

PRETRIAL POPULATIONS: WHO IS IN JAIL, WHO IS OUT, AND WHO IS DECIDING?

THE NATIONAL PERSPECTIVE

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THE JAIL POPULATION

- More than 3000 jails in the U.S.
- In 2013, jails were holding more than 730,000 people per day
- In a typical year, there are 11.7 million jail admissions
- 75% accused or convicted of nonviolent traffic, property, drug, or public order offenses
- 60% of the jail population is pretrial detainees

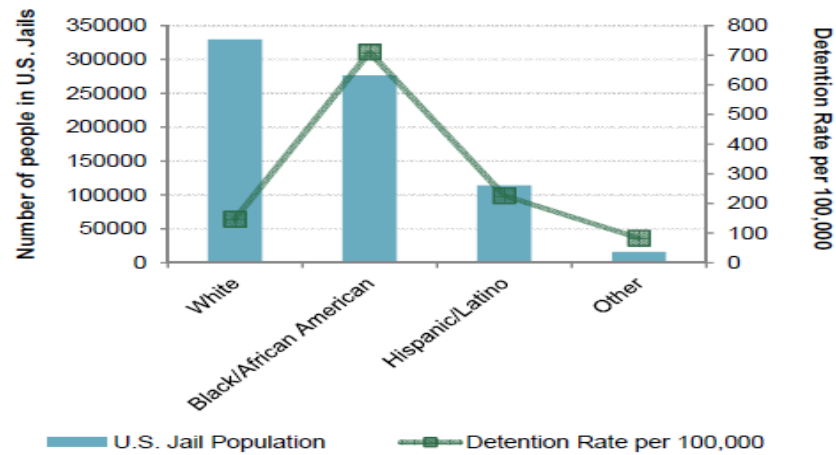
THE JAIL POPULATION

- 68% of jail inmates have a history of drug or alcohol abuse
- 14.5% of men and 31% of women in jail suffer from serious mental illness
- 60% of inmates have had mental health symptoms in the past 12 months

THE JAIL POPULATION

- Jails have “frequent flyers”: in a five-year study in NYC, 500 people accounted for 10,000 jail admissions and 300,000 bed-days
- African Americans and Latinos make up 30% of the general population and 51% of the jail population

RATES OF DETENTION BY RACE, 2012



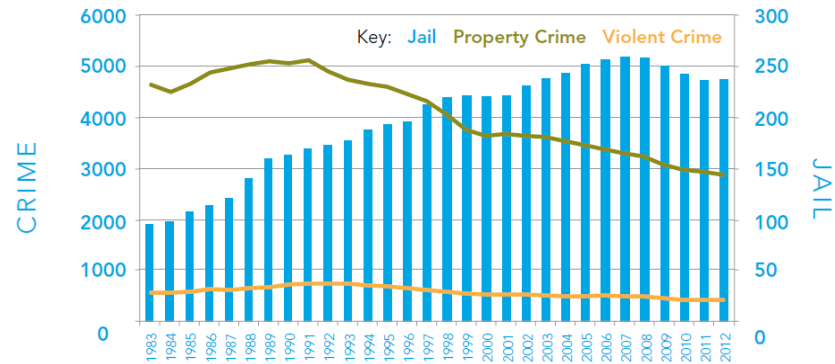
Justice Policy Institute (2012) Bail Fail: Why the US Should End the Practice of Using Money for Bail. Washington, DC: Justice Policy Institute.

JAIL POPULATION TRENDS



1983-2013

CRIME AND JAIL RATES PER 100,000

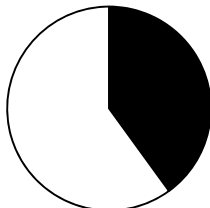


Subramanian, Ram et al. (2015) Incarceration's Front Door: The Misuse of Jails in America. New York, NY: The Vera Institute of Justice.

