Children of Incarcerated Caregivers

FEDERAL PRETRIAL RELEASE DEFENSE SUPPLEMENT



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Who We Are

Children of Incarcerated Caregivers (CIC) advocates for laws, policies, and programs that support the best interests of minor children with parents involved in the criminal legal system. This Defense Supplement demonstrates how courts can and should consider the impact on a defendant's children when the parent is facing pretrial detention. CIC recognizes that not every parent will be eligible for pretrial release and that it won't always be in a child's best interest to have their parent released/in the community. However, in the cases where imposing a community-based alternative to detention is within a judge's discretion and serves the best interests of the defendant's child/children, the information below provides a legal framework and social rationale for those decisions. CIC believes, and the research shows, that community-based alternatives to detention can support the needs of children while also benefiting society as a whole.

How to Evaluate Family Circumstances[1]

The following information is relevant for evaluating the client's relationship with his or her child or children and assessing the impact of pretrial detention on a child or children, and each topic is followed by relevant questions to ask the client or the client's family members:

- **How and the extent to which the caregiver is engaged with his or her child:**
    - *How often does the client see his or her child or children? What does that contact look like? When and where does that contact occur? How does the client typically interact with his or her child or children? Does the client live with his or her child or children?*
    - *For some specific examples, does the client help with rides to and from school or other extracurricular activities? Does the client help with homework? Does the client help his or her child or children with participation in extracurricular activities, such as practicing an instrument for band, preparing for an audition*

[1] The information in the following list of relevant considerations for evaluating the caregiver-child relationship is based on two reports. *See* BEKAH MUTA, CHILD. OF INCARCERATED CAREGIVERS, FAMILY IMPACT STATEMENTS 2–3 (2024), https://cicmn.org/wp-content/uploads/2024/11/Bekah-Muta-Family-Impact-Statement-Report-2024.pdf; Eleanor Bush, *Considering the Defendant's Children at Sentencing*, 2 FED. SENT'G REP. 194, 194–98 (Dec. 1989 – Jan. 1990), https://doi.org/10.2307/20639225.

for theater, practicing a sport, etc.? Is the client involved with his or her child or children's religious beliefs or education, such as rides to religious education classes, religious peer groups, or religious services or meetings at a church, mosque, synagogue, or temple?

- **Whether the caregiver is the child's primary caregiver.**

- **Whether the child has any special needs that the defendant assists in addressing:**

    - *Does the client's child have any learning, intellectual, or physical disabilities that the client helps to address? (For example, dyslexia, dyscalculia, dysgraphia, auditory processing disorder (APD), non-verbal learning disability (NVLD), down syndrome, fragile X syndrome, fetal alcohol spectrum disorders (FASD), autism spectrum disorder (ASD), etc.) If so, what are those disabilities, and how does the client assist in addressing them?*

    - *Does the client's child have any mental health disorders that the client helps to address? (For example, attention-deficit hyperactivity disorder (ADHD), generalized anxiety disorder (GAD), post-traumatic stress disorder (PTSD), bipolar disorder, obsessive-compulsive disorder (OCD), etc.) If so, what are those mental health disorders, and how does the client assist in addressing them?*

    - *Does the client's child have any other medical circumstances that the client helps to address? (For example, if the client's child has a terminal illness, cancer, autoimmune disorders such as Celiac disease, severe and life-threatening allergies that commonly occur in day-to-day activities, etc.) If so, what are those medical circumstances, and how does the client assist in addressing them?*

- **Information regarding the defendant's ability to fulfill his or her requirements and responsibilities for maintaining custodial rights:**

    - *In instances where a client's child or children may be placed in foster care, what access, if any, will the client have to caseworkers and his or her children?*

- **The number of minor children who will be impacted and their ages:**

    - *In addition to the client's child or children, will any other children be affected, such as the children of the caregiver who takes the client's child or children in? If so, include the number and ages of minor children who will be indirectly affected by the client's incarceration.*

- **The child or children's current living situation(s):**

    - *How has/will this change as a result if the client is detained pretrial?*

- **The financial and emotional qualities of the caregiver-child relationship:**

    - *How does the client support his or her child or children financially?*

        - *For example, does the client consistently pay child support or pay for the child's participation or involvement in an extracurricular activity?*

    - *How does the client support his or her child or children emotionally?*

        - *For example, is the child experiencing bullying at school, grieving the loss of a family member, pet, friend, or friendship, struggling with social or school situations, etc.?*

- **The financial needs of the child or children:**

    - *For example, what are the child or children's expenses related to school, extracurricular activities, childcare/daycare, transportation to school and extracurricular activities, etc.?*

    - *Does the child have any specific conditions that require additional financial support? (For example, if the child has Celiac disease and is unable to eat gluten, so the child's food costs more for gluten-free alternative foods; if the child has diabetes, so the child's care requires additional money to cover insulin; if the*

child has a mental health condition that requires medication, so the child's care requires additional money to cover those medications; etc.)

