The Pretrial Justice Institute (PJI) is centering racial justice as the foundation of our vision, mission and work to advance pretrial justice in order to end mass incarceration. This document may contain language choices or recommendations that are no longer aligned with this vision, but it remains in the UP library because of technical, subject-matter or historical merit.
Introduction
In early 2013, the Pretrial Justice Working Group (PJWG) published its first report documenting the progress of the PJWG partners’ initiatives during the 18 months following the 2011 Department of Justice National Symposium on Pretrial Justice. That first report demonstrated the power of a collective will to raise national awareness on legal and evidence-based pretrial policies and practices. This second progress report provides updates of ongoing projects and outlines impressive new activities undertaken to promote fair, safe and effective pretrial justice.

In just a few years, the number of partners and key stakeholders working on the issue of pretrial justice has grown substantially. This year’s progress report includes:
• more than 110 updates encompassing the work of more than 100 organizations;
• regional-based work in more than 25 states;
• examples of diverse initiatives that are national in scope; and
• the collaborative activities of pretrial justice stakeholders and leaders who serve different roles within the criminal justice system (i.e., judges, prosecutors, defenders, pretrial services practitioners, law enforcement professionals, government agencies, nonprofits, academia and watchdog and civil liberties groups.)

The Problem
The current pretrial system does not promote public safety, fair and equal treatment of defendants or the effective use of community resources. It is a system based on a defendant’s financial resources, not their measured risk.
• Too many jail inmates in the U.S. are held pretrial simply because they cannot afford their money bond.
• Only five percent of all arrestees ultimately go to prison, yet almost fifty percent of those arrested are incarcerated pending the outcome of their case(s).
• Research has found that even short periods of pretrial detention of low and moderate risk defendants increase their likelihood to commit crime in the future.
• Most jurisdictions do not require a risk assessment to determine if a defendant would present a real risk to the community if they are released prior to their trial. Many states do not allow for preventive detention for non-capital offenses or pretrial supervision for those who could be safely released to the community.
• The average pretrial jail bed cost is $60 per day—as much as $200 per day in some jurisdictions—with a total cost to the country of $9 billion per year.
Implementing the Core Recommendations for Pretrial Justice

The Department of Justice’s Bureau of Justice Assistance (BJA) funds the nonprofit Pretrial Justice Institute (PJI) as facilitator of the working group. PJI leads PJWG committee and full group initiatives, including an annual Strategic Summit. PJWG is devoted to improving pretrial policy and practices by promoting the following core recommendations identified at the 2011 National Symposium:

- To expand citation releases in lieu of arrest;
- To eliminate bond schedules and ensure that all arrestees undergo a validated risk assessment;
- To promote the review of all cases by experienced prosecutors before the initial court appearance;
- To require the presence of defense counsel at defendants’ initial court appearance;
- To support and train judicial officers in pretrial release decision-making;
- To provide comprehensive pretrial services (risk assessments, appropriate supervision, data collection and victim/community reporting) to all defendants;
- To support the creation of state statutes that allow detention without bail for the highest risk defendants.

Next Steps

As the progress report shows, in just two and a half years, the PJWG partners have already had a profound impact on pretrial justice. In 2014, the working group will concentrate on:

- Addressing racial bias in the pretrial process;
- Supporting cutting edge research and data collection;
- Identifying and promoting peer-to-peer model learning sites that demonstrate best pretrial justice practices;
- Working with juvenile pretrial reform efforts to promote adult pretrial best practices in their successful juvenile justice jurisdictions;
- Exploring the impact of the Affordable Care Act on pretrial release/diversion options; and
- Addressing the compartmentalization of the criminal justice system with the argument that all players (defense, prosecution, judicial officers, pretrial services, police, sheriffs, etc.) need to have adequate resources, staffing and support in order to provide optimal pretrial service to the public.

For additional information about the Pretrial Justice Working Group and other pretrial justice initiatives and information, please visit www.pretrial.org.