

Memorandum

To: General Public

From: Erik Pfeiffer

Date: 1/24/18

Re: Justice Action Network Bail Survey Results

The vast majority of Utahns are in favor of some type of bail reform legislation

In a recent poll conducted by Dan Jones & Associates, a Division of Cicero Group, respondents were overwhelmingly in favor of change to the current system of pretrial procedures, specifically as it relates to bail. Currently, the bail system is largely based on one's ability to pay or "post" bail in order to avoid remaining in jail while they wait for their trial. The present system does not take into account many factors, such as risk or potential danger to society based on the defendant's previous history. For those without the financial resources to post bail, this can be devastating.

Most people in Utah (92%) support legislation that would allow for risk assessments in pretrial procedures

While there are a number of options in the effort to reform bail, one idea is a "risk assessment." The risk assessment would help the judge determine the danger one potentially poses to society, and would allow a judge to have access to more information about the defendant before determining bail. In the study conducted, 92% of Utahns responded "Yes" when asked, "Would you support legislation that would provide risk assessments, giving judges more information on defendants and the potential threat they pose to society?" The data showed that this support was consistent across party lines and demographics, including 92% of Republicans and 91% of Democrats.

An overwhelming majority of residents believe that the defendant's risk to public safety should be prioritized over the defendant's financial situation

Some argue that a strictly cash-based bail system has the tendency to hurt the poor. A defendant of means who committed the same crime as a poor defendant could post bail and be released to society while posing the same risk to society. When asked, "When making pretrial decisions, which do you believe is more important to consider," 97% of responders said the defendant's risk to public safety while only 2% said the defendant's access to cash.

86% of Utahns believe that judges should have options for supervising people before trial beyond cash bail

The results of the survey showed that most people believe that judges need more options for supervising defendants pretrial to address the different situations unique to each case, such as frequent check-ins. Respondents to the survey were asked about their attitudes towards an option of supervising certain people before trial other than cash bail: 86% of those surveyed said judges should have those options, including 84% of Republicans and 88% of Democrats.

The survey was conducted by Dan Jones & Associates from December 22, 2017 to January 3, 2018 among 606 Utah residents. Respondents were registered voters in the state of Utah, and demographic quotas were kept to ensure a representative sample.

For any questions regarding the methodology or results, please contact Erik Pfeiffer of Dan Jones & Associates at epfeiffer@djasurvey.com.

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