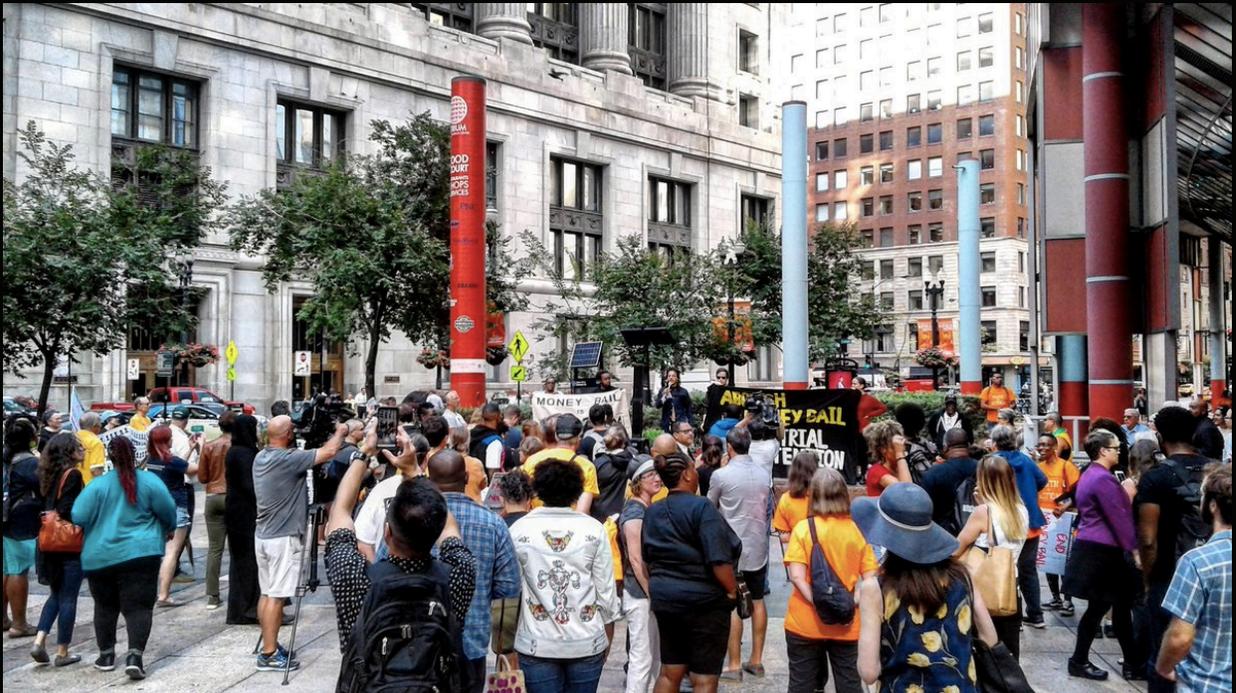




Chicago Community Bond Fund

General Order 18.8A Fact Sheet Pretrial Services Fact Sheet

Last updated on 2/19/2019



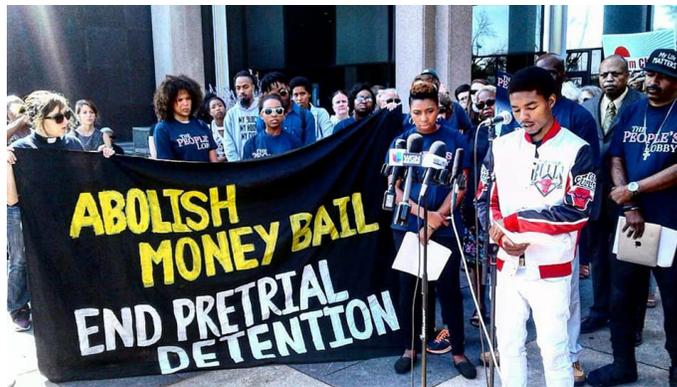
Cook County residents rally on September 18, 2018, the one-year anniversary of General Order 18.8A taking effect, to demand its full implementation.



Chicago Community Bond Fund General Order 18.8A Fact Sheet

Effective September 18, 2017, Cook County Chief Judge Timothy Evans ordered all criminal court judges to confirm that “the defendant has the present ability to pay the amount necessary to secure his or her release on bail” when setting a money bond. The purpose of General Order 18.8A was to ensure that no accused person is detained prior to trial solely because they cannot afford to pay a monetary bail. Since then, even with many judges ignoring or only partially following the Order, it has produced some significant benefits across Cook County:

1. Decreasing the number of people in Cook County Jail by approximately 1,700 people. On September 18, 2017, there were more than 7,500 people incarcerated in Cook County Jail. As of February 2019, there are fewer than 5,800 people in jail.
2. The initial 1,400 person decrease was sustained during 2018. At a cost of \$143 per person per day, this could have saved Cook County nearly \$70 million.
3. In 2018, Cook County Jail’s budget translated into over \$59,000 per incarcerated person. That is more than enough to pay for each person’s tuition at the University of Chicago.



