Do Bail Bonds Prevent Failure to Appear at Trial?

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Abstract

This paper investigates the sensitivity of skipping trial to the amount of the defendant's bond, the financial price of skipping trial. We use data on all pretrial detainees in Connecticut from 2016 onward and within-State regional variation in bond amount guidelines to estimate the casual effect of bond amounts on skipping trial. However a small average effect masks significant heterogeneity among pretrial detainees. We exploit a 2017 state-wide reform to narrow in on a group of flight risk defendants. We find that their decision to skip trial is highly sensitive to the bond amount. Conversely, we show that most defendants decision to skip trial is insensitive to the bond amount.

Introduction

Around half a million individuals are detained waiting trial on any given day in the United States, nearly double the next highest country, China (Dobbie, Goldin, and Yang 2018). This large rate of pretrial detention is largely due to the inability of low-income defendants to post financial bail in order to be released pending trial. The high rate of pretrial detention, particularly for poor and minority defendants, has contributed to an ongoing debate on the effectiveness of the current bail system.

Critics say the consequences of financial bail are dire; people without a conviction are detained simply because they cannot afford to post bail, resulting in job loss, an inability to provide childcare, as well as numerous social repercussions (Dobbie, Goldin, and Yang 2018). There are also concerns that pretrial detention is determined by a defendant's wealth, not risk to the community, leading the Department of Justice to conclude that the bail systems in many jurisdictions "are not only unconstitutional, but they also constitute bad public policy" (Cohen and Reaves 2007, 13). Motivated by these concerns, in 2017, the State of Connecticut got rid of monetary bail for all minor crimes. House Bill 7044 (Connecticut General Assembly 2017), banned courts from assigning monetary bail to misdemeanor defendants except in special circumstances. Furthermore, it ended the requirement to pay cash up front, guaranteeing the right to seek assistance from a bail bondsman.

One potential concern with this reform, and with ending the financial bail system more broadly, is that releasing more defendants would increase pretrial flight.

To date, however, there is little systematic evidence on the causal effect of changing bond amounts on defendants decision to skip trial. This question has been avoided by researchers in large part due to the endogeneity of the bond amount assignment. The judge is trying to evaluate the riskiness of the defendant when assigning bond amount. We address this question here, with data issued by the State of Connecticut, using between-facility variation in average bond amounts as a proxy for regional variation in bond assignment leniency. This facility average is our instrument for bond amount, allowing us to estimate the causal effect of bail bond amounts on the decision to skip trial.

In this paper, we seek to recover the casual effect of bond amount on skipping trial. Our OLS estimates find a small and negative effect of the Bond Amount on the likelihood the defendant skips trial. A one percent increase in bond amount is associated with a 0.005 decrease in the likelihood of skipping trial. This is the direction we expect, but is susceptible to endogeneity concerns given that bond amount is assigned based on flight-risk attributes unobservable to the econometrician.

To solve this problem we make use of regional variation in bond amount leniency, instrumenting on a facility-year-offense leaveout average. This allows us to estimate the casual effect of a percentage increase in bond amount on skipping trial, estimating an negative effect 5 times the size of the OLS estimate.

However, this average masks find significant heterogeneity in the casual effects of bond amount on skipping trial. In particular, we find that our full-sample results are largely driven by misdemeanor offenders after a CT reform banning financial bond for non-flight-risk misdemeanor offenders. Our estimate of the casual effect of a percentage increase in bond amount on skipping trial is approximately 5 times the estimate from the full sample.

This finding suggests that there is significant heterogeneity in pretrial detainees among flight risk characteristics. Flight risks are highly sensitive to the size of the financial bond while non-flight-risks are highly insensitive to the bond size. Our results shed light on ongoing policy debates regarding the necessity of financial bond and the importance of bond size.

Literature Review

This paper contributes to a literature of understanding the consequences of pretrial detention system in the United States. Dobbie, Goldin, and Yang (2018) and Leslie and Pope (2017) find that the use of cash bail have both significant consequences on labor market outcome and significant criminogenic effects. Dobbie, Goldin, and Yang (2018) also find that the cost of finding defendants who fail to appear is quite small.

Didwania (2018) finds that pretrial detention increases a defendant's sentence length by 67 percent, and the probability of receiving at least a mandatory minimum sentence by 50 percent. Gupta, Hansman, and Frenchman (2016) find the assignment of money bail causes a 12% rise in the likelihood of conviction, and a 6-9% rise in recidivism. Stevenson (2018) finds that pretrial detention leads to a 13% increase in the likelihood of being convictedand a 42% increase in the length of the incarceration sentence.

This paper also draws on a literature of inequalities and inefficiencies in the United States criminal justice system. In many jurisdictions, otherwise similar defendants are treated in significantly different ways, both by different judges (Dobbie, Goldin, and Yang 2018; Yang 2017) and by the same judge in different cases (Kleinberg et al. 2018). Arnold, Dobbie, and Yang (2018) find significant anti-black discrimination in pretrial detention decisions especially among inexperienced judges.

This paper also draws on a literature of instrumenting on bail judge leniency using a leave-out, residualized measure. In our case, we use a facility-level average bond amount for each offense class. Both in our data and in prior studies, the leave-out leniency measure is highly predictive of detention decisions, but uncorrelated with case and defendant characteristics. This instrumental variables (IV) research strategy is similar to that used by Kling (2006), Aizer and Doyle Jr (2015), and Mueller-Smith (2015) to estimate the impact of incarceration in the United States; Bhuller et al. (2016) to estimate the impact of incarceration in Norway; and Dahl, Kostøl, and Mogstad (2014) to estimate the importance of family welfare cultures.

Kleinberg et al. (2018) find significant welfare gains from improving the ability to predict the likelihood of a defendant to flee.

Data Setting

What is bail?

In order to investigate this question we turn to the State of Connecticut in the years 2016-2019. This section explains how the bail process works. Most of the information which follows comes from the Report to the Governor And the General Assembly on Pretrial Release and Detention in Connecticut (Connecticut Sentencing Commission 2017) put together by the Connecticut Sentencing Commission. Gov. Daniel Malloy tasked the commission with conducting a comprehensive evaluation of Connecticut's pretrial justice system so to investigate "the possibility for its reform" (Connecticut Sentencing Commission 2017, 8).

"Bail" refers to the processes of releasing the accused from jail prior to trial under conditions designed to ensure they appear in court (Connecticut Sentencing Commission 2017, 10). Police, bail staff, and courts all

have the authority to release the accused from custody by setting conditions for bail release (Connecticut Sentencing Commission 2017, 10). In Connecticut, a "bail bond" is an agreement between the defendant and the court regarding the defendant's release.

This bail bond can take many forms including a "full cash bond," in which a defendant deposits the full amount of the financial condition that the court imposes in exchange for release from custody. If the defendant posts but then fails to appear in court, the full amount may be forfeited to the state (Connecticut Sentencing Commission 2017, 10).

Similar to the full cash bond is the "property bond" where the defendant pledges equity in property, often real estate, to obtain release from custody. The property is forfeit if the defendant fails to appear (Connecticut Sentencing Commission 2017, 10).

A "surety bond" usually refers to an agreement where a commercial bail bond agent accepts liability for the full amount of a money bail bond in exchange for a fee (usually 7% or 10%) and/or collateral from the defendant. The defendant is released and if she fails to appear, the bail bond agent is liable to the court for the full amount (Connecticut Sentencing Commission 2017, 10).

With a "deposit bond," the defendant deposits with the court a percentage of the full cash bail amount. That percentage is later returned to the defendant upon discharge of the bond. If the defendant fails to appear, the defendant is liable to the court for the full amount. In Connecticut, this is referred to as "10% Cash Bail" and may be used by a defendant if granted by the court (Connecticut Sentencing Commission 2017, 10).

