administrative Office of the United States Courts may prescribe.

(14) Perform such other functions as specified under this chapter [18 USCS §§ 3141 et seq.].

HISTORY:

(Added Jan. 3, 1975, P.L. 93-619, Title II, § 201, 88 Stat. 2087; Sept. 27, 1982, P.L. 97-267, § 4, 96 Stat. 1137; Oct. 12, 1984, P.L. 98-473, Title II, Ch I, § 203(b), 98 Stat. 1984; Nov. 29, 1990, P.L. 101-647, Title XXXV, § 3576 104 Stat. 4929; Oct. 29, 1992, P.L. 102-572, Title VII, § 701(b), Title X, § 1002, 106 Stat. 4515, 4521.)

(As amended Oct. 19, 1996, P.L. 104-317, Title I, § 101(b), 110 Stat. 3848.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES**Amendments:**

1982. Act Sept. 27, 1982 substituted this section for one which read:

"§ 3154. Functions and powers of pretrial services agencies

"Each pretrial services agency shall perform such of the following functions as the district court to be served may specify:

"(1) Collect, verify, and report promptly to the judicial officer information pertaining to the pretrial release of each person charged with an offense, and recommend appropriate release conditions for each such person, but such information as may be contained in the agency's files or presented in its report or which shall be divulged during the course of any hearing shall be used only for the purpose of a bail determination and shall otherwise be confidential. In their respective districts, the Division of Probation or the Board of Trustees shall issue regulations establishing policy on the release of agency files. Such regulation shall create an exception to the confidentiality requirement so that such information shall be available to members of the agency's staff and to qualified persons for purposes of research related to the administration of criminal justice. Such regulations may create an exception to the confidentiality requirement so that access to agency files will be permitted by agencies under contract pursuant to paragraph (4) of this section; to probation officers for the purpose of compiling a presentence report and in certain limited cases to law enforcement agencies for law enforcement purposes. In no case shall such information be admissible on the issue of guilt in any judicial proceeding, and in their respective districts, the Division of Probation or the Board of Trustees may permit such information to be used on the issue of guilt for a crime committed in the course of obtaining pretrial release.

"(2) Review and modify the reports and recommendations specified in paragraph (1) for persons seeking release pursuant to section 3146(e) or section 3147.

"(3) Supervise persons released into its custody under this chapter.

"(4) With the cooperation of the Administrative Office of the United States Courts, and with the approval of the Attorney General, operate or contract for the operation of appropriate facilities for the custody or care of persons released under this chapter including, but not limited to, residential halfway houses, addict and alcoholic treatment centers, and counseling services.

"(5) Inform the court of all apparent violations of pretrial release conditions or arrests of persons released to its custody or under its supervision and recommend appropriate modifications of release conditions.

"(6) Serve as coordinator for other local agencies which serve or are eligible to serve as custodians under this chapter and advise the court as to the eligibility, availability, and capacity of such agencies.

"(7) Assist persons released under this chapter in securing any necessary employment, medical, legal, or social services.

"(8) Prepare, in cooperation with the United States marshal and the United States attorney such pretrial detention reports as are required by the provisions of the Federal Rules of Criminal Procedure relating to the supervision of detention pending trial.

"(9) Perform such other functions as the court may, from time to time, assign."

1984. Act Oct. 12, 1984, in para. (1), purported to substitute "and, where appropriate, include a recommendation as to whether such individual should be released or detained and, if release is recommended, recommend appropriate conditions

of release" for "and recommend appropriate release conditions for each such person"; however, such amendment was executed by substituting "and, where appropriate, include a recommendation as to whether such individual should be released or detained and, if release is recommended, recommend appropriate conditions of release" for "and recommend appropriate release conditions for each such individual" in order to effectuate the probable intent of Congress.

Such Act further, in para. (2), substituted "section 3145" for "section 3146(e) or section 3147".

1990. Act Nov. 29, 1990, in para. (1), substituted "community, and, where appropriate, include a recommendation as to whether such individual should be released or detained and, if release is recommended, recommend appropriate conditions of release." for "community, and, where appropriate, include a recommendation as to whether such individual should be released or detained and, if release is recommended, recommend appropriate conditions of release."

1992. Act Oct. 29, 1992 (effective 1/1/93, as provided by § 1101(a) of such Act, which appears as 2 *USCS* § 905 note), in para. (1), inserted "; except that a district court may direct that information not be collected, verified, or reported under this paragraph on individuals charged with Class A misdemeanors as defined in section 3559(a)(6) of this title"; redesignated para. (12) as para. (13), and added a new para. (12).

