



Bill Summary: The HEROES Act H.R. 6800

The Bill: If passed, the Health and Economic Recovery Omnibus Emergency Solutions Act or the HEROES Act would provide more federal relief for the impact of COVID-19. Notably, it includes a number of provisions encouraging increased releases from prison for federal prisoners, improving pandemic safety within prisons, and protecting people who've recently been released from prisons. **FAMM supports this bill.**

Introduced By: Representative Nita Lowey (D-NY-17)

Who it would help: There are expansive protections for many people impacted by the COVID-19 pandemic, including people in federal and state prisons and people who have been recently released.

Bill status: *This bill is not yet law.* The bill was passed by the House of Representatives and must be passed by the Senate before it can be signed into law by the President. We do not know if or when H.R. 6800 will be passed into law. Each year, many bills are introduced, but very few become law.

What it would do:

Increase Releases From Federal Prisons

If passed, the HEROES Act would, during the COVID-19 pandemic:

- Require that juveniles, people 50 years of age or over, people with medical conditions that increase their risk of harm from COVID-19, and people within 12 months of release from incarceration all be released to community supervision unless there is clear evidence that the person poses a risk of violence
- Dramatically limit the number of people who could be held in jail while they await trial
- Provide resentencing opportunities for some people incarcerated due to probation, supervised release, or parole violations, and limit incarceration due to these violations moving forward
- Eliminate the 30-day waiting period to file a motion for compassionate release in federal court, and provide counsel and a presumption of release to people seeking compassionate release
- Increase eligibility for home detention for some elderly “nonviolent” offenders

- Provide grant money to states and local governments to implement policies that stop the spread of COVID-19 inside prisons and expand release of “low-risk” individuals

Protections Inside State and Federal Prison Facilities

If passed, the HEROES Act would, during the COVID-19 pandemic:

- Require “just and reasonable” phone charges for state and local prisons and jails
- Require the U.S. Attorney General to create and implement a system to protect attorney-client email communication
- Provide funds to prevent the spread of COVID-19, increase medical testing and services, and increase access to personal protective equipment in prisons and jail to:
 - The Bureau of Prisons
 - State and local governments
 - The Department of Justice, Office of Inspector General

Other Criminal Justice Provisions

If passed, the HEROES Act would, during the COVID-19 pandemic:

- Provide grant money to state and local courts that stop imposing and collecting fees and fines
- Provide Second Chance Act grants to help facilitate the reintegration of people recently released from prison
- Provide grant money to local law enforcement for the COVID-19 response.