

CASH BAIL ANALYSIS: BAIL SCHEDULE

Presented to the Criminal Justice Council – Pretrial Subcommittee

December 1, 2021

BACKGROUND

- County Board RES-177 directed an analysis of cash bail
- Presentation to Public Protection & Judiciary subcommittee focused on court commissioner assessment of cash bail
- Follow-up analysis will look at bail schedule
 - Focus on misdemeanants
 - Wisconsin Misdemeanor Bail Schedule

THE SCOPE OF THIS ANALYSIS

- Looking at the impact of the **bail schedule**
 - **Not** signature bonds
- Using **jail bookings/release data**
 - **Not** CCAP
- This analysis is most relevant for misdemeanants, as that is who the bail schedule impacts the most

WHAT CAN THE BAIL SCHEDULE **NOT** TELL US?

- When are signature bonds used? Will someone ultimately receive a signature bond?
- Will cash bail be reimbursed when someone receives a signature bond?
- Felony charges, external holds, etc.
- Data limitations
 - Criminal history

WHAT **CAN** THE BAIL SCHEDULE TELL US?

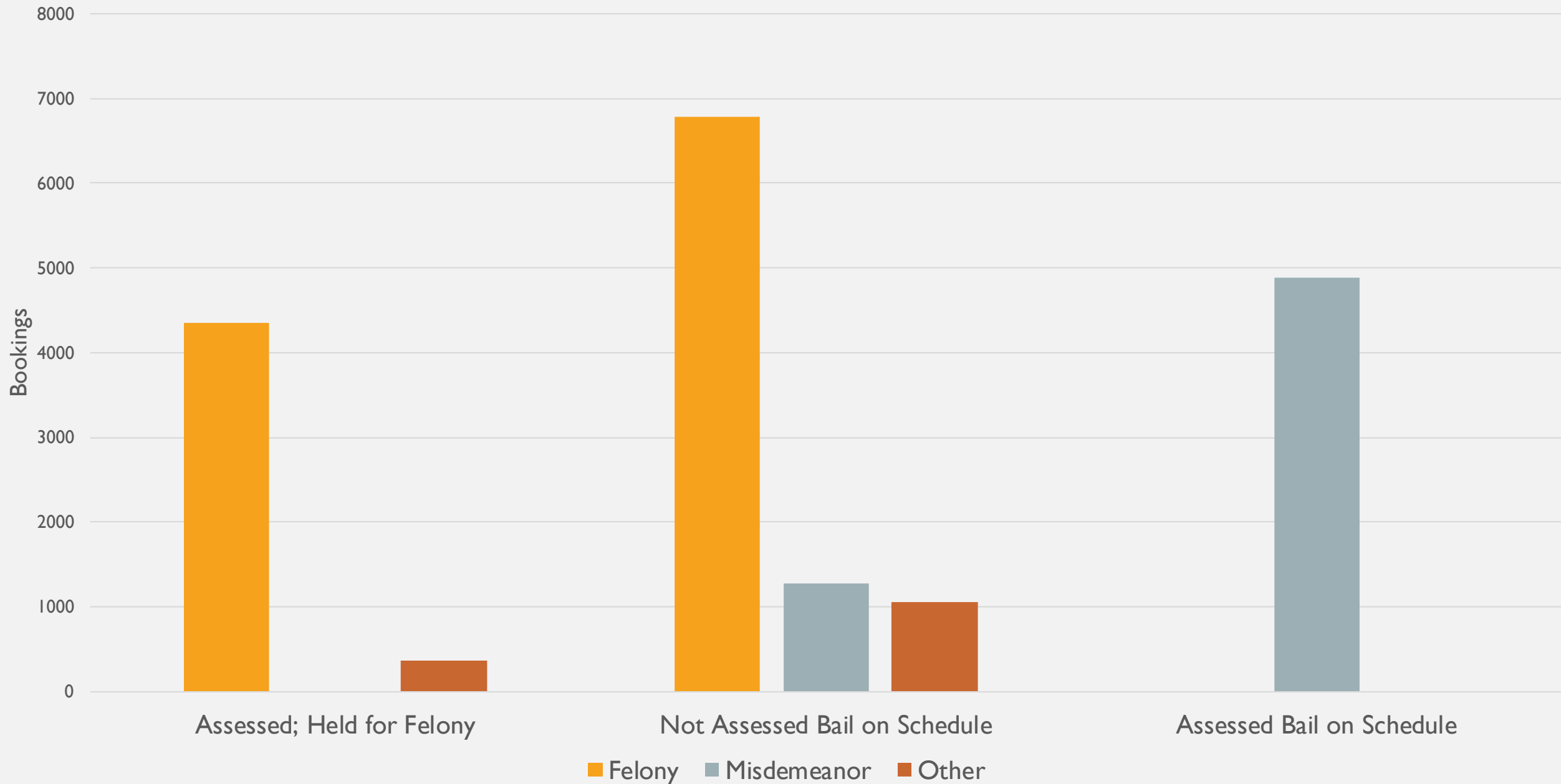
- Who is in jail solely for misdemeanor charges, and potentially could be released were it not for the bail schedule?*
- Who is sitting solely for nonviolent misdemeanor charges, and potentially could be released were it not for the bail schedule?*
- Of those populations, who is paying for release?
 - Racial disparities
 - Trends by age
- Who is *paying* bail schedule amounts, but still sits for felony and/or external holds?
- Identify areas in need of additional policy review and attention

