

Analyzing Bond Supervision Survey Data: The Effects of Pretrial Detention on Self-Reported Outcomes

Alexander M. Holsinger

Criminal Justice Coordinator, Johnson County, KS

Kristi Holsinger

University of Missouri – Kansas City

INCREASING ATTENTION HAS been paid to the functioning and effects of pretrial practices, particularly the use of pretrial detention. Building on a growing body of research, scholars and policy makers have engaged in a number of endeavors designed to maximize the effectiveness of pretrial case processing and decision making. Some of the first large-scale quantitative examinations of pretrial decision making involved what effect pretrial detention might have on relevant justice outcomes, such as conviction and sentencing (e.g., guilt vs. innocence; sentences to incarceration vs. community; length of sentence) (Goldkamp, 1979; Goldkamp & Gottfredson, 1979; Leipold, 2005; Oleson, Lowenkamp, Wooldredge, VanNostrand, & Cadigan, 2017; Rankin, 1964; Sacks & Ackerman, 2014; Williams, 2003). The current study examines the length of pretrial detention and its potential impact on outcomes that are directly related to functionality and may be indirectly related to other justice-specific outcomes.

In recent years attention has focused on the development and implementation of actuarial risk assessment procedures. The advent of risk assessments in theory reduces subjectivity and allows for a more scientific, informed decision process that incorporates the measurement and management of risk (Lowenkamp, Lemke, & Latessa, 2008; Lowenkamp & VanNostrand, 2013). This in turn (again in theory) allows for the best, most efficient use of limited and expensive jail space. It makes sense to ensure that limited jail space is reserved for those

who pose the highest risk of either failure to appear (FTA) or new criminal activity (NCA). Actuarial risk assessment has the potential for ensuring that the highest risk individuals are most likely to be detained in jail, while lower risk defendants remain in the community (Austin, Ocker, & Bhati, 2010; Bechtel, Lowenkamp, & Holsinger, 2011; VanNostrand, 2003).

Of most recent import, the effect of relatively short pretrial detention, regardless of risk level, is being considered in terms of its potential negative effect on other outcomes besides conviction and sentencing. While the effects of long-term incarceration have been well documented (see for example Liem, 2016; Western, 2002; and Western & Pettit, 2000), less is known regarding the specific effects of pretrial detention on what may be considered less obvious outcomes. Even a short stay in jail may have a disrupting effect on the lives of individuals regarding their employment, housing, custody of minor children, and a host of other factors.

Complicating matters is a bail system that likely causes those who have been arrested for low-level crimes to be held when they are not able to post even a meager amount of bail. Because of this, jails in general and the monetary bail system in particular may represent a point at which the criminal justice system becomes “stickier” for lower socio-economic income groups. Gaining an actuarial risk-based profile of those who remain in jail can be revelatory; individuals who do not pose much if any risk, yet are unable to post bail for

any number of reasons, may end up detained in jail pretrial.

Purpose and Legal Framework of Pretrial Detention

The primary purpose of a pretrial hearing is to make decisions about an individual who has been arrested and charged, as well as about his or her case, while moving the process of justice forward. Concerns regarding public safety are also paramount at the point of the pretrial hearing. Results of the decisions made at this stage include being released on one’s own recognizance, being released on one or a combination of types of bonds (e.g., cash, deposit, commercial bail, or property), being released with a variety of conditions to meet (e.g., varying types and amounts of contact with criminal justice professionals, varying types of monitoring, testing, and treatment), or detention. Since 2005, approximately 60 percent of the U.S. jail population is in pretrial or trial status (Minton & Golinelli, 2014). Given their pre-conviction status, the goals of accountability and public safety must be carefully balanced against individual rights and fairness.

Constitutional amendments have set standards for the presumption of innocence, the provision of due process, and fair and equal treatment, and have set limits on the use of pretrial detainment and excessive bail. To further guide this work, a pretrial legal framework exists based on relevant statutes, case law, and state constitutional provisions (National Institute of Corrections, 2017).

Much like the overarching presumption of innocence until guilt is proven, the presumption of nonfinancial release with the least restrictive conditions necessary is central to pretrial decision making as well, as it relates to the use of detention. Additionally, restrictions should be placed on the use of secured financial conditions, a factor unrelated to flight risk and public safety. Finally, there is the provision for detention without bail, including strong due process protections, for a clearly defined and limited population of defendants who pose an unmanageable risk to public safety (National Institute of Corrections, 2017).