Last, we have the "written promise to appear" which is a signed agreement between the defendant and the court to appear in court (Connecticut Sentencing Commission 2017, 10).

Arrest and Release Timeline

As we can see in Figure 1 an individual gets involved with the justice system in one of three ways. First, the police office can issue a citation or written summons (only for misdemeanor offenses). Second, an individual can be brought into custody under a warrentless arrest where the probable cause is determined by the police on the spot. Third, the individual can be arrested under a bench warrant issued by the court. In 2014 (the year before our data begins), of 310,726 police encounters, there were 165,093 citation releases; 67,964 non-custodial arrests (summons); and 77,669 custodial arrests (Connecticut Sentencing Commission 2017, 23).

Our dataset only observes defendants held in custody, so we focus on that case here. See Figure 2 for a pictorial description of the process. The arresting officer will take the accused to the police station for booking. A bench warrant usually sets the conditions of release. With a warrantless arrest, the police officer interviews the accused and determines a bond amount based on the offense and the defendant's criminal history (Connecticut Sentencing Commission 2017, 23). Crucially for our estimation later in the paper,

> "there are no statewide guidelines for conducting these interviews... [instead departments have] internal written guidelines for determining a bond amount based on the offense and the defendant's past criminal history... Officers do not utilize an actuarial risk assessment to determine which conditions they will impose nor are they required by law to do so" (Connecticut Sentencing Commission 2017, 23).

The arrestee is next released on one of the above mentioned bond types (potentially including non-financial conditions such as staying away from the victim or attending drug rehabilitation). If the arrestee is unable or unwilling to post bond, the police must notify the bail staff at the Judicial Branch Court Support Services Division (Connecticut Sentencing Commission 2017, 23).

In such a case, bail staff from the Judicial Branch come to the police station, review the conditions, conduct another interview and have the authority to modify the bond. This bail staff determination is based on a validated risk tool (see Figure 3) and statutory release criteria that include the nature and circumstances of the offense personal characteristics (Connecticut Sentencing Commission 2017, 23). If the bail staff determine that a financial bond is appropriate they utilize financial bond guidelines seen in Figure 4. Bail staff submit

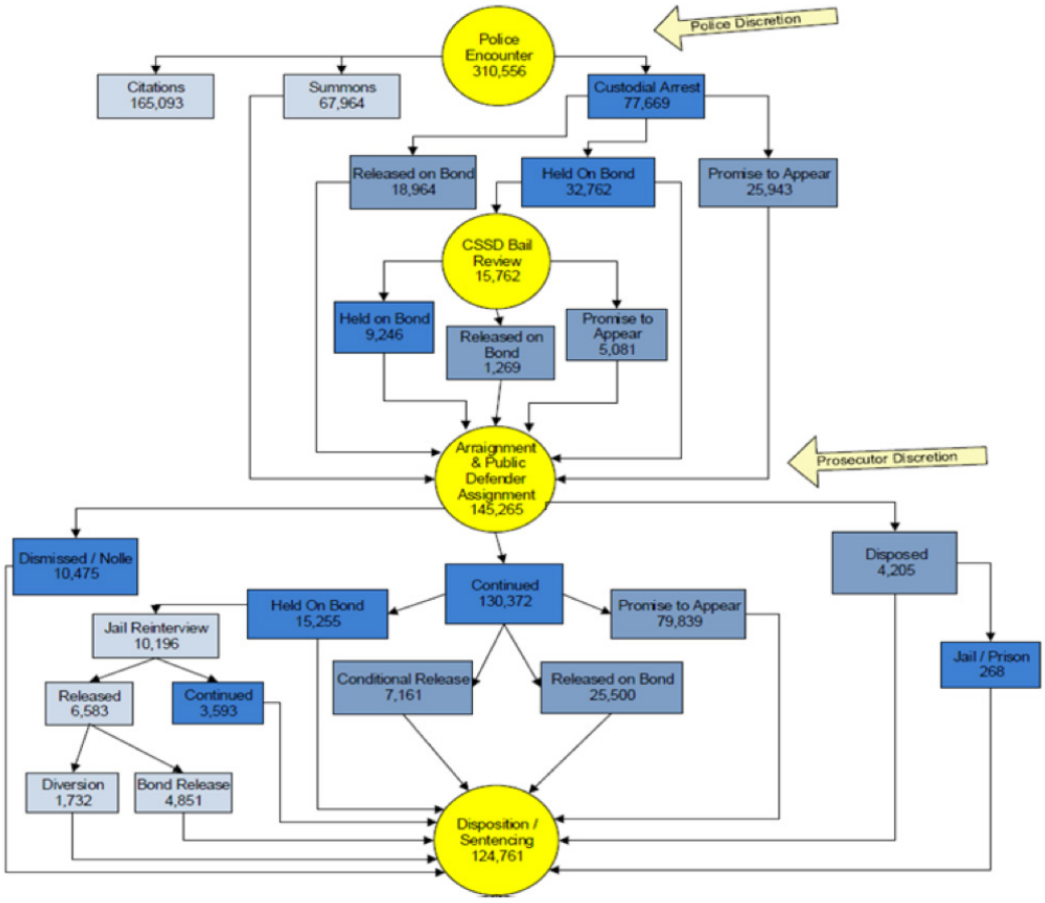


Figure 1: Number of Arrests at Each Stage 2014 (Connecticut Sentencing Commission 2017, 23)