**With additional consideration of criminal history*

PRELIMINARY FINDINGS:

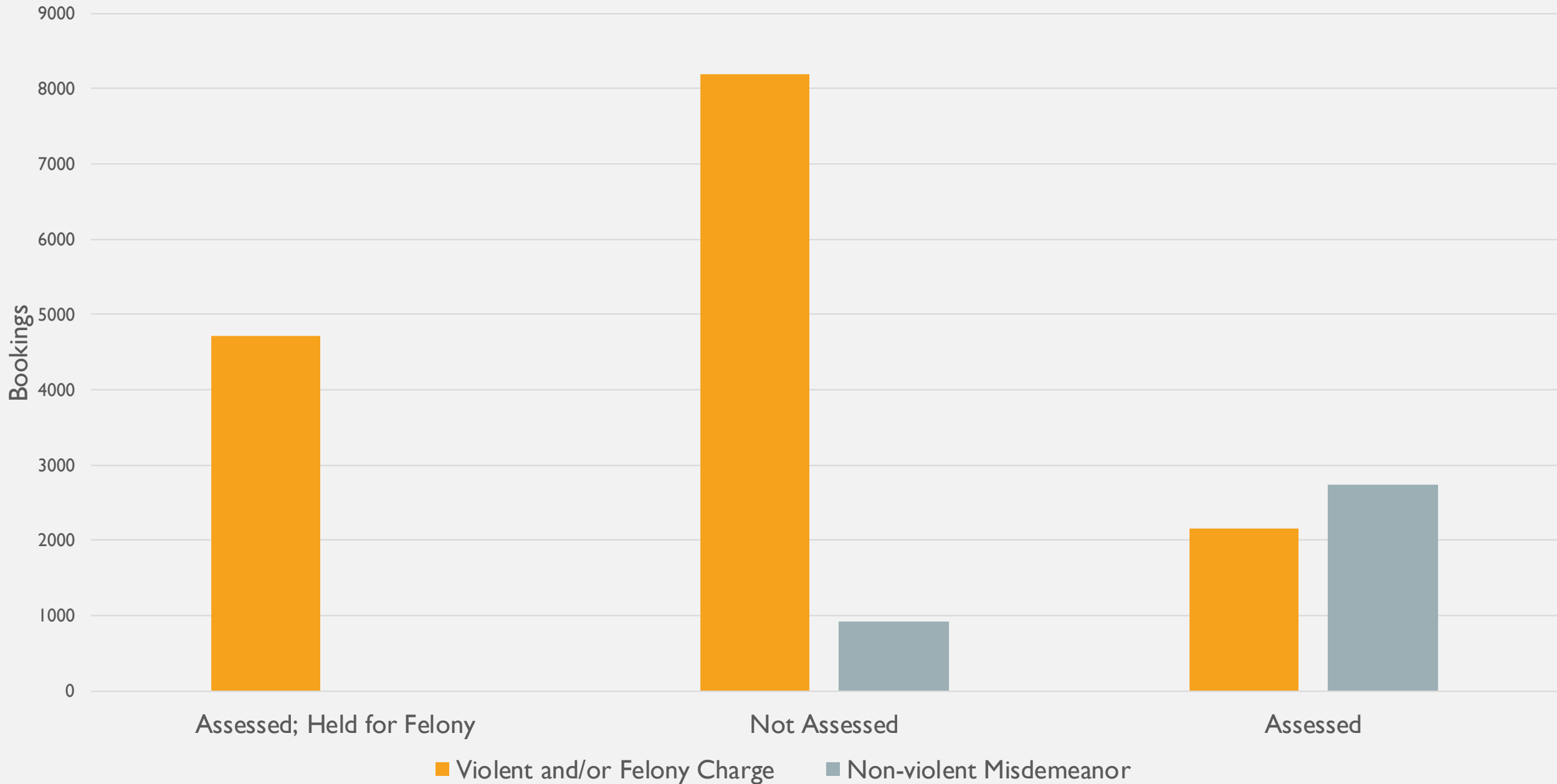
Number of Bookings Assessed Bail on Bail Schedule by Charge Classification, 2016-2018

