



Ramsey County Bail Reform Working Group Town Hall  
February 21, 2022 | February 22, 2022  
4-6 PM

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# Bail Reform Working Group Introductions



RAMSEY COUNTY  
**Sheriff's Office**  
Bob Fletcher, Sheriff



RAMSEY COUNTY  
**Attorney's Office**  
John J. Choi, County Attorney



**SAINT PAUL**  
CITY ATTORNEY'S OFFICE



**MINNESOTA**  
**BOARD OF PUBLIC DEFENSE**

**JUSTICE POINT**



**NEIGHBORHOOD**  
**JUSTICE CENTER**  
SINCE 1973

# Ramsey County Bail Reform Working Group is supported by



Community  
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# “Justice Impacted”

These town halls are to hear from those directly impacted by the pretrial justice system - people who have been victims of crime, those who have been detained, and those who have supported people that have been detained.

**Safety is something everyone deserves.**

We hold the importance of advancing safety in our communities in a just way.

Our goal is to move from a **wealth-based** to one in which decisions are made on **the likelihood of pretrial success.**



# BRWG have agreed to

- Treat those with lived experience in the justice system as experts of the pretrial justice system
- If questions arise, provide clear information about internal justice system processes, and whatever community members request
- Allow space for open dialogue, including disagreements, conflict, and the time needed for reconciliation and healing
- Challenge ideas, not people
- Listen to understand



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# The Cash Bail/Bond System

# Right to Pretrial Release

The U.S. Supreme Court has held that the vast majority of people arrested are entitled to release before trial.

The Minnesota Constitution guarantees bail during pretrial.

“In our society, liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.”

*U.S. v. Salerno*  
281 U.S. 739 (1987)

Absent a right to pretrial release, “the presumption of innocence... would lose its meaning.”

*Stack v. Boyle*  
342 U.S. 1 (1951)

“All persons before conviction shall be bailable by sufficient sureties.”

*Minn. Constitution*  
Article 1 Section 7



# Cash Bail

- Money as a condition of release was originally meant to ensure people **got out of jail** and to **provide an incentive to return to court**. And typically, you did not need to post anything up-front—you simply promised to pay if you did not show up.
- Over time, our system has evolved, and now payment—or partial payment—is often required for release. If someone lacks money, they frequently remain in jail, regardless of whether they pose a meaningful risk of flight or to public safety.
- This has resulted in significant racial and economic disparities.

# Cash Bail

- And the reality is that cash bail simply doesn't work

“The reliable, credible evidence in the record from other jurisdictions shows that release on secured financial conditions **does not assure better rates of appearance or of law-abiding behavior before trial.**”

*O'Donnell v. Harris County*, 251 F. Supp. 3d 1052 (S.D. Tex. 2017)

# The Problem with Cash Bail

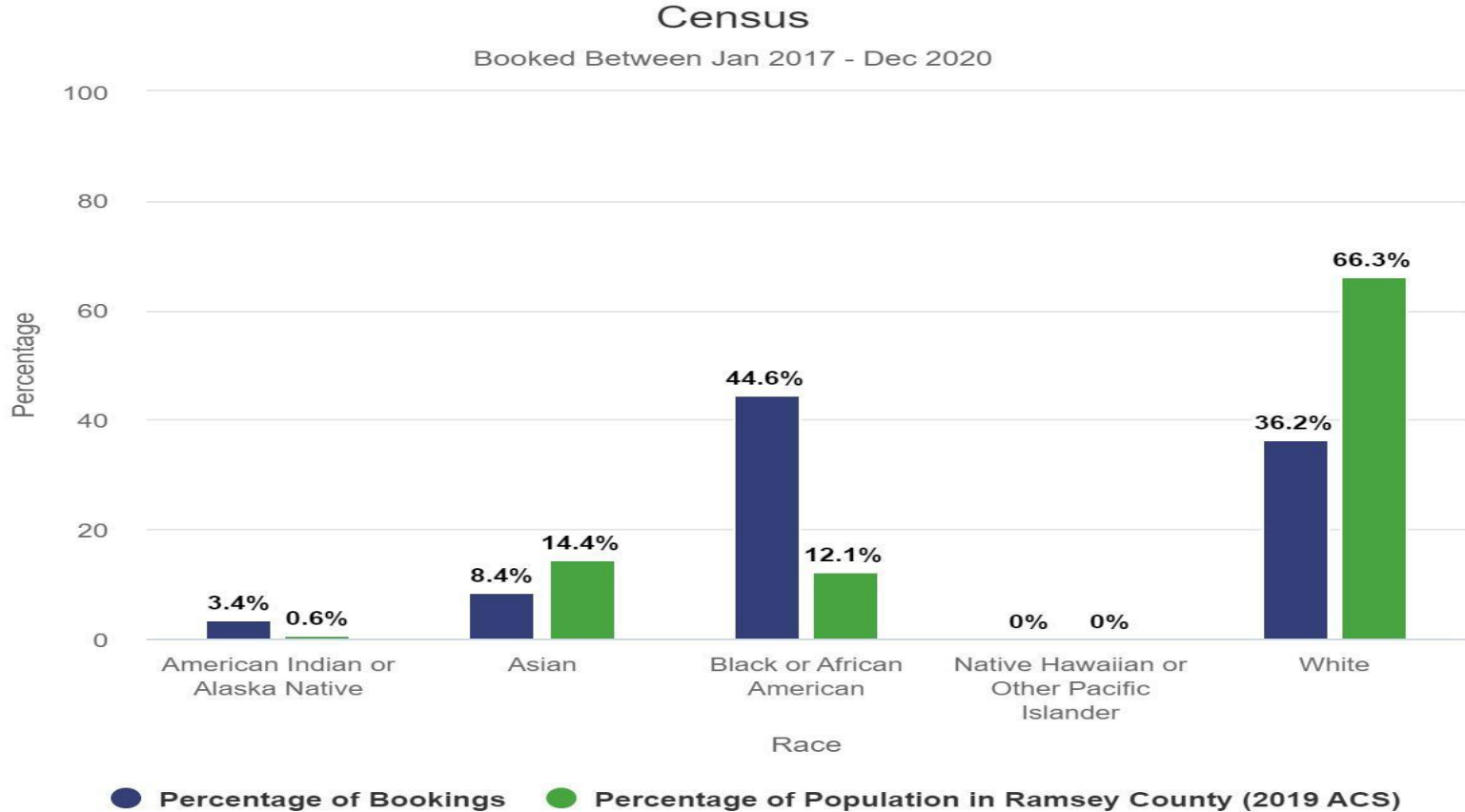
Simply put, cash bail **creates a justice system** where someone's liberty is often based on **how much money they have** instead of **considerations of community safety and wellbeing and court appearance.**

