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Disclaimer

APPR developed this summary—using online searches of academic databases and publicly available information—to provide an overview of current research on this topic. The online search may not have identified every relevant resource, and new research will shed additional light on this topic. APPR will continue to monitor the research and will update this summary as needed. Due to the broad nature of this summary, readers are encouraged to identify areas to explore in depth and to consider the local implications of the research for future advancements related to pretrial goals, values, policies, and practices.

Financial Conditions of Release

When a person is released while their case is pending, a jurisdiction has two primary interests: maximize court appearance and maximize community well-being and safety (i.e., minimize the likelihood of the person’s rearrest during the pretrial stage). Most people succeed on pretrial release: they return to court and abide by the law. Courts sometimes order additional conditions of release to provide reasonable assurance of these positive outcomes. This summary examines the current base of knowledge regarding the effectiveness of financial conditions of release in improving court appearance and community safety. It also addresses the impact of financial conditions when they are not used as conditions of release but, instead, as a means to detain.

In 1987, the United States Supreme Court stated that “[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.”¹ This principle, however, is not the practice in most jurisdictions; instead, there are high rates of pretrial incarceration across the country. Pretrial detention is the cause of nearly all the jail population growth in the U.S. in recent decades.² And as of midyear 2022 (the latest date for which national data are available), approximately 70% of the roughly 663,000 people in local jails across the country are there without having been convicted on their current charge.³ What is causing pretrial detention to be so commonplace when it is meant to be the “carefully limited exception”? In the vast majority of jurisdictions, judges are not ordering people to be detained before trial. Instead, financial release conditions are the default, and people’s inability to meet those conditions is what keeps them detained.

What Are Financial Release Conditions?

A **financial release condition**—often called “money bond” or “money bail”—is an amount of money that is meant to be forfeited to the court if a person does not appear in court when required. A financial release condition can be either

“unsecured” or “secured.” With an **unsecured** condition, a person pledges to pay the assigned amount if they do not appear, but they need not post money or collateral up front. Most often, however, judicial officers set a secured condition. With a **secured** condition, a person must pay the full bond amount or a portion of the amount before being released from jail. Secured bond amounts can be posted in the form of cash or property, as a deposit to the court, or via a commercial surety (bondsmen).⁴ Typically, commercial sureties require 10% of the bond amount up front, and that amount is not refundable even if the person appears for all court dates or the case is resolved (e.g., charges are dropped). If the person cannot afford to pay the court or a bondsman, they stay in jail.

Historically, financial conditions were not intended to be used to detain people; they were intended to be conditions of release.⁵ Release conditions provide the court with reasonable assurance that a person will appear in court and will remain law-abiding. Based on national legal principles (and most state laws), release conditions must be the least restrictive to provide that reasonable assurance.⁶

This summary provides an overview of the research on the effectiveness of financial conditions on court appearance and community safety, as well as their impacts on rates of detention and on racial and economic disparities in the criminal legal system. The focus is on studies that have compared what happens to court appearance, community safety, and pretrial release when jurisdictions replace their use of secured financial conditions with unsecured or nonfinancial conditions. Finally, we include references to national standards and best practices to provide insight into ways jurisdictions can maximize their pretrial outcomes and minimize the collateral harms associated with the imposition of secured money bonds.

Advancing Pretrial Policy and Research seeks to achieve fair, just, equitable pretrial practices that positively impact people, systems, and communities.

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Research Designs

Studies vary in their ability to isolate the impacts of financial conditions of release and to produce causal or more credible findings. Rigorous studies can rule out alternative explanations and more convincingly link an intervention to differences in outcomes (as opposed to suggesting a correlational relationship).

1. **Randomized controlled trials (RCTs)** are considered “the gold standard” in research. People are randomly assigned to either an experimental group (which is subject to an intervention or to a policy or practice change) or a control group (which is not subject to the intervention or to the policy or practice change). If the sample size

is large enough and there is an effective randomization procedure, all of the factors that could influence the outcome other than the intervention or policy change will likely be distributed evenly between the two groups. In this way, differences in outcomes can be explained by the intervention or policy change alone rather than by an alternative factor. However, within the criminal legal system, it is often difficult or impossible to implement RCTs due to logistical and ethical constraints. For this reason, **this research summary does not cite any RCTs.**