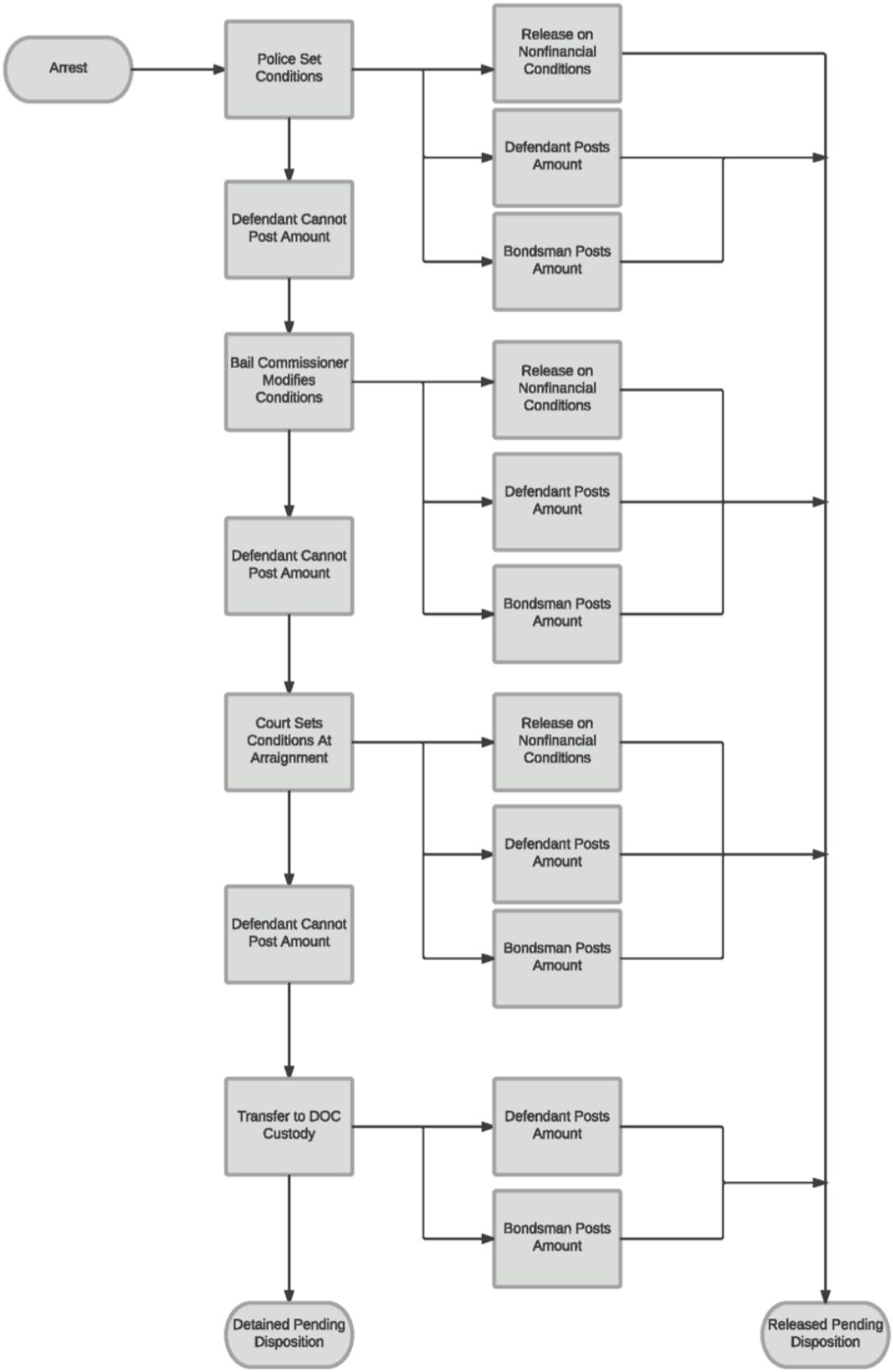


Figure 2: Pre-Trial Timeline (Connecticut Sentencing Commission 2017, 22)

their report to a judge who exercise their discretion and make the final decision on defendants' condition of release.

Bond System Reform

House Bill 7044, barred courts from assigning money bail to misdemeanor defendants, except in cases involving family violence or in which an individual has been determined to be a flight risk, or likely to obstruct justice or harm themselves or someone else.

The new law also prohibits judges from setting cash-only bail and requires that defendants have the ability to be released on bond either through a commercial bail bondsman or by paying down a small portion of their bond. Most will now be released on only a promise.

This successful reform takes effect about a year after a failed attempt by the governor to pass a similar bill. The 2015 attempt was stopped by the powerful bail bond industry.

Data

Beginning July 1, 2016, this publicly accessible dataset is updated nightly with a listing of all individuals held in CT Department of Corrections facilities while awaiting trial. We observe a unique Identifier, Admission Date, Race, Gender, Age, Facility of detention, and Bond amount.

We drop observations from youth defendants, those detained by non-CT law enforcement (e.g. immigration officials), Asians, Native Americans, Pacific Islanders, and those being detained in facilities that are not usually for pretrial detainees such as hospitals or long-term detention centers.

Research Design

Overview

We seek to recover the casual effect of changing the bond amount by one percent on the likelihood the defendant skips trial. We observe Skips Trial, an indicator for whether or not the defendant's next arrest is for the crime 'Failure to Appear,' the bond amount, and various individual characteristics such as race or gender.

This suggests a linear model. β_1 below is the parameter of interest, capturing the casual affect of bond amount on Skipping Trial.

$$\text{Skips Trial}_i = \beta_0 + \beta_1 \text{Log Bond Amount}_i + \beta_2 \mathbf{X}_i + \epsilon_i \tag{1}$$

$\mathbf{X}_i$ is a vector of defendant level controls; ϵ_i is an error term. The key problem for casual inference here is that unobserved defendant characteristics are likely to be both correlated with the Bond Amount and with the likelihood of the defendant to skip trial.

We suspect that bail judges are likely to assign defendants who have a larger risk of skipping trial a larger bond amount. As such, we argue that our OLS estimates are upwardly biased.

Instrumental Variable Construction

To address this issue, we exploit significant regional variation in bond amount assignments to construct our instrument. We do not observe the jurisdiction of arrest, but we do observe the facility of detention. The

Marital Status	*0 = Not Married (includes separated, divorced, and widowed)* *+3 = Married*	
Charge (Most Serious)	*-20 = Capital Felony* *-10 = Class A Felony* *-9 = Class B Felony* *-8 = Class C Felony* *-7 = Class D Felony* *-6 = Class E / Unclassified Felony*	*-5 = Class A Misdemeanor* *-4 = Class B Misdemeanor* *-3 = Class C Misdemeanor* *-2 = Class D Misdemeanor* *-1 = Unclassified Misdemeanor* *0 = Motor Vehicle Violation*
Lives with	*0 = Alone* *+2 = Nonimmediate family or roommate* *+3 = Immediate family*	
Verifiable References	*0 = No* *+2 = Yes*	
Means of Support	*0 = None or Incarcerated* *+2 = Reliance on others (includes government support)* *+4 = Self-reliance (part-time, seasonal, & full-time employment)*	
Length at Employer	*0 = Less than one year at current job* *+1 = One year but less than two years at current job* *+2 = Two or more years at current job*	
Total YRS. (Education)	*0 = High School or less* *+2 = More than High School*	
Substance/Mental Health	*0 = No* *-1 = Yes*	
Prior Failure to Appear*	*+1 = No prior failure to appears* *-2 = Prior FTA for a misdemeanor charge* *-3 = Prior FTA for a felony charge*	***COUNT** ***PENDING or CONVICTED*** **FTA CHARGES**
Number of Convictions	*0 = No convictions* *-1 = One or two convictions* *-2 = More than two convictions*	
Prior Criminal Record	*+2 = No prior record* *-1 = Prior misdemeanor convictions* *-2 = Prior felony convictions*	
Safety Risk Convictions	*0= Not charged with a Safety Risk Offense and does not have a Safety Risk Offense conviction* *-2= Charged with a Safety Risk Offense and has a Safety Risk Offense Conviction*	
Safety Risk Pending	*0 = Not charged with a Safety Risk Offense and does not have a Safety Risk Offense pending* *-2= Charged with a Safety Risk Offense and has a Safety Risk Offense pending*	
Dangerous Instrument	*0 = No Dangerous Instrument Involved* *-2 = Dangerous Instrument Involved*	
TOTAL POINTS	*Below zero: Surety or 10% Bond* *Zero or more: Nonfinancial form of release*	

Figure 3: Statewide Risk Assessment Tool

Guidelines for Financial Bond Recommendations
(Bond Recommendation Rating Scale must be completed prior to setting bond amount)

Charge Type/Class	Rating Scale Total												
	+6	+5	+4	+3	+2	+1	0	-1	-2	-3	-4	-5	-6
Unclassified Misdemeanor	$500	$500	$500	$500	$500	$1,000	$1,000	$1,500	$2,500	$5,000	$7,500	$10,000	$15,000
Class C Misdemeanor	$500	$500	$500	$500	$1,000	$1,000	$1,500	$2,500	$5,000	$7,500	$10,000	$15,000	$20,000
Class B Misdemeanor	$500	$500	$500	$1,000	$1,000	$1,500	$2,500	$5,000	$7,500	$10,000	$15,000	$20,000	$25,000
Class A Misdemeanor	$500	$500	$1,000	$1,000	$1,500	$2,500	$5,000	$7,500	$10,000	$15,000	$20,000	$25,000	$50,000
Class D Felony	$1,000	$1,500	$2,500	$5,000	$7,500	$10,000	$15,000	$20,000	$25,000	$50,000	$75,000	$100,000	$150,000
Unclassified Felony	$1,500	$2,500	$5,000	$7,500	$10,000	$15,000	$20,000	$25,000	$50,000	$75,000	$100,000	$150,000	$200,000
Class C Felony	$2,500	$5,000	$7,500	$10,000	$15,000	$20,000	$25,000	$50,000	$75,000	$100,000	$150,000	$200,000	$250,000
Class B Felony	$5,000	$7,500	$10,000	$15,000	$20,000	$25,000	$50,000	$75,000	$100,000	$150,000	$200,000	$250,000	$500,000
Class A Felony	$7,500	$10,000	$15,000	$20,000	$25,000	$50,000	$75,000	$100,000	$150,000	$200,000	$250,000	$500,000	$1,000,000

Figure 4: Statewide Financial Bond Table

choice of detention facility for these short-term pretrial detentions is more affected by regional convenience than by the type of defendant.