- **The location of the child or children's residence:**
    - *Where is this in relation to the facilities where the client could be detained?*
- **The economic costs relating to the loss of the caregiver's income or the financial status of the child or children's caregiver during the caregiver's pretrial detention:**
    - *How would the client's pretrial detention affect the total income of the household?*
    - *Will the client no longer be eligible for welfare programs that will in turn affect the client's child or children?*
- **The loss of care and support resulting from the separation of the caregiver and child or children:**
    - *Will the client's pretrial detention affect the child or children's routine? If so, how?*
- **The potential impact on the child or children's mental health, social behavior, and educational prospects:**
    - *How might the client's child or children's schooling be affected by the client's pretrial detention?*
    - *Has the client's child or children experienced any negative mental health consequences, such as depression or increased anxiety, concurrent to the client's arrest? How might the client's child or children experience any negative mental health consequences, such as depression or increased anxiety, concurrent to the client's pretrial detention?*

- *Has the client's child or children demonstrated any behavioral problems or presented any behavioral concerns concurrent to the client's arrest? How might the client's child or children demonstrate any behavioral problems or present any behavioral concerns concurrent to the client's pretrial detention?*

- **The structural changes that the child or children may experience as a result of the client's pretrial detention:**

  - *Will the client's child or children change schools?*

  - *Will the client's child or children have to move to a different city or state?*

  - *Will the client's child or children be separated from siblings or other family members?*

  - *Will the client's child or children experience any trauma related to the client's pretrial detention?*

  - *How might the client's child or children experience the negative stigma of parental incarceration?*

- **The child or children's upcoming events, experiences, and/or milestones that may be impacted by the client's pretrial detention:**

  - *Will the client's child or children experience any of the following upcoming events, experiences, or milestones that the client's absence will affect directly or indirectly?:*

    - *Learning to drive and getting a learner's permit or driver's license;*

    - *Graduation from any grade;*

    - *Upcoming sports games or tournaments;*

        - *Upcoming competitions or tournaments, such as mock trial, talent shows, spelling bees, debate competitions, etc.;*
        - *Birthdays;*
        - *Important tests or exams, either for school or for college applications;*
        - *College tours;*
        - *Important presentations for school;*
        - *Religion-affiliated events, such as a bat or bar mitzvah, Confirmation or other sacramental milestones, etc.*

- **The living and care arrangements for the child or children in the event of the client's detention and subsequent unavailability:**
    - *Who will be the primary caregiver for the client's child or children?*
    - *Who will the client's child or children live with, including other relatives in the home?*
    - *Where will the client's child or children live? What city and state? What type of home or residence?*

- **The quality of the connection between the child or children and their prospective "stand-in" caregiver, such as a relative or friend, in the event of the client's detention:**
    - *What kind of relationship, if any, exists between the client's child or children and their caregiver in the event of the client's detention?*

- **The financial and care resources and stability of the child or children's alternative care arrangements in the event of their caregiver's incarceration:**
    - *Does the caregiver have stable housing and a consistent income?*
    - *If something were to happen to the client's child or children's caregiver, where will the child or children go? Who will they live with?*
- **Proposed conditions of release that would be in the best interest of the child or children:**
    - *Are there any conditions that could be imposed that would allow the client to be released pretrial term while also promoting the best interests of the client's child or children?*

How to Consider Potential Family Ties

The following information is relevant for assessing whether the client's potential family ties with his or her child or children may be beneficial to introduce and discuss at pretrial detention hearings:

- **The number of minor children the client has;**
- **The age(s) of the client's child or children;**
- **Where the client's child or children reside;**
- **The relationship(s) the client has with his or her child or children's caregiver(s);**
- **The client's historical relationship(s) with his or her child or children;**
- **The client's interest in having a relationship or relationships with his or her child or children;**

