

119TH CONGRESS
1ST SESSION

H. R. 6263

To amend the Omnibus Crime Control and Safe Streets Act of 1968 and the Implementing Recommendations of the 9/11 Commission Act of 2007 to limit eligibility for certain Federal law enforcement and public safety grants based on minimum pretrial public safety standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2025

Mr. HARRIGAN (for himself and Mr. NEHLS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 and the Implementing Recommendations of the 9/11 Commission Act of 2007 to limit eligibility for certain Federal law enforcement and public safety grants based on minimum pretrial public safety standards, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “No Free Pass for Fel-
3 ons Act of 2025”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Violent offenders released on unsecured or
7 cashless bail pose a significant risk to public safety.

8 (2) Federal funds should not subsidize policies
9 that release repeat violent offenders without mean-
10 ingful judicial review.

11 (3) The Supreme Court has upheld preventive
12 detention as constitutional (*United States v.*
13 *Salerno*, 481 U.S. 739 (1987)).

14 (4) Conditioning Federal grants on minimum
15 public safety standards is a valid exercise of
16 Congress’s spending power.

17 **SEC. 3. JUSTICE ASSISTANCE AND COPS GRANTS.**

18 (a) **BRYNE JUSTICE ASSISTANCE GRANT ELIGI-**
19 **BILITY.**—The Omnibus Crime Control and Safe Streets
20 Act of 1968 (34 U.S.C. 10153 et seq.) is amended—

21 (1) in section 502(a), by adding at the end the
22 following:

23 “(7) A certification that the applicant has in ef-
24 fect a law or policy that prohibits pretrial release on
25 personal recognizance or upon execution of an unse-
26 cured appearance bond of a covered defendant, un-

1 less a court first holds a dangerousness hearing and
2 makes a written finding on the record that condi-
3 tions of such pretrial release imposed by the court
4 will reasonably assure the appearance of such de-
5 fendant before the court and the safety of any other
6 person and the community.

7 “(8) A certification that the applicant has a
8 system to collect and publish, not less than annu-
9 ally—

10 “(A) data on determinations by judges in
11 that jurisdiction to release defendants charged
12 with covered violent offenses pending trial;

13 “(B) data on rearrests for covered violent
14 offenses of such defendants; and

15 “(C) data on the failure of such defendants
16 to appear, disaggregated by the type of pretrial
17 release on which they were released pending
18 trial.”;

19 (2) in section 502, by adding at the end the fol-
20 lowing:

21 “(c) DEFINITIONS.—In this section:

22 “(1) COVERED DEFENDANT.—The term ‘cov-
23 ered defendant’ means an individual who is—

24 “(A) charged with a covered violent of-
25 fense;

1 “(B) charged with any offense, in the case
2 of an individual who has been convicted of a
3 covered violent offense arising out of a separate
4 course of conduct; or

5 “(C) charged with any offense while on
6 probation, parole, or supervised release for a
7 covered violent offense.

8 “(2) COVERED VIOLENT OFFENSE.—The term
9 ‘covered violent offense’ means an offense that has
10 as an element the use, attempted use, or threatened
11 use of physical force against the person or property
12 of another.

13 “(3) DANGEROUSNESS HEARING.—The term
14 ‘dangerousness hearing’ means a hearing consistent
15 with subsections (e), (f), and (g) of section 3142 of
16 title 18, United States Code.”; and

17 (3) in section 505, by adding at the end the fol-
18 lowing:

19 “(j) REDUCTION OF GRANT AWARD.—If the Attorney
20 General determines that a State or unit of local govern-
21 ment has failed to meet the application requirements de-
22 scribed in section 502(a)(7) or (8), the Attorney General
23 shall, after giving notice and the opportunity to cure, allo-
24 cate in an amount that is not more than 85 percent of

1 the amount otherwise allocable to such State or unit of
2 local government under this section.”.

