

119TH CONGRESS
1ST SESSION

H. R. 5649

To provide for civil liability in the case of any judicial officer who acts with intentional disregard for public safety or gross negligence in a bond determination or sentencing decision.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2025

Mr. MOORE of North Carolina introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for civil liability in the case of any judicial officer who acts with intentional disregard for public safety or gross negligence in a bond determination or sentencing decision.

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 “Judicial Accountability
5 for Public Safety Act of 2025”.

6 **SEC. 2. CIVIL LIABILITY.**

7 (a) CAUSE OF ACTION.—Any person who establishes
8 by clear and convincing evidence that such person was in-

1 jured by any action taken, with intentional disregard for
2 public safety or with gross negligence, by a judicial officer
3 in a bond determination or sentencing hearing may obtain,
4 in a civil action, such relief as the court may determine
5 appropriate, which may include punitive damages.

6 (b) RULE OF CONSTRUCTION.—This Act may not be
7 construed to apply to a judicial act taken in good faith
8 or within the scope of ordinary judicial discretion.

9 (c) LIMITATION ON IMMUNITY.—Any immunity oth-
10 erwise applicable to such a judicial officer under Federal
11 or State law may not be asserted in a civil action under
12 this section.

13 **SEC. 3. DEFINITIONS.**

14 For purposes of this Act:

15 (1) The term “judicial officer” means—

16 (A) any United States district judge, mag-
17 istrate judge, bankruptcy judge, or other Fed-
18 eral judicial officer; and

19 (B) any State or local judge or magistrate,
20 acting in a criminal proceeding.

21 (2) The term “intentional disregard for public
22 safety” means an intentional act or omission that ig-
23 nores or overrides evidence, statutory mandates, or
24 clear risks to community safety in the exercise of
25 bond or sentencing discretion.

1 (3) The term “bond determination” includes
2 any judicial order regarding bail, pretrial release, or
3 conditions of release.

4 (4) The term “sentencing decision” includes
5 any judicial order, issued upon conviction, that im-
6 poses—

7 (A) a term of imprisonment, probation, pa-
8 role, supervised release, or involuntary commit-
9 ment;

10 (B) any conditions on release;

11 (C) forfeiture; or

12 (D) any other criminal sanction.

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