- **The client's ability to have a relationship or relationships with his or her child or children;**

- **The client's willingness to provide financial, emotional, or other support to his or her child or children.**

How to Investigate Family Circumstances, Ties, and Responsibilities

To investigate family circumstances, defense counsel can ask the client, the client's family members (including the client's child or children, if they are old enough to understand), and/or community members who have a relationship with the client or the client's child or children for information related to family circumstances or potential family ties as outlined above. Defense counsel can collect this information through interviews, requesting written letters of support, or other relevant records or documentation. For example, recent pictures of a client's child or children with the client doing an extracurricular activity can demonstrate the client's involvement in his or her child's or children's lives. It also may be beneficial to seek additional consultation, such as seeking an expert to consult on the impact of parental incarceration or a mitigation specialist to discuss how family circumstances relate to mitigation at sentencing. If the client's child or children are involved in any open child protection cases, consider contacting the social worker(s) involved in the proceedings.

How to Argue Family Circumstances at Pretrial Detention Hearings

Defendants are given a presumption of release under the Bail Reform Act.[2] At initial appearance, a defendant "must" be released on personal recognizance or on an unsecured appearance bond.[3] Bond is "unsecured" in the federal system, meaning it is not paid upfront but instead is due if conditions of release are violated.[4] Further release conditions may only be imposed if the judicial officer determines that the minimal conditions "will not reasonably

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[2] 18 U.S.C. § 3142(b)-(c).
[3] 18 U.S.C. § 3142(a)(1).
[4] U.S. Dep't. Just. *Release and Detention Pending Judicial Proceedings*, Crim. Resource Manual, https://www.justice.gov/archives/jm/criminal-resource-manual-26-release-and-detention-pending-judicial-proceedings-18-usc-3141-et.

assure the appearance of the person as required or will endanger the safety of any other person or the community."[5] If further conditions are found to be necessary, they must be narrowly tailored. For example, if financial conditions are imposed, they must be related to the purpose of assuring appearance and cannot be so burdensome as to result in pretrial detention.[6]

In order to hold a detention hearing, most circuits first require one of the seven § 3142(f) to be proven at initial appearance.[7] The first five factors are met by being formally charged against the defendant.[8] The final two factors, found in 18 U.S.C. § 3142(f)(2), require a specific finding by the judicial officer that one of them applies to the case.[9] If one of these factors is met, a detention hearing will be held. At detention hearings, the defendant can bring witnesses and other information in support of pretrial release.[10] Additionally, the Pretrial Services Office will prepare a report summarizing the defendant's information and providing a recommendation to the court as to whether detention is necessary.[11] The defendant is assessed using the Pretrial Risk Assessment (PTRA), an actuarial assessment that gathers information about the defendant and the charge and produces a numerical estimation of the defendant's flight risk on a scale of 1 to 5.[12] In one study, even people who scored a 5 had an 84.5% success rate on pretrial release.[13] At this hearing, the judge must find that "no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community" to order pretrial detention.[14] The judicial officer can also conclude that this finding is not met and the defendant can safely be released pretrial under

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[5] 18 U.S.C. § 3142(c)(1).
[6] Stack v. Boyle, 342 U.S. 1, 8, 72 S. Ct. 1, 96 L. Ed. 3 (1951); 18 U.S.C. § 3142, subds. (c)(1)(B)(xi)–(xii), (c)(2).
[7] United States v. Twine, 344 F.3d 987, 987 (9th Cir. 2003); United States v. Singleton, 182 F.3d 7, 9 (D.C. Cir. 1999); United States v. Byrd, 969 F.2d 106, 109 (5th Cir. 1992); United States v. Ploof, 851 F.2d 7, 11 (1st Cir. 1988); United States v. Friedman, 837 F.2d 48, 49 (2d Cir. 1988); United States v. Himler, 797 F.2d 156, 160 (3d Cir. 1986); United States v. Orta, 760 F.2d 887, 891 n. 15 (8th Cir. 1985) (en banc).
[8] *The Comprehensive Crime Control Act of 1983*, Senate Report No. 98–225, at 21 (Aug. 4, 1983) ("The committee has determined that whenever a person is *charged* with one of these [§ 3142(f)(1)] offenses and the attorney for the Government elects to seek pretrial detention, a [detention] hearing should be held…"); *see also* United States v. Salerno, 481 U.S. 739, 755 (1987) ("The [BRA] authorizes the detention prior to trial of arrestees *charged* with serious felonies who are found after an adversary hearing to pose a threat to the safety of individuals or to the community which no condition of release can dispel." (emphasis added)).
[9] *See, e.g.*, *Himler*, 797 F.2d at 160 (defendant "may be detained only if the record supports a finding that he presents a serious risk of flight"); *Friedman*, 837 F.2d at 49 (court "must first determine by a preponderance of the evidence" that § 3142(f) is met before holding a detention hearing).
[10] 18 U.S.C. § 3142(f)(2).
[11] 18 U.S.C. § 3154(1).
[12] Marie VanNostrand, Ph.D. & Gena Keebler, *Pretrial Risk Assessment in the Federal Court*, UNITED STATES DEP'T. JUST. OFF. FED. DET. TR. (April 14, 2009).
[13] Id.
[14] 18 U.S.C. § 3142(e)(1).

