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

WHO IS IN JAIL AND HOW MUCH DOES IT COST?

ACLU Ohio

ACLU SMART JUSTICE Ohio

MOST COMMON BOOKINGS:

The most common felony booking in the counties we analyzed was drug possession.

Driving with a suspended license was the most common misdemeanor booking in three of the four counties.

WE RECOMMEND THE OHIO LEGISLATURE:

1. Create a release valve, much like what currently exists for the wealthy, by instituting a presumption of release. This should require that everyone returns home the same day as their arrest, unless there is concern they pose a flight risk or a threat to a specific person, in which case a conditions of release hearing can be held.

2. Require the conditions of release hearings to be held within 48 hours of arrest. At the hearing, a judge could set a number of different conditions of release necessary to assure appearance and the safety of specific individuals. For those charged with crimes for which preventative detention is available, the conditions of release hearing could turn into a detention hearing.

• SAVINGS

Taking into consideration the increased cost of pretrial supervision that our policy recommendations would create, **the total cost savings of these policy proposals are estimated to be between $199 and $264 million per year.**

BASED ON 2018 PRETRIAL POPULATION ESTIMATES, ON ANY GIVEN DAY:

- Over 3,000 people charged with a misdemeanor are awaiting trial in Ohio jails at an annual cost of $74 to $96 million.
- Nearly 9,600 people charged with a felony are awaiting trial in Ohio jails at an annual cost of $235 to $306 million.
  - From our sample counties: 70% of the people admitted to jail pretrial and charged with a felony were charged with a non-person crime (a crime that does not involve contact with another person).
  - The most common felony charge was possession of drugs.
  - Over half of the days spent in jail for people charged with a felony were for non-person felonies.
- **Overall, 63% of the pretrial jail bed usage was for people charged with a misdemeanor or a non-person felony with an estimated annual cost to the state of Ohio of $195 to $253 million.**

WHO STAYS IN JAIL THE LONGEST?

- 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**.
- People booked into jail for a misdemeanor in Euclid Municipal Court, Cleveland Municipal Court, Athens County, and Vinton County and with a bond amount of over $2,500 stayed in jail two to three times longer than those with a bond amount of under $2,500.
- People booked into jail for a felony in Athens, Vinton, and Cuyahoga counties and with a bond amount of over $10,000 spend three to five times longer in jail than those with a bond amount of under $10,000.
- In Franklin County, misdemeanor defendants unable to post bond spent three times longer in jail than those who were able to post bond or released on a promise to appear in court. Those charged with a felony who are unable to post bond spend four times longer in jail than those who posted bond or were released on their own recognizance.
- In Cuyahoga County, felony defendants who have a cash or surety bond stay in jail 13 times longer than those released on a personal bond. Those charged with a felony who are unable to post bond spend three and a half months in jail pretrial, while those who post bond the same day it is set spend just over three days in jail.
- **In Cuyahoga County, 10% of common pleas defendants were released after their bond amount was reduced. The average reduction was just under $50,000 with these individuals staying an extra and unnecessary 24 days in jail before their bond was reduced.**

To learn more about how much money Ohio could save by implementing common sense bail reform, visit **ACLUOhio.org/BailReport.**

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