## The Problem Continued...

An important tenet of our criminal justice system is the Presumption of Innocence. **The current pretrial system treats those who are not able to pay for bail as “guilty.”**

**The cash bail system can deny the rights of the accused based on wealth and imposes an unfair burden on the community by draining resources into an opportunistic, for-profit enterprise.**

# Total Jail Bookings/Census Comparison



## Consequences

**This system also contributes directly to unequal outcomes for those in poverty and communities of color. This is perpetuating inequities that are already disproportionately felt by communities of color and those experiencing poverty (i.e., criminalization of poverty).**

For those accused, release is often conditioned upon the posting of some dollar amount, a percentage of which is usually kept by a private bail-bond company even if the person attends all their court hearings.

## Consequences Continued...

Many struggle to find whatever resources are needed to secure that right. Families may forgo rent payments, childcare, groceries, and other important needs to secure the freedom of a loved one.

**Meanwhile, those held in custody are forced to miss work and other important commitments, which can lead to job loss or other negative outcomes.**

People detained pretrial also do not have the same ability to defend themselves as effectively as those not in detainment.



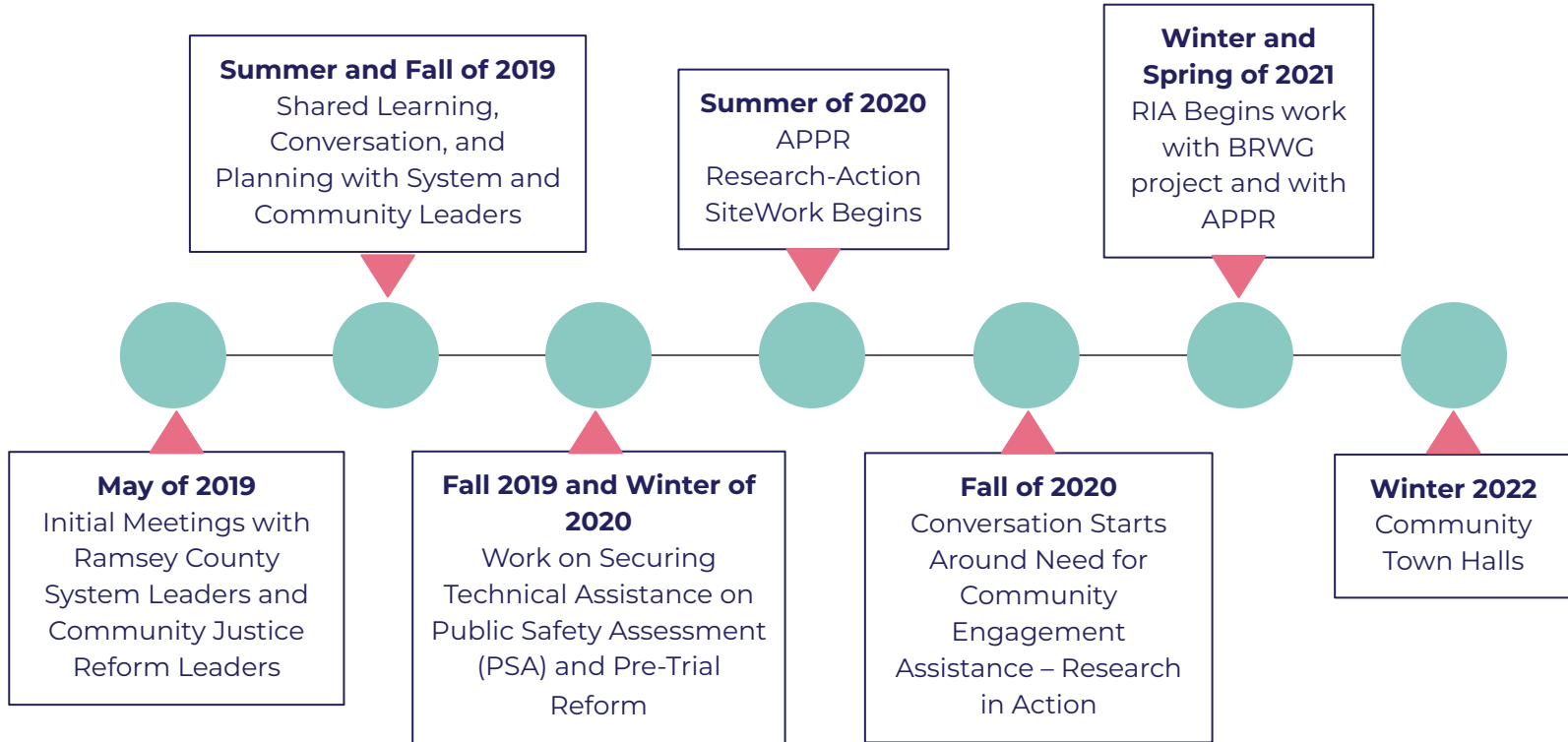