THE PRETRIAL POPULATION IN JAIL

1983

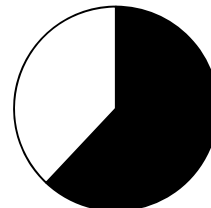
Jail Population



■ Pretrial □ Convicted

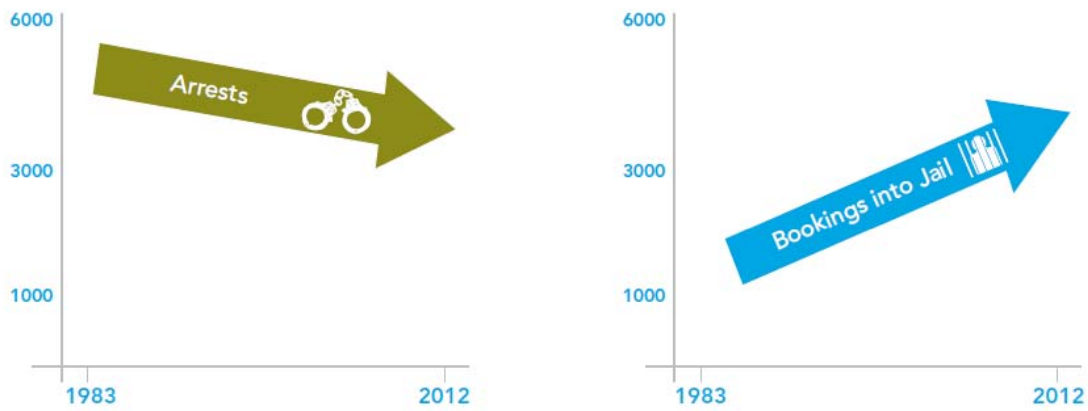
2009

Jail Population



■ Pretrial □ Convicted

ARREST AND BOOKING RATES PER 100,000

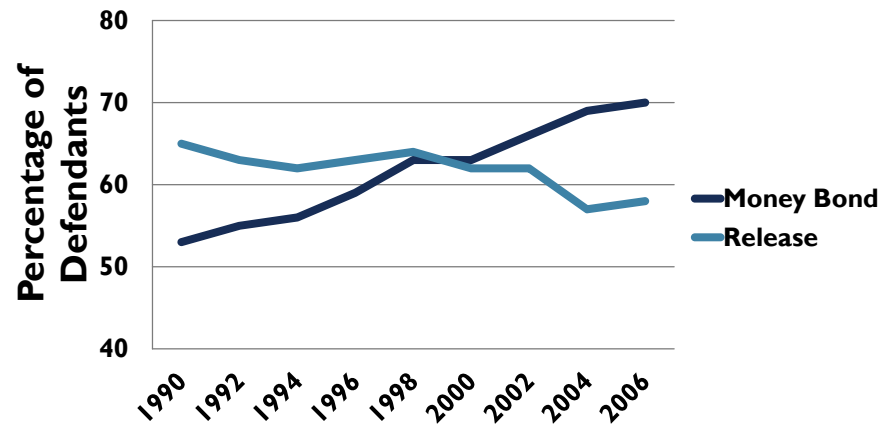


Subramanian, Ram et al. (2015) Incarceration's Front Door: The Misuse of Jails in America. New York, NY: The Vera Institute of Justice.

BAIL TRENDS 1990-2009



FINANCIAL BOND AND PRETRIAL RELEASE, 1990-2006



Slide courtesy of Pretrial Justice Institute

AVERAGE MONEY BAIL FOR FELONY DEFENDANTS

- 1992 = \$25,400
- 2009 = \$55,400
- After adjusting for inflation, this represents a 43% increase over 17 years

SO, IN THE 21ST CENTURY...

- If you are arrested, you are more likely to get booked
- If you are booked, you are more likely to have a financial bond amount set
- Your financial bond amount is likely to be higher than in the past

...but are outcomes any better?

COLORADO BOND STUDY: PUBLIC SAFETY OUTCOMES

Across different defendants' risk levels, secured (surety/cash) bonds did not achieve better outcomes than did unsecured (recognizance) bonds for the first desired outcome of bail: Maximizing public safety.*

Pretrial Risk Category	Public Safety Rate	
	Unsecured Recognizance Bond	Secured Surety or Cash Bond
1 (lower)+	93%	90%
2+	84%	79%
3+	69%	70%
4 (higher)+	64%	58%

+ All statistical comparisons were not statistically significantly different.

