



# OHIO COULD SAVE BIG BY **QUICK LOOK** IMPLEMENTING BAIL REFORM: **A FISCAL IMPACT ANALYSIS**

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Our bail reform policy recommendations are responsive to three goals: promoting public safety, ending wealth-based detention, and saving taxpayer dollars.

## 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.

For two years, the ACLU of Ohio and an expert economist gathered and analyzed jail and court data to determine how much money Ohio could save if we adopted these common sense reforms. Here's what we found:



Based on the analysis of four counties, 63% of the people held in jail pretrial were charged with a misdemeanor or non-person felony. It costs \$195 to \$253 million per year to incarcerate these individuals pretrial.



Changing policy to allow most people to be released on their own recognizance (a promise to re-appear in court), with safeguards to allow for an individualized review for those the prosecutor or judge is concerned poses a threat, is estimated to reduce the statewide pretrial jail population by 69 percent. This would save \$218 to \$284 million in jail costs each year.



Taking into consideration increased pretrial supervision costs, the total savings are estimated to be between \$199 and \$264 million per year.

# A FISCAL IMPACT ANALYSIS: KEY TAKEAWAYS

Our report also analyzes other aspects of our current system of wealth-based detention and found the following :

## **Crime Rates:**

- Ohio pretrial incarceration is near an all-time high, despite statewide crime rates that are nearly half of the peaks from the 1980s and 1990s.

## **Offenses:**

- The most common felony offense 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.

## **Bond and time in jail:**

- In all four counties, on average, those with a higher money bond spent more time in jail pretrial.

## **Racial disparity:**

- Racial disparities exist in all jurisdictions that were analyzed. Based on data from Cuyahoga County, across every crime category, Black individuals were 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.

## **Risk assessments:**

- In Cleveland, even those who were determined to be “low risk” by the risk assessment tool were still detained or had bail set 60 percent of the time. On average, Black people also scored higher on the risk scale than white people. While many hoped that risk assessments would help courts quickly release those who do not pose a high risk, the data does not support this outcome.

For more information about the ACLU of Ohio’s commitment to bail reform, view the entire report at [ACLUOhio.org/BailReport](https://acluohio.org/BailReport), and check-out our website [OHBailReform.com](https://OHBailReform.com).