

# THE PEOPLE'S LOBBY

## House Bill 3421: The Equal Justice for All Act

The current bail system in Illinois is broken. In the overcrowded Cook County Jail alone, there are more than 7,000 inmates on an average day. 95% of those admitted to the jail are pretrial detainees, mostly there because they cannot afford bail. Over 4,400 people in Cook County Jail at any given time are there because they are poor.

Requiring defendants to pay in order to secure their release prior to trial preys on defendants who have not been proven guilty of a crime but are poor. This then creates a cascade of negative consequences. Pretrial detention causes people to lose jobs and creates crises for individuals and families. People who are held while waiting for trial are much more likely to take plea deals that put convictions on their records, whether or not they are guilty of the crime, in order to secure release with a sentence of time already served.

As a result, bail destroys thousands of people's lives, exacerbates mass incarceration in communities of color, and further worsens public safety since people held prior to their trials have a higher risk of committing future offenses than those released pending trial. But this isn't just a Cook County problem, this is an Illinois problem. Most of the inmates in our jails awaiting trial come from areas that have been hit hardest by the economic downturn and are now in jail because they are poor.

**The solution: End cash bail and allow pretrial detention in only the most serious cases.**

Under the Equal Justice for All Act:

- Courts will be required to provide common sense pretrial services like reminder calls, text messages, and transportation assistance for low-income defendants.
- People charged with nonviolent offenses will be released on their own recognizance.
- People charged with offenses involving violence will be given a meaningful hearing where a judge will determine whether they will be held or released.
- Judges will have discretion to order detention or electronic monitoring for those who are found to have a risk of causing harm to others.
- Those who are found not to have a risk of violence but are found to have a risk of fleeing or failing to appear in court will be provided with supervision and support services.
- Money bond will be prohibited. Nobody will be incarcerated before they go to trial simply because they cannot afford bail.

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