Jones, Michael R (2013) Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option. Washington, DC: Pretrial Justice Institute.

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COLORADO BOND STUDY: COURT APPEARANCE

Similarly, across different defendants' risk levels, secured (surety/cash) bonds did not achieve better outcomes than did unsecured (recognizance) bonds for the second desired outcome of bail: Maximizing court appearance.

Pretrial Risk Category	Court Appearance Rate	
	Unsecured Recognizance Bond	Secured Surety or Cash Bond
1 (lower)+	97%	93%
2+	87%	85%
3+	80%	78%
4 (higher)+	43%	53%

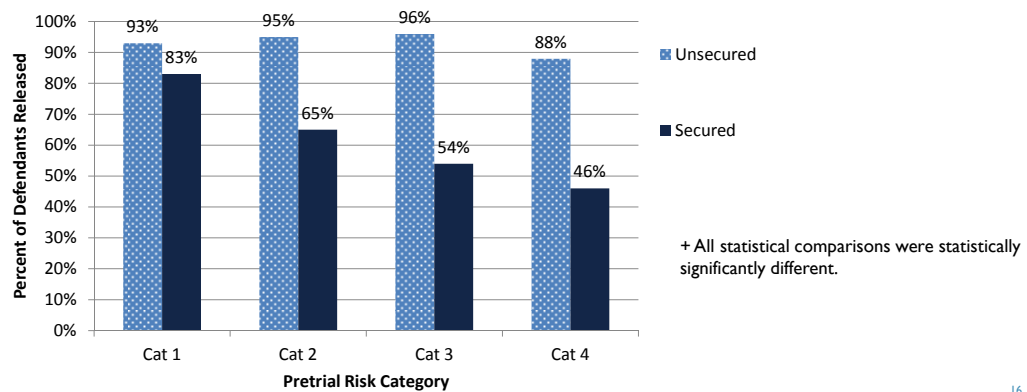
+ All statistical comparisons were not statistically significantly different.

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Jones, Michael R (2013) Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option. Washington, DC: Pretrial Justice Institute.

COLORADO BOND STUDY: JAIL BED USE

Secured bonds contributed to substantially more pretrial detention because: fewer defendants were released

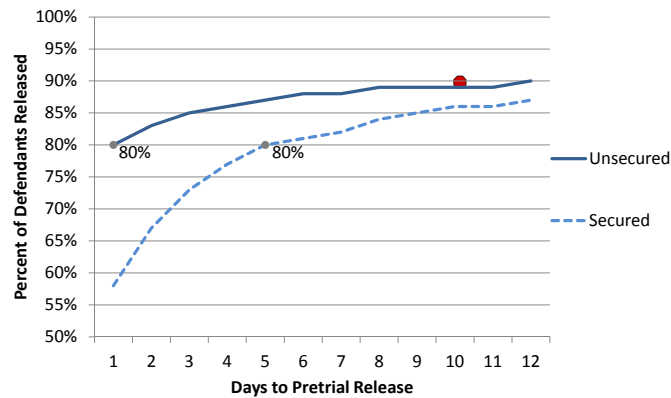


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Jones, Michael R (2013) Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option. Washington, DC: Pretrial Justice Institute.

COLORADO BOND STUDY: JAIL BED USE

Additionally, secured bonds contributed to substantially more pretrial detention because of longer times to post bond.



+ All statistical comparisons were statistically significantly different on days 1 through 9.

Jones, Michael R (2013) Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option. Washington, DC: Pretrial Justice Institute.

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OTHER FINDINGS

- Higher dollar amounts of cash and surety bonds were associated with increased pretrial detention but not increased court appearance rates, for all four risk groups.
- No effect of bond type on returning “fugitives”

Slide courtesy of Michael Jones, Pretrial Justice Institute

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REFERENCES

- Jones, Michael R (2013) Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option. Washington, DC: Pretrial Justice Institute.
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