The **PRETRIAL FAIRNESS** Act

SB XXXX HBXXXX

Sponsored By: Senator Peters Representative Slaughter

THE BAIL SYSTEM IN ILLINOIS IS UNFAI

End Money Bond & Reduce Pretrial Incarceration



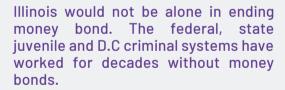
THE PROBLEM:

Our current system is broken. When courts use money bonds, it means that access to money becomes the deciding factor in determining whether someone remains in jail before the outcome of their case. Currently, money bonds compromise public safety because wealth, not safety, determines who remains in jail pretrial.

THE SOLUTION:

The Pretrial Fairness Act reforms the pretrial justice system and ends the use of money bonds. It focuses the court on protecting public safety and ensuring people will return to court. It makes our system fairer by ensuring financial resources are used only to detain people who pose a risk to public safety. It alleviates the financial burden money bonds place on innocent families, and it ensures lack of access to wealth is not the reason people stay in jail, and poverty is not a driver of incarceration.

ENDING MONEY BOND WORKS



New Jersey essientially ended money bond in 2017. The vast majority of people released came back to court and were not charged with a new offense. Crime rates, both violent and nonviolent went down.



PROHIBIT THE USE OF MONEY BOND. No one will be incarcerated before they go to trial simply because they cannot afford to pay a certain amount of money.



MAINTAIN PUBLIC SAFETY AND JUDICIAL **DISCRETION WITHOUT USING MONEY** by establishing a legal process that allows judges to order pretrial detention in serious cases where the accused presents a specific risk of harming others or fleeing, while providing legal safeguards required by the state and U.S. Constitution to ensure that the pretrial



IMPROVE SYSTEM EFFICIENCY by giving law enforcement the ability to release a person after an

detention is limited to only those that require it.



arrest if it in the public interest and gives the Court an added tool to ensure court appearance through Notice to Appears along with warrants.



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INCREASE GOVERNMENT TRANSPARENCY AND ACCOUNTABILITY by requiring that statewide data on detention hearings, pretrial incarceration and other key metrics be collected regularly and made public.