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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

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

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

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”.

1 **SEC. 2. CIVIL LIABILITY.**

2 (a) CAUSE OF ACTION.—Any person who establishes
3 by clear and convincing evidence that such person was in-
4 jured by any action taken, with intentional disregard for
5 public safety or with gross negligence, by a judicial officer
6 in a bond determination or sentencing hearing may obtain,
7 in a civil action, such relief as the court may determine
8 appropriate, which may include punitive damages.

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

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

16 **SEC. 3. DEFINITIONS.**

17 For purposes of this Act:

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

19 (A) any United States district judge, mag-
20 istrate judge, bankruptcy judge, or other Fed-
21 eral judicial officer, and

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

24 (2) The term “intentional disregard for public
25 safety” means an intentional act or omission that ig-
26 nores or overrides evidence, statutory mandates, or

1 clear risks to community safety in the exercise of
2 bond or sentencing discretion.

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

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

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

12 (B) any conditions on release;

13 (C) forfeiture; or

14 (D) any other criminal sanction.