

IT'S TIME TO END CASH BAIL

FACT SHEET

THE PROBLEM

On any given day, there are approximately 630,000 people in local jails awaiting court dates. The difference between preparing for trial while being held in a local jail and preparing for trial at home comes down to one thing: cash bail. Cash bail is money paid by an arrested individual to the government to be released from detention. People who cannot afford bail must stay in jail until their trial (which can take months, or even years) or plead guilty, while those who can pay are allowed to return home. In theory, it serves as collateral to ensure individuals will appear in court, but in practice, it criminalizes poverty and further fuels mass incarceration. Cash bail exacerbates existing inequalities, hurting those without easy access to money and disproportionately harming poor people and people of color. A person's financial situation should not determine whether or not they remain in jail.

THE SOLUTION

Ending cash bail would eliminate a predatory practice that ultimately harms poor people and people of color the most. People would be able to remain at home with access to their lawyers, their communities and their support systems as they prepare for trial or hearings. Philadelphia removed cash bail for low-level offenses, and a study later found, "no negative impact on recidivism or courtroom appearance rates." Studies have also shown that pretrial detention can result in a higher likelihood of future criminal activity, resulting in additional arrests later.

HOW YOU CAN GET INVOLVED & TAKE ACTION

Legislators can shrink the criminal legal system by eliminating cash bail. Elected state officials control a large portion of what causes mass incarceration, plus they can determine how this system operates. Changing state laws and policies can reduce the number of people who go into the criminal legal system and mitigate the harms of those already involved with the system.



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