

# Bail in America

## Unsafe, Unfair, Ineffective

The American system of bail is fundamentally incapable of doing the job we expect from it. Those with money—regardless of where they got the money or their danger to the community or victims—can purchase their freedom while poor defendants remain in jail pending trial, which can sometimes last years.

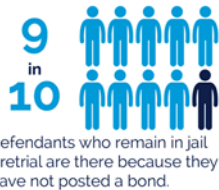


### Why are they locked up?

**47%** of felony defendants with financial bonds can't pay and stay in jail until their case is heard (which sometimes takes years).

**Money** is the primary factor that determines pretrial detention.

The majority of jurisdictions rely on **bond schedules**—preset money amount based on current charge.



## At what cost?

One jail bed costs an average of \$60 per day - but can reach upwards of \$200 in some areas.



Pretrial incarceration wastes **\$14 billion** taxpayer dollars each year.

## Impact of pretrial incarceration: employment, education, family & crime



Even short stints in **jail before trial** lead to an increased likelihood of missing school, getting fired from jobs, increased desperation, and as a result, a **higher risk of being arrested again**.

## What's the price of not being able to afford bail?

Those held pretrial receive **harsher punishments** than those able to purchase pretrial freedom.



**Jail** = less than 1 year sentence

**4x** greater likelihood of being sentenced to jail.

**3x** longer jail sentences.

**Prison** = more than 1 year sentence

**3x** greater likelihood of being sentenced to prison.

**2x** longer prison sentence

Reliance on a **money-based pretrial system** automatically **disadvantages people of color** who are more likely to be living in poverty.



Whether **guilty or not**, defendants routinely **plead guilty** in order to be released sooner than waiting for trial.

## So how do we fix it?



### Risk Assessment

**Risk assessments** give judges the information they need to make **informed bail decisions**.



More effective **pretrial solutions** include appropriate supervision & monitoring.

## Detention or Supervision?



**Washington, DC**  
**Doing things right**  
The District of Columbia does not use money to detain pretrial defendants.

Overall Release rate: **80%**  
Appearance rate: **88%**  
Community safety rate: **88%**