



Commonsense Pretrial

We invite you to join our campaign to apply commonsense solutions to widespread pretrial justice challenges, making our country safer and ensuring the best possible outcomes for all.

The campaign, which we call **3DaysCount™**, is a nationwide initiative to 

- reduce unnecessary arrests that destabilize families and communities,
- replace discriminatory money bail with practical, risk-based decision-making, and
- restrict detention (after due process) to the small number of people who pose a genuine threat to public safety. 

And we will do this in 20 states by 2020.

Three Days Count

Our justice system currently operates like a complex maze, with too many entry points and too few exits. As a result, many people enter jail—and stay in pretrial detention—unnecessarily, which increases their chances of getting stuck in the maze. In fact, each year nearly 12 million people are booked into U.S. jails, mostly for nonviolent misdemeanors, and more than 60 percent of jail inmates are unconvicted—largely because they are too poor to post even small money bond amounts.

Even three days in jail can be too much, leaving low-risk defendants **less likely** to appear in court and **more likely** to commit new crimes—because of the stress incarceration places on fundamentals like jobs, housing and family connections.

Meanwhile, half of the highest-risk defendants go free by posting money bail under laws that currently hinder judges' ability to detain based on risk.

 People who could safely await trial under community supervision are also more likely to be sentenced to probation (instead of jail) if convicted, since they've already demonstrated good behavior under monitoring. By keeping nonviolent defendants out of the maze, we can improve their outcomes. This is a more commonsense approach to justice, producing better public safety and saving money.



The 3DaysCount™ Solution

3DaysCount™ will follow the example of places like Colorado, Kentucky, New Jersey, Washington, DC, and dozens of other locales where updated state laws encouraged local jurisdictions to reliably implement smarter pretrial justice policies and practices.

To meet the goals of the 3DaysCount™ campaign, PJI and its partners will support participating states to

- **Improve State Statutes and Court Rules** — For example, by reducing severity for certain low-level offenses; encouraging “cite and release” practices instead of custodial arrest for low-level misdemeanors, guided by risk; and replacing the use of money bail with pretrial risk assessment
- **Improve State Constitutions** — Where necessary, constitutional changes can allow for preventive detention based on assessed risk and with due process
- **Implement statewide evidence-based tools** — Introducing or refining objective pretrial risk assessment and supervision guidelines lets courts make better informed decisions about pretrial release and conditions
- **Empower and Mobilize Community** — Working to ensure all people—families, neighbors, community organizers, etc.—understand and are given the space to engage in the change process, and to have a voice in shaping the future of their pretrial justice systems

Any state can join and be one of the 20 states that will set a new national standard for pretrial justice. Some of you already are on your way. Signing up for the campaign requires the commitment by a leader from one of the three branches of state government or a prominent state-based advocacy or stakeholder association (such as a state association of sheriffs, police chiefs, or county commissioners).

There’s no cost to joining 3DaysCount™, but a state must be ready to make changes and report back on its progress. We invite you to join this campaign and the big goal of achieving pretrial justice.

“There has never been a time more ripe than now to bring commonsense pretrial to our country. Families and communities have the right to expect our systems to work, and those who work in the system have the vision and commitment to see this through. We can take what we have seen work and accelerate progress throughout the whole country, state by state. We can do this.” — Cherise Fanno Burdeen

For more information about joining this important campaign to achieve pretrial justice in 20 states by 2020, visit our website, www.pretrial.org/3DaysCount.