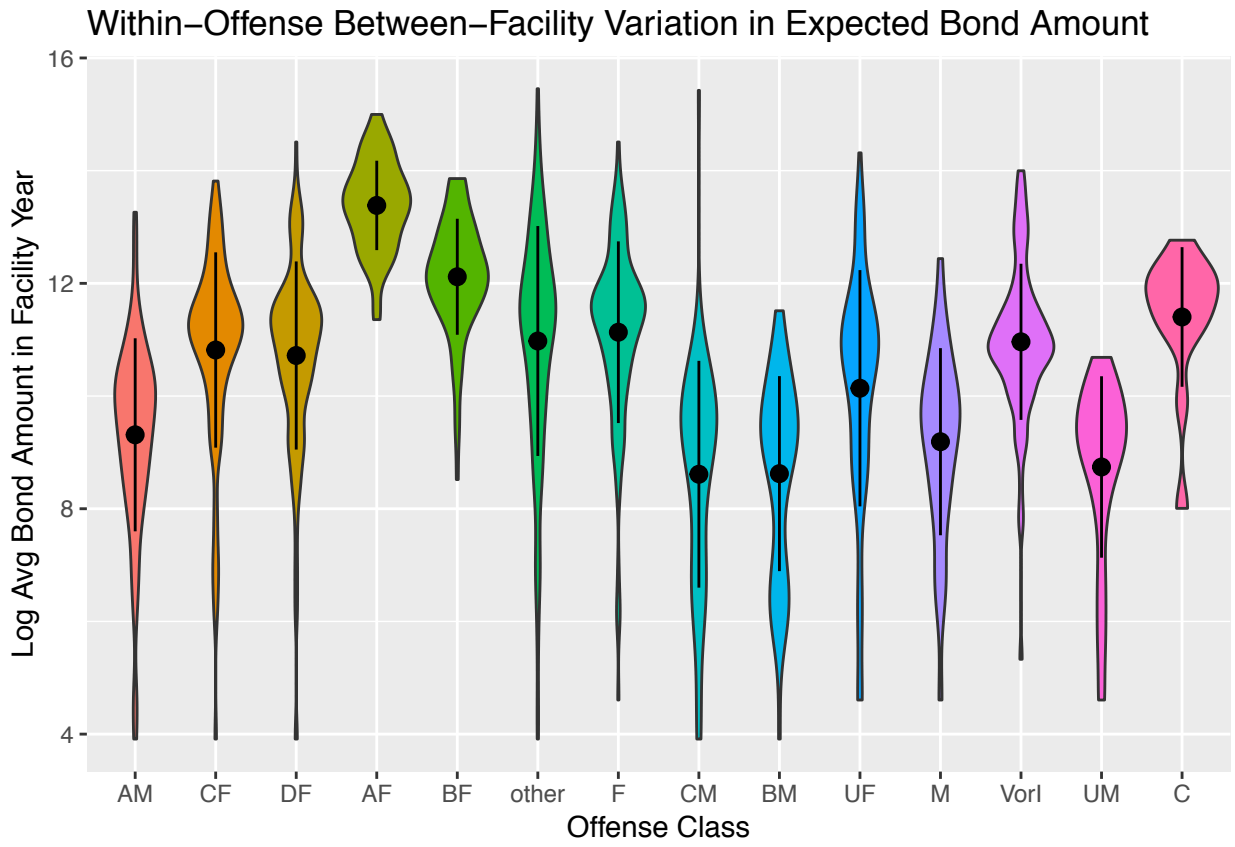
Average bond amounts for each offense class (e.g. Class A Felony, Class B Misdemeanor) are significantly different across facilities due to both variation in inmate population and variation in bond amount guidelines within the state.

We construct a facility-offense-year leave-out-average bond amount and use it to instrument for bond amount. For individual i, the instrument is:

$$Z_{itfo} = \frac{\sum_{j \neq i}^{n_{tfo}} \text{Bond Amount}_j}{n_{tfo} - 1} \tag{2}$$

where n_{fo} is the number of individuals detained in facility f accused of offense o. j indexes all other prisoners accused of the same offense class held in the same facility.

This violin plot shows the within-Offense Class between-Facility variation in expected bond amount.



First Stage

To examine the first-stage relationship between log regional leniency and the bond amount a defendant is assigned, we estimate the following equation for individual i accused of a crime in offense class o held in facility f in year t using a log-log linear regression.

$$\text{Log Bond Amount}_{itfo} = \alpha_0 + \alpha_1 \log Z_{tfo} + \alpha_2 \mathbf{X}_i + e_{itfo} \tag{3}$$

Exclusion Restriction

Assumption:

$$E[\epsilon Z] = 0 \tag{4}$$

This assumption says that unobservable flight riskiness for individual i is uncorrelated with the average bond amount of detainees held in the same facility accused of committing crimes in the same offense class in the same year.

This assumption fails if, for example, individuals seek to commit crimes in lenient regions or if there is regional variation in flight riskiness.

If the above assumption holds then we have consistently identified β_1, which is a 2SLS estimate with continuous treatment intensity. Following Angrist and Pischke (2009), p. 130, we interpret β_1 as a "weighted average derivative along the length of a possibly nonlinear casual response function."

Instrument Relevance

We also show that our measure of regional leniency is highly correlated with the bond amount each defendant receives.

Table 1: Relevance Regression

	Dependent variable:	
	Log Bond Amount	
	Full	Post-Reform Minor Crimes
	(1)	(2)
Regional Lenience Instrument	0.509***	0.358***
	(0.031)	(0.060)
Num. Prior Skipped Trial	−0.043	−0.134***
	(0.037)	(0.049)
Prior Felonies	0.240***	0.140***
	(0.017)	(0.027)
Prior Misdemeanors	−0.054***	−0.054**
	(0.017)	(0.022)
Age	−0.006***	−0.009***
	(0.001)	(0.001)
Constant	3.945***	5.751***
	(0.321)	(0.613)
Offense Class FE?	Yes	Yes
Race FE?	Yes	Yes
Gender FE?	Yes	Yes
R^2	0.207	0.180
Adjusted R^2	0.207	0.178
Note:		*p<0.1; **p<0.05; ***p<0.01

Even after controlling for a number of observables, we find that the facility-offense-year average is highly significant and explains a good amount of the variation in individual bond amount.

Results

We seek to estimate β_1, the casual affect of bond amount on Skipping Trial. As we can see, OLS estimates are small and negative. This makes sense given that they likely upward biased.

Table 2: OLS Estimates

	Dependent variable:		
	Skips Trial		
	Full	Pre-Reform	Post-Reform
	(1)	(2)	(3)
Log Bond Amount	-0.005^{***}	-0.005^{***}	-0.005^{***}
	(0.001)	(0.001)	(0.001)
Num. Prior Skipped Trial	0.019^{***}	0.028^{**}	0.018^{***}
	(0.005)	(0.014)	(0.005)
Prior Felonies	-0.003	-0.001	0.0002
	(0.002)	(0.006)	(0.002)
Prior Misdemeanors	0.0001	0.002	0.003
	(0.002)	(0.007)	(0.002)
Age	-0.0004^{***}	-0.0005^{***}	-0.0002^{**}
	(0.0001)	(0.0002)	(0.0001)
Constant	0.111^{***}	0.127^{***}	0.093^{***}
	(0.008)	(0.015)	(0.009)
R^2	0.010	0.009	0.011
Adjusted R^2	0.009	0.007	0.010
Note:			*p<0.1; **p<0.05; ***p<0.01

To circumvent this endogeneity, we instrument on a measure of regional leniency.