1996. Act Oct. 19, 1996, redesignated para. (13) as para. (14), and added new para. (13).

Other provisions:

Demonstration program for drug testing of arrested persons and defendants on probation or supervised release.

Act Nov. 18, 1988, P.L. 100-690, Title VII, Subtitle G, § 7304, 102 Stat. 4464, provides:

"(a) Establishment. The Director of the Administrative Office of the United States Courts shall establish a demonstration program of mandatory testing of criminal defendants.

"(b) Length of program. The demonstration program shall begin not later than January 1, 1989, and shall last two years.

"(c) Selection of districts. The Judicial Conference of the United States shall select 8 Federal judicial districts in which to carry out the demonstration program, so that the group selected represents a mix of districts on the basis of criminal caseload and the types of cases in that caseload.

"(d) Inclusion in pretrial services. In each of the districts in which the demonstration program takes place, pretrial services under chapter 207 of title 18, United States Code [*18 USCS* §§ 3141 et seq.], shall arrange for the drug testing of defendants in criminal cases. To the extent feasible, such testing shall be completed before the defendant makes the defendant's initial appearance in the case before a judicial officer. The results of such testing shall be included in the report to the judicial officer under section 3154 of title 18, United States Code.

"(e) Mandatory condition of probation and supervised release. In each of the judicial districts in which the demonstration program is in effect, it shall be an additional, mandatory condition of probation, and an additional mandatory condition of supervised release for offenses occurring or completed on or after January 1, 1989, for any defendant convicted of a felony, that such defendant refrain from any illegal use of any controlled substance (as defined in section 102 of the Controlled Substances Act [*21 USCS* § 802]) and submit to periodic drug tests for use of controlled substances at least once every 60 days. The requirement that drug tests be administered at least once every 60 days may be suspended upon motion of the Director of the Administrative Office, or the Director's designee, if, after at least one year of probation or supervised release, the defendant has passed all drug tests administered pursuant to this section. No action may be taken against a defendant pursuant to a drug test administered in accordance with this subsection unless the drug test confirmation is a urine drug test confirmed using gas chromatography techniques or such test as the Secretary of Health and Human Services may determine to be of equivalent accuracy.

"(f) Report to Congress. Not later than 90 days after the first year of the demonstration program and not later than 90 days after the end of the demonstration program, the Director of the Administrative Office of the United States Courts shall report to Congress on the effectiveness of the demonstration program and include in such report recommendations as to whether mandatory drug testing of defendants should be made more general and permanent."

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18 USCS § 3155 (2005)

§ 3155. Annual reports

Each chief pretrial services officer in districts in which pretrial services are established under section 3152(b) of this title [18 USCS § 3152(b)], and each chief probation officer in all other districts, shall prepare an annual report to the chief judge of the district court and the Director concerning the administration and operation of pretrial services. The Director shall be required to include in the Director's annual report to the Judicial Conference under section 604 of title 28 a report on the administration and operation of the pretrial services for the previous year.

HISTORY:

(Added Jan. 3, 1975, P.L. 93-619, Title II, § 201, 88 Stat. 2088; Sept. 27, 1982, P.L. 97-267, § 5, 96 Stat. 1138.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

References in text:

The "Director" referred to in this section is the Director of the Administrative Office of the United States Courts.

Amendments:

1982. Act Sept. 27, 1982 substituted this heading and section for ones which read:

"§ 3155. Report to Congress

"(a) The Director of the Administrative Office of the United States Courts shall annually report to Congress on the accomplishments of the pretrial services agencies, with particular attention to (1) their effectiveness in reducing crime committed by persons released under this chapter; (2) their effectiveness in reducing the volume and cost of unnecessary pretrial detention; and (3) their effectiveness in improving the operation of this chapter. The Director shall include in his fourth annual report recommendations for any necessary modification of this chapter or expansion to other districts. Such report shall also compare the accomplishments of the pretrial services agencies operated by the Division of Probation with those operated by Board of Trustees and with monetary bail or any other program generally used in State and Federal courts to guarantee presence at trial.

"(b) On or before the expiration of the forty-eighth-month period following July 1, 1975, the Director of the Administrative Office of the United States Courts shall file a comprehensive report with the Congress concerning the administration and operation of the amendments made by the Speedy Trial Act of 1974, including his views and recommendations with respect thereto."

