

119TH CONGRESS  
1ST SESSION

# H. R. 5214

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## AN ACT

To require mandatory pretrial and post conviction detention for crimes of violence and dangerous crimes and require mandatory cash bail for certain offenses that pose a threat to public safety or order in the District of Columbia, 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 “District of Columbia  
3 Cash Bail Reform Act of 2025”.

4 **SEC. 2. MANDATORY PRETRIAL AND POST CONVICTION DE-**  
5 **TENTION FOR CRIME OF VIOLENCE OR DAN-**  
6 **GEROUS CRIME.**

7 (a) PRETRIAL DETENTION.—Section 23–1322, Dis-  
8 trict of Columbia Official Code, is amended—

9 (1) in subsection (a), by striking “with an of-  
10 fense” and inserting “with an offense, other than a  
11 crime of violence or dangerous crime (as such terms  
12 are defined in section 1331 of this title),”; and

13 (2) by adding at the end the following new sub-  
14 section:

15 “(j) Notwithstanding any other provision of this sec-  
16 tion, the judicial officer shall order each person charged  
17 with a crime of violence or a dangerous crime (as such  
18 terms are defined in section 1331 of this title) be detained  
19 for the period before trial.”.

20 (b) POST CONVICTION DETENTION.—Section 23–  
21 1325, District of Columbia Official Code, is amended—

22 (1) in subsection (b), by striking “unless” and  
23 all that follows through “section 23–1321”; and

24 (2) in subsection (c), by striking “unless” and  
25 all that follows through “section 23–1321”; and

1           (3) by adding at the end the following new sub-  
2       section:

3       “(e) This provisions of this section shall apply with  
4       respect to a person convicted of a crime of violence or a  
5       dangerous crime (as such terms are defined in section  
6       1331 of this title).”.

7       (c) CHANGES TO DEFINITION OF DANGEROUS  
8       CRIME.—Section 23–1331(3), D.C. Official Code, is  
9       amended—

10           (1) in subparagraph (E), by striking “Burglary  
11       or attempted burglary” and inserting “Burglary in  
12       the first degree, attempted burglary in the first de-  
13       gree, or burglary with a dangerous weapon”; and

14           (2) in subparagraph (G), by striking “Robbery  
15       or attempted robbery” and inserting “Robbery in  
16       the first degree, attempted robbery in the first de-  
17       gree, or robbery with a dangerous weapon”.

18       (d) CHANGES TO DEFINITION OF CRIME OF VIO-  
19       LENCE.—Section 23–1331(4), D.C. Official Code, is  
20       amended—

21           (1) by striking “burglary” and inserting “bur-  
22       glary in the first degree, attempted burglary in the  
23       first degree, or burglary with a dangerous weapon’”;  
24       and

1           (2) by striking “robbery” and inserting “rob-  
2       bery in the first degree, attempted robbery in the  
3       first degree, or robbery with a dangerous weapon”.

4       (e) CONFORMING AMENDMENTS.—

5           (1) REMOVAL OF CRIME OF VIOLENCE AND  
6       DANGEROUS CRIME FROM PRETRIAL RELEASE PRO-  
7       CEDURES.—Section 23–1322, District of Columbia  
8       Official Code, is further amended—

9           (A) in subsection (b)(1), by striking sub-  
10       paragraph (A) and redesignating subparagraphs  
11       (B) through (D) as subparagraphs (A) through  
12       (C), respectively;

13          (B) by amending subsection (c) to read as  
14       follows:

15       “(c) Subject to rebuttal by the person, it shall be pre-  
16       sumed that no condition or combination of conditions of  
17       release will reasonably assure the safety of any other per-  
18       son and the community if the judicial officer finds that  
19       there is probable cause to believe that the person—

20          “(1) has threatened, injured, intimidated, or at-  
21       tempted to threaten, injure, or intimidate a law en-  
22       forcement officer, an officer of the court, or a pro-  
23       spective witness or juror in any criminal investiga-  
24       tion or judicial proceeding;

1 “(2) violated section 3 of the Act of July 8,  
 2 1932 (sec. 22–4503, D.C. Official Code), section  
 3 4(a) of such Act (sec. 22–4504(a), D.C. Official  
 4 Code), or section 4(a-1) of such Act (sec. 22–  
 5 4504(a)(1), D.C. Official Code); or

6 “(3) violated the Firearm Control Regulations  
 7 Act of 1975 (sec. 7–2508.01 et seq., D.C. Official  
 8 Code) while on probation, parole, or supervised re-  
 9 lease for committing a dangerous crime or a crime  
 10 of violence (as such terms are defined in section  
 11 1331 of this title) and while armed with or having  
 12 readily available a firearm, imitation firearm, or  
 13 other deadly or dangerous weapon as described in  
 14 section 2(a) of the Act of July 8, 1832 (sec. 22–  
 15 4502(a), D.C. Official Code).”;

16 (C) in subsection (e)(1), by striking “is a  
 17 crime of” and all that follows through “, or”;  
 18 and

19 (D) by striking subsection (f)(3).