In the full sample, our IV estimates are negative and nearly 5 times larger in absolute terms than the OLS estimate, solving our endogeneity problem and recovering true casual estimates.

Table 3: 2SLS Estimates

	Dependent variable:		
		Skips Trial	
	Full	Pre-Reform	Post-Reform
	(1)	(2)	(3)
Log Bond Amount	-0.024^{***}	0.018	-0.041^{***}
	(0.008)	(0.017)	(0.011)
Num. Prior Skipped Trial	0.018^{***}	0.028^{**}	0.016^{***}
	(0.005)	(0.014)	(0.005)
Prior Felonies	0.002	−0.006	0.009^{**}
	(0.003)	(0.007)	(0.003)
Prior Misdemeanors	−0.001	0.004	0.001
	(0.002)	(0.007)	(0.002)
Age	-0.0005^{***}	-0.0004^{*}	-0.0004^{***}
	(0.0001)	(0.0002)	(0.0001)
Constant	0.281^{***}	−0.081	0.428^{***}
	(0.074)	(0.153)	(0.100)
Offense Class FE?	Yes	Yes	Yes
Race FE?	Yes	Yes	Yes
Gender FE?	Yes	Yes	Yes
Observations	32,234	12,043	20,191
Residual Std. Error	0.187 (df = 32212)	0.213 (df = 12021)	0.175 (df = 20169)
Note:			*p<0.1; **p<0.05; ***p<0.01

What is interesting in the above table is that we can see that the casual effect is not constant across time, in fact, it seems as though the casual effect in the full sample is driven entirely by the strong sensitivity of skipping bail to bond amount after the reform.

We think this has to to with the fact that pretrial detainees are fundamentally different before and after the reform. Following the reform, misdemeanor defendants are only given financial bond if they are considered a flight risk.

If our hypothesis is correct, then we should see large price sensitivity in minor crime defendants following the reform, but minimal sensitivity to bond amount among felony defendants for whom the bond regulations did not change.

Table 4: Flight Risk Estimates

	Dependent variable:			
	Skips Trial			
	Post-Reform Minor Crime	Post-Reform Major Crime	Pre-Reform Minor Crime	Not Post-Reform Minor Crime
	(1)	(2)	(3)	(4)
Log Bond Amount	-0.083^{***}	-0.013	0.036	-0.005
	(0.029)	(0.012)	(0.023)	(0.009)
Num. Prior Skipped Trial	0.010	0.004	0.040^{*}	0.007
	(0.008)	(0.007)	(0.022)	(0.007)
Prior Felonies	0.011^{**}	0.003	-0.005	-0.001
	(0.005)	(0.005)	(0.013)	(0.004)
Prior Misdemeanors	0.005	-0.003	-0.002	-0.002
	(0.004)	(0.003)	(0.010)	(0.004)
Age	-0.001^{***}	-0.0002^{*}	-0.0003	-0.0003^{***}
	(0.0003)	(0.0001)	(0.0003)	(0.0001)
Constant	0.821^{***}	0.154	-0.292	0.085
	(0.280)	(0.122)	(0.220)	(0.082)
Offense FE?	Yes	Yes	Yes	Yes
Race FE?	Yes	Yes	Yes	Yes
Gender FE?	Yes	Yes	Yes	Yes
Observations	10,008	10,183	6,037	22,226
Residual Std. Error	0.217 (df = 9922)	0.141 (df = 9995)	0.241 (df = 5952)	0.181 (df = 21931)

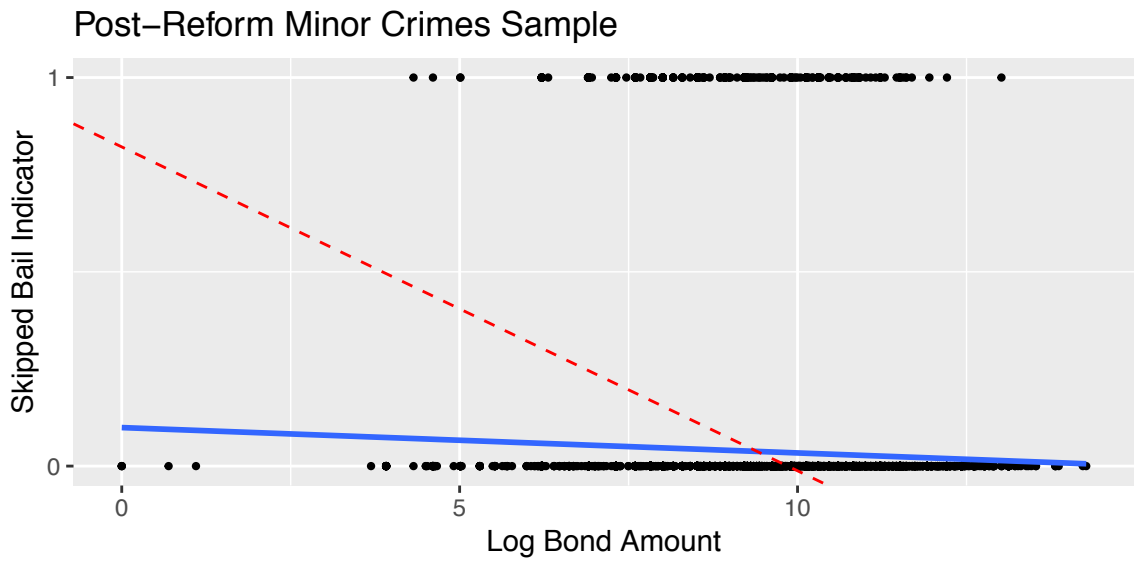
Note: *p<0.1; **p<0.05; ***p<0.01

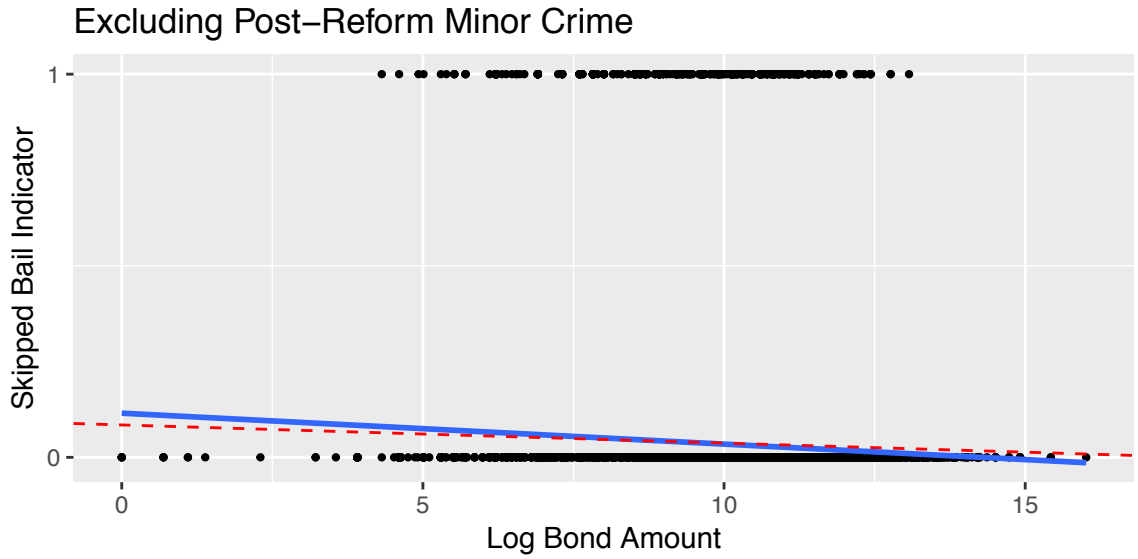
As we can see clearly in the above table, we only find significant effects of bond amount on skipping trial for the highly select subgroup of misdemeanor detainees after the reform.

