

Chapter 4

Pretrial Release

4.1	Scope of Chapter	4-1
4.2	Overview	4-2
	A. Increased Reliance on Pretrial Detention	
	B. Race and Pretrial Detention	
	C. The Relationship between Race and Other Factors (Socioeconomic Status, Age, Gender, Employment, and Homelessness) in Pretrial Release Decisions	
	D. Defendants Detained Pretrial Achieve Worse Outcomes	
	E. Other Factors that May Contribute to Racial Disparities in Bail Determinations	
4.3	Legal Restrictions	4-10
	A. Protections against Excessive Bail	
	B. Equal Protection	
	C. Due Process	
	D. Protections Created by State Law	
4.4	Pretrial Advocacy Strategies	4-22
	A. Enter the Case at the Earliest Possible Opportunity	
	B. Counter Potential Racial Stereotypes in Pretrial Release Arguments	
	C. Present Findings about Race at Bond Hearings	
4.5	Policy Considerations	4-25
	A. Policies, Forms, Practices, and Criteria Influencing Pretrial Decisions	
	B. Collaborative Partnerships with Other Stakeholders in the Justice System	
