

ACLU OF RI POSITION: SUPPORT

**TESTIMONY ON 26-H 7280,
RELATING TO CRIMINAL PROCEDURE -- BAIL AND RECOGNIZANCE
April 2, 2026**

The ACLU of Rhode Island supports this bill, which would create a bail task force to study the impact of the state’s cash bail system “and to consider other methods for ensuring an accused’s appearance in court, enhance public safety and honor the presumption of innocence.”

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.

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 Further, 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 a task force to examine this issue – as well as the many other related issues that are laid out in the bill’s section listing the contents of the report that should emanate from the task force’s work – could be a meaningful step towards a fairer, more equitable judicial system. The best way to rectify the current harms is to understand the impact these systems have on members of our community, which this task force could be in a position to do. We therefore support its mission and goals.

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.svdcn.com/production/downloads/publications/Justice-Denied-Evidence-Brief.pdf>