While this framework is in place, courts in the United States often fall short of adhering to these principles, and often practices do not comply with these ideals. In many jurisdictions, professionals are still not using actuarial risk assessments or do not have the information they need to make informed decisions. Some jurisdictions do not have all the release, monitoring, and detention options available to respond to different levels of risk. When options are not available, often the default is to the bail bond system.

The Bail System

The bail system in the U.S. is an accepted part of the culture, and the use of financially secured releases and the dollar amount of the bond has only increased over time (Neal, 2012). Concerns regarding bail have existed for decades, and the bail bonds industry is now frequently critiqued for its profit-driven political agenda and outdated, revenue-generating practices that are damaging to pretrial justice (Gullings, 2012; Neal, 2012). As noted by Liptaki, "It's really the only place in the criminal justice system where a liberty decision is governed by a profit making businessman, who will or will not take your business" (2008, p. 1).

The central criticisms of bail revolve around the fact that the ability to post bail is unrelated to one's threat to public safety. Rather this process discriminates against those who cannot afford to pay, with the result of increased reliance on incarceration. The bail bonds industry bases its decision on an alleged offense, rather than on the decision being made by a judge using an individualized risk assessment that examines criminal history and other risk factors (Gullings, 2012). Additionally, racial bias in jailing practices is well documented, with African Americans being jailed at almost four times the rate of white Americans (Minton & Golinelli, 2014). Discriminatory practices are also seen

in the bail system (Neal, 2012; Jones, 2013). Wooldredge (2012) found harsher outcomes for African-Americans than whites on all pretrial outcomes analyzed. These disparities in both race and income have the potential for overuse of incarceration for some groups and not others, posing grave challenges both to constitutional stipulations and the integrity of justice.

Regardless of the implementation and appropriate use of actuarial risk assessments, the use of a bail system has the potential to disrupt even the best risk-based decision procedures (Ackerman & Sacks, 2012; Turner & Johnson, 2005; Schnacke, 2014). One study found that only 40 percent of jails used a validated risk assessment at booking. Further, for those that did use measures of actuarial risk, the great majority (69 percent) had pretrial populations that were over half low risk (Ortiz, 2015). Ideally, the detention decision (in vs. out of jail during the pretrial period) should be substantially informed by objective criteria. Justice systems that allow for the assignment of bail, even very modest amounts of bail, run the risk of creating undesirable outcomes. These undesirable outcomes include high-risk individuals who are able to make bail regardless of the risk they pose to the community, and likewise low-risk individuals (who may indeed have been assigned a relatively low amount of bail), who are financially unable to comply (Harmsworth, 1996; Neal, 2012; Phillips, 2007). More research is needed regarding the extent to which risk-based decision making systems are disrupted by the simultaneous use of a money bail system.

Effects of Pretrial Detention

Generally (although there are some notable exceptions) pretrial incarceration occurs for a much shorter duration than post-dispositional incarceration. Often, pretrial detention lasts for a few days, or even less. Despite the relatively short amount of time, there is strong evidence of the serious deleterious effects of this time in jail on outcomes such as the likelihood of a sentence of incarceration, the harshness of that sentence (Subramanian, Delaney, Roberts, Fishman, & McGarry, 2015), and the likelihood of recidivism (Lowenkamp, VanNostrand, & Holsinger, 2013).

However, many other effects of pretrial detention are emerging, such as negative effects on one's financial situation, residential stability, dependent children, and social support. A disproportionately high number of individuals who enter jails have existing mental health, trauma, and addiction issues, and

are more likely to be poor or from a minority community (Subramanian et al., 2015). Sixty-four percent of jail inmates in a national study had a recent history or symptoms of mental health problems. This group had higher rates of co-occurring problems compared with those not reporting mental health issues: 76 percent reported substance abuse or dependence, 62 percent reported drug use in the month prior to arrest, 17 percent reported homelessness, and 24 percent reported prior abuse (James & Glaze, 2006).

Employment and Finances

Typically, those who are working when given even a short jail sentence are in low-wage positions and are easily replaceable (Schönteich, 2010). While job loss is certainly a risk, the long-term risk of unemployment and underemployment is also concerning, particularly for individuals in their peak wage-earning years (ages 20-40) (Berry, 2011). One study of those incarcerated in jails and prisons found that those who were employed pre-incarceration experienced a decline in wages, annual employment, and annual earnings post-release (The Pew Charitable Trusts, 2010). Another factor related to earning potential is the disruption of education and job training. These negative financial consequences are only exacerbated by the potential of incurring expenses related to incarceration or the conditions of release (Zweig, 2010).

