



Reducing Jail Use through Pretrial Detention and Release Approaches

Housekeeping

- The event is being recorded, and the recording will be posted online afterward.
- Speaker biographies and related materials are available online.
- All participants are muted, but you can type your questions or comments into the Q&A box at any time. We will have a Q&A segment at the end of the session.
- You can hide captions or adjust settings with the Live Transcript button.

February 20, 2026

Reducing Jail Use through Pretrial Detention and Release Approaches

Local Lessons on Rethinking Jail Use Webinar Series



Supported by the John D. and Catherine T.
MacArthur Foundation

Session Overview

- Rationale for Rethinking Jail Use
- Loyola University: Evaluation Findings on the Illinois Pretrial Fairness Act
- Missoula PASS Program
- Discussion

Presenters



Jesse Jannetta
Senior Policy Fellow
Urban Institute



Don Stemen
Professor and Co-Director
of the Center for Criminal
Justice
Loyola University, Chicago



Stephen Thompson
Court Programs
Administrator, Missoula
Municipal Court



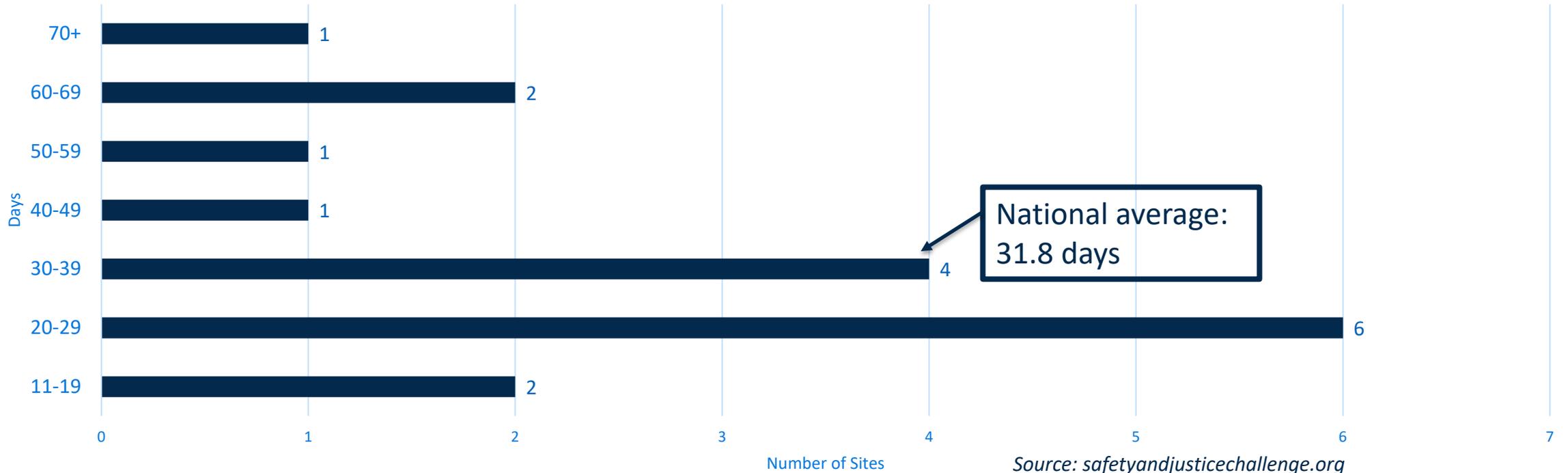
Hon. Jake Coolidge
Judge, Missoula
Municipal Court

Jails Touch Millions of Lives Each Year

- 8 million admissions annually
 - Nearly 70% of the daily jail population is pretrial detainees
 - Significant racial disparities
- Jail incarceration can be criminogenic
 - Even a small amount of pretrial detention is associated with subsequent criminal involvement
- Intersection with mental health and addiction issues
 - SMI 4-6 times more common in jails than in the general population
 - 68% of people in jail have suffered from addiction to drugs, alcohol, or both
- Local jurisdictions spend at least \$22.2 billion annually on jails

Average Lengths of Stay Vary...

SJC Sites Average Length of Jail Stay

