



Letter for Michigan Pretrial Reform

October 26, 2021

The Honorable Jason Wentworth, Speaker of the House, Michigan House of Representatives
The Honorable Graham Filler, Chair House Judiciary Committee, Michigan House of Representatives

The Honorable David LaGrand, Democratic Vice Chair House Judiciary Committee, Michigan House of Representatives

The Honorable Bronna Kahle, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable Ryan Berman, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable TC Clements, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable Krya Bolden, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable Kelly Breen, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable Donna Lasinski, Democratic Leader, Michigan House of Representatives

The Honorable Mike Mueller, Vice Chair, House Judiciary Committee, Michigan House of Representatives

The Honorable Steven Johnson, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable Daire Rendon, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable Douglas Wozniak, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable Tenisha Yancey, Member, House Judiciary Committee, Michigan House of Representatives

The Honorable Kara Hope, Member, House Judiciary Committee, Michigan House of Representatives

Dear Members of the Michigan House of Representatives:

CEO Action for Racial Equity is a Fellowship of over 100 companies that mobilizes a community of business leaders with diverse expertise across multiple industries and geographies to advance public policy in four key areas — healthcare, education, economic empowerment and public safety. Its mission is to identify, develop and promote scalable and sustainable public policies and corporate engagement strategies that will address systemic racism, social injustice and improve societal well-being.

One of our key priorities is decriminalizing poverty. Simply, this means confronting the aspects of our justice system that hurt low-income and working-class communities, not because they have committed a crime, but because they lack the means to afford judicial costs. **We believe that a person's inability to pay fines, fees or bail should never be the sole reason for incarceration; and justice system fines and fees should not**



disproportionately punish those experiencing poverty. Many policies around fines, fees and cash bail impact all races, but exacerbate challenges already faced by low-income families, a category of people data consistently shows is over-represented by Black Americans.

We applaud you, and the Michigan Legislature, for coming together to pass meaningful criminal justice reform at the end of 2020, based on recommendations from Michigan's Joint Task Force on Jails and Pretrial Incarceration. **We encourage you to continue this work by holding a timely hearing on the pretrial bill package,** which looks to address the Joint Task Force's [recommendations](#) on pretrial decision-making:

- Upholding speedy court timelines for arraignments and trials;
- Prioritizing non-monetary release conditions for people charged with non-serious offenses; and
- Confirming that anyone jailed pretrial has an opportunity for a full hearing to determine if they can be safely released.

Bail has become a form of wealth-based detention where two people can have the same charges, history, and risk – one can go home to their family and job while awaiting trial, while the other stays in jail unable to afford bail. We must shine a light on and correct aspects of our justice system that make the lack of wealth a determining factor for exorbitant punishment. Specifically,

- On any given day in Michigan, 8,000 people (nearly half of people held in jail), are awaiting trial and not convicted. This population has tripled since 1970.[\[1\]](#)
- Even one night in jail can lead to a loss of employment, housing, and even custody of children.[\[2\]](#)
- Low wealth is associated with an increase in imprisonment and involvement in the justice system perpetuates the wealth disparity.[\[3\]](#)

This is not a criminal justice issue; it is an equity and fairness issue. It is an economic issue that must be remedied.

Modernizing pretrial policies will have an immediate impact in Michigan because it will:

- Promote liberty, protect employment, keep families safe, and uphold Americans' rights to due process and equal protection under the law.
- Contribute to the state's ability to build a more sustainable workforce and economy.
- Help with reconciling gaps in economic equity that have historically limited people of color from fully participating in the economy.
 - Through closing the racial equity gap, Michigan would gain \$92 billion in economic output by 2050.[\[4\]](#)
 - Beyond an increase in economic output, an additional \$1.5B would potentially be generated in state and local tax revenues.⁴



As business leaders, our businesses prosper where there are thriving communities, but most importantly, as business leaders we have a responsibility to our employees and customers to help make sure that they live and work in safe, strong and healthy communities.

CEO Action for Racial Equity is committed to working with lawmakers across the aisle to enact policies that bring equity, transparency, and accountability to our justice system. Thank you, in advance, for your leadership.

Sincerely,

CEO Action for Racial Equity

CC:

Hon. Andrew Fink

Hon. Greg VanWoerkom

Hon. Stephanie Young

Hon. Luke Meerman

Hon. Tommy Brann

Citations

[1] [Report and Recommendations | Michigan Joint Task Force on Jail and Pretrial Incarceration, January 2020.](#)

[2] [Justice Denied: The Harmful and Lasting Effects of Pretrial Detention | Vera Institute of Justice, ABA Standards for Criminal Justice—Third Edition: Pretrial Release | American Bar Association](#)

[3] [Conviction, Imprisonment, and Lost Earnings: How Involvement with the Criminal Justice System Deepens Inequality | Brennan Center for Justice](#)

[4] [Michigan Business Case For Racial Equity | W.K. Kellogg Foundation](#)



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