some conditions. In setting those conditions, the judicial officer must consider four statutory factors.[15] Family and community ties are one of these required considerations, and the following section will demonstrate how to effectively include such evidence. When the judicial officer wants to impose conditions, it is important to argue that conditions should only be imposed if they are actually related to the problem identified as potentially interfering with the defendant's success of pretrial release, such as a substance abuse treatment program for a defendant with a recent history of substance abuse.[16] For people who score low on PTRA, conditions of release actually decrease the likelihood of success on pretrial release.[17]

Detention can only be based on two purposes: preventing flight or ensuring public safety.[18] Most courts impose a different burden on the government depending on the purpose of detaining the defendant. When detaining a person for the purpose of preventing flight, most circuits require the government to prove by a preponderance of the evidence that the defendant poses a "serious flight risk" and no set of conditions would reasonably assure appearance.[19] It can be argued, however, that the government's burden of proof is actually clear and convincing evidence.[20] The Court explained in *Addington v. Texas* that the clear and convincing standard is appropriate where the defendant's interest is "more substantial than mere loss of money" but "less substantial than the consequences of a criminal conviction."[21] At a detention hearing, the defendant's interest at stake is the deprivation of liberty through regulatory confinement, not through punitive incarceration, which falls squarely in the middle-ground of cases described in *Addington*.[22] As for ensuring public safety, it is important to note that dangerousness cannot serve as a basis to *hold* a detention hearing; it is a consideration *during* a detention hearing.[23]

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[15] 18 U.S.C. § 3142(g)(1)–(4).
[16] VanNostrand & Keebler, *supra* note 12.
[17] Id.
[18] 18 U.S.C. § 3142(e).
[19] United States v. Hinton, 113 F. App'x 76, 77 (6th Cir. 2004); United States v. Cisneros, 328 F.3d 610 (10th Cir. 2003); United States v. King, 849 F.2d 485 (11th Cir. 1988); United States v. Chimurenga, 760 F.2d 400 (2d Cir. 1985); United States v. Orta, 760 F.2d 887 (8th Cir. 1985); United States v. Xulam, 84 F.3d 441 (D.C. Cir. 1996).
[20] Caliste v. Cantrell, 329 F. Supp. 3d 296, 313 (E.D. La. 2018) (5th Cir. 2019) ("Due Process requires proof under the clear and convincing standard that pretrial detention is necessary to mitigate either a risk of flight or a danger to the community."); Valdez-Jimenez v. Eighth Judicial District Court, 460 P.3d 976, 987 (Nev. 2020) ("[G]iven the important nature of the liberty interest at stake, the State has the burden of proving by clear and convincing evidence that no less restrictive alternative will satisfy . . . .").
[21] 441 U.S. 418, 424-28 (1979).
[22] *See* Bell v. Wolfish, 441 U.S. 520, 536-37 (1979) (holding that pretrial detention must be regulatory, not punitive).
[23] *See* United States v. Twine, 344 F.3d 987, 987 (9th Cir. 2003) ("We are not persuaded that the [BRA] authorizes pretrial detention without bail based solely on a finding of dangerousness. This interpretation of the Act would render meaningless 18 U.S.C. § 3142(f)(1) and (2)."); United States v. Dillard, 214 F.3d 88, 96 (2d Cir. 2000) ("A

When detaining someone for the purpose of ensuring public safety, the government must prove by clear and convincing evidence that there are no release conditions that would assure the safety of the community.[24]

