



### **Question #1 is Critical to Enact Real Bail Reform in NJ**

At any given time up to 15,000 individuals in New Jersey jails are awaiting hearings on their cases.

More than half of them are being held on charges for nonviolent offenses. Many of them could be released on bail pending trial but lack the financial resources to pay the arbitrary bail amounts set by the current NJ bail schedule. Over 40% of those held in county jails are there solely because of their inability to pay bail; and the average length of time that these individual spend in jail is almost a year. Suspects who pose no danger to the community are warehoused in jail for months and even years if they can't afford often small amounts of money bail. At the same time, the most dangerous suspects can be quickly released because they have access to financial resources.

This is a shocking failure of the justice system and creates problems far beyond confinement of people who have only been charged and not yet convicted of any crime. Their confinement results in their being stigmatized for something they may be innocent of, it can lead to loss of their job when employers cannot hold their position open for months at a time; and it causes hardship for their family due to lengthy separation and loss of income. Taxpayers are footing the bill-- over \$30,000 per year per individual-- for incarcerating people who have been charged but not convicted of any crime.

However, change is on the horizon. This past June, the state of New Jersey took a huge step forward when the Legislature passed, and the Governor signed, the Bail Reform Act. This new law will encourage non-monetary release options, require arrestees to undergo a risk assessment before their initial bail hearing, and establish pretrial service agencies within each county to monitor and counsel those awaiting trial.

One crucial step remains -- and that is to amend the New Jersey constitution to make this possible. The state Constitution currently requires that judges set bail for all crimes, including murder. Ballot Question #1 will change the language in the State Constitution to allow judges discretion in whether or not to assign bail; and without passage, the newly enacted Bail Reform law will not be implemented. Currently, individuals charged with violent crimes are assured pre-trial freedom so long as they have the money or connections to meet bail. And poor individuals, often unable to raise even 10% of the bail amount, sit for up to a year in jail pending trial on non-violent charges.

A Yes Vote, allowing discretionary use of bail will -

- Protect our communities by allowing judges to deny bail to suspects believed to be dangerous who pose a threat to public safety.
- Ensure a fairer & more effective criminal justice process for everyone regardless of wealth.
- Save millions of taxpayer dollars by reducing the overcrowded jail population.
- Implement critically needed comprehensive bail reform that will prioritize public safety, encourage fiscal responsibility & protect the rights of suspects, including guaranteed timelines for a speedy trial.

A No vote maintaining the current bail system will –

- Prevent the extensive bail reform legislation that was passed by NJ legislators and signed by the governor this summer from going into effect.
- Continue the devastating effects of mass incarceration on individuals and their families in New Jersey.
- Allow the release of those deemed to be dangerous but able to post bail back into our communities.

Your vote will determine the fate of real bail reform in New Jersey. Get out and vote on Nov. 4.

*This is a "boilerplate" that can be used for a Letter to the Editor/OpEd of your local paper in support of the Bail Reform Ballot Question in November. Edit as you like to personalize it then be sure to get it to your paper as soon as possible. The UULMNJ board maintains its educational stance on election issues and will inform rather than explicitly tell people how to vote. However, letters from individuals not using the UULMNJ letterhead are free to edit this letter as they see fit.*