

CASHLESS BAIL REPORTING ACT

APRIL 9, 2026.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. JORDAN, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H.R. 5625]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 5625) to direct the Attorney General to make publicly available a list of each State and unit of local government that permits cashless bail, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cashless Bail Reporting Act”.

SEC. 2. PUBLICATION OF CASHLESS BAIL JURISDICTIONS.

(a) **IN GENERAL.**—Not later than one year after the date of enactment of this Act, and annually thereafter, the Attorney General shall make publicly available a list of each State and unit of local government that permits the release pending trial of a person charged with a covered offense on personal recognizance or upon execution of an unsecured appearance bond.

(b) **COVERED OFFENSE DEFINED.**—In this section, the term “covered offense” means a criminal offense that the Attorney General determines poses a clear threat to public safety and order, including—

(1) an offense involving a violent or sexual act, such as murder, rape, sexual assault, carjacking, robbery, burglary, and assault; and

(2) an offense that promotes public disorder, such as looting, vandalism, destruction of property, rioting or inciting to riot, or fleeing from a law enforcement officer.

Purpose and Summary

H.R. 5625, the Cashless Bail Reporting Act, introduced by Rep. Mark Harris (R–NC), requires the Attorney General to make publicly available a list of each state and unit of local government that permits the release pending trial on personal recognizance or upon execution of an unsecured appearance bond of a person charged with certain offenses.¹ Those offenses include those involving a violent or sexual act, such as murder, rape, sexual assault, carjacking, robbery, burglary, and assault.² The bill would also require the list to include offenses that promote public disorder, such as looting, vandalism, destruction of property, rioting or inciting to riot, or fleeing from a law enforcement officer.³

Background and Need for the Legislation

Bail is the amount of money that a criminal defendant must post in order to be released from custody prior to his or her trial. It is not a criminal fine and bail is not used as a punishment. It exists to ensure that the defendant will appear at all required appearances, including all pretrial hearings and the trial. If a defendant makes all required appearances, the bail is returned to them, even if he or she found guilty by the court, at the conclusion of the trial. The Supreme Court has long held that bail is constitutional. In 1979, the Court explained that “presumption of innocence has no application to a determination of the rights of a pre-trial detainee during confinement before his trial has begun.”⁴

In addition to requiring bail, judges have the authority to release defendants on personal recognizance without requiring a payment of money. Defendants must promise that they will appear for all hearings and for trial. Usually, defendants are released on recognizance (ROR) if they have a steady job, family or close ties to the local community, and little or no criminal history. Pre-trial release may also be conditioned on certain behavior and activities of the defendant. The defendant, for instance, may be prohibited from contacting or associating with certain individuals or from visiting certain locations. Sometimes, defendants are required to submit to random drug testing. Defendants may also be restricted from leaving their home at certain hours.

¹H.R. 5625, 119th Cong. (2025).

²*Id.*

³*Id.*

⁴*Bell v. Wolfish*, 441 U.S. 520, 533 (1979).

In most states, defendants who are unable to come up with the total amount of their bail may arrange for their release through a bail bondsman. Typically, the defendant puts up a percentage of the total bond, usually 10 percent, and the bondsman will guarantee the remaining amount to the court should the defendant not appear for any court hearing or trial.⁵

BAIL “REFORM” AT THE STATE LEVEL

Most recently, Illinois, California, Maryland, New Jersey, and New York have modified their bail practices to eliminate or de-emphasize the use of monetary bail systems. Many of these “reforms” have resulted in increases in property and violent crimes. For example, after New York’s bail law passed, recidivism rates increased for individuals who had previous violent felony offenses. A March 2023 study by researchers at John Jay College of Criminal Justice found that approximately 72 percent of violent felony offenders who were released without bail were re-arrested.⁶ Before the bail reform law was passed, the recidivism rate for previous violent felony offenders was 62 percent.⁷ The study also found that “mandatory release significantly increased re-arrest across multiple outcomes for people with a recent violent arrest and with a pending case at the time of the current arraignment.”⁸