2. **Quasi-experimental studies** aim to estimate the effect of an intervention, policy, or practice without random assignment driven by the researcher (e.g., differences in judicial officers' preferences for the use of financial conditions, changes to policies regarding financial conditions).⁷ Quasi-experimental studies encompass a broad range of approaches: more rigorous quasi-experimental studies can produce causal estimates while weaker quasi-experimental studies may leave the door open to alternative explanations. **The studies cited in this research summary are primarily quasi-experimental studies.**
3. **Descriptive or correlational studies** examine differences in outcomes between nonequivalent groups that were or were not subject to an intervention or to a policy or practice change. Under these designs, it is difficult to attribute any changes in outcomes to an intervention. Differences in outcomes may be driven by pre-existing differences or alternative explanations. In general, strong conclusions should not be drawn from these studies. However, because descriptive or correlational studies are still informative and can pave the way for more rigorous studies, **this research summary cites some descriptive or correlational studies.**

Key Finding #1: There Is No Evidence that Secured Financial Conditions Improve Court Appearance for People Released Before Trial

Recent studies utilizing various methodologies have provided no support for the theory that secured money bonds act as an effective incentive to increase court appearance. For example, Ouss and Stevenson (2022)⁸ studied the effects of pretrial policy changes on more than 47,000 cases in Philadelphia, Pennsylvania (population 1.6 million). They examined how pretrial outcomes changed after the 2018 implementation of a policy that instructed prosecutors to no longer ask for cash-only amounts for specific offenses. Comparing the relative change before and after the new policy, the study found that the

policy increased the likelihood of being released on recognizance by 12% but had no change in overall court appearance rates. The authors noted that, “We find no evidence to support...the main justification for the use of monetary bail: that it helps ensure appearance...among released defendants.”⁹

Additional studies have similarly found no difference in court appearance when jurisdictions implement changes to pretrial practice that include a reduction in the use of secured money bonds; however, it is more difficult to draw definitive conclusions from these studies because of their lack of controls for other factors that could have contributed to the results:

- Jones (2013)¹⁰ tested the effects of secured and unsecured bonds on pretrial failure to appear using a secondary analysis of data employed to construct the Colorado Pretrial Assessment Tool (CPAT). The dataset consisted of nearly 2,000 cases from 10 counties. After controlling for people’s pretrial assessment scores, the study found no statistically significant difference in nonappearance between secured and unsecured bonds, even though 94% of people with an unsecured bond were released compared to only 61% of people with a secured bond. The study also found that higher secured bond amounts did not produce higher appearance rates.
- Brooker (2017)¹¹ studied pretrial outcomes when judges in rural Yakima County, Washington (population approximately 250,000), began replacing secured financial conditions with unsecured or nonfinancial conditions for many people pretrial. Results showed that the rate of court appearance in the jurisdiction remained statistically unchanged at approximately 72%. This occurred even though the overall pretrial release rate increased from 53% to 73%, with the release rate for Black, Indigenous, and People of Color increasing the most.
- Redcross et al. (2019a; 2019b)¹² analyzed 94,000 cases involving 60,000 people in Mecklenburg County, North Carolina (population approximately 1 million). After locally initiated pretrial improvement efforts, the researchers found that judges set secured money bonds for 21% fewer cases, replacing them with unsecured bonds or nonfinancial recognizance releases. Results showed that the court appearance rate remained steady at approximately 82%. This occurred while pretrial releases increased by 26%.

In addition, other jurisdictions have significantly reduced or eliminated the use of secured money bonds without a meaningful change in court appearance rates.¹³ Notably, there are *no* methodologically rigorous studies that show secured financial conditions increase court appearance for those released before trial.

Misuse of Research on Secured Financial Conditions

A few studies, often cited by the commercial bonding industry, purport to show that commercially secured money bonds improve court appearance for jurisdictions.¹⁴ However, these studies are not helpful for gauging the effectiveness of secured financial conditions when compared to unsecured or nonfinancial conditions. Specifically, these studies use data in ways the data publisher or academic journal cautions not to.¹⁵ In addition, these studies fail to show the impact that secured money bonds have on pretrial release rates, which is necessary for determining the effectiveness of a pretrial release condition.

Existing research does not provide support for the use of secured financial conditions to increase court appearance for those released before trial. Recent studies find similar court appearance rates for people released on nonmonetary, unsecured, or secured bond conditions.

Key Finding #2: There Is No Evidence that Secured Financial Conditions Improve Community Safety or Law-Abiding Behavior

In almost all states, monetary bonds may be forfeited when someone fails to appear in court but *not* when they are arrested for a new criminal offense while on pretrial release. Since there is no legal connection between the condition (i.e., the money bond) and the purpose for which it could be set (reducing criminal behavior on pretrial release), there would be no reason to expect financial conditions of release to positively impact law-abiding behavior and community safety. The research to date reflects this lack of legal connection: there is no evidence that secured financial conditions reduce rates of new arrest while on pretrial release.

