

Principles of Bail Reform in Illinois

The pretrial detention system in Cook County needs reform. Cook County Jail incarcerates approximately 7,500 people per day. An additional 2,000 people are under the Sheriff's supervision through electronic monitoring. More than 90% of the people detained are pretrial and thus presumed innocent—a considerably higher rate than the national rate of 67%. Approximately two thirds of unconvicted people incarcerated or on electronic monitoring in Cook County would be free if they could afford to pay a monetary bond.

The overuse of pretrial incarceration and monitoring comes at tremendous personal cost to impacted individuals and entire communities. Pretrial detention leads to lost jobs, lost housing, and even lost custody of children. In addition, people detained pretrial are more likely to be convicted. They also receive longer sentences compared to people released pretrial with similar backgrounds and charges. African Americans receive disproportionately high monetary bonds and are disproportionately unable to pay these bonds. Seventy-three percent of the people incarcerated in the Cook County Jail are African American despite the fact that African Americans make up only 25% of Cook County's population.

Recent history has shown that the population of Cook County Jail can be decreased substantially with no impact on public safety or court appearance rates. The following six principles provide guidance for reform efforts designed to reduce the number of people incarcerated pretrial in Cook County Jail.

1. Access to money should not determine whether or not an accused person is detained in jail or subject to other conditions pending trial.
2. Pretrial services programs should be used to promote court attendance and provide needed services and not place unnecessary conditions on the accused person.
3. Conditions of bail should not prevent an accused person from performing basic personal responsibilities, impose direct or indirect economic costs, or unduly expose the accused person to new criminal charges.
4. Pretrial detention and other restrictions on liberty should be used only as a last resort to ensure community safety and the defendant's appearance in court.
5. Data on detention and release outcomes should be collected and made available for public review and system assessment purposes. Risk assessments, if used, must be validated, transparent, and their impact must be tracked.
6. Administrative reforms should be made to ensure court practices conform to the law. Judges should receive education and training consistent with existing law and these principles.

Principles of Bail Reform in Illinois Endorsements

Elected Officials:

Cook County Commissioner Jesús "Chuy" García

Organizations:

A Just Harvest

Action Now

American Civil Liberties Union (ACLU) of Illinois

Bluhm Legal Clinic at Northwestern Pritzker School of Law

Business and Professional People for the Public Interest (BPI)

Cabrini Green Legal Aid

Chicago Appleseed Fund for Justice

Chicago Community Bond Fund

Chicago Council of Lawyers

Chicago Lawyers' Committee for Civil Rights Under Law

Chicago Urban League

Chicago Votes

Community Activism Law Alliance (CALA)

Community Renewal Society

Criminal Justice Task Force, First Unitarian Church

Hughes Socol Piers Resnick & Dym, Ltd.

Illinois Justice Project

John Howard Association

Justice and Witness Ministry of the Chicago Metropolitan Association, Illinois
Conference, United Church of Christ

Juvenile Justice Initiative

League of Women Voters of Cook County

League of Women Voters of Illinois

Nehemiah Trinity Rising

Northern Illinois Conference of the United Methodist Church

Northern Illinois United Methodist Women

Roderick and Solange MacArthur Justice Center

The Next Movement

The People's Lobby

The Sargent Shriver National Center on Poverty Law

TASC, Inc. (Treatment Alternatives for Safer Communities)

Thresholds

Safer Foundation

Showing Up for Racial Justice (SURJ) Chicago

Southsiders Organized for Unity and Liberation (SOUL)

Unitarian Universalist Advocacy Network of Illinois

Unitarian Universalist Prison Ministry of Illinois

United Congress of Community and Religious Organizations (UCCRO)

Workers Center for Racial Justice