

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/news/aclu-ohio-responds-joe-deters-dangerous-misleading-editorial-bail-reform>

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There is a difference between failing to adequately address discrimination in the criminal legal system, and actively claiming it doesn't even exist. Last week, [Hamilton County Prosecutor Joe Deters](#) penned an op-ed in which he claims that neither the police or our bond system harm Black men. This statement is both factually bankrupt and dangerous.

It is a devastating truth that our criminal legal system is disproportionately and baselessly harsher on Black individuals. Black individuals are more likely to get arrested for crimes that white individuals commit at the same rate ([Example 1](#), [Example 2](#), [Example 3](#), [Example 4](#)). Once arrested, Black individuals are more likely to get a higher cash bail amount than white individuals charged with the same crime, which unsurprisingly leads to Black individuals spending longer periods of time in jail for the same crimes. ([National data](#) and [Ohio-specific data](#)).

Why does this disproportionality exist? In part, because dangerous people in positions of power, like Prosecutor Deters, pretend the problem doesn't exist which obfuscates the desperate need for reform. It's also important to recognize why Prosecutor Deters has a stake in stopping bail reform. We know that people who remain in jail pretrial because they cannot afford to post their financial bond are more likely to feel coerced into taking a plea deal. This problem unfortunately makes sense: If you're going to remain in jail throughout the pretrial period, you may choose to take a plea deal that lets you go home today instead of spending the next couple of weeks or months in jail before you have the opportunity to prove your innocence. Prosecutors benefit from this coercive practice. It allows them to more quickly resolve cases without needing to actually prove their case.

Especially problematic and telling is Prosecutor Deters's choice to claim that his biased condemnation of the reforms we need is somehow supportive of Black communities and mothers and children in our high-crime areas. To be clear, when someone purports to speak on behalf of a community they oppress and of which they are not a part, they invite and deserve immediate scrutiny and disdain.

Just because one man denies a problem does not mean it ceases to exist. Thankfully, the ACLU of Ohio is proud to be working with [dozens](#) of organizations, faith leaders, professors, and impacted individuals who are actually working to address the problems of cash bail instead of pretending they don't exist. The truth cannot be denied: cash bail creates a two-tiered system of justice in which those with resources go home and those without remain in jail unnecessarily. Those who remain in jail are put at risk of losing their jobs, their homes, and even custody of their children. They also have worse case outcomes, in part because they're more likely to feel coerced into taking a plea deal. Ohioans need and [want](#) bail reform. Legislators and Ohioans should not let one desperate man who is choosing to spread falsehoods on behalf of a community he does not represent stand in the way of Ohio becoming a place of fairness and justice for all.

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