Bookings do not have: sentences, holds, parole violations, or bail jumping charges



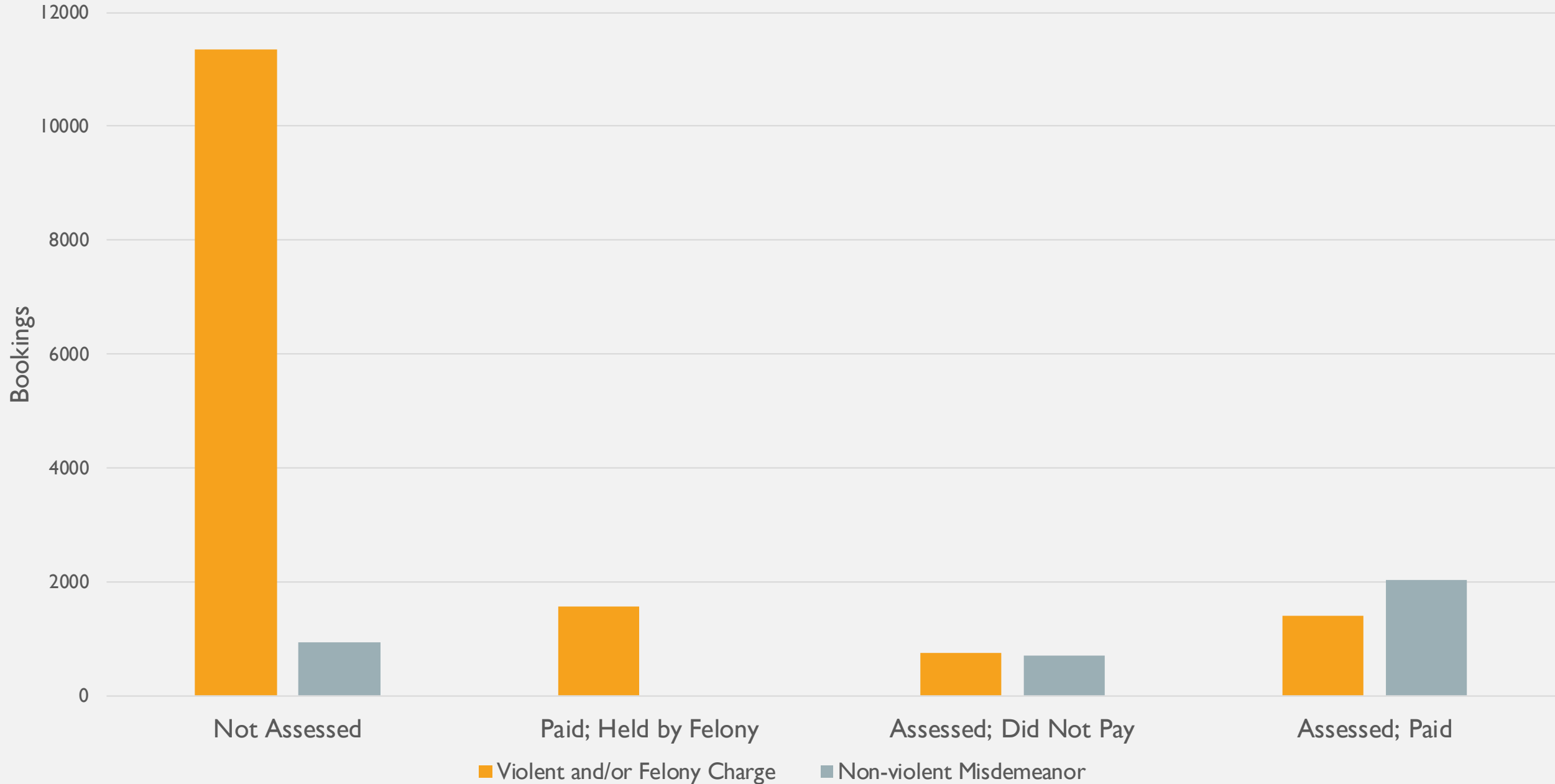
Number of Bookings Assessed Bail on Bail Schedule by Offense Type, 2016-2018