The Ouss and Stevenson study in Philadelphia described above used a rigorous research design to assess how a policy that reduced the use of secured monetary bonds impacted law-abiding behavior. They found no difference in pretrial arrest rates between the groups that were and were not affected by the policy change. As the authors note, there was “no evidence that financial collateral has a deterrent effect on...pretrial crime.”¹⁶

The other studies referenced above also found that jurisdictions' low rates of pretrial arrest were maintained after the implementation of changes that included replacing secured conditions with unsecured or nonfinancial conditions for many people; however, as noted above, it is more difficult to draw definitive conclusions from these studies because of their lack of controls for other factors that could have contributed to the results:

- Jones (2013) found no statistically significant difference in new criminal case filings for those on pretrial release, regardless of whether secured or unsecured bond conditions were used, even though unsecured bonds allowed many more people to be released.¹⁷
- Brooker (2017) found no statistically significant change in pretrial arrest rates for those released before trial when judges replaced secured financial conditions with nonmonetary or unsecured financial conditions for many people, even though pretrial releases increased substantially.¹⁸
- Redcross et al. (2019a; 2019b) found that the local policy changes that included setting secured money bonds for 21% fewer cases did not change arrest rates.

In addition, other jurisdictions have significantly reduced or eliminated the use of secured money bonds without a meaningful change in pretrial arrest rates.¹⁹ Notably, there are *no* methodologically rigorous studies that show secured financial conditions decrease arrest rates for those released before trial.

Existing research does not provide support for the use of secured financial conditions to reduce arrests for those released before trial. Recent studies find that jurisdictions that have reduced their reliance on secured money bonds, often alongside other policy changes, have maintained their high rates of community safety and law-abiding behavior.

Key Finding #3: Secured Financial Conditions Contribute to Higher Rates of Pretrial Detention and Exacerbate the Collateral Consequences of Incarceration

Over the past 25 years, nearly all of the growth in the nation's total jail population has been driven by the increase in the number of people held pretrial.²⁰ Secured monetary bonds are a major contributor to this increase in detention. Between 1990 and 2009, roughly 90% of those detained pretrial had financial conditions of release set that they could not afford to pay.²¹

Research shows that the dollar amount of a financial condition is a strong predictor of whether someone remains in jail before their case is decided. For example, Stevenson (2018)²² analyzed pretrial outcomes in over 300,000 cases in Philadelphia, most involving only misdemeanor charges. The study found that 10% of the sample had money bonds set at \$2,000 or less. These people would need to post only a \$200 (or less) deposit to the court to obtain their release. However, this group was detained for an average of 28 days, with 40% of them detained for four or more days. Moreover, as bond amounts increased, the percentage of people detained pretrial also increased, with 80% of people with bond amounts set at \$50,000 being detained pretrial. Similar trends have been documented nationally among people with felony charges: those with secured bonds set under \$5,000 obtained pretrial release 71% of the time, while those with bonds of \$50,000 or more were released just 27% of the time.²³ Finally, over two decades of pretrial research in New York City identified secured bonds as one of the strongest correlates of length of time in pretrial detention.²⁴

The effects of imposing unaffordable financial release conditions extend well beyond the additional time in detention on a current case. There is a well-established body of research documenting the collateral consequences people experience from pretrial detention.²⁵ These consequences include increased guilty pleas, less favorable plea agreements, increased likelihood of conviction, and higher likelihood of being sentenced to jail or prison and for longer lengths of time.²⁶ Pretrial detention also negatively impacts employment and education outcomes and is associated with family and housing instability. Critically, in the long-term, detention negatively impacts community safety by increasing the likelihood that someone will be arrested again—achieving the opposite result of what was intended.²⁷

Pretrial detention caused by the imposition of financial conditions has been shown to increase guilty pleas, sentence severity, long-term recidivism, and financial, familial, and housing instability.

Key Finding #4: Secured Financial Conditions Exacerbate Racial Injustice and Deepen Economic Disparities in the Criminal Legal System

The disproportionately negative impact of secured money bond on people of color and those experiencing poverty is well documented. Dating back to the 1990s, researchers have highlighted racial disparities in the setting of financial conditions, the amount of bonds imposed, and the likelihood of

release after a financial condition has been set.²⁸ Although some local studies have found negligible differences by race or ethnicity,²⁹ and findings may vary by jurisdiction, a significant pattern of cumulative disadvantage for Black and Latino people has emerged. For example, a 2005 study across major metropolitan regions found that Black and Latino people had higher rates of detention due to the inability to post their money bond.³⁰ Notably, disparities in the imposition of money bonds are evident even after controlling for key variables, such as charge severity or likelihood of noncompliance during pretrial release.