Residential Stability

It is also likely that these jailed individuals have low residential stability to begin with, but even a short jail stay or sentence can worsen this predicament. An arrest record and time in jail can result in denial from a landlord or the inability to stay with family members who live in public housing where living with a person with a criminal record is banned (Carey, 2004). Individuals with jail sentences are less likely to hold a lease or mortgage after release compared to their pre-incarceration status (Center for Poverty Solutions, 2003) and are more likely to experience homelessness after release from jail, even when charges were dismissed (Greenbergand & Rosenheck, 2008).

Dependent Children

Very little research has been done on how short stints in jail affect minor children, particularly compared to the research on long prison sentences. However, a change in custody or entry into the foster system can result from even short periods of detention,

and those parents are less likely to successfully regain custody of children who were in foster care (Christian, 2009; McCampbell, 2005). The negative effects of parental incarceration on children are extensive and well documented (Murray, Farrington, & Sekol, 2012).

Other factors further complicate life for those arrested and detained, such as a suspension or termination of benefits like Medicaid or food assistance programs (Cardwell & Gilmore, 2012) and worsening health, particularly for those with chronic health problems (Subramanian et al., 2015). On a broader scale, there are intergenerational and community impacts when parents and workers are removed from certain communities, and the exclusion of the most marginalized groups is intensified (Berry, 2011).

Current Study

The current study employs a mixture of self-report and official data to shed more light on the possible impact of pretrial detention on several outcomes not related to criminal justice, such as employment, finances, residential stability, and dependent children. It also examines individual experiences with the use and perceptions of bail. Gaining a better understanding of the effects of pretrial detention, even detention for relatively short periods (e.g., less than three days), can better inform policy regarding risk-based decisions. Likewise, there is benefit in further examining the “more than” versus “less than” three days of pretrial incarceration in light of recent research that has already influenced policy in many parts of the U.S. (Lowenkamp, VanNostrand, & Holsinger, 2013).

Methodology

The current study uses data gathered from a self-report survey. The large Midwestern county from which the data came has a dedicated bond supervision unit that functions largely like a pretrial probation department for those who are released from jail pretrial, but who have been assigned to supervision. The survey was administered when the respondents first reported to the bond supervision unit, but before they met their supervision officers for the first time. When the respondents checked in at the office for the first time, they were given a survey with an informational sheet with instructions, and assurances regarding the voluntary nature of their participation. No identifying information was gathered, and there was a dedicated collection box in the waiting area away from

where officers meet with pretrial clients. The informational sheet encouraged participation and asked respondents to place the survey in the collection box before they were called back to meet their pretrial supervision officer for the first time. Unless the respondents disclosed to the officer their participation or even shared their survey responses, there was no way for an officer to know whether someone responded, let alone what information they provided. The survey was in place for 10 months, and rendered 1,789 respondents.

The survey itself asked clients how much time they had spent in jail (less than three days versus three days or longer), and then asked them to rate several factors regarding their condition before their pretrial incarceration and afterward. For example, regarding employment, the respondent was asked four Yes/No questions: Were you working prior to your most recent time in jail? Are you employed now? If you are employed now, are you working at the same place that you were before your most recent experience in jail? If you are working now and at the same place, were there any work-related consequences due to your most recent time in jail? The responses to these four questions allowed two measures of employment disruption to be developed. The first binary measure indicates whether or not respondents experienced disruption based on the fact that they reported working before, but either are not working now or are working at a difference place. The second binary measure of employment disruption includes whether or not they reported experiencing consequences at their current place of employment if indeed they were working before, and are working now at the same place.

The survey also asked respondents to separately rate the condition of their finances and residential stability before and after their experience in jail, using a five-category Likert scale. For example, respondents were asked to rate their financial situation before jail and after jail using the following response categories: 0 = no problem at all (e.g., it's somewhat easy to meet your expenses; perhaps you have some savings); 1 = Occasional issues come up that make money tight, but you are able to get through them; 2 = Living check-to-check and hope that no unexpected expenses come up; 3 = Having fairly consistent difficulty meeting expenses; I might have to borrow money once in a while; 4 = Have a large amount of difficulty meeting expenses, I owe money or utilities might be at risk of being shut off. Different wording regarding the response

categories was tailored to reflect residential matters for the questions regarding the respondents' living situation. The responses to questions regarding the respondents' financial situation and residential setting allowed for the difference between pre-jail and post-jail to be calculated. That difference was further dichotomized into two categories: no change or change for the better versus change for the worse.