Bookings do not have: sentences, holds, parole violations, or bail jumping charges



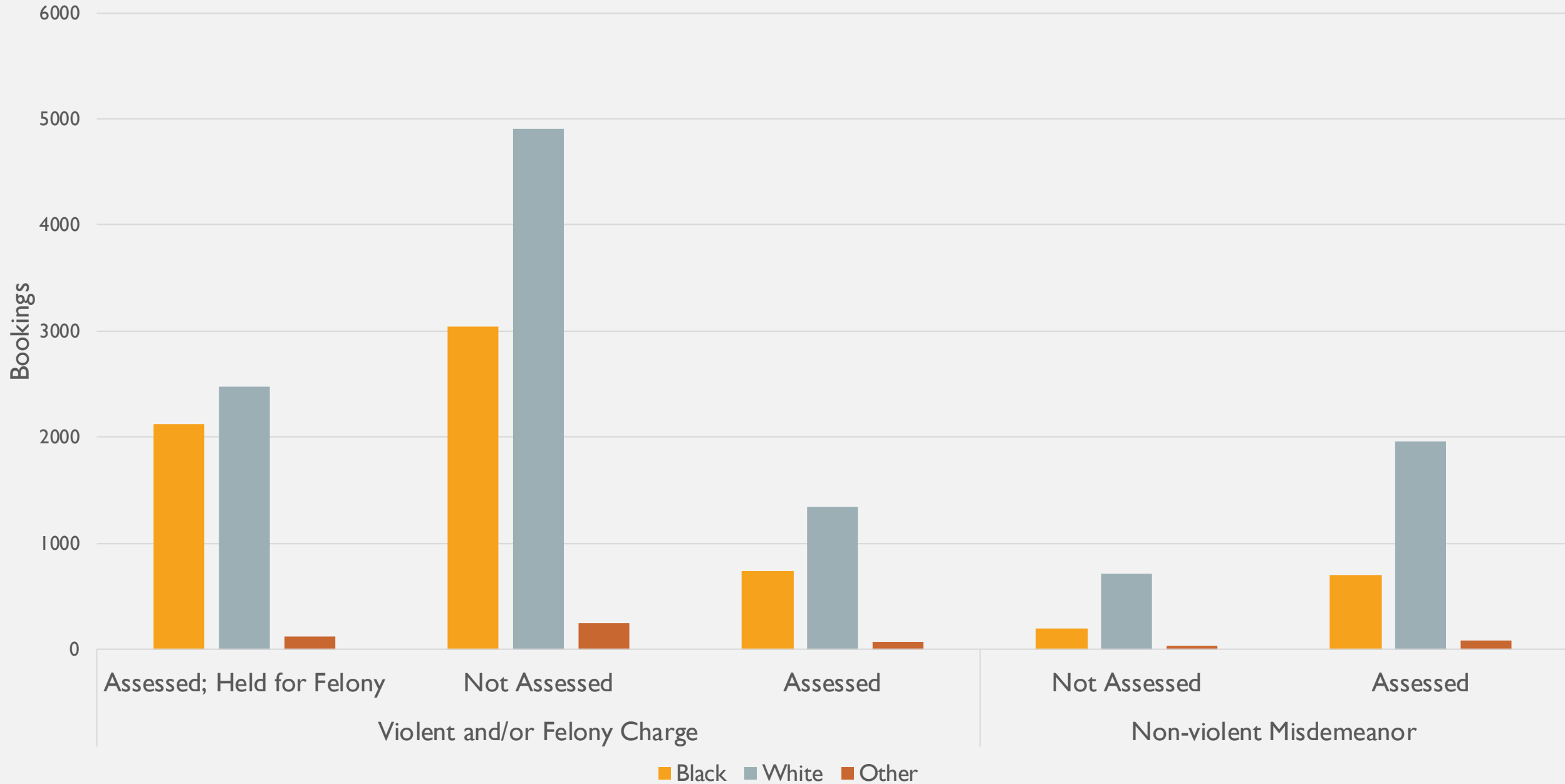
Number of Bookings Who Paid Bail on Bail Schedule by Offense Type, 2016-2018

