



Testimony on Senate Bill 18

Submitted by Suzanne Bates, Policy Director

March 23, 2016

My name is Suzanne Bates. I am the policy director for the Yankee Institute for Public Policy, a Connecticut-based free market think tank.

I would like to express our thoughts on Senate Bill 18.

I will speak primarily about the portion of the bill dealing with bail reform. We do not support changing the age of a person considered an adult under the criminal justice system from 18 to 20.

However, we do support reforming the pre-trial system in our state. The Yankee Institute recently published a policy brief on this subject in conjunction with the Reason Foundation called, "Reforming the Constitution State's Pre-Trial System."

In it, we recommend moving away from a cash bail system to the use of a data-driven, risk-assessment tool to determine who should be held in jail before trial. Right now, whether your bail is \$1,000 or \$1 million, your detention is largely determined by your ability to pay. Instead, we should focus our efforts on keeping the riskiest defendants in jail, while using alternative methods to monitor less risky individuals.

The goals in any reform of our pre-trial system should be to keep the public safe while also respecting an individual's right to freedom. We also need to be mindful of the cost of detaining individuals who may not pose a threat to public safety.

While we support the concept of bail reform, we believe the revisions made by this bill both go too far and not far enough in changing the system.

Eliminating bail for all misdemeanors does not necessarily serve the public's best interest, particularly if a person who is arrested on a misdemeanor could still pose a threat to public safety. That is why the use of a risk-assessment tool is important.

New Jersey recently moved to this model. They implemented the use of a single, statewide risk assessment tool, which is used to screen arrestees and then determine the best method to monitor them until trial.

Modern advances also give the state additional tools in monitoring defendants. Besides detention, electronic monitoring is now also an option.

The system we propose would categorize arrestees as low-, moderate- and high-risk. The options for dealing with those arrestees are as follows:

- Low-risk offenders who are unlikely to commit additional crimes and are likely to return for their court dates would be released on their own recognizance.
- The state can manage defendants placed into a moderate-risk category with tools such as supervision, electronic monitoring, or other interventions.
- High-risk arrestees should remain in jail until trial.

Keeping a person in jail before his or her trial costs the state roughly \$120 a day. It does not make sense to keep people in jail who do not pose a risk to society.

Thank you.