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18 USCS § 3156 (2005)

§ 3156. Definitions

(a) As used in sections 3141–3150 of this chapter [*18 USCS §§ 3141–3150*]—

(1) the term "judicial officer" means, unless otherwise indicated, any person or court authorized pursuant to section 3041 of this title [*18 USCS § 3041*], or the Federal Rules of Criminal Procedure, to detain or release a person before trial or sentencing or pending appeal in a court of the United States, and any judge of the Superior Court of the District of Columbia;

(2) the term "offense" means any criminal offense, other than an offense triable by court–martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress and is triable in any court established by act of Congress;

(3) the term "felony" means an offense punishable by a maximum term of imprisonment of more than one year;

(4) the term "crime of violence" means—

(A) an offense that has an element of the offense the use, attempted use, or threatened use of physical force against the person or property of another;

(B) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense; or

(C) any felony under chapter 109A, 110, or 117 [*18 USCS §§ 2241 et seq., 2251 et seq., or 2421 et seq.*]; and

(5) the term "State" includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(b) As used in sections 3152–3155 of this chapter—

(1) the term "judicial officer" means, unless otherwise indicated, any person or court authorized pursuant to section 3041 of this title [*18 USCS § 3041*], or the Federal Rules of Criminal Procedure, to detain or release a person before trial or sentencing or pending appeal in a court of the United States, and

(2) the term "offense" means any Federal criminal offense which is in violation of any Act of Congress and is triable by any court established by Act of Congress (other than a Class B or C misdemeanor or an infraction, or an offense triable by court–martial, military commission, provost court, or other military tribunal).

HISTORY:

(Added Jan. 3, 1975, P.L. 93–619, Title II, § 201, 88 Stat. 2088; Oct. 12, 1984, P.L. 98–473, Title II, Ch I, § 203(e), Ch II, § 223(h), 98 Stat. 1985, 2029; Nov. 10, 1986, P.L. 99–646, § 55(i), 100 Stat. 3610.)

(As amended Sept. 13, 1994, P.L. 103–322, Title IV, Subtitle E, § 40501, 108 Stat. 1945; Oct. 11, 1996, P.L. 104–294, Title VI, § 607(i), 110 Stat. 3512; Oct 30, 1998, P.L. 105–314, Title VI, § 601, 112 Stat. 2982.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Amendments:

18 USCS § 3156

1984. Act Oct. 12, 1984, in subsec. (a), in the introductory matter, substituted "3141" for "3146", in para. (1), substituted "detain or" for "bail or otherwise", in para. (2), substituted "; and" for a concluding period, and added paras. (3) and (4); and, in subsec. (b)(1), substituted "detain or" for "bail or otherwise".

Such Act further (effective on the first day of the first calendar month beginning 36 months after enactment, as provided by § 235(a)(1) of such Act, as amended by Act Dec. 26, 1985, P.L. 99-217, § 4, 99 Stat. 1728; Nov. 10, 1986, P.L. 99-646, § 35, 100 Stat. 3599; Dec. 7, 1987, P.L. 100-182, § 2, 101 Stat. 1226, which appears as *18 USCS § 3551* note, and applicable as provided by such § 235, which appears as *18 USCS § 3551* note) in subsec. (b)(2), substituted "Class B or C misdemeanor or an infraction" for "petty offense as defined in section 1(3) of this title".

1986. Act Nov. 10, 1986 (effective 30 days after enactment as provided by § 55(j) of such Act, which appears as *18 USCS § 3141* note), in subsec. (a), in para. (1), substituted "the term" for "The term", in para. (2), substituted "the term" for "The term", and deleted "and" following "act of Congress;", and in paras. (3) and (4), substituted "the term" for "The term".

1994. Act Sept. 13, 1994, in subsec. (a)(4), in subpara. (A), deleted "or" after the concluding semicolon, in subpara. (B), substituted "; or" for a concluding period, and added subpara. (C).

1996. Act Oct. 11, 1996, in subsec. (a), in para. (3), deleted "and" after the concluding semicolon, in para. (4)(C), substituted "; and" for a concluding period, and added para. (5).

1998. Act Oct. 30, 1998, in subsec. (a)(4), substituted subpara. (C) for one which read: "(C) any felony under chapter 109A or chapter 110; and".