

DARE Direct Action for Rights & Equality

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Dear Members of the House Judiciary Committee,

I write on behalf of Direct Action for Rights and Equality, a nonprofit organization that has been fighting for racial, economic, and social justice in Rhode Island for over three decades. We strongly support House Bill 7353, which would prevent the courts from holding people on bail for misdemeanor offenses.

We write from the Southside of Providence, where we are based in a Black and Latino community that has experienced decades of state neglect, under-resourcing, and the blight of mass incarceration. Every day we talk to people who have been separated from a loved one because their families cannot afford bail. *These individuals have not been convicted of any offense.* Yet they are being held in literal cages, in unsanitary, close quarters during a pandemic, irreparably losing their families, well-being and time - not to mention jobs and housing - **simply because they don't have money.**

Cash bail is a system that frees those with money and incarcerates those without (who are disproportionately people of color). The inherent injustice of this system is compounded by the racial bias of its agents. Research shows that judges are more likely to perceive Black defendants as more “dangerous” compared to white defendants, and that they therefore assign Black defendants significantly higher monetary bail than white defendants.¹

There is no moral justification for this. Releasing people without bail does not change the likelihood that they will return for a court date: data from New Jersey and Washington DC demonstrate that rates of appearance stayed the same or even increased after bail reform was implemented.² It's important to note that HB7353 specifically addresses misdemeanors, which frequently stem from poverty and substance use. The alternative measures HB 7353 proposes - for example, mandated treatment, educational or employment programs - could actually support individuals, instead of pushing them into further hardship.

I urge you to pass this bill without delay, for our communities, and in solidarity with the hundreds of thousands of people in this country suffering behind bars because they cannot afford bail.

Respectfully,
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¹ David Arnold, Will Dobbie, and Crystal Yang, “Racial Bias in Bail Decisions,” *Quarterly Journal of Economics*, 2018, vol. 133, no. 4, pp. 1885-1932, https://scholar.harvard.edu/files/cyang/files/ady_racialbias.pdf.

² New Jersey Judiciary, “Jan 1-Dec 31 2018 Report to the Governor and the Legislature,” [2018 Report to the Governor and the Legislature \(njcourts.gov\)](https://www.njcourts.gov/2018-Report-to-the-Governor-and-the-Legislature)