20 (2) REMOVAL OF MURDER OFFENSES FROM  
 21 PRETRIAL RELEASE PROCEDURES.—Section 23–  
 22 1325, District of Columbia Official Code, as amend-  
 23 ed by subsection (b), is amended by striking sub-  
 24 section (a) and redesignating subsections (b)

1 through (e) as subsections (a) through (d), respec-  
2 tively.

3 **SEC. 3. REQUIRING CASH BAIL FOR RELEASE OF INDIVID-**  
4 **UALS CHARGED WITH PUBLIC SAFETY OR**  
5 **ORDER OFFENSES.**

6 (a) IN GENERAL.—Section 23–1321, District of Co-  
7 lumbia Official Code, is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1), by striking “Re-  
10 leased” and inserting “Except as provided  
11 under paragraph (5), released”;

12 (B) in paragraph (3), by striking “; or”  
13 and inserting a semicolon;

14 (C) in paragraph (4), by striking the pe-  
15 riod at the end and inserting “; or”; and

16 (D) by adding at the end the following new  
17 paragraph:

18 “(5) With respect to a person charged with a  
19 public safety or order crime (as such term is defined  
20 in section 1331 of this title), released only upon exe-  
21 cution of a secured appearance bond (as such term  
22 is defined in section 1331 of this title) and subject  
23 to any requirement under subsections (b) and (c) of  
24 this section as the judicial officer may order.”;

1           (2) in subsection (b), by striking “or upon exe-  
2           cution of an unsecured appearance bond in an  
3           amount specified by the court,” and inserting “upon  
4           execution of an unsecured appearance bond in an  
5           amount specified by the court, or upon a secured ap-  
6           pearance bond under subsection (a)(5),”; and

7           (3) by adding at the end the following new sub-  
8           section:

9           “(f) A person who is released upon the execution of  
10          an appearance bond with a surety, under subsection  
11          (a)(5), may be arrested by the surety, and if so arrested,  
12          shall be delivered promptly to a United States marshal  
13          and brought before a judicial officer in the District of Co-  
14          lumbia. The judicial officer shall determine in accordance  
15          with the provisions of this section 23–1322 whether to re-  
16          voke the release of the person, and may absolve the surety  
17          of responsibility to pay all or part of the bond in accord-  
18          ance with the provisions of Rule 46 of the Federal Rules  
19          of Criminal Procedure. The person so committed shall be  
20          held in official detention until released pursuant to this  
21          title or any other provision of law.”.

22          (b) DEFINITIONS.—

23               (1) PUBLIC SAFETY OR ORDER CRIME DE-  
24          FINED.—Section 23–1331, District of Columbia Of-

1        ficial Code, is amended by adding at the end the fol-  
2        lowing new paragraph:

3            “(7) The term ‘public safety or order crime’  
4        means failure to appear when ordered to do so by  
5        a judicial officer; obstruction of justice; fleeing from  
6        a law enforcement officer; rioting; inciting a riot; de-  
7        struction of property; stalking; burglary or robbery  
8        (other than burglary or robbery in the first degree  
9        or with a dangerous weapon); or a previous convic-  
10       tion of any such offense, or substantially similar of-  
11       fense, under Federal, State, or local law.”.

12           (2) SECURED APPEARANCE BOND DEFINED.—  
13        Section 23–1331, District of Columbia Official Code,  
14        is further amended by adding at the end the fol-  
15        lowing new paragraph:

16           “(8) The term ‘secured appearance bond’  
17        means an agreement to forfeit upon failing to ap-  
18        pear as required, the designated property, including  
19        money, as is reasonably necessary to assure the ap-  
20        pearance of the person as required, and post with  
21        the court the indicia of ownership of the property,  
22        or a percentage of the money as the judicial officer  
23        may specify; or a bail bond with solvent sureties in  
24        whatever amount is reasonably necessary to assure  
25        the appearance of the person as required.”.



1 (c) CONFORMING AMENDMENTS.—Section 23–1321,  
 2 District of Columbia Official Code, is further amended—

3 (1) in subsection (a), by striking “with an of-  
 4 fense” and all that follows through “shall issue” and  
 5 inserting “with an offense, other than a crime of vio-  
 6 lence or dangerous crime (as such terms are defined  
 7 in section 1331 of this title), the judicial officer shall  
 8 issue”; and

9 (2) in subsection (c)—

10 (A) in paragraph (1)—

11 (i) by striking “shall” and inserting  
 12 “may”; and

13 (ii) in subparagraph (B), by striking  
 14 “Least restrictive further” and inserting  
 15 “Further”;

16 (B) by striking paragraph (3) and redesign-  
 17 ating paragraphs (4) and (5) as paragraphs  
 18 (3) and (4), respectively; and

19 (C) in paragraph (4), as so redesignated,  
 20 by striking “additional or different conditions”  
 21 and inserting “any additional or different condi-  
 22 tion described under this subsection”.

#### 23 **SEC. 4. APPLICABILITY.**

24 This Act, and the amendments made by this Act,  
 25 shall apply with respect to an individual charged with an

1 offense in the District of Columbia on or after the date  
2 that is 30 days after the date of the enactment of this  
3 Act.

Passed the House of Representatives November 19,  
2025.

Attest:

*Clerk.*



119<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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tain offenses that pose a threat to public safety  
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