Finally, the survey asked respondents to rate what (if any) impact their most recent arrest and pretrial incarceration had on their dependent children under 18, if applicable. This question used a Likert scale similar to that detailed above (0 to 4), where 0 = No impact and 4 = Extremely negative impact. As with the examples cited above, each response category had additional wording and detail to assist the respondent in making the most applicable choice. For analysis the responses were collapsed into a binary where 0 = No impact and 1 = Some (or greater) impact (i.e., those who responded 1 or higher to this question).

The survey also asked respondents questions regarding the amount of bail that was initially assigned, and whether or not they had any other open cases in any jurisdictions. These two items were used as limited measures of risk in logistic regression analyses further examining the relationship between time in jail and jail's impact on employment, financial and residential circumstances, and dependent children under 18.

Results

Chi-square analysis was used to test for a relationship between amount of time in jail (less than three days versus three or more days) and the binary measures of employment disruption (job loss or job change; job loss, job change, or consequences at the current/lasting job). There was a statistically significant ($p < .001$) and substantial relationship between time spent in jail and self-reported job disruption (see Figures 1 and 2). The percentage of respondents reporting employment disruption (job loss or job change) increased from 17 to 59.1 percent for those spending less than three days in jail versus three days or more, respectively, and likewise increased from 37.9 to 76.1 percent when “consequences” were factored in as employment disruption.

A less dramatic but nonetheless statistically significant ($p < .001$) relationship emerged between time spent in jail and financial stability (see Figure 3). Specifically, the

percentage of respondents reporting change for the worse regarding their financial footing increased from 32 percent for those spending less than three days in jail to 44.2 percent for those spending three days or longer in jail. Similarly, change for the worse regarding the respondent's residential stability was observed for those spending three days or longer in jail pretrial. The percentage of respondents reporting disruption in their residential stability when comparing the period before their pretrial incarceration and the period afterward increased from 29.9 percent for those who spent less than three days in jail to 37.2 percent ($p < .01$) for those who spent three days or longer (see Figure 4). The same

statistically significant dynamic emerges when examining whether or not some negative impact occurred for dependents under age 18 (including but not limited to threats to custody). The percentage of those reporting at least some negative impact as a result of the most recent time in jail increased from 32 percent for those who spent less than three days in jail to 41 percent for those spending three days or more ($p < .01$; see Figure 5).

Finally, in order to further explore the relationship between the binary measure of time spent in jail pretrial and the outcomes referenced above, five logistic regression models were calculated. Three predictor variables were contained in each of the models: the

binary measure of time spent in jail (1 = 3+ days) and two proxy measures for risk that included whether the respondent reported having any open cases or warrants and the amount of bail that was initially assigned to the case (an actuarial measure of risk was not available). The three variables were used to predict each of the five outcomes (two measures of employment disruption, financial stability, residential stability, and negative impact on dependents under 18). Particular attention was paid to the odds ratios that emerged for the relationship between the binary measure of time spent in jail and each outcome.

