

107TH CONGRESS
2^D SESSION

H. R. 5697

To authorize the Attorney General to carry out a program, known as the Northern Border Prosecution Initiative, to provide funds to northern border States to reimburse county and municipal governments for costs associated with certain criminal activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 2002

Mr. LARSEN of Washington introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize the Attorney General to carry out a program, known as the Northern Border Prosecution Initiative, to provide funds to northern border States to reimburse county and municipal governments for costs associated with certain criminal activities, 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 “Northern Border Pros-
5 ecution Initiative Reimbursement Act” .

1 **SEC. 2. NORTHERN BORDER PROSECUTION INITIATIVE.**

2 (a) INITIATIVE REQUIRED.—From amounts made
3 available to carry out this section, the Attorney General,
4 acting through the Director of the Bureau of Justice As-
5 sistance of the Office of Justice Programs, shall carry out
6 a program, to be known as the Northern Border Prosecu-
7 tion Initiative, to provide funds to reimburse eligible
8 northern border entities for costs incurred by those enti-
9 ties for handling case dispositions of eligible federally initi-
10 ated and declined-referred criminal cases.

11 (b) ALLOCATION OF FUNDS.—Funds provided under
12 the program shall be allocated in a manner that the Attor-
13 ney General considers appropriate.

14 (c) USE OF FUNDS.—Funds provided to an eligible
15 northern border entity may be used by the entity for any
16 lawful purpose, including the following purposes:

17 (1) Court costs.

18 (2) Costs of courtroom technology.

19 (3) Costs of constructing holding spaces.

20 (4) Costs of administrative staff.

21 (5) Costs of defense counsel for indigent de-
22 fendants.

23 (6) Detention costs, including pre-trial and
24 post-trial detention.

25 (d) DEFINITIONS.—In this section:

1 (1) The term “eligible northern border entity”
2 means—

3 (A) any of the following States: Alaska,
4 Idaho, Illinois, Indiana, Maine, Michigan, Min-
5 nesota, Montana, New Hampshire, New York,
6 North Dakota, Ohio, Pennsylvania, Vermont,
7 Washington, and Wisconsin; or

8 (B) any unit of local government within a
9 State referred to in subparagraph (A).

10 (2) The term “federally initiated case” means a
11 criminal case resulting from a criminal investigation
12 or an arrest involving Federal law enforcement au-
13 thorities for a potential violation of Federal criminal
14 law, including investigations resulting from multi-
15 jurisdictional task forces.

16 (3) The term “federally declined-referred crimi-
17 nal case” means a decision by a United States At-
18 torney or a Federal law enforcement agency during
19 a Federal investigation to no longer pursue Federal
20 criminal charges against a defendant and referral of
21 the investigation to a State or local jurisdiction for
22 possible prosecution. Reimbursement is available for
23 cases regardless of whether the case was formally
24 declined and referred by a United States Attorney,
25 or through a blanket Federal declination-referral

1 policy, accepted Federal law enforcement practice, or
2 Federal prosecutorial discretion.

3 (4) The term “case disposition”, for purposes
4 of the Northern Border Prosecution Initiative, refers
5 to the time between a suspect’s arrest and the reso-
6 lution of the criminal charges through a county or
7 State judicial or prosecutorial process. Disposition
8 does not include incarceration time for sentenced of-
9 fenders, or time spent by prosecutors on judicial ap-
10 peals.

11 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to carry out
13 this section \$20,000,000 for fiscal year 2003 and such
14 sums as may be necessary for fiscal years after fiscal year
15 2003.

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