



# DEFEND JUSTICE

## **Making Freedom Less Free**

Among the relentless attacks on people's basic rights and freedoms, and in the midst of the federal takeover of DC, President Trump recently released new [executive orders](#) aimed at reinstating cash bail in the capital and across the country.

These orders are chilling. Cash bail is a sum of money the government sets as a condition for releasing you before trial. If you can't afford it, you await your trial from behind bars. Cash bail criminalizes poverty without protecting public safety, perverting both safety and justice into commodities for the wealthy to buy rather than rights for all.

Cash bail is devastating to working families. If you are languishing in jail pre-trial, you are at risk of losing employment and housing, making life unstable for you and your family before you have even been convicted of a crime. Many people opt to take guilty pleas on charges they would otherwise fight just to get home to their families.

**Across the country, safe and effective criminal justice reforms such as bail reform have [reduced incarceration by 21%](#) in the past fifteen years.** The Black imprisonment rate has dropped by nearly half. We achieved this alongside massive gains in public safety. In the past decade, 45 states saw reductions in crime rates while imprisoning fewer people—with crime falling faster in states that reduced imprisonment than in states that increased it. That's a lot of progress we stand to lose.

**Incarcerating people pretrial can [increase the likelihood](#) that they'll be rearrested or return to incarceration in the future.** Even short periods of pretrial detention can be [profoundly destabilizing](#) to people's lives. A study of 22 jurisdictions that implemented bail reform concluded that it had [no negative impact on crime rates](#). For more examples, check

out this [primer](#) on the impact of bail reform in six jurisdictions In fact, the authors of another [recent study](#) on the impact of bail reform across multiple jurisdictions stated that “Once the adverse effects of pretrial detention are taken into consideration, these reforms may, on balance, improve the well-being of communities most impacted by crime.”

The point of bail reform is that our country's incarceration rates were and still are indefensibly high, driven significantly by the existence of cash bail, and that many, many people can and should be safely at home when they are accused of breaking the law. That being held in jail before trial is a big deal and should not be based on your wealth or on whims.

**The point of President Trump's attack on “cashless bail” is to make it harder for everyday people to get out of custody after they are arrested, regardless of fairness or safety.**

We must speak with clarity on matters of justice. For more resources from FWD.us on justice click [here](#).