Table 1 (next page) presents the odds ratios

FIGURE 1
Percent Indicating Job Loss or Job Change

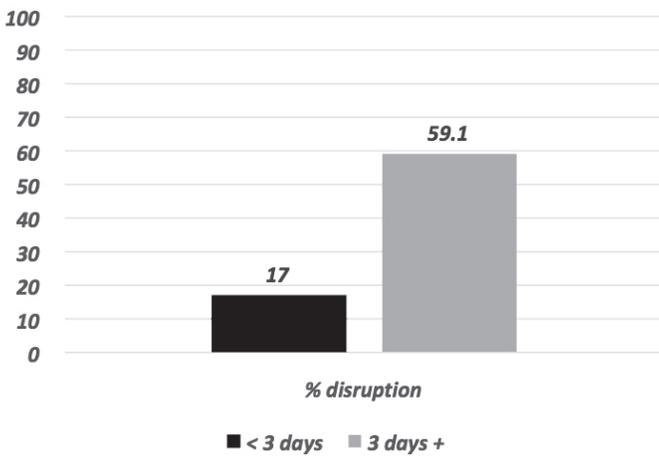


FIGURE 2
Percent Indicating Job Loss, Job Change, or Consequences

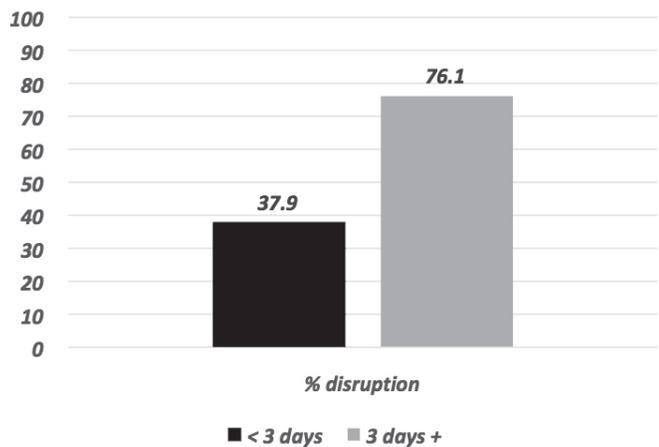


FIGURE 3
Percent Indicating Change for Worse, re: Financial Stability*

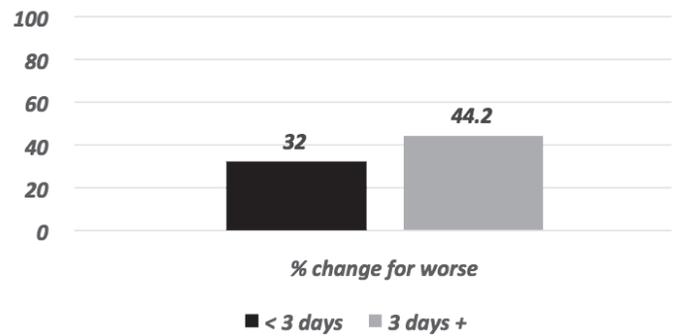


FIGURE 4
Percent Indicating Change for Worse, re: Residential Stability*

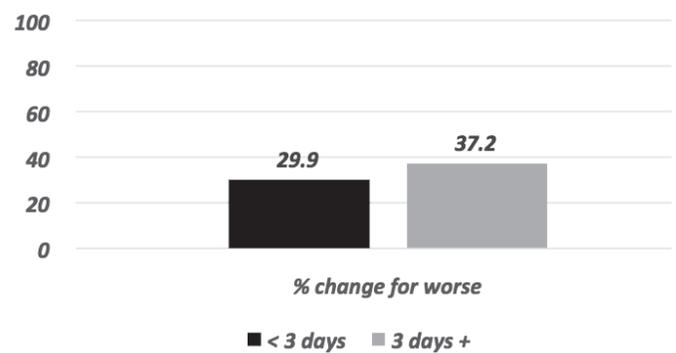
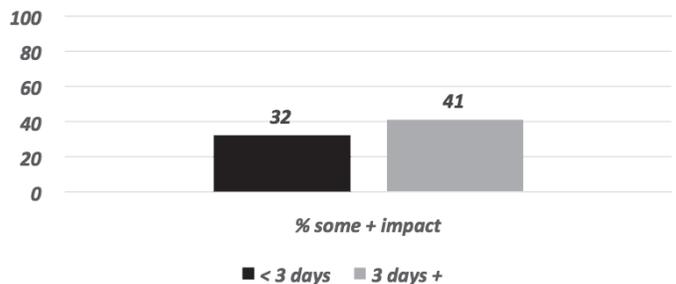


FIGURE 5
Percent Indicating Some Negative Impact



that emerged when assessing the relationship between the binary measure of time spent in jail and each of the five outcomes while controlling for whether or not there were any open cases reported, and the amount of bail (logged) initially assigned to the case. The same results as those detailed above were revealed with each analysis; however, observing the odds ratios has the added benefit of indicating the actual impact that time in jail pretrial may have had on the reported outcomes (and likewise with the benefit of controlling for the perceived risk associated with the case). The odds of experiencing employment disruption in the form of job loss or job change after jail were seven times larger for those spending three or more days in jail pretrial compared to those spending fewer than three days. For employment disruption that included job loss, job change, or consequences at a job they held onto before and after pretrial incarceration, the odds were five times larger for those spending three or more days in jail. The impact was somewhat less, but statistically significant, for financial stability, with those spending more than three days in jail being 54 percent more likely to report difficulty with financial stability, 35 percent more likely to report residential disruption, and nearly 49 percent more likely to report negative impact on dependents under 18, relative to those who spent less than three days in jail pretrial.