Community organizations from the Coalition to End Money Bond rallying in support of General Order 18.8A on the day it was implemented in September 2017.



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General Order 18.8A Fact Sheet

The purposes of bond are to help ensure a person's presence in court during their case and to help promote public safety. The increase in pretrial release over the past year has not negatively impacted either of these goals. Statistics about people released pretrial provided by the Office of the Chief Judge show that:

1. Of the nearly 20,000 people who were released while awaiting trial since October 2017, 86% of them have successfully come to court for all of their scheduled hearings.
2. Of those 20,000 people, 87% have not been charged with a new offense since they were released.
3. Just half of one percent (0.5%) of people released were charged with a new "violent" offense while in the community. That means 99.5% of all released people, regardless of risk assessment score, were not rearrested for an offense considered violent.

General Order 18.8A is not perfect, but it has allowed thousands of people to return to their communities and support themselves and their families while awaiting trial. In the process, it has also saved Cook County millions of dollars in staff overtime costs. One year of bond reform has proven what numerous personal experiences and academic studies have already shown: money bond doesn't work. It criminalizes poverty, increases racial disparities, and has no relationship to public safety. By fully implementing General Order 18.8A, Cook County could become a national leader in pretrial justice and reduce spending on Cook County Jail by millions more. These funds could then be diverted back to needed programs in neighborhoods such as mental health care, housing, and schools.



Chicago Community Bond Fund

Pretrial Services Fact Sheet

CCBF's 2017 report, "Punishment is Not a 'Service': The Injustice of Pretrial Conditions in Cook County," documents the harmful impact of pretrial conditions, such as electronic monitoring, curfews, monthly check-ins, and drug testing. These conditions significantly restrict the liberty of people who have not been convicted of a crime. While supposedly intended to ensure that accused people come back to court and avoid re-arrest, many of the conditions currently imposed by Pretrial Services have significant negative impacts on an accused person's access to housing, jobs, medical care, and their ability to support their children.

1. Pretrial services and electronic monitoring tend to replicate the punitive restrictions of incarceration rather than allowing individuals to maintain their rights before trial.
2. Conditions of Electronic Monitoring are often arbitrary and unnecessarily restrictive. Minor technical violations, which are often unavoidable, can lead to re-arrest and further punishment.
3. Conflicting instructions from the Sheriff's Office and judicial orders often force people to choose between violating their conditions or missing a court date. Pretrial Service officers frequently do not answer phone calls and deny requests for movement necessary to comply with court orders.
4. Conditions often prevent accused people from maintaining a job, caring for their children, interacting with their community, and even receiving medical care—leading to destabilization and lack of access to support from friends and family.
5. Fees for electronic monitoring equipment, drug tests, and visits to Pretrial Services Officers can become insurmountable to already economically vulnerable people, who are often unable to generate income without violating their pretrial conditions.
6. Risk assessment tools used to determine pretrial conditions of release are based on prior convictions and are thus inherently biased because people of color and poor people are more likely to be targeted for arrest, convicted, and incarcerated than white people or wealthy people.



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Pretrial Services Fact Sheet

“Punishment is Not a ‘Service’” recommends that any services provided by the court be supportive rather than punitive. Examples of services include assistance with transportation and childcare to help people attend court dates, flexible court dates to accommodate work schedules, and referrals to truly supportive services based on individual needs. Specific suggestions for improved court appearance include:

1. Provide phone calls, texts, and email reminders about upcoming court dates;
2. Provide accused people with a physical copy of their next court date and other important information such as updates to conditions of release and information about additional resources every time they leave court;
3. Provide transit passes and childcare to make attendance at court dates more accessible; and
4. Provide court dates on nights and weekends, or the allow the accused person to choose from a range of court dates so they can attend court without missing work or obtaining childcare.

Pretrial conditions are supposed to ensure that people come back to court and avoid re-arrest. Instead of preemptively punishing accused individuals, Cook County’s court system should provide real support and services that address the underlying reasons why people miss court dates and are targeted for re-arrest, thus helping individuals succeed. Instead, by punishing people with unmet needs, Cook County is contributing to the criminalization of vulnerable communities, further compounding racial inequity in the criminal legal system, and expanding incarceration beyond the walls of Cook County Jail. If Cook County truly cares about preserving the presumption of innocence that motivates its bond reforms, it will also change the way it handles pretrial release.

Read “Punishment is Not a ‘Service’: The Injustice of Pretrial Conditions in Cook County” at:

www.chicagobond.org/pretrial



About Chicago Community Bond Fund

Chicago Community Bond Fund (CCBF) was founded in November 2015 by a group of activists, attorneys, and community members to pay bond for people in Cook County that couldn't afford it themselves and to advocate for the end of money bond and pretrial incarceration altogether. Since then, CCBF has paid over \$1,000,000 in bond to free more than 200 people from Cook County Jail or house arrest with electronic monitoring.

www.chicagobond.org