



OHIO COULD SAVE BIG BY IMPLEMENTING BAIL REFORM: A FISCAL IMPACT ANALYSIS

RACIAL DISPARITIES IN OUR COURT SYSTEM



Policing decisions like who to arrest, charging and other prosecution decisions such as choosing to press and stack charges, and judicial decisions about conditions of release all create opportunities for racial bias that can lead to racial disparities and the overrepresentation of people of color in the criminal legal system.

WHO IS ARRESTED?

- In Rocky River, Shaker Heights, and Euclid in Cuyahoga County, 57% of defendants were Black, 40% were white, and the other remaining 3% were another race. However, recent census data show over 54% of the population in these jurisdictions is white. **This means that Black individuals are nearly twice as likely to be charged with a crime as white individuals.**
- In Athens and Vinton counties, which have a much higher percentage of white individuals in their county population, Black individuals are still nearly two times more likely than white individuals to be in jail in these two non-metro counties.
- This tracks what research shows regarding bias in policing decisions. For example, Black individuals are 3.7 times more likely to be arrested for marijuana possession than a white individual, even though marijuana usage rates are similar across races.*

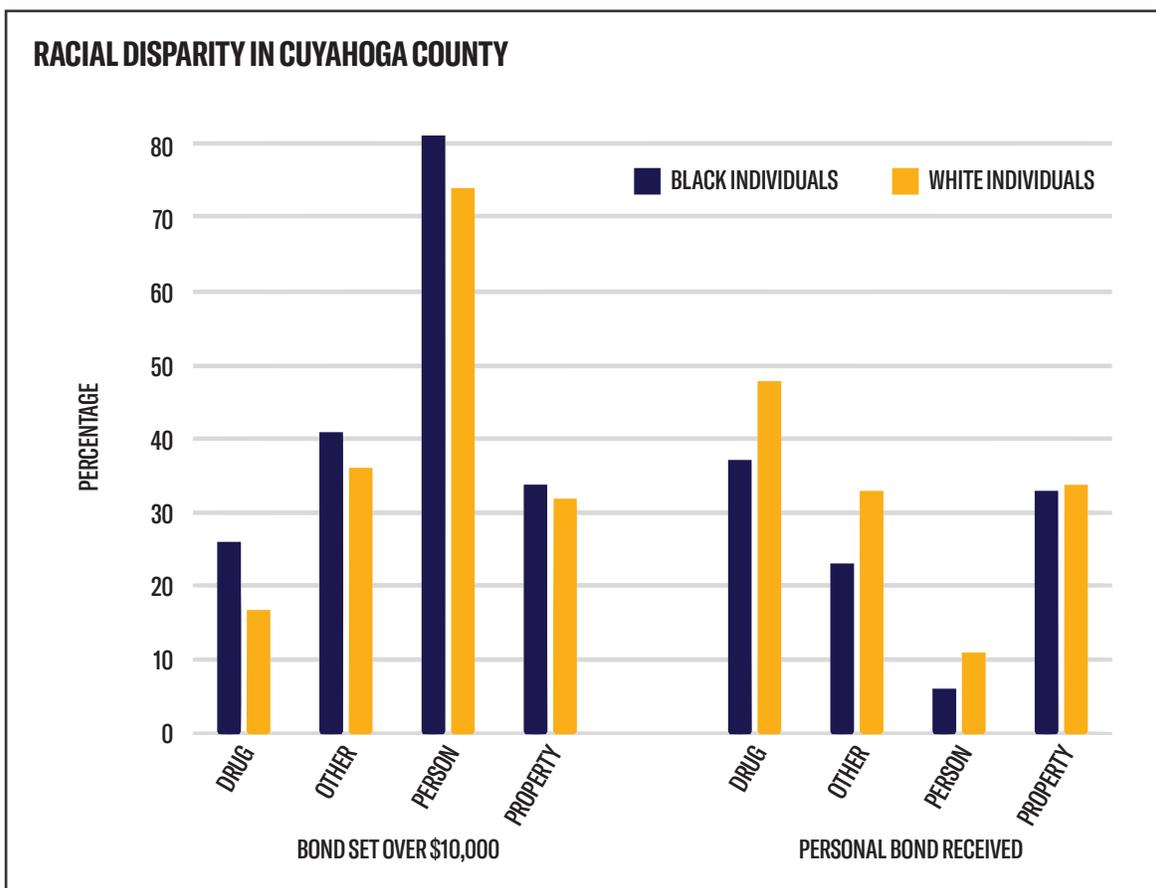
INCARCERATION:

- In Cuyahoga County, Black individuals spend, on average, more than 10 days (or 36%) longer in jail pretrial than white individuals.
- In Franklin County, Black individuals are nearly three times more likely than white individuals to be in jail pretrial.

* <https://www.aclu.org/files/assets/1114413-mj-report-rfs-rel1.pdf>

BOND AMOUNTS AND RELEASE DECISIONS:

- In Cuyahoga County, across every crime category, Black individuals are more likely to have a bond set over \$10,000 and more likely to be denied release compared to white individuals charged with a crime in the same category.
 - In Cuyahoga County, over 58% of white individuals had a bond set below \$10,000, while only 47% of Black individuals had a bond set below \$10,000. **These differences exist across crime categories, and the disparity exists even when comparing white and Black individuals charged with crimes in the same crime category.** For example, Black individuals charged with drug crimes received a bond set over \$10,000 26% of the time, while white individuals charged with a drug crime received bonds set over \$10,000 only 17% of the time.
- In Cuyahoga County, only 33% of white individuals received a personal bond while fewer than 23% of Black individuals received a personal bond.
 - These differences again exist across crime categories. Black individuals charged with drug crimes received a personal bond only 37% of the time, while white individuals charged with drug crimes received a personal bond 48% of the time.



To learn more about how much money Ohio could save by implementing common sense bail reform, visit [ACLUOhio.org/BailReport](https://acluohio.org/BailReport).