Implications and Limitations

The results presented above may hold some policy implications for decision making at the pretrial stage of case processing. First, the results revealed that jail is not necessarily “good” for anyone. Negative impacts were revealed for both groups—those who

reported less than three days in jail and those who reported three or more days. However, across all analyses—the bivariate chi-square analysis with no statistical controls, and the multivariate logistic regression models that incorporated at least rudimentary measures of risk—the negative impact was statistically significant and far more substantial for those who spend three or more days in jail. Assuming that these results have at least some validity, it may be that the longer someone spends in jail pretrial, the more likely the person is to experience disruption in employment, financial and residential stability, and negative impacts on dependents under age 18, although because of the binary nature of measure (< 3 days; 3+ days) a linear relationship cannot be assumed. The extent to which these impacts may increase the likelihood of continual involvement with the criminal justice system is unknown. Nonetheless, it appears safe to assume that the disruption could easily lead to additional difficulties that in turn exacerbate other problems such as substance use, the deterioration of emotional or mental health, and antisocial/criminal behavior.

It is important to bear in mind the core purpose of pretrial detention. Those who spend their entire pretrial period in jail are almost certainly going to appear for all their court dates, and likewise will not have any new charges brought against them (at least not within the public domain). In short, there is a “public safety” function to the use of pretrial detention. However, it is just as important to bear in mind the cost of this “public safety.” Of course, there is the literal cost of incarceration, which can be considerable, and likewise includes liability. In addition, regardless of the cost of incarceration, jail space is a finite resource and not easily expanded. In light of the costs and the finite nature of the resource, it makes sense to reserve jail space for those from the pretrial population who cannot manage (or be managed) in the community while they await trial. This appears even more critical considering the negative impacts regarding employment, finances, residential stability, and family outlined above.

First and foremost, jurisdictions should rely heavily on the use of valid measures of actuarial risk when making decisions about pretrial release. While many jurisdictions have either created or adopted effective actuarial risk assessments, the mere incorporation of the tools is not adequate to ensure that jail space is used in the most effective ways. Aside from all the initial and difficult work that

needs to go into effectively implementing an actuarial risk tool (whether by creating one or by adopting an existing risk tool), several systemic issues often need to be addressed. For example, a quality assurance process must be in place to ensure that the instruments are being scored properly, with particular attention being paid to instances where a practitioner interview is part of the process. Likewise, clear and effective methods need to be implemented for giving the information from the risk assessment to the right people in a timely fashion. The creation of policy and procedures for the risk score/categorization is also needed, and will likely include very difficult discussions regarding the role of bail (if any). More than anything else, however, judges need to fully understand and largely abide by the risk instrument, making decisions accordingly. Encouraging good practice on the part of judges may require a large time investment and substantial effort, particularly in conveying to justice professionals the necessary information about actuarial risk. Included in the educative efforts should be the extent to which the use of bail disrupts even the most effective risk-based decision making.

Second, in the unlikely event that the use of bail is greatly reduced or even eliminated, procedures should be put in place that make it possible to identify those who are likely low risk but who remain in jail for some reason. Further, once those individuals are identified, it should be made possible for them to be released as quickly as possible to avoid some of the disruptions that are likely to result, particularly when stays in jail extend to three days or beyond. All practitioners and decision makers within the justice system should be aware of the likely disruptions to employment, finances, residence, and family. It is likely that many of those who are booked into jails pretrial are already experiencing some (perhaps a large) degree of distress, and disrupting access to core functionality staples such as employment and residence will push them further into distress. Consider for example a situation where an actuarially low-risk person is detained for seven days and then released back to the community pending the resolution of the case. Even if public safety was the primary concern (which it should not be, if this person was truly low risk), the release (at 7 days) renders that concern moot, all the while causing the individual to face the likely disruptions outlined above.

The current study has some methodological limitations that bear mention, as they

TABLE 1.
Logistic regression results predicting each of five outcomes

Outcome	Exp(B)
Employment disruption measure #1	7.000***
Employment disruption measure #2	5.734***
Financial stability	1.543***
Residential disruption	1.352**
Negative impact on dependents	1.488**

*Control variables included whether or not the respondent reported having any open cases, and the amount of bail initially assigned to the case. *** $p < .001$; ** $p < .01$*

potentially affect validity. First and foremost, the measure of employment disruption could have been influenced by an individual's decision to leave a job and take up another one in a manner unrelated to the person's pretrial incarceration. In other words, the job change (if any) might have been coincidental to the individual's pretrial incarceration and not a result of it. In addition, as noted above, an actuarial risk measure was not available. The decision was made to use two admittedly imperfect factors as proxy measures of risk—amount of bail assigned, and whether the respondent reported having any open cases.