While case-level data regarding income and indigency is less widely available than race and ethnicity data, researchers have nonetheless been able to document connections between an individual's economic status and pretrial detention. In a study of over 300,000 misdemeanor cases in Harris County, Texas—all of which had financial conditions of release set pretrial—researchers used zip codes as a proxy to estimate wealth and examine the relationship between wealth and pretrial release.³¹ Overall, people from low-income zip codes were unable to obtain release 60 to 70% of the time, compared to 30% of the time among people from the wealthiest zip codes. These wealth disparities persisted even after controlling for key variables, such as charge severity and criminal history. A Brookings Institute analysis of data from the Bureau of Justice Statistics on felony pretrial release and national household economic data suggests that median money bond amounts far exceed the financial assets of at least 40% of U.S. households.³²

Moreover, the use of financial release conditions extracts wealth from communities with few financial resources, disproportionately affecting communities of color. For example, in 2015 in New Orleans, \$4.7 million was transferred from residents to for-profit bail bond agents.³³ From 2011 to 2015 in Maryland, people from zip codes where approximately 25% of people live in poverty paid tens of millions of dollars to corporate bonding companies, including when cases were resolved with no finding of wrongdoing. And, Black people were charged two and a half times more than all other races combined.³⁴

Financial conditions of release disproportionately harm historically disadvantaged communities.

Best Practice Recommendations

Professional practice standards are consistent with the findings of the research literature and, in particular, align with the importance of jurisdictions imposing the least restrictive nonfinancial conditions of release that can assure court appearance and community well-being and safety.

1. American Bar Association (ABA)

Standard 10-1.4 in *ABA Standards for Criminal Justice: Pretrial Release* describes conditions of release:

- (a) “Each jurisdiction should adopt procedures designed to promote the release of defendants on their own recognizance or, when necessary, unsecured bond.”
- (b) “When release on personal recognizance is not appropriate reasonably to ensure the defendant’s appearance at court and to prevent the commission of criminal offenses that threaten the safety of the community or any person, constitutionally permissible non-financial conditions of release should be employed consistent with Standard 10-5.2.”
- (c) “Release on financial conditions should be used only when no other conditions will ensure appearance. When financial conditions are imposed, the court should first consider releasing the defendant on an unsecured bond. If unsecured bond is not deemed a sufficient condition of release, and the court still seeks to impose monetary conditions, bail should be set at the lowest level necessary to ensure the defendant’s appearance and with regard to a defendant’s financial ability to post bond.”
- (d) “Financial conditions should not be employed to respond to concerns for public safety.”
- (e) “The judicial officer should not impose a financial condition of release that results in the pretrial detention of a defendant solely due to the defendant’s inability to pay.”
- (f) “Consistent with the processes provided in these Standards, compensated sureties should be abolished. When financial bail is imposed, the defendant should be released on the deposit of cash or securities with the court of not more than ten percent of the amount of the bail, to be returned at the conclusion of the case.”³⁵

2. The National Association of Pretrial Services Agencies (NAPSA)

Standard 1.5 in *Standards on Pretrial Release* states: “Financial conditions of bail should be prohibited” (p. 9). According to the commentary: “A developing body of research shows the inequities and negative outcomes associated with money bail. Recent court rulings and litigation also have challenged the constitutionality of financial bail conditions that result in the detention of an otherwise bailable defendant. Any allowance for money bail only perpetuates the inequalities and disparities it promotes...Many jurisdictions have successfully adopted practices, either through state law or court rule, that severely restrict or effectively eliminate the use of money in the bail decision. These practices increased the number of bailable defendants without reductions to court appearance or public safety rates” (pp. 9–10).³⁶

3. National Institute of Corrections (NIC)

A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency states that jurisdictions should have a legal framework that includes “a presumption of nonfinancial release on the least restrictive conditions necessary to ensure future court appearance and public safety” and “prohibition or restrictions on the use of secured financial conditions” (p. 10).³⁷

4. Uniform Law Commission (ULC)

Section 307 in the *Uniform Pretrial Release and Detention Act* states for a financial condition of release:

- (a) “Subject to Sections 308 and 403, the court may not impose a restrictive condition under Section 306 that requires initial payment of a fee in a sum greater than the arrested individual is able to pay from personal financial resources not later than [24] hours after the condition is imposed. If the individual is unable to pay the fee, the court shall waive or modify the fee, or waive or modify the restrictive condition that requires payment of the fee, to the extent necessary to release the individual. If the individual is unable to pay a recurring fee, the court shall waive or modify the recurring fee or the restrictive condition that requires payment of the fee.”
- (b) “Before imposing a secured appearance bond or unsecured appearance bond under Section 306, the court shall consider the arrested individual’s personal financial resources and obligations, including income, assets, expenses, liabilities, and dependents.”
- (c) “Subject to Sections 308 and 403, the court may not impose a secured appearance bond as a restrictive condition under Section 306 unless the court determines by clear and convincing

evidence that the arrested individual is likely to abscond, not appear, obstruct justice, or violate an order of protection.”

(d) “Subject to Sections 308 and 403, the court may not impose a secured appearance bond as a restrictive condition under Section 306:

- (1) to keep an arrested individual detained;
- (2) for a charge that is not a felony, unless the individual [three or more] times has absconded or did not appear in a criminal case or combination of criminal cases; or
- (3) the cost of which is an amount greater than the individual is able to pay from personal financial resources not later than [24] hours after the condition is imposed.”

The act further states that, “Rationally, it is not logical to impose a financial condition for purposes of public safety” (p. 31).³⁸

