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ICYMI: "New Jersey's Bail Reforms Are The Current Best Practices In Providing Safe, Fair, And Effective Pretrial Justice"

Wednesday, November 1, 2017

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Here's how N.J. scores on bail reform (Hint: it's better than other states)

Rebecca Everett
Star-Ledger

New Jersey scored higher than any other state in a recent report card on pretrial detention released Wednesday by a national nonprofit advocating for bail reform.

The Maryland-based Pretrial Justice Institute gave New Jersey the only 'A' grade in its report, applauding the state changes that went into effect Jan. 1.

"The new system has, so far, been phenomenal," the institute said in its State of Pretrial Justice in America report.

The institute advocates for several of the reforms New Jersey has implemented, including the near-elimination of cash bail and the use of pretrial assessments.

Starting this year, judges in the state have decided to detain or release a defendant based on pretrial assessments and recommendations that consider his or her likelihood to commit another crime and show up to court dates, among other things.

In most cases, judges set release conditions and let defendants out while they're awaiting trial. The court is instructed to institute cash bail only when no other release conditions could ensure public safety or that defendants would return to court. Judges can also order defendants held without bail pending trial in extreme cases.

The report states that since Jan. 1, fewer than thirty defendants in the state have been required to pay cash bail.

New Jersey was the only state that got an A grade from PJI, based on its scoring system. It gave states points for having a low pretrial detention rate, a "validated" pretrial assessment tool, and effectively eliminating cash bail.

In a 2016 guest column in the Star-Ledger, PJI Executive Director Cherise Fanno Burdeen called New Jersey's bail reforms the "current best practices in providing safe, fair, and effective pretrial justice."

The idea is that detention should be the anomaly, and not the norm, because the accused are innocent until proven guilty, Burdeen argues. Plus, she said, cash bail unduly punishes the poor, who then face more negative consequences like job and income loss if they're stuck in a cell for even a few days.

"The bail reform mandated by the 2015 voter-approved legislation proudly places New Jersey at the forefront of a national movement to see pretrial justice in every court in the land," Burdeen said in the column.

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PJI's report was sure to point out that statewide crime rates dropped in the first nine months of 2017 compared to the same time period in 2016, at the same time the courts were releasing more defendants.

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State numbers released in July showed a 20 percent drop since January in the number of people held while waiting for their trials. The pretrial jail population was also down by more than a third compared to the previous July numbers.

Read the full article [HERE](#).

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