

ACLU OF RI POSITION: SUPPORT

**TESTIMONY ON 25-S 0518,
CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE IMPACT
AND POTENTIAL ECONOMIC BENEFITS OF BAIL REFORMS ON BLACK RHODE
ISLANDERS AND THE STATE
May 1, 2025**

The ACLU of Rhode Island supports this resolution which would create an 11-member special legislative study commission whose purpose it would be to analyze the impact and potential economic benefits of bail reforms on Black Rhode Islanders.

Specifically, this resolution creates a commission tasked with “analyz[ing] the economic and societal benefits and risks of pretrial supervised release as an alternative to pre-trial detention, determine the impact of reforms on Black Rhode Islanders, and provide recommendations to reduce the population and all fees, costs and expenses incurred by pre-trial persons and the State.” Page 2, lines 18-22.

As longtime and adamant advocates for cash-bail reform, we recognize the harm that pre-trial detention has had on Rhode Islanders who are jailed simply because they cannot afford bail. Without an immediate cash flow, or without the use of predatory for-profit bail businesses, people are oftentimes forced to stay in jail until their case is heard, while wealthier individuals are permitted to go home while awaiting their hearings. This practice disproportionately impacts lower-income communities and contributes to vast disparities in the legal system.

Additionally, research has shown the impact of pretrial detention extends far beyond jailhouse walls. Individuals held pretrial often face prolonged incarceration, which can jeopardize employment, lead to missed payments, and increase potential legal debt.¹ Additionally, people who spend time in pretrial detention are more likely to receive harsher sentences than those who are released before trial, a practice which can also force a person to plead to a crime of which they are not guilty.²

Creating this commission will be a meaningful step towards a fairer, more equitable judicial system. The best way to rectify these harms is to understand the impact these systems have on members of our community. Thank you for considering our views.

¹ <https://www.hks.harvard.edu/centers/wiener/programs/criminaljustice/projects/pretrial-detention#:~:text=Because%20pretrial%20detainees%20are%20often,arraignment%20or%20within%20one%20week>

² <https://vera-institute.files.svdcdn.com/production/downloads/publications/Justice-Denied-Evidence-Brief.pdf>