

The Push for Bail Reform in Ohio



No matter your skin color, zip code or bank account, all Ohioans should have access to a fair day in court. **But every day in Ohio, as many as 12,000 people are held in jail who are legally innocent — many of them because they can't afford their cash bail amount.** Cash bail creates a two-tiered system of justice in which people who can afford their freedom go home to their families, and those who cannot are forced to suffer in jail.

The good news is, a bipartisan team of lawmakers has introduced legislation that will even the playing field and end wealth based detention — drastically improving Ohio's pretrial justice system. **Substitute House Bill 315 will reform Ohio's broken cash bail system.**

HB 315 At A Glance

What does this bill do?

House Bill 315 will:

- guarantee everyone who is arrested will receive an initial release decision within 48 hours;
- ensure everyone who doesn't pose a risk of willful flight or to the safety of any person will be able to return to their homes and communities;
- require those who may pose a risk of willful flight or to the safety of any person receive a conditions of release hearing, or for certain eligible offenses, a preventative detention hearing, before a judge within 96 hours;
- stipulate that if money bail is set, judges must provide a written entry and consider the person's ability to pay. A judge will have the discretion to set bond amounts at \$200 and up based on the ability to pay calculation.

Sponsors: Representatives David Leland (D) and Brett Hillyer (R)

Introduced: May 19, 2021; Substitute Bill introduced May 11, 2022

Committee: House Criminal Justice Committee



Why Ohio Needs Bail Reform

On any given day, as many as 12,000 people in Ohio's jails have not been sentenced.

- Many of these individuals languish simply because they can't afford their money bond, creating a two-tiered system of justice in which those who can afford to purchase their freedom go home to their families and communities, and those who cannot are forced to stay behind bars.

Ending wealth-based detention will keep families together and strengthen our communities.

Our justice system is built upon the principle of innocent until proven guilty. But, with an overreliance on cash bail, even the innocent must purchase their freedom.

- Making matters worse, money bonds are generally set without any discussion of the person's ability to pay. The size of one's wallet simply determines their justice.

Racial bias exists within every level of our criminal legal system, and the same is true when it comes to cash bail.

- [In 2015](#), Black people comprised only 13% of Ohio's population, but represented 34% of the jail population.

Cash bail does not promote public safety.

- [A study](#) on four Ohio counties revealed 63% of people held pretrial were there for a misdemeanor or felony that did not involve contact with another person. These numbers don't lie. We can implement bail reform and promote public safety.

Common-sense bail reform policies will save Ohio BIG money.

- By implementing policies in line with the new legislation, bail reform would [save Ohio \\$199-\\$264 million each year](#), even when accounting for increases in pretrial supervision.

Now is the time!

[Public opinion](#) in favor of bail reform has never been higher — in fact, 70% of Ohio voters believe in reforming cash bail so we can ensure each and every Ohioan is treated fairly in the criminal legal system, regardless of skin color or ability to pay.

At the Statehouse, there is unprecedented bipartisan support for HB 315. Ohio should be a place of freedom and justice for all. We need to reform cash bail so we can ensure each and every Ohioan is treated fairly in the criminal legal system regardless of skin color or ability to pay.

Learn more about the campaign to reform Ohio's pretrial justice system at OHBailReform.com.

Join the ACLU of Ohio Action Team at ACLUOhio.org/Action.

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