3 (b) COMMUNITY ORIENTED POLICING SERVICE
4 GRANTS.—The Omnibus Crime Control and Safe Streets
5 Act of 1968 (34 U.S.C. 10382 et seq.) is amended—

6 (1) in section 1702(c)—

7 (A) in paragraph (10), by striking “and”
8 at the end;

9 (B) in paragraph (11), by striking the pe-
10 riod at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(12) certify that the applicant’s State (or, in
13 the case of a local government with pretrial release
14 authority, such local government) has adopted and is
15 enforcing laws or policies that meet the requirements
16 described in section 502(a)(7) and (8).”; and

17 (2) in section 1706, by adding at the end “Fail-
18 ure to maintain the certification required under sec-
19 tion 1702(c)(12) shall constitute noncompliance for
20 purposes of this section.”.

21 (c) TRANSIT SECURITY GRANT ELIGIBILITY.—Sec-
22 tion 1406 of the Implementing Recommendations of the
23 9/11 Commission Act of 2007 (6 U.S.C. 1135) is amend-
24 ed—

1 (1) by redesignating subsections (c) through (n)
2 as subsections (d) through (o);

3 (2) by adding after subsection (b), the fol-
4 lowing:

5 “(c) PRETRIAL PUBLIC SAFETY CONDITION.—

6 “(1) IN GENERAL.—To receive a grant under
7 this section, an eligible public transportation agency
8 shall submit to the Secretary a certification that the
9 State in which the public transportation agency op-
10 erates—

11 “(A) has in effect a law or policy that pro-
12 hibits pretrial release on personal recognizance
13 or upon execution of an unsecured appearance
14 bond of a covered defendant, unless a court
15 first holds a dangerousness hearing and makes
16 a written finding on the record that conditions
17 of such pretrial release imposed by the court
18 will reasonably assure the appearance of such
19 defendant before the court and the safety of
20 any other person and the community; and

21 “(B) has a system to collect and publish,
22 not less than annually—

23 “(i) data on determinations by judges
24 in that jurisdiction to release defendants

1 charged with covered violent offenses pend-
2 ing trial;

3 “(ii) data on rearrests for covered vio-
4 lent offenses of such defendants; and

5 “(iii) data on the failure of such de-
6 fendants to appear, disaggregated by the
7 type of pretrial release on which they were
8 released pending trial.

9 “(2) WAIVER.—The Secretary may temporarily
10 waive the requirements described in paragraph (1)
11 upon a determination that a temporary waiver is
12 necessary to address an acute site-specific security
13 threat.”; and

14 (3) by adding at the end the following:

15 “(p) DEFINITIONS.—In this section:

16 “(1) COVERED DEFENDANT.—The term ‘cov-
17 ered defendant’ means an individual who is—

18 “(A) charged with a covered violent of-
19 fense;

20 “(B) charged with any offense, in the case
21 of an individual who has been convicted of a
22 covered violent offense arising out of a separate
23 course of conduct; or

1 “(C) charged with any offense while on
2 probation, parole, or supervised release for a
3 covered violent offense.

4 “(2) COVERED VIOLENT OFFENSE.—The term
5 ‘covered violent offense’ means an offense that has
6 as an element the use, attempted use, or threatened
7 use of physical force against the person or property
8 of another.

9 “(3) DANGEROUSNESS HEARING.—The term
10 ‘dangerousness hearing’ means a hearing consistent
11 with subsection (e), (f), and (g) of section 3142 of
12 title 18, United States Code.”.

13 (d) GENERAL PROVISIONS.—

14 (1) SEVERABILITY.—If any provision of this
15 Act, an amendment made by this Act, or the appli-
16 cation thereof, is held invalid, the remainder of the
17 Act or amendment and its application shall not be
18 affected.

19 (2) EFFECTIVE DATE.—The amendments made
20 by this Act shall apply to applications for grants
21 submitted in the first fiscal year beginning 18
22 months after the date of enactment of this Act.

23 (3) RULES.—Not later than 180 days after the
24 date of enactment of this Act the Attorney General

- 1 shall issue such rules as may be necessary to carry
- 2 out the amendments made by subsection (a)(1).