Notes

1. *United States v. Salerno*, 481 U.S. 739 (1987), 30.
2. Sawyer, W., & Wagner, P. (2024). *Mass incarceration: The whole pie 2024*. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/pie2024.html>
3. Zeng, Z. (2023). *Jail inmates in 2022 – Statistical tables*. Bureau of Justice Statistics. <https://bjs.ojp.gov/document/ji22st.pdf>
4. Because most people arrested do not have sufficient financial funds to post a bond amount, they turn to a commercial bail bondsman. The bail bondsman charges the person or the family a nonrefundable fee that typically amounts to roughly 10% of the full bond amount, and they collateralize the full bond amount with the person's or family's property in exchange for posting the bond amount with the court.
5. Schnacke, T. R. (2014). *Fundamentals of bail: A resource guide for pretrial practitioners and a framework for American pretrial reform*. National Institute of Corrections. <https://s3.amazonaws.com/static.nicic.gov/Library/028360.pdf>
6. *Stack v. Boyle*, 342 U.S. 1, 4 (1951).
7. In RCTs, researchers develop a protocol in which they can directly manipulate what happens as part of the random assignment of cases to study conditions (e.g., every other eligible case on a docket receives the intervention). In contrast, certain quasi-experimental designs may apply advanced statistics to leverage how existing policies facilitate the quasi-random assignment of cases to different conditions. If researchers are unable to estimate random assignment, there are other quasi-experimental designs, such as the comparison of the relative change in outcomes for the group affected by the policy against a group unaffected by the policy before and after the policy implementation (this design is also called differences-in-differences). This process helps isolate the effect of the focal policy from other changes that affect both groups over time and help researchers rule out plausible alternative explanations.
8. Ouss, A., & Stevenson, M. T. (2022). *Does cash bail deter misconduct?* https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3335138
9. Ouss & Stevenson, 2022, p. 8
10. Jones, M. R. (2013). *Unsecured bonds: The as effective and most efficient pretrial release option*. Pretrial Justice Institute. https://www.ncsc.org/__data/assets/pdf_file/0017/1655/unsecured-bonds-the-as-effective-and-most-efficient-pretrial-release-option.ashx.pdf
11. Brooker, C. M. B. (2017). *Yakima County, Washington pretrial justice system improvements: Pre- and post-implementation analysis*. Pretrial Justice Institute. <https://justicesystempartners.org/wp-content/uploads/2018/02/2017-Yakima-Pretrial-Pre-Post-Implementation-Study.pdf>
12. Redcross, C., & Henderson, B. (with Miratrix, L., & Valentine, E.). (2019a). *Pretrial justice reform study: Evaluation of pretrial justice system reforms that use the Public Safety Assessment: Effects in Mecklenburg County, North Carolina* (Report 1 of 2). MDRC Center for Criminal Justice Research. https://www.mdrc.org/sites/default/files/PSA_Mecklenburg_Brief1.pdf; Redcross, C., & Henderson, B. (with Miratrix, L., & Valentine, E.). (2019b). *Pretrial justice reform study: Evaluation of pretrial justice system reforms that use the Public Safety Assessment: Effects in Mecklenburg County, North Carolina* (Supplemental report 2 of 2). MDRC Center for Criminal Justice Research. https://www.mdrc.org/sites/default/files/PSA_Mecklenburg_Brief2.pdf
13. For instance, in 2017, New Jersey eliminated nearly all use of secured financial conditions, replacing them with nonfinancial release and moneyless preventive detention. Court appearance rates have remained high, at approximately 90% before and after the statewide changes, while the pretrial jail population has decreased to approximately 73% of pre-change levels. See: Grant, G. A. (2019). *Criminal justice reform: 2018 report to the governor and legislature*. New Jersey Courts. <https://www.njcourts.gov/sites/default/files/2018cjrannual.pdf>; Grant, G. A. (2022). *Criminal justice reform: 2021 annual report to the governor and legislature*. New Jersey Courts. <https://www.njcourts.gov/sites/default/files/courts/criminal/criminal-justice-reform/cjr2021.pdf>; New Jersey Courts (2024). *Criminal justice reform statistics: Jan. 1 – Dec. 31, 2023*. <https://www.njcourts.gov/sites/default/files/courts/criminal/criminal-justice-reform/cjrreport2023.pdf>
14. Clipper, S. J., Morris, R. G., & Russell-Kaplan, A. (2017). The link between bond forfeiture and pretrial release mechanism: The case of Dallas County, Texas. *PLOS ONE*, 12(8): e0182772. <https://doi.org/10.1371/journal.pone.0182772>; Helland, E., & Tabarrok, A. (2004). The fugitive: Evidence on public versus private law enforcement from bail jumping. *Journal of Law and Economics*, 47, 93–122.
15. For the study by Clipper et al., journal editors noted that peer review of the study is not possible because the dataset no longer exists, and one of the authors did not disclose a potential conflict of interest because of a contract to work with the commercial bail bonding industry. See: PLOS ONE Editors. (2020). *Expression of concern: The link between bond forfeiture and pretrial release mechanism: The case of Dallas County, Texas*. <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0236275>. For the Helland & Tabarrok study, the Bureau of Justice Statistics later cautioned that the data should not be used to evaluate the effectiveness of various pretrial release methods. See: Bureau of Justice Statistics. (2010). *Data advisory: State court processing statistics data limitations*. https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/scpsdl_da.pdf. See also: Bechtel, K., Clark, J., Jones, M. R., & Levin, D. J. (2012). *Dispelling the myths: What policy makers need to know about pretrial research*. Pretrial Justice Institute. https://www.ncsc.org/__data/assets/pdf_file/0015/1662/dispelling-the-myths-what-policy-makers-need-to-know-about-pretrial-research.ashx.pdf
16. Ouss & Stevenson, 2022, p. 1
17. Jones, 2013
18. Brooker, 2017
19. New Jersey reported that the percentage of people not charged with a new “indictable crime” (equivalent to a felony) while on pretrial release remained steady at approximately 86% both before and after the state’s elimination of secured money bond. See: Grant, 2019, 2022.
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23. Reaves, 2013

24. Philips, M. T. (2012). *A decade of bail research in New York City*. New York City Criminal Justice Agency. <https://www.nyapsa.org/assets/files/DecadeBailResearch12.pdf>
25. For a summary of the collateral harms of pretrial detention, see: Advancing Pretrial Policy and Research. (2024). *Pretrial detention*. <https://bit.ly/4bPBScc>.
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28. See, e.g.: Katz, C. M., & Spohn, C. C. (1995). The effect of race and gender on bail outcomes: A test of an interactive model. *American Journal of Criminal Justice*, 19(2), 161–184. <https://doi.org/10.1007/BF02885913>; Demuth, S. (2003). Racial and ethnic differences in pretrial release decisions and outcomes: A comparison of Hispanic, Black, and white felony arrestees. *Journal of Criminology*, 41(3), 871–908. <https://doi.org/10.1111/j.1745-9125.2003.tb01007.x>; Schlesinger, T. (2005). Racial and ethnic disparity in pretrial criminal processing. *Justice Quarterly*, 22(2), 170–192. <https://doi.org/10.1080/07418820500088929>; Sacks, M., Sainato, V. A., & Ackerman, A. R. (2015). Sentenced to pretrial detention: A study of bail decisions and outcomes. *American Journal of Criminal Justice*, 40(3), 661–681. <https://doi.org/10.1007/s12103-014-9268-0>
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