Bookings do not have: sentences, holds, parole violations, or bail jumping charges



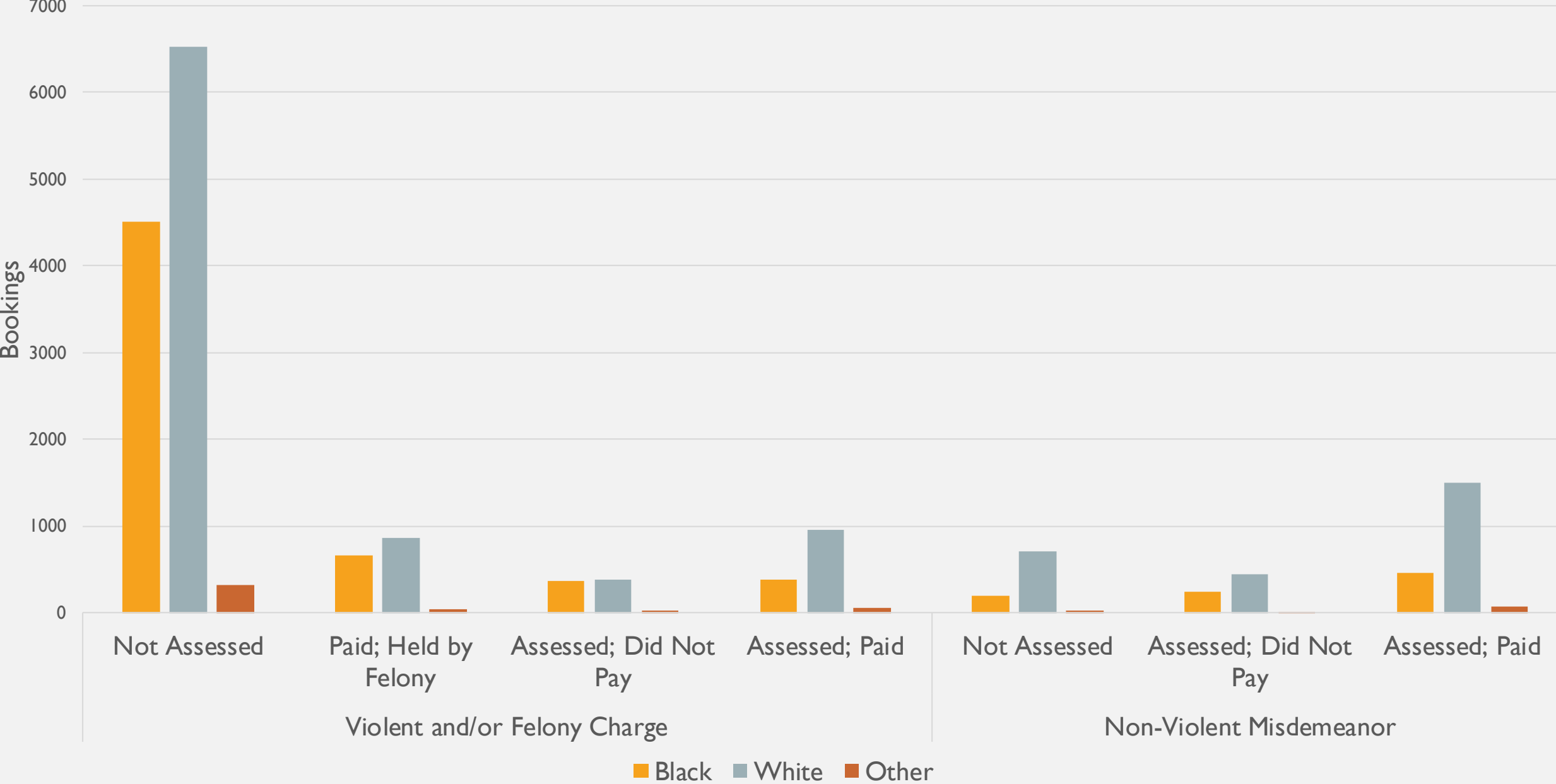
Number of Bookings Assessed Bail on Bail Schedule by Race and Offense Type, 2016-2018

Bookings do not have: sentences, holds, parole violations, or bail jumping charges



Number of Bookings Who Paid Bail on Bail Schedule by Race and Offense Type, 2016-2018

Bookings do not have: sentences, holds, parole violations, or bail jumping charges



QUESTIONS?