



BETTER JUSTICE FOR FLORIDA

Reform the Money Bail System

Our criminal justice system has come to rely more and more on requiring people to pay money to get out of jail before their case is resolved. Seven out of every 10 people charged with a felony are released on condition of monetary bail.¹ Thus, arrested individuals who can afford bail get out of jail, but those who are poor end up behind bars, simply because they cannot pay. Locking up people before they have their day in court – solely because they can't afford freedom – is unjust and violates the most fundamental principle of our justice system: that people are presumed innocent until proven guilty. Not only does it cost some people their jobs and prevent them from supporting their families and communities, it also exacerbates jail overcrowding and burdens taxpayers.

THE PROBLEM

Money bail locks up people simply for being poor

- Pretrial release from jail has everything to do with being able to afford bail and nothing to do with a person's guilt or innocence, his or her risk to public safety or the likelihood he or she will appear in court.
- Bail disproportionately hurts low-income individuals. In Escambia County, for example, the average bail amount across all charges is \$16,000, while one in seven individuals have bail set at \$100,000 or more. The average annual income there is \$24,000.²

Pretrial detention negatively affects case outcomes and public safety

- Sixty percent of the U.S. jail population is composed of people who are awaiting trial and have not been convicted. When people are locked up indefinitely and are awaiting trial because they can't afford bail, they may feel pressured to take a plea deal regardless of whether they are actually guilty.
- If a person pleads guilty to something he or she didn't do, taxpayers foot the bill of jailing an innocent person while the one who actually committed the crime goes free.

Jailing innocent people is expensive and a waste of tax dollars

- For every day a person is in jail simply because he or she can't afford bail, taxpayers are financially responsible for housing, food, medical expenses and supervision.
- Depending on the county, housing a person in jail can cost upward of \$100 per day per person. Pretrial release supervision costs a fraction of that. Releasing someone on their own recognizance costs nothing.³
- Not only does jailing people for their inability to afford bail cost taxpayers millions of dollars, it can also be difficult or impossible for them to keep their jobs while they are needlessly locked up. This hurts Florida's economy and tax base.

Bail amounts are arbitrary and inconsistent

- There are neither federal nor state guidelines for creating bail schedules, which assign certain bond amounts to certain offenses. Thus, bail amounts can vary by county.
- There is no direct correlation between a certain bail amount, the likelihood that an individual will show up in court, or whether he or she will re-offend.

THE SOLUTION

- Florida should end the practice of using money bail for people who pose little threat to society and are likely to show up for their court date.

Join the Campaign for Criminal Justice Reform

Sign up at
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CCJR will send you information about ways to participate in local and statewide coalition efforts.

General requests can be made at
contact@betterjusticefl.com

Media requests can be made at
media@betterjusticefl.com

¹<http://www.justicepolicy.org/uploads/justicepolicy/documents/bailfail.pdf>

²https://www.acluf.org/sites/default/files/field_documents/smart_jail_for_escambia_factsheet_and_recommended_solutions.pdf

³<http://criminology.fsu.edu/wp-content/uploads/2015/05/Cost-Benefit-Analysis-for-Jail-Alternatives-and-Jail.pdf>