

Safe & Just
Michigan

Bipartisan Legislators Intro Bail Reform, Pretrial Civil Rights Protection Bills

Legislation builds on the jails task force laws that took effect this year

LANSING — A bipartisan group of legislators are sponsoring legislation to protect the rights of people awaiting trial and to ensure that everyone — no matter their financial circumstances — is treated fairly in bail hearings. This legislation builds on the 18 recommendations the Michigan Joint Task Force on Jail and Pretrial Incarceration issued in January 2020 and follows an earlier set of [19 task force-based laws](#) that ended the practice of suspending drivers license for reasons unrelated to unsafe driving, ended mandatory jail sentences for some misdemeanors, empowered police to issue appearance tickets instead of making arrests and directed courts to seek nonjail or nonprobation sentences such as fines or community service.

“People may disagree on all kinds of things, but one thing we can all agree on is that justice is supposed to be blind,” said Safe & Just Michigan Executive Director John S. Cooper. “Every Michigander’s constitutional rights matter, and they’re worth protecting. When there are two sets of rules — one for people who have money in the bank and one for people who don’t — that’s not justice. The current system says you can go home if you have enough money to meet the demands of bail, while someone without money must stay in jail. It’s time to fix that.”

The new bills would make being released on a personal recognizance bond the standard for someone awaiting a trial, so long as they are not found to be a danger to public safety or a flight risk. If cash bail is determined, a rationale for the decision would have to be given, and a person’s ability to meet the demands of bail would have to be taken into consideration. The package bolsters the rights of people awaiting trial in other ways, too, including limiting the time between the issuing of charges and a trial date, and what sort of conditions can be placed on people who have been released from jail. Together, the bills would protect residents’ constitutional rights, keep our communities safe and enhance the state’s workforce by eliminating barriers to employment.

The bills include:

- **Bail Process and Data Collection - Rep. Andrew Fink (R-Adams Township) and Rep. David LaGrand (D-Grand Rapids)** - Limits the use of cash bail and other overly restrictive conditions for people charged with non-serious misdemeanors.
- **Efficient Court Process - Rep. Greg VanWoerkom (R-Norton Shores)** - Defendants must be tried and have final charges entered within 18 months after an arrest or appearance ticket, with some exceptions.
- **Protects the Rights of Those Released and Detained - Rep. Tenisha Yancey (D-Detroit).**
- **Addresses Interim Bond issues when a magistrate is not available – Rep. Stephanie Young (D-Detroit).**
- **Increases public transparency**, requiring courts to track and regularly share data on pretrial release decisions so taxpayers and policymakers can judge how well the system is working.

“Everyone wants justice to be just and these bills get us closer to that goal. People awaiting trial haven’t been found guilty, and if there’s no safety or flight risk, it makes no sense to hold them in jail for months on end,” said Safe & Just Michigan Policy Analyst Joshua Hoe.

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Safe & Just Michigan (www.safeandjustmi.org) works to advance policies that end Michigan’s over-use of incarceration and promote community safety and healing. We partner with Michigan organizations and leaders from across the political spectrum, including business and community leaders, faith communities, crime survivor organizations, formerly incarcerated individuals, prisoners and their families, as well as Michigan taxpayers statewide.