As noted above, the extent (if any) to which the disruption that appeared to occur was related to further criminal justice outcomes is beyond the scope of the data used in this study, and therefore unknown. Specifically, it is not known whether the higher probability of job loss, residential or financial disruption, or negative impact on children had a criminogenic effect, thereby increasing the likelihood of failing to appear for court dates, further arrest, charges, convictions, and/or sanctions. This is a particularly important concern for those who may be actuarially low risk when they enter jail at the pretrial stage. In other words, if it can be demonstrated with adequate consistency that even short stays in jail not only provide self-reported disruption, but also increase the likelihood of failure to appear, new arrest/charges, new convictions, and new sanctions (community or institutional), the need to ensure that low-risk people do not enter jail in the first place, or are released as quickly as possible, becomes even more urgent.

Second, the current study lacks measures of detainees' mental health. Mental health is an increasingly important concern within the realm of criminal justice. The criminal justice system's assessment of and response to those with mental health challenges may hold important implications for decision making and service delivery. While the current study did not incorporate any measures of mental health, it appears likely that longer stays in jail may lead to disruptions regarding mental health, which likewise holds implications for other areas of functionality. In addition to mental health, the survey lacked other potentially important measures, such as perceived social costs or embarrassment of the defendant.

Third, one of the study's most important measures—length of time spent in jail pretrial—is measured as a binary. Survey

respondents were asked to indicate by checking a box whether they had spent fewer than three days in jail, or three days or more. As a result, it is not possible to do a more granular analysis of the amount of time spent in jail. The results presented above appear to indicate that disruption has occurred once an individual reaches or surpasses three days in jail. It would be valuable to know whether the disruption begins before that point in time (2 days, or even 1 day). If for example an individual who is being held pretrial had been working at an entry-level position in a fast food restaurant prior to being arrested, it seems at least plausible that the person could lose the job after missing just one day of work.

The survey data for the current study came from one agency within one jurisdiction. As such, the results may not be generalizable to other locations. For example, the jurisdiction from which the data came is not racially or economically representative of the broader U.S. In addition, the survey did not ask for any demographic information or any other domains (e.g., education, marital status, social capital, or support) that might be important moderating factors for employment, financial and residential stability, and relationships with dependents under 18. Finally, much like the limitation regarding actuarial risk mentioned previously, the current study does not include information about the current charge or the criminal history. Future efforts should include these and other potentially relevant measures.

References

- Ackerman, A. R., & Sacks, M. (2012). Bail and sentencing: Does pretrial detention lead to harsher punishment? *Criminal Justice Policy Review*, 25(1), 59-77.
- Austin, J., Ocker, R., & Bhati, A. (2010). *Kentucky pretrial risk assessment instrument validation*. Washington, DC: The JFA Institute.
- Bechtel, K., Lowenkamp, C., & Holsinger, A. (2011). Identifying the predictors of pretrial failure: A meta-analysis. *Federal Probation*, 75(2), 78-87.
- Berry, D. (2011). *The socioeconomic impact of pretrial detention: A global campaign for pretrial justice report*. New York: Open Society Foundation.
- Cardwell, A., & Gilmore, M. (2012). *County jails and the Affordable Care Act: Enrolling eligible individuals in health coverage*. Washington, DC: National Association of Counties.
- Carey, C. A. (2004). *No second chance: People with criminal record denied access to public housing*. New York: Human Rights Watch.

- Center for Poverty Solutions. (2003). *Barriers to stability: Homelessness and incarceration's revolving door in Baltimore City*. Baltimore, MD: Open Society Foundations.
- Christian, S. (2009). *Children of incarcerated parents*. Washington, D.C.: National Council of State Legislatures.
- Goldkamp, J. S. (1979). *Two classes of accused: A study of bail and detention in American justice*. Cambridge, MA: Ballinger Publishing Company.
- Goldkamp, J. S., & Gottfredson, M.R. (1979). Bail decision making and pretrial detention: Surfacing judicial policy. *Law and Human Behavior*, 3(4), 227-249.
- Greenbergand, G. A., & Rosenheck, R. (2008). Jail incarceration, homelessness, and mental health: A national study. *Psychiatric Services*, 59(2), 170-177.
- Gullings, A. (2012). *The commercial bail industry: Profit or public safety?*. San Francisco, CA: Center on Juvenile and Criminal Justice.
- Harmsworth, E. (1996). Bail and detention: An assessment and critique of the federal and Massachusetts systems. *New England Journal of Criminal & Civil Confinement*, 22, 213-290.
- James, D. J., & Glaze, L. E. (2006). *Mental health problems of prison and jail inmates*. Washington, DC: Bureau of Justice Statistics.
- Jones, C. E. (2013). "Give us free." Addressing racial disparities in bail determination. *Journal of Legislation and Public Policy*, 16, 919-961.
- Leipold, A. D. (2005). How the pretrial process contributes to unfair convictions. *The American Criminal Law Review*, 42(4), 1123-1165.
- Liem, M. (2016). *After life imprisonment: Re-entry in the era of mass incarceration*. New York: NYU Press.
- Liptaki, A. (2008, January 29). Illegal globally, bail for profit remains in the U.S. *The New York Times*, Retrieved from <http://www.newyorktimes.com/2008/01/29/us/29bail.html?pagewanted=all>
- Lowenkamp, C. T., Lemke, R., & Latessa, E. J. (2008). The development and validation of a pretrial screening tool. *Federal Probation*, 25, 564-580.
- Lowenkamp, C. T., & VanNostrand, M. (2013). *Assessing pretrial risk without a defendant interview*. New York: Laura and John Arnold Foundation.
- Lowenkamp, C. T., & VanNostrand, M. (2013). *Exploring the impact of supervision on pretrial outcomes*. New York: Laura and John Arnold Foundation.
- Lowenkamp, C. T., VanNostrand, M., & Holsinger, A. M. (2013). *The hidden costs of pretrial detention*. New York: Laura and John Arnold Foundation.