In New Jersey, one Assemblyman regretted his decision to support bail reform so much that he took it upon himself to warn the Democrat Speaker of the California State Assembly against a similar reform. The Assemblyman wrote in 2017 that bail reform in New Jersey had been an “absolute disaster” and that “the public safety needs of citizens in New Jersey has suffered far greater than could have been imagined.”⁹ The New Jersey Assemblyman asserted that “dangerous and career criminals are released daily and within hours of arrest” and that these criminals “are simply not afraid of committing crimes against citizens and as a result our [New Jersey] crime rate has increased at least 13% since January [2017]. This law is victimizing law-abiding citizens every day.”¹⁰ He further stated that “the cost of incarcerating those held awaiting trial were greatly exaggerated” and that the bail reform “transferred the cost of ‘free’ bail to the taxpayer rather than the offender.”¹¹

There are numerous examples of violent criminals who post no or artificially low bonds due to state or local policies and subsequently reoffend. Most notably, in Waukesha, Wisconsin, Darrell Brooks was released on a \$1,000 bond after running over a woman

⁵The American Bar Association, “How Courts Work,” (Jul. 16, 2020), https://www.americanbar.org/groups/public_education/resources/law_related_education_network/how_courts_work/bail.

⁶John Binder, *Study: Over 72% of NYC Violent Crime Suspects Freed Without Bail Go On To Commit More Crimes*, BREITBART (Apr. 5, 2023), <https://www.breitbart.com/politics/2023/04/05/of-nyc-violent-crime-suspects-freed-without-bail-go-on-to-commit-more-crimes/>; *See also* Rene Ropac and Michael Rempel, DOES NEW YORK’S BAIL REFORM LAW IMPACT RECIDIVISM? A QUASI-EXPERIMENTAL TEST IN NEW YORK CITY, JOHN JAY COLLEGE OF CRIMINAL JUSTICE 16 (Mar. 2023).

⁷*Id.*

⁸*Id.* at 19.

⁹Letter from Bob Andrzejczak, Assemblyman, First Legislative District, to Anthony Rendon, Speaker, California State Assembly (Jul. 3, 2017).

¹⁰*Id.*

¹¹*Id.*

with a vehicle.¹² He was released on bail despite having a lengthy criminal history, including a charge for aggravated battery and an outstanding warrant in Nevada after skipping bail for a sex-related crime.¹³ On November 21, 2021, Brooks drove his car through a Christmas parade injuring over fifty individuals and killing six, one of whom was an eight-year-old child.¹⁴ Brooks faced eight counts of intentional homicide, six counts of hit-and-run involving death, two felonies for skipping bail, two counts of domestic abuse charges, and sixty-one counts of recklessly endangering safety for each injured person at the Christmas parade.¹⁵ He pled guilty and is currently serving six consecutive life sentences plus more than 700 additional years in prison.¹⁶

THE CASHLESS BAIL REPORTING ACT

The Cashless Bail Reporting Act requires the Attorney General to make publicly available a list of each state and unit of local government that permits the release pending trial on personal recognition or upon execution of an unsecured appearance bond of a person charged with certain offenses.¹⁷ Those offenses include those involving a violent or sexual act, such as murder, rape, sexual assault, carjacking, robbery, burglary, and assault.¹⁸ They also include offenses that promote public disorder, such as looting, vandalism, destruction of property, rioting or inciting to riot, or fleeing from a law enforcement officer.¹⁹ Americans should be able to see what jurisdiction have enacted dangerous and irresponsible policies related to bail when making decisions about where to live, work, or travel.

Hearings

For the purposes of clause 3(c)(6)(A) of House rule XIII, the following hearings were used to develop H.R. 5625: “Victims of Violent Crime” a hearing held on September 29, 2025, before Subcommittee on Oversight of the Committee on the Judiciary. The Subcommittee heard testimony from the following witnesses:

- Mia Alderman, Grandmother of murder victim Mary Santana Collins;
- Steve Federico, Father of murder victim Logan Federico and Charlotte suburbs resident;
- Officer Justin Campbell, Police officer with the Charlotte-Mecklenburg Police Department;
- Michael Woody, Owner and CEO of 828 Bail Bonds, and NC Representative for the National Association of Bail Agents;
- Dena King, Former United States Attorney for the Western District of North Carolina; and
- Jeff Asher, Co-founder, AH Datalytics.

