



NEWS from U.S. Senator Bob Dole

(R.—Kans.)

New Senate Office Building, Washington, D.C. 20510 (202) 224-6521

FOR IMMEDIATE RELEASE
Friday, March 28, 1977

DOLE BILL WOULD BAN PRETRIAL RELEASE OF TERRORISTS

Washington, D.C. -- Senator Bob Dole (R-Kan.) introduced legislation today that would prohibit the immediate negotiated pretrial release of terrorists who threaten the lives of hostages.

The effect of his proposal would be to remove the pretrial freedom of defendants from the list of negotiable items that can be considered while hostages are still being held. Only after the defendant was in custody and brought before a judge could the issue of pretrial release be considered.

Last week's agreed upon release of Hanafi Muslim Hamaas Abdul Khaalis "runs contrary to the American sense of Justice", Dole declared in a Senate speech. "But the authorities had no other choice. With the lives of the hostages at stake, their hands were tied." Khaalis and nine other gunmen have been charged with the armed kidnapping of 134 hostages who were captured in three Washington buildings and detained for nearly 40 hours.

COVERS OTHER CRIMES

In addition, the Dole measure attempts to further restrict a defendant's pretrial freedom where the crime involved is murder, forcible rape, armed robbery or armed kidnapping. In these cases, the bill permits federal judges to weigh public safety considerations in determining whether a defendant should be detained, held on bond, or given a conditional release on personal recognizance. Presently, the likelihood that a defendant will appear for trial is the only factor a federal judge can weigh in non-capital cases in determining the pretrial disposition of the defendant.

The U.S. Judicial Conference, the policymaking body of the federal judiciary, recommended last week that community safety be added to the considerations guiding a judge's bail setting decision.

INCREASED PENALTIES

"Public confidence in the efficacy of our criminal justice system is an important element in the bail setting issue," Dole stated. "The public expects to be protected from individuals who have been arrested for dangerous crimes. The system should not turn them back on the street without some evaluation of whether or not they are likely to repeat the dangerous act."

The Dole bill also provides for increased penalties for crimes committed on parole or pretrial release, and where public safety demands, permits pretrial detention for up to 90 days following an appropriate hearing.