- McC Campbell, S. (2005). *The gender-responsive strategies project: Jail applications*. Washington, DC: National Institute of Corrections.
- Minton, T. D., & Golinelli, D. (2014). *Jail inmates at midyear—Statistical tables*. Washington, DC: The Bureau of Justice Statistics.
- Murray, J., Farrington, D. P., & Sekol, I. (2012). Children's antisocial behavior, mental health, drug use, and educational performance after parental incarceration: A systematic review and meta-analysis. *Psychological Bulletin*, 138(2), 175-210.
- National Institute of Corrections. (2017). *A framework for pretrial justice: Essential elements of an effective pretrial system and agency*. Washington, DC: Author.
- Neal, M. (2012). *Bail fail: Why the U.S. should end the practice of using money for bail*. Washington, DC: Justice Policy Institute.
- Oleson, J. C., Lowenkamp, C. T., Wooldredge, J., VanNostrand, M., & Cadigan, T. P. (2017). The sentencing consequences of federal pretrial supervision. *Crime & Delinquency*, 63(3), 313-333.
- Ortiz, N. R. (2015). *County jails at a crossroads: An examination of the jail population and pretrial release*. Washington, DC: National Association of Counties.
- Phillips, M. T. (2007). Bail, detention and non-felony case outcomes. *New York City Criminal Justice Agency Research Brief No. 14*.
- Rankin, A. (1964). The effect of pretrial detention. *New York University Law Review*, 39, 641-656.
- Sacks, M., & Ackerman, A. R. (2014). Bail and sentencing: Does pretrial detention lead to harsher punishment? *Criminal Justice Policy Review*, 25(1), 59-77.
- Schnacke, T. R. (2014). *Money as a criminal justice stakeholder: The judge's decision to release or detain a defendant pretrial*. Washington, DC: National Institute of Corrections.
- Schönteich, M. (2010). *The socioeconomic impact of pretrial detention*. New York: Open Society Foundations.
- Subramanian, R., Delaney, R., Roberts, S., Fishman, N., & McGarry, P. (2015). *Incarceration's front door: The misuse of jails in America*. New York: Vera Institute of Justice.
- The Pew Charitable Trusts. (2010). *Collateral costs: Incarceration's effect on economic mobility*. Washington, DC: Author.
- Turner, K. B., & Johnson, J. B. (2005). A comparison of bail amounts for Hispanics, Whites, and African Americans: A single county analysis. *American Journal of Criminal Justice*, 30(1), 35-53.
- VanNostrand, M. (2003). *Assessing risk among pretrial defendants in Virginia: The Virginia pretrial risk assessment instrument*. Virginia Department of Criminal Justice Services.
- Western, B. (2002). The impact of incarceration on wage mobility and inequality. *American Sociological Review*, 67(4), 526-546.
- Western B., & Pettit, B. (2000). Incarceration and racial inequality in men's employment. *Industrial and Labor Relations Review*, 54(1), 3-16.
- Williams, M. R. (2003). The effects of pretrial detention on imprisonment decisions. *Criminal Justice Review*, 28(2), 299-316.
- Wooldredge, J. (2012). Distinguishing race effects on pre-trial release and sentencing decisions. *Justice Quarterly*, 29, 41-75.
- Zweig, J. (2010). Extraordinary conditions of release under the bail reform act. *Harvard Journal on Legislation*, 47, 555-585.