In certain cases, the presumption is flipped, and pretrial detention is presumed necessary.[25] It is important, however, to keep in mind that this does not relieve the government of their burden. It just imposes a "limited" burden of production on the defense and creates a two-step inquiry.[26] First, the court must determine whether the defendant has sufficiently rebutted the presumption. Courts have suggested that rebutting the presumption can be done with relatively little evidence - describing it as "any evidence," "some evidence," and a "light burden of production."[27] One way to rebut this presumption is with evidence of ties to the community.[28] Second, whether the presumption is rebutted or not, the court still must find that the government has satisfied the burden of proving that no conditions could "reasonably assure" appearance or public safety.[29]

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defendant who is not eligible [for detention under § 3142(f)] must be released, notwithstanding alleged dangerousness."); United States v. Byrd, 969 F.2d 106, 110 (5th Cir. 1992) ("[A] defendant's threat to the safety of other persons or to the community, standing alone, will not justify pre-trial detention."); United States v. Ploof, 851 F.2d 7, 12 (1st Cir. 1988) (holding that when none of the "subsection (f)(1) conditions [are] met, pretrial detention solely on the ground of dangerousness to another person or to the community is not authorized"); United States v. Friedman, 837 F.2d 48, 49 (2d Cir. 1988) ("[T]he [BRA] does not permit detention on the basis of dangerousness in the absence of risk of flight, obstruction of justice or an indictment for the offenses enumerated [in § 3142(f)(1)]."); United States v. Himler, 797 F.2d 156, 160 (3d Cir. 1986) ("Any danger which [the defendant] may present to the community may be considered only in setting conditions of release.").

[24] 18 U.S.C. § 3142(f)(2); United States v. Bartlett, 731 F. Supp. 3d 836, 853 (E.D. Mich. 2024), *aff'd sub nom.* United States v. Semenchuk, No. 24-1405, 2024 WL 4751486 (6th Cir. Oct. 18, 2024).

[25] 18 U.S.C. § 3142(e)(2);(3)(A)-(E).

[26] United States v. Abad, 350 5.3d 793, 797 (8th Cir. 2003) (defendant "bears a limited burden of production - not a burden of persuasion - to rebut that presumption by coming forward with evidence he does not pose a danger to the community or a risk of flight.").

[27] "Any evidence favorable to a defendant that comes within a category listed in § 3142(g) can affect the operation of one or both of the presumptions, including evidence of their marital, family and employment status, ties to and role in the community, clean criminal record and other types of evidence encompassed in § 3142(g)(3)." United States v. Dominguez, 783 F.2d 702, 707 (7th Cir. 1986). See, e.g., United States v. Jessup, 757 F.2d 378, 384, 389 (1st Cir. 1985) (requiring defendant to produce "some evidence"); United States v. Wilks, 15 F.4th 842, 846 (7th Cir. 2021) (the defense bears "a light burden of production" to rebut the presumption).

[28] United States v. Jackson, 845 F.2d 1262, 1266 (5th Cir. 1988) ("Where the defendant has presented considerable evidence of his longstanding ties to the locality in which he faces trial…the presumption…has been rebutted.").

[29] *See* United States v. Salerno, 481 U.S. 739, 751 (1987); United States v. Abad, 350 F.3d 793, 797 (8th Cir. 2003); *Orta*, 760 F.2d at 891 n.17; *see also Wilks,* 15 F.4th at 847 ("an unrebutted presumption is not, by itself, an adequate reason to order detention").

If denied pretrial release, a defendant can bring a successive bail argument if circumstances have changed such that there is now more evidence to support the defendant's pretrial release.[30] Changed circumstances are a necessary condition to reopening a detention hearing, but they are not always sufficient.[31] The circumstance that changed must have a "material bearing" on the pretrial release decision.[32] Because family ties are a required consideration at detention hearings, they should be considered to have a "material bearing" on pretrial release decisions. Thus, even if a defendant's family situation is not the changed circumstance itself, they are at least as relevant to the reopened hearing as they were to the initial hearing and should be reemphasized at the successive hearing.[33] Importantly, however, note that a family member who did not originally testify being willing to testify at the successive hearing is not a changed circumstance, since the person was known to the defendant at the time of the initial hearing.[34] Most jurisdictions require the defense to file the motion to amend or revoke a detention order in the charging jurisdiction, and detention decisions can typically only be reviewed by the same judge that made the initial decision.[35]

