

# \$ No Money Bail Act of 2016 \$

## Congressman Ted W. Lieu

---

Our criminal justice system is broken. More than 2.3 million people are incarcerated in America, of which 450,000 individuals have never been convicted of a crime. The most common reason why people are held in jail during pretrial is due to their inability to pay bail. Throughout the nation, those with money can buy their freedom while poor defendants stay behind bars awaiting trial.

### 1. Guilty Until Proven Innocent

America's current money bail system rejects the principle of innocent until proven guilty. Over 450,000 of those in jail have never been convicted of a crime and are often detained because they cannot afford to pay bail, of which three-fourths are accused of nonviolent crimes. Many people decide to plead guilty purely to get out of jail because they cannot afford the bail. America should not be a country where freedom is based on income.



Photo credit: ACLU Washington,

<https://aclu-wa.org/blog/cash-bail-reserves-freedom-those-who-can-pay-it>

### 2. Public Safety Concerns

Setting high monetary bail amounts has not been shown to increase public safety. According to an Arnold Foundation study, close to half of dangerous criminals use the money bail system to be released and sent home without any supervision.



Photo Credit: Shutterstock.com/ Milagli

<http://www.alternet.org/civil-liberties/america-innocent-until-proven-guilty-not-most-people-who-are-stuck-jail>

### 3. Costs to Society

State and local governments are continuing to squeeze and tighten budgets, and the money bail system imposes a huge financial constraint. Pretrial detention costs State and local governments an estimated \$14 billion each year.

# \$ No Money Bail Act of 2016 \$

## Congressman Ted W. Lieu

---

*Endorsed by American Civil Liberties Union, National Association for the Advancement of Colored People, Southern Poverty Law Center, Equal Justice Under Law, Pretrial Justice Institute, Drug Policy Alliance, LatinoJustice PRLDEF, the Sentencing Project, Color of Change, National Legal Aide and Defender Association, National Association of Pretrial Services Agencies, ArchCity Defenders, Southern Center for Human Rights*

*Original Cosponsors: Representatives Bonnie Watson Coleman, Brenda L. Lawrence, Ruben Gallego*

*Additional Cosponsors: John Conyers, Elijah Cummings, Karen Bass, Tony Cárdenas, Mike Honda, Jerry Nadler, Barbara Lee, Emanuel Cleaver, Keith Ellison, Steve Cohen, Maxine Waters, Raúl Grijalva, Yvette Clarke, Charles Rangel, Eleanor Holmes Norton, Wm. Lacy Clay, Mark Takano, John Yarmuth, Terri Sewell, Chris Van Hollen*

Criminal justice reform is one of the defining moral issues of our day. We must stop being a nation that locks up our citizens based on their inability to pay monetary bail.

Check out the [John Oliver](#) piece discussing the money bail system:

<https://www.youtube.com/watch?v=IS5mwymTIJU>.

## Title I

---

### **ENDING OF MONEY BAIL IN STATES**

Beginning 3 years after the enactment of this bill, States that continue to use monetary payment as a condition of pretrial release will be ineligible for Edward Byrne Memorial Justice Assistance Grants.

## Title II

---

### **PROHIBITION OF MONEY BAIL IN FEDERAL CRIMINAL CASES**

Prohibits the use of money bail on the federal level.



Photo Credit: Pretrial Justice Institute - <http://www.pretrial.org/report-effective-efficient-type-money-bond/>