¹² Jorge Velasco, *Waukesha Suspect Charged With Homicide After 8-Year-Old Boy Dies From Injuries*, DAILY CALLER (Nov. 29, 2021).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Adam Sabes, *Darrell Brooks slapped with 71 new charges*, FOX NEWS (Jan. 12, 2022).

¹⁶ Elliott C. McLaughlin, et al., *Darrell Brooks receives 6 consecutive life sentences plus more than 700 additional years in prison for Waukesha Christmas parade attack*, CNN (Nov. 17, 2022).

¹⁷ H.R. 5625, 119th Cong. (2025).

¹⁸ *Id.*

¹⁹ *Id.*

The hearing examined violent crime in Charlotte, North Carolina and the surrounding areas looking at repeat offenders and lenient pretrial release policies and decisions among others.

Committee Consideration

On December 18, 2025, the Committee met in open session and ordered the bill, H.R. 5625, favorably reported with an amendment in the nature of a substitute by voice vote.

Committee Votes

In compliance with clause 3(b) of House rule XIII, the Committee states that no roll call votes were taken during consideration of H.R. 5625.

Committee Oversight Findings

In compliance with clause 3(c)(1) of House rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974* has been timely submitted prior to filing of the report and is included in the report. Such a cost estimate is included in this report.

Congressional Budget Office Cost Estimate

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the enclosed cost estimate for H.R. 5625 from the Director of the Congressional Budget Office:

| H.R. 5625, Cashless Bail Reporting Act | | | |
|--|------|---|---------------|
| As ordered reported by the House Committee on the Judiciary on December 18, 2025 | | | |
| By Fiscal Year, Millions of Dollars | 2026 | 2026-2030 | 2026-2035 |
| Direct Spending (Outlays) | 0 | 0 | 0 |
| Revenues | 0 | 0 | 0 |
| Increase or Decrease (-) in the Deficit | 0 | 0 | 0 |
| Spending Subject to Appropriation (Outlays) | * | * | not estimated |
| Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036? | No | Statutory pay-as-you-go procedures apply? | No |
| | | Mandate Effects | |
| Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036? | No | Contains intergovernmental mandate? | No |
| | | Contains private-sector mandate? | No |
| * = between zero and \$500,000. | | | |

H.R. 5625 would require the Attorney General to publish annually a list of state and local governments that permit people who have been accused of certain violent crimes to be released pending trial on personal recognizance or upon execution of an unsecured appearance bond. Under Executive Order 14342, which was issued on August 25, 2025, the President directed the Attorney General to submit to the President a list of states and local jurisdictions that have eliminated cash bail as a potential condition of pretrial release from custody. On that basis, CBO estimates that the cost of implementing the bill would be less than \$500,000 over the 2026–2030 period. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is David Rafferty. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

Committee Estimate of Budgetary Effects

With respect to the requirements of clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the *Congressional Budget Act of 1974*.

Duplication of Federal Programs

Pursuant to clause 3(c)(5) of House rule XIII, no provision of H.R. 5625 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of House rule XIII, H.R. 5625 would require the Attorney General to make publicly available a list of each state and unit of local government that permits the release pending trial on personal recognizance or

upon execution of an unsecured appearance bond of a person charged with certain offenses.

Advisory on Earmarks

In accordance with clause 9 of House rule XXI, H.R. 5625 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clauses 9(d), 9(e), or 9(f) of House rule XXI.

Federal Mandates Statement

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the *Unfunded Mandates Reform Act*.

Advisory Committee Statement

No advisory committees within the meaning of section 5(b) of the *Federal Advisory Committee Act* were created by this legislation.

Applicability to Legislative Branch

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the *Congressional Accountability Act* (Pub. L. 104–1).

Section-by-Section Analysis

Section 1. Short title. The “Cashless Bail Reporting Act.”

Section 2. Publication of Cashless Bail Jurisdictions. This section requires the Attorney General to make publicly available a list of each State and unit of local government that permits the release pending trial on personal recognizance or upon execution of an unsecured appearance bond of a person charged with a covered offense. This section defines a covered offense as “(1) an offense involving a violent or sexual act, such as murder, rape, sexual assault, carjacking, robbery, burglary, and assault; and (2) an offense that promote public disorder, such as looting, vandalism, destruction of property, rioting or inciting to riot, or fleeing from a law enforcement officer.”