How to Present Family Circumstances Information to the Court

As mentioned, family ties are a required consideration at detention hearings. When bringing this evidence to the court, attorneys should always start with the case-specific facts. For more information on gathering these relevant facts, see "How to Evaluate Family Circumstances" at the beginning of these materials. Research on the harms of parental incarceration, however, can provide further support for an argument that a defendant's parental responsibility makes them more amenable to pretrial release or that the defendant's release is in the best interest of the child. For example, if a client indicates that he or she is primarily responsible for getting his or her child to and from school, then the argument should be based around that case-specific fact, but the research below indicated that having an incarcerated parent is associated with decreased education attainment can be used as support.

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[30] 18 U.S.C. § 3142(f)(2).
[31] United States v. Jalbert, 231 F. Supp. 2d 359 (D. Me. 2002).
[32] 18 U.S.C. § 3142(f)(2).
[33] United States v. Khanna, 703 F. Supp. 3d 1309 (N.D. Okla. 2023) (changed circumstance was evidence-based, but court factored in Khanna's strong family ties in its decision to release him).
[34] United States v. Dillon, 938 F.2d 1412 (1st Cir. 1991).
[35] United States v. Manley, 659 F. Supp. 3d 15, 19-20 (D.D.C. 2023).

These arguments are only relevant when the parent facing incarceration has a positive relationship with or impact on their children. The best interest of the child should be the focus, and the research on protective factors and the harms of parental incarceration would be irrelevant, and thus unpersuasive, if the parent was absent or was negatively having a negative impact on the child prior to receiving criminal charges. Since the purpose of bail is to prevent flight or assure community safety, defense attorneys should first frame a defendant's parental responsibilities as a protective factor contributing to his or her likelihood of success on pretrial release. For information on the research regarding the harms of parental incarceration and family circumstances serving as a protective factor, see "Parental Incarceration and Family Circumstances" in CIC's Federal Pretrial Release Toolkit, which can be found on our website.

Other Considerations

When arguing for pretrial release, it can be helpful to present the court with a plan for the client's release. It is worth reemphasizing, however, that arguments should always start with the law and the presumption of release. Only when the judicial officer has found that more than the minimal conditions are necessary should the defense present conditions to the court. Additionally, as noted above, these plans should always be tailored to help with barriers to success on pretrial release that have been identified for a specific defendant and care should be taken to ensure that the conditions will not unduly burden the defendant. Keeping that in mind, the following list provides some alternatives to pretrial detention recognized by the U.S. Courts:[36]

- **Residential Reentry Centers (RRCs), also known as "halfway houses"**
- **Third-party custody**
- **Location monitoring**
- **Substance abuse treatment**
- **Mental health treatment**

[36] VanNostrand & Keebler, *supra* note 12.

In addition to the information above, it may also be beneficial to seek additional consultation, such as considering a consultation with an expert on the impact of parental incarceration. If the child is involved in any open child protection cases, consider contacting the social worker(s) involved in the proceedings.

It is also important to discuss factors important to maintaining the child-caregiver relationship in the event that the caregiver is unable to be released on bail. For example, ensure that your client has clear expectations about necessary steps for maintaining custody while in custody.

Conclusion

We appreciate you taking the time to learn more about the harms of parental incarceration and how you can take into account the best interests of the minor children of your clients. If you utilize any of the arguments or resources from this primer, please contact us to share your outcomes. Additionally, please reach out if you are aware of any other resources on the harms of parental incarceration of which we have not included here.

Publicly Accessibly Federal Bail Materials

- *Release and Detention Pending Judicial Proceedings*, U.S. Dep't of Just., https://www.justice.gov/archives/jm/criminal-resource-manual-26-release-and-detention-pending-judicial-proceedings-18-usc-3141-et.

- *Bail Information Sheet*, U.S. Dist. Ct. (Jan. 1, 2009), https://www.uscourts.gov/sites/default/files/ao100a_0.pdf.

- Charles Doyle, *Bail: An Overview of Federal Criminal Law*, Congress.gov (July 31, 2017), https://www.congress.gov/crs-product/R40221.

- *The Bail Reform Act of 1984*, Fed. Jud. Center (2022), https://www.fjc.gov/sites/default/files/materials/57/The%20Bail%20Reform%20Act%20of%201984-Fourth%20Edition.pdf.