These flight risks are highly sensitive to the bond amount. Moreover, the inclusion criteria for who is deemed a "flight risk" by the bail administrators appears to consist of largely unobserved factors. Indeed, the only clear demographic difference between pre- and post- reform misdemeanor offenders is a different rate of previous failure to appear. The former group averaging 0.024 arrests for failing to appear while the latter group averages 0.087 arrests for failing to appear.

Other summary statistics, comparing the post-reform misdemeanor group to the rest of the population, are shown graphically in Appendix A.

The below graphs plot our results. The blue line is an OLS regression line. The red dashed line is the IV regression line.





Conclusion

This paper estimates the sensitivity of a defendant's decision to skip trial to the bond amount she is assigned. We find that the average effect is small and negative. Using an regional lenience IV, we estimate that increasing the bond amount by 1% causes a 0.0028148 decrease in the likelihood of skipping trial.

However, we show that this average effect is driven by a small subgroup of minor crime defendants detained after the Connecticut reform. We understand this group as being comprised of flight risks and interpret the results as indicating that there is significant unobservable heterogeneity among defendants. Most defendants are not sensitive to the bond amount, but for the flight risk subgroup we find that they are highly sensitive to the size of their bond. IV regressions return point estimates approximately 3 times the size of estimate from the full sample.

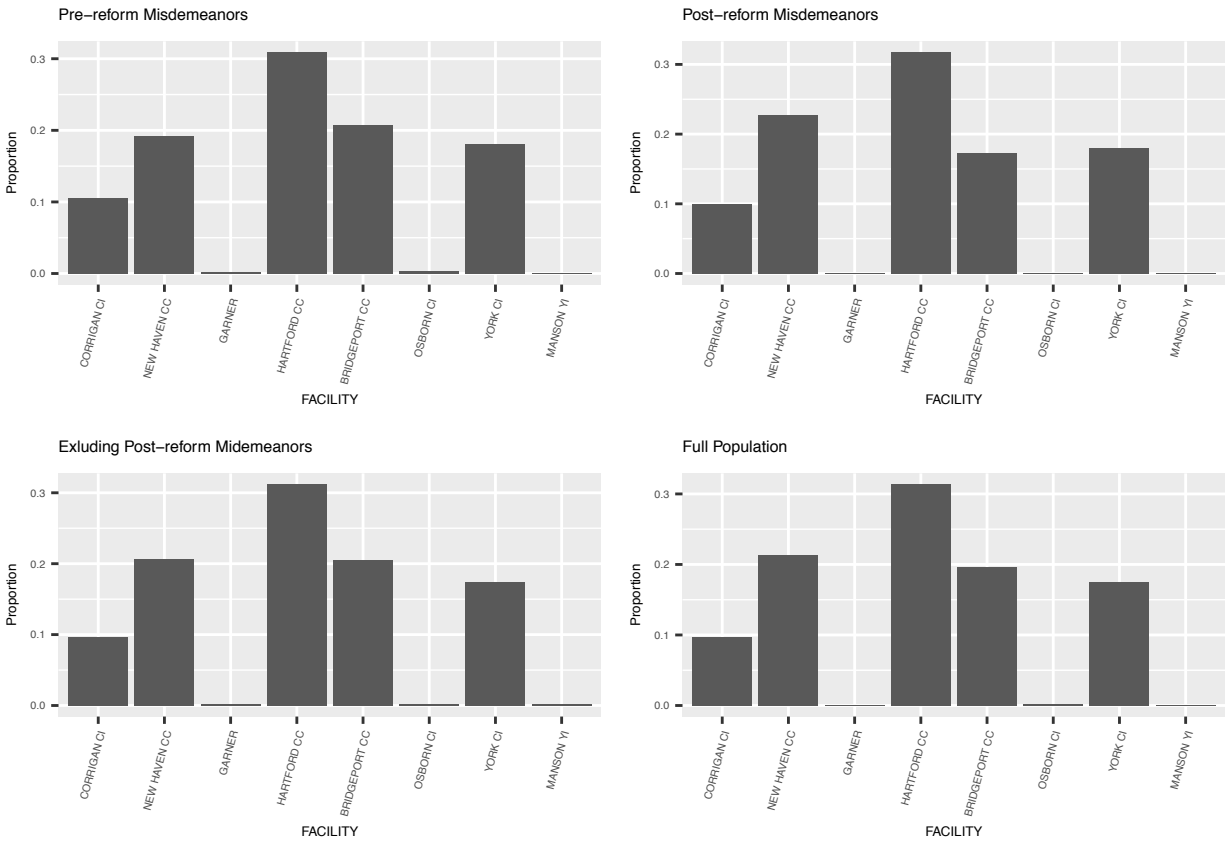
Sensitivity to bond amount is important for the ongoing debates about the financial bond system. We show that only a small fraction of the population is sensitive to the amount of the bond and for most defendants reducing the size of the financial bond should have negligible effects on showing up to trial. Most defendants are not on the financial margin of showing up to trial.

That said, there is a non-negligible subset of defendants who are flight risks and are highly sensitive to changing bond amounts.

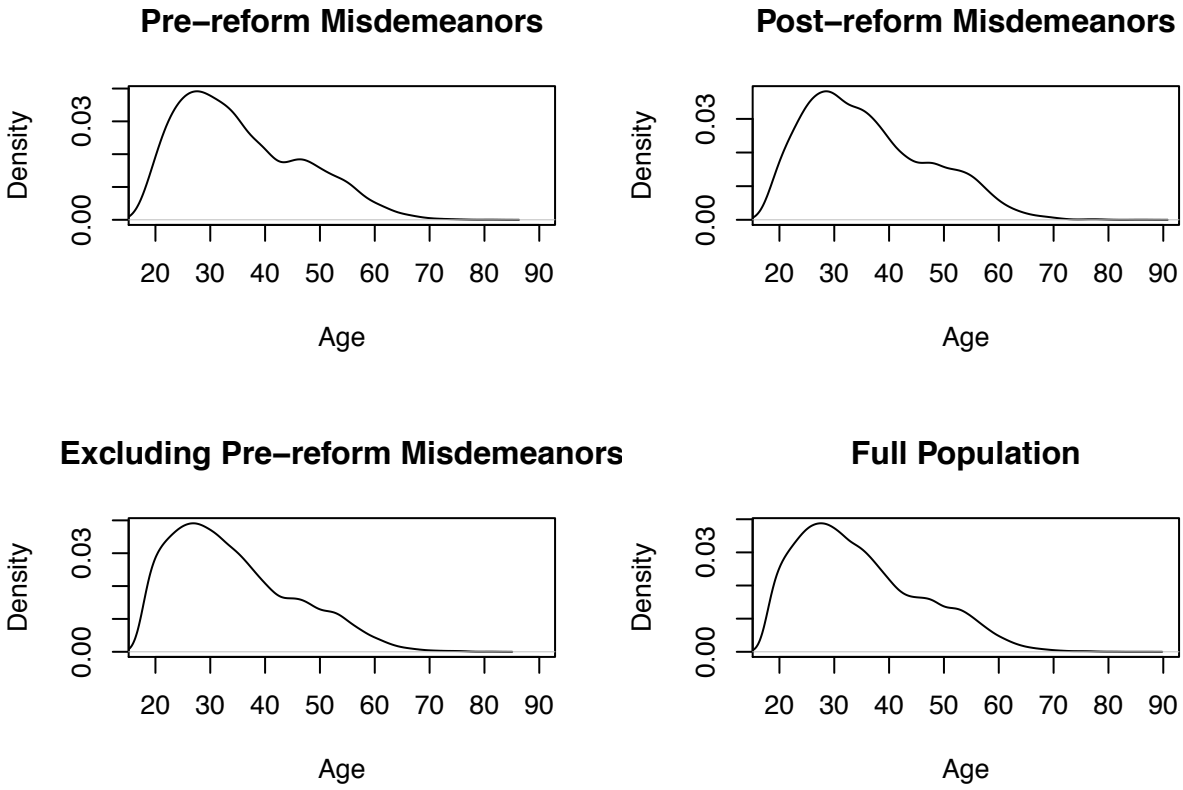
We hope that in future work we are able to explore the extensive margin of skipping trial decisions.

Appendix A

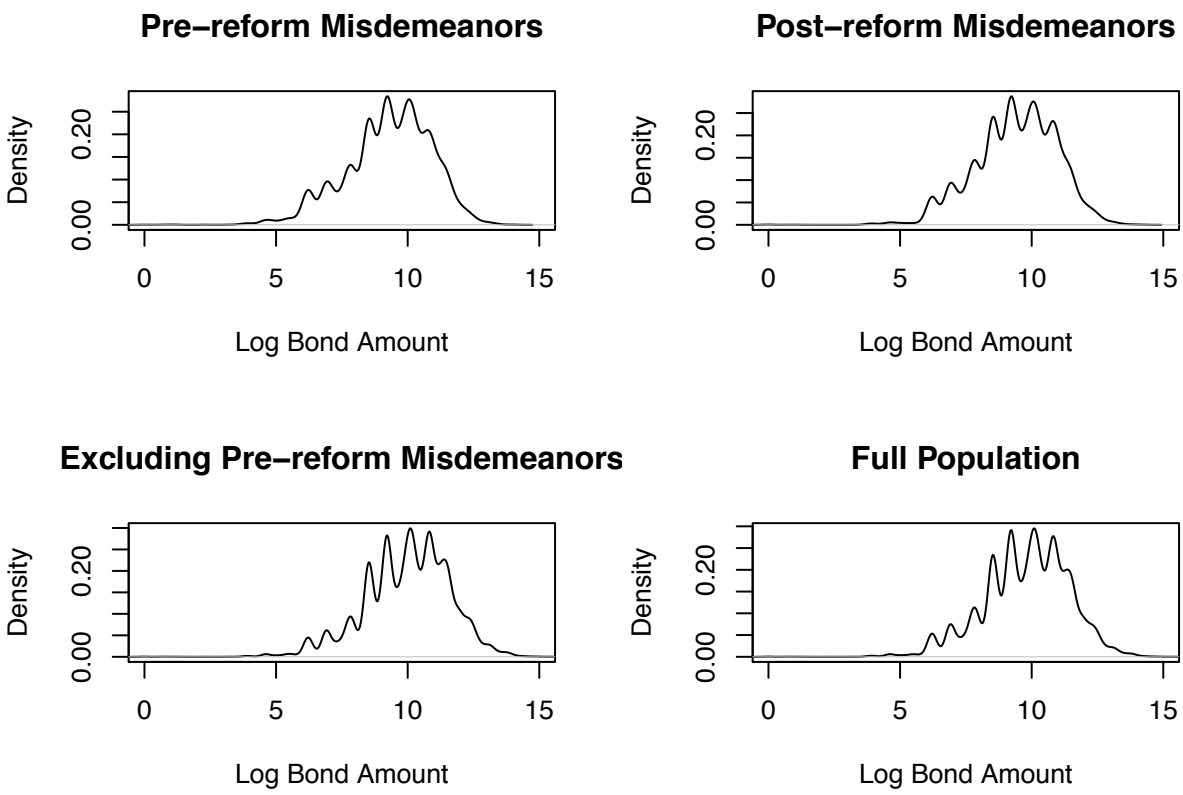
Facility Distribution



Age Distribution



Distribution of Log Bond Amount



Distribution of Detention Duration

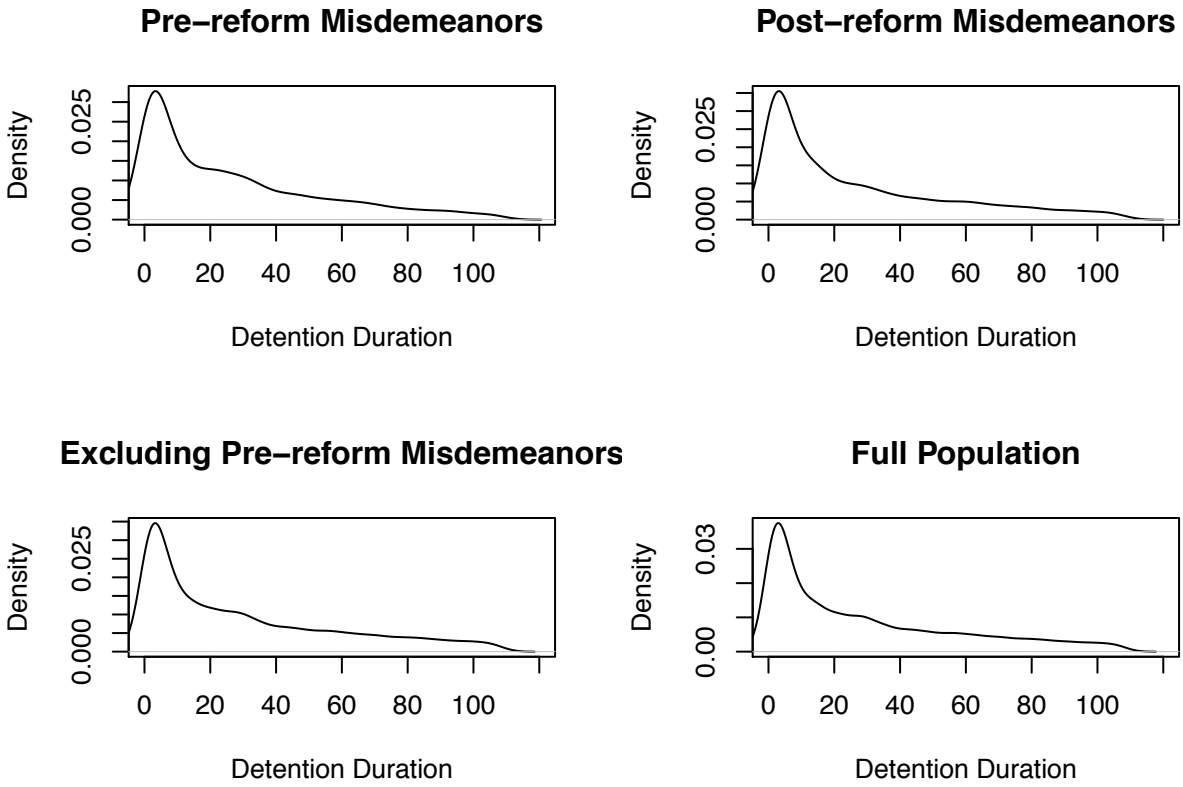
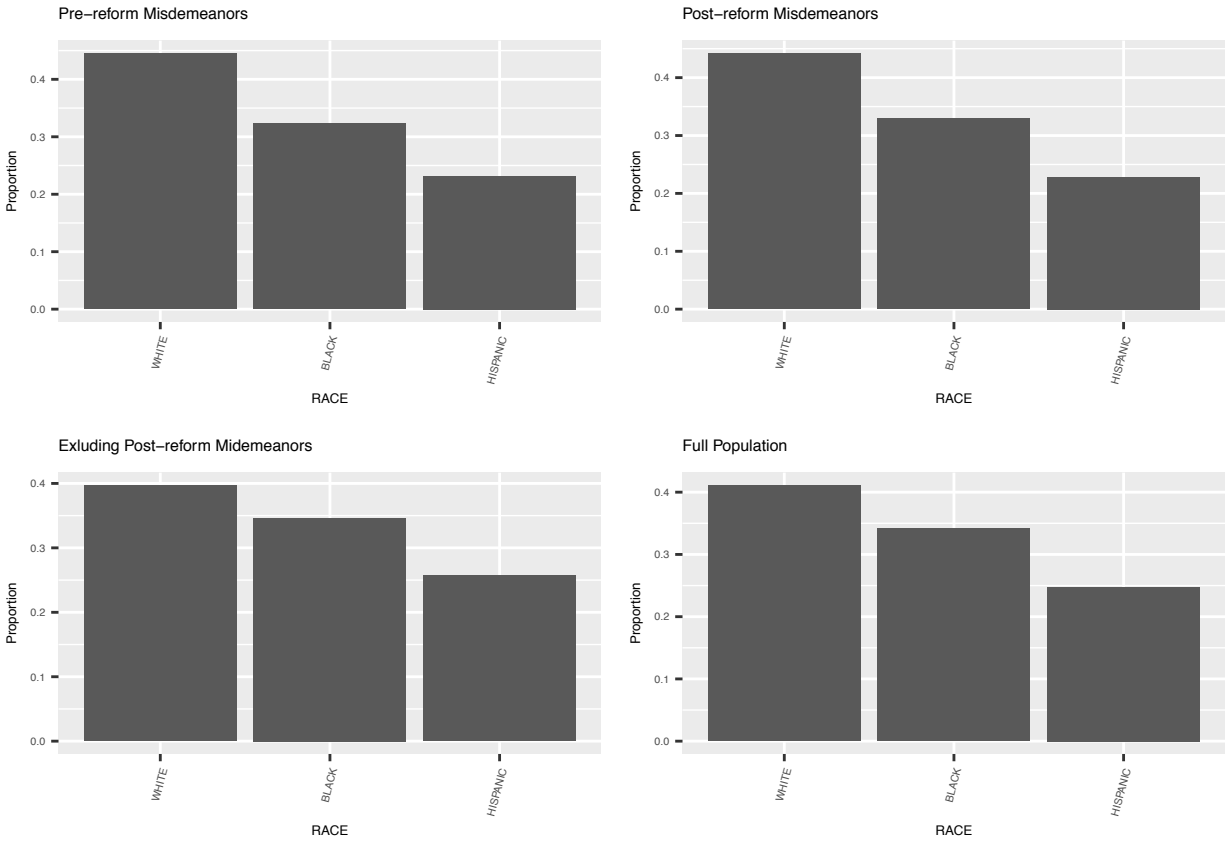


Table 5: Top Pre-Reform Minor Crimes

Offense	Occurences
VIOLATION OF PROBATION OR COND DISCHG	2457
FAILURE TO APPEAR, SECOND DEGREE AM	798
ASSAULT, THIRD DEGREE AM	492
INTERFERING WITH AN OFFICER AM	393
THREATENING AM	267
LARCENY, SIXTH DEGREE CM	206
CRIMINAL TRESPASS, FIRST DEGREE AM	160
BREACH OF PEACE BM	155
DISORDERLY CONDUCT CM	146
CRIM VIOL OF PROTECTIVE ORDER AM	99

Racial Demographics



Common Misdemeanor Offense Before and After Reform

Table 6: Top Post-Reform Minor Crimes

Offense	Occurences
VIOLATION OF PROBATION OR COND DISCHG	3882
FAILURE TO APPEAR, SECOND DEGREE AM	1503
ASSAULT, THIRD DEGREE AM	812
INTERFERING WITH AN OFFICER AM	703
CRIM VIOL OF PROTECTIVE ORDER AM	418
THREATENING AM	390
CRIMINAL TRESPASS, FIRST DEGREE AM	263
LARCENY, SIXTH DEGREE CM	247
BREACH OF PEACE BM	162
CRIM VIOL RES ORDER AM	162

References

Aizer, Anna, and Joseph J Doyle Jr. 2015. "Juvenile Incarceration, Human Capital, and Future Crime: Evidence from Randomly Assigned Judges." *The Quarterly Journal of Economics* 130 (2): 759–803.

Angrist, Joshua, and Jorn-Steffen Pischke. 2009. *Mostly Harmless Econometrics: An Empiricist's Companion*. 1st ed. Princeton University Press.

Arnold, David, Will Dobbie, and Crystal S Yang. 2018. "Racial Bias in Bail Decisions." *The Quarterly Journal of Economics* 133 (4): 1885–1932.

Bhuller, Manudeep, Gordon B Dahl, Katrine V Løken, and Magne Mogstad. 2016. "Incarceration, Recidivism and Employment." National Bureau of Economic Research.

Cohen, Thomas H., and Brian A. Reaves. 2007. "State Court Processing Statistics, 1990–2004: Pretrial Release of Felony Defendants in State Courts. Bureau of Justice Statistics Special Report." Washington, DC: U.S. Department of Justice.

Connecticut General Assembly. 2017. "Public Act No. 17-145, Substitute House Bill No. 7044." https://www.cga.ct.gov/2017/ACT/pa/2017PA-00145-R00HB-07044-PA.htm.

Connecticut Sentencing Commission. 2017. "Report to the Governor and the General Assembly on Pretrial Release and Detention in Connecticut." New Britain, Connecticut.

Dahl, Gordon B, Andreas Ravndal Kostøl, and Magne Mogstad. 2014. "Family Welfare Cultures." *The Quarterly Journal of Economics* 129 (4): 1711–52.

Didwania, Stephanie Holmes. 2018. "The Immediate Consequences of Pretrial Detention: Evidence from Federal Criminal Cases."

Dobbie, Will, Jacob Goldin, and Crystal S Yang. 2018. "The Effects of Pretrial Detention on Conviction, Future Crime, and Employment: Evidence from Randomly Assigned Judges." *American Economic Review* 108 (2): 201–40.

Gupta, Arpit, Christopher Hansman, and Ethan Frenchman. 2016. "The Heavy Costs of High Bail: Evidence from Judge Randomization." *The Journal of Legal Studies* 45 (2): 471–505.

Kleinberg, Jon, Jens Ludwig, Sendhil Mullainathan, and Ashesh Rambachan. 2018. "Algorithmic Fairness." In *AEA Papers and Proceedings*, 108:22–27.

Kling, Jeffrey R. 2006. "Incarceration Length, Employment, and Earnings." *American Economic Review* 96 (3): 863–76.

Leslie, Emily, and Nolan G Pope. 2017. "The Unintended Impact of Pretrial Detention on Case Outcomes: Evidence from New York City Arraignments." *The Journal of Law and Economics* 60 (3): 529–57.

Mueller-Smith, Michael. 2015. "The Criminal and Labor Market Impacts of Incarceration." *Unpublished Working Paper* 18.

Stevenson, Megan T. 2018. "Distortion of Justice: How the Inability to Pay Bail Affects Case Outcomes." *The Journal of Law, Economics, and Organization* 34 (4): 511–42.

Yang, Crystal S. 2017. "Toward an Optimal Bail System." *NYUL Rev.* 92: 1399.