



PROTECTING PRETRIAL FAIRNESS IN ILLINOIS

The historic Pretrial Fairness Act:

- ☞ Restores the **presumption of innocence**.
- ☞ Makes our **communities safer**.
- ☞ **Ends the unconstitutional practice** of jailing people who are awaiting trial simply because they cannot afford to buy their freedom.

Pretrial Fairness Act will make communities safer

Safety comes through stability and economic opportunity. Pretrial incarceration actively disrupts people's access to jobs, education, housing and family support systems. Accused people who are jailed for just 72 hours are 2.5 times more likely to be unemployed one year later and 40% more likely to be rearrested in the future. Past incarceration reduces annual income by as much as 40%, making us all less safe.

Unpaid money bonds have been the primary driver of pretrial jailing in Illinois, responsible for the majority of over 250,000 people booked into county jails every year. While unpaid money bond has negative impacts on community stability, there is no widely accepted evidence that shows it improves public safety, or court appearance rates. In fact, some studies show requiring accused people to pay money bonds increases risk of future re-arrest.

Violence is NOT driven by pretrial release or electronic monitoring

Numerous studies show pretrial reform has no negative impact on crime or court appearance rates. A November 2020 evaluation of research from 12 jurisdictions where pretrial reforms had taken place found no evidence that crime increased as a result.

Cook County has dramatically reduced the use of money bond with no significant change in outcomes or overall crime rates. A 2021 Loyola University evaluation and 2022 review by the Civic Federation both found that 97% of people released pretrial in Cook County were not charged with a new violent offense.

The rise in murders and shootings in 2020 and 2021 was national, independent of justice policies in different cities and counties, and corresponds to the unprecedented COVID-19 pandemic.

The vast majority of people on electronic monitoring are successful

More than 99% of the 8,600+ people on Cook County Sheriff's electronic monitoring in 2021 were not rearrested for a violent crime involving an allegation of hurting or threatening to harm another person.

Between 2016-2020, less than 4% of people on EM in Cook County were re-arrested on a felony charge, and most of those were non-violent, according to a Chicago Appleseed Center for Fair Courts analysis.

The majority of people on Cook County Sheriff's Office electronic monitoring are accused of gun possession charges with no allegation of physical harm to anyone.

Pretrial Fairness Act Timeline:

May 2022

For more information, contact
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January 2021:
PFA passed by
the legislature

January 2022:
electronic monitoring
reforms took effect

January 2023:
PFA takes full effect,
ending money bond