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# **History, Goals, and Commitments of the BRWG**





# History of the BRWG



# Goals of the BRWG

**Eliminate the harm to communities caused by the for-profit cash bail system while improving public safety and court appearances by:**

- Transitioning from a system based on wealth to one based on in which decisions are made on the likelihood of pretrial success.
- Reducing the reliance on the cash bail system
- Ensuring no one is held because of inability to pay
- Increasing court appearance rate
- Engaging community members to develop and be part of system alternatives including, but not limited to, a pretrial assessment tool
- Improving the community's trust in the justice system
- Orienting systems around promoting community safety & wellbeing

# Commitments of the BRWG

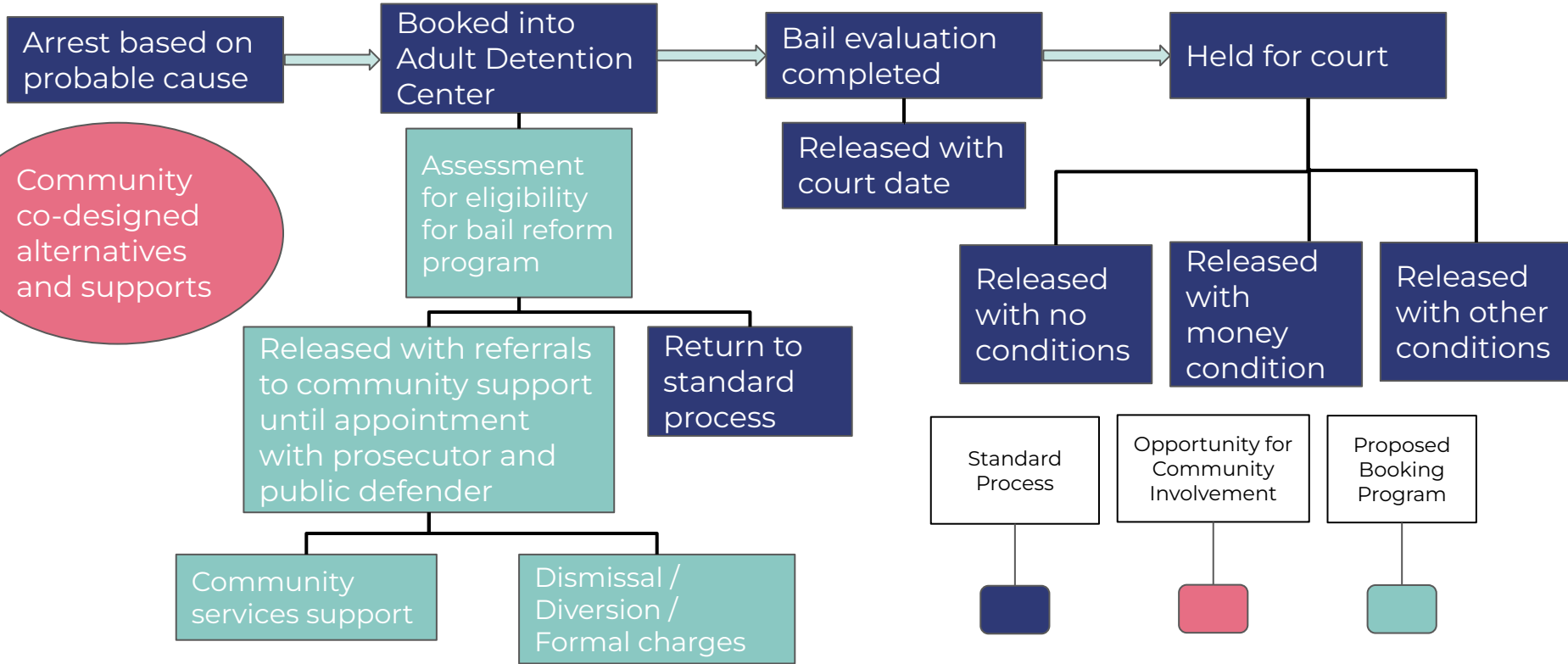
- **Racial equity** - actively working to ensure every individual who comes into contact with the justice system is treated in a fair, impartial manner.
- **Shared power through community codesign** - prioritizing community as equal partners in decision-making and including service recipients and/or representatives of marginalized communities.
- **Transparency and accountability** - ensuring the system maintains fidelity and trust to itself.
- **Public safety** - reducing crime, ensuring individuals are held accountable.
- **Health and wellbeing** - evolving beyond a practice of 'harm reduction' to a system that improves community wellbeing.



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# Booking Reform

# Proposed BRWG Booking Program



# Why Booking is a Meaningful Place to Start Reform

Remove pressure to take guilty plea

Poor should not equal guilty

We can gather information on this to inform future reform.

Because we have been unsuccessful in changing who gets arrested

Uniformity in multijurisdictional county

The most impactful—affects the most people

Good place to start to reinforce presumption of innocence

Naturally requires law enforcement to be part of the solution

Justice should not be for sale

Prevent protective factors i.e. jobs or housing from being taken away

Equal protections

Punishment should be after conviction

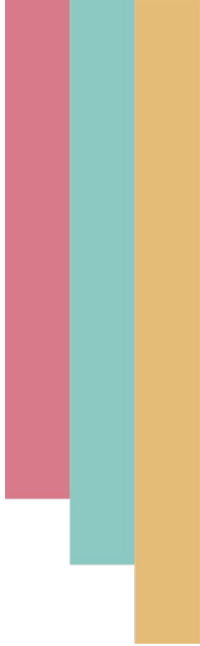
Every interaction is an opportunity to reduce harm, starting here is a good place to reduce unintended consequences

We have a responsibility to respond to the initial contact in a way that reflects social justice

# Kamisha Johnson



Healer, conduit, reiki master,  
social worker, therapist, mother  
and friend





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# **Break: Ground, Restore, Heal**







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# Community Feedback

# Community Feedback Process

If you're in-person, you'll offer feedback amongst yourselves and, if you're on Zoom, we will invite you to join a breakout room.

There will be a facilitator posing questions and a note taker jotting down your feedback. This information will be used within the BRWG to reflect on as the group progresses toward building and implementing the booking program.

# Community Feedback

## We want to hear from you about:

- What do you think of the proposed booking program?
  - What do you think about this as a place for reform?
  - What do you think about the use of a risk assessment tool?
- What have your experiences been having bail imposed upon you (like cash bail or bail bonds)?
  - There are a lot of terms to describe cash bail: cash bail, bail bonds, bail, pretrial systems. What language do you use/prefer?
- The BRWG's scope of work is reform to the pretrial system. Are there other reforms within this system you would like to see?
  - Do you have any safety concerns with reforms to this system?
- By booking fewer people, the BRWG hopes to connect people to services. What has your experience been with services and support out in the community? Which services are good? Which are harmful?



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# BRWG Invitation



# Roles & Responsibilities

## **BRWG:**

- Actively contribute to the codesign of the pretrial assessment tool and booking program
- Monitor implementation of whatever plan is enacted
- Review all materials before meetings, come prepared to actively participate
- Provide open, honest, and timely feedback about all materials, which will likely include asynchronous work
- Attend the 2-hour monthly BRWG meetings, the second Tuesday of each month from 12-2 pm beginning April 12th



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# **Next Steps**

## Next Steps

**Research in Action will follow up shortly with a survey.**

- Complete the follow-up survey we'll send out tomorrow if you're interested in joining the BRWG