

# REFORM UNJUST PRETRIAL SYSTEM

## RESTORE THE PRESUMPTION OF INNOCENCE

### WHAT IS PRETRIAL DETENTION?

People are innocent until proven guilty and entitled to due process. Meaningful representation and right to council at first appearance has been shown to reduce the amount of individuals in jail, reduce bail amounts and unnecessary costs, and ensure fair proceedings.

For anyone already struggling, being jailed prior to conviction can mean sliding further into desperate circumstances. **No one should be kept in jail without a criminal conviction simply because they cannot pay bail.**

### THE SITUATION IN VIRGINIA

Virginia's pretrial detention rate has been on the rise for decades. On any given night, Virginia jails hold more than 28,000 people - 46% of whom have not been convicted of any crime. The state's own data reveals that between 2012 and 2017, the average daily population of people held in Virginia jails pretrial increased by 10%. Far too often, people are charged with a crime and forced to appear at key hearings without the necessary legal guidance. By protecting and expanding the right to counsel, people charged with crimes will receive meaningful assistance. **We need to end wealth-based detention and eliminate racial disparities that currently exist in our criminal legal system.**

### OUR GOALS

The ACLU of Virginia believes everyone should have a right to counsel at first court appearance so that everyone facing a criminal charge has a lawyer from the start. It is also necessary to reform the money bail system by eliminating presumptions against bail for certain offenses and prohibiting people from being held before trial. **We call on the Virginia General Assembly to guarantee the right to counsel and reform the money bail system.**

FACT

# 46%

OF PEOPLE IN VIRGINIA  
JAILS HAVE **NOT**  
BEEN CONVICTED  
OF A CRIME. **43% OF**  
THE VIRGINIA JAIL  
POPULATION IS BLACK.

### WHAT YOU CAN DO

Here are a few things you can do to get involved:

- Stay up-to-date on this issue through our social media.
- Subscribe to our email list: [acluva.org](http://acluva.org).
- Take action through our Lobby Guide: [acluva.org/lobby-guide](http://acluva.org/lobby-guide).
- Become a member: [acluva.org/join](http://acluva.org/join)
- Start a People Power group to work on this issue: [peoplepower.org](http://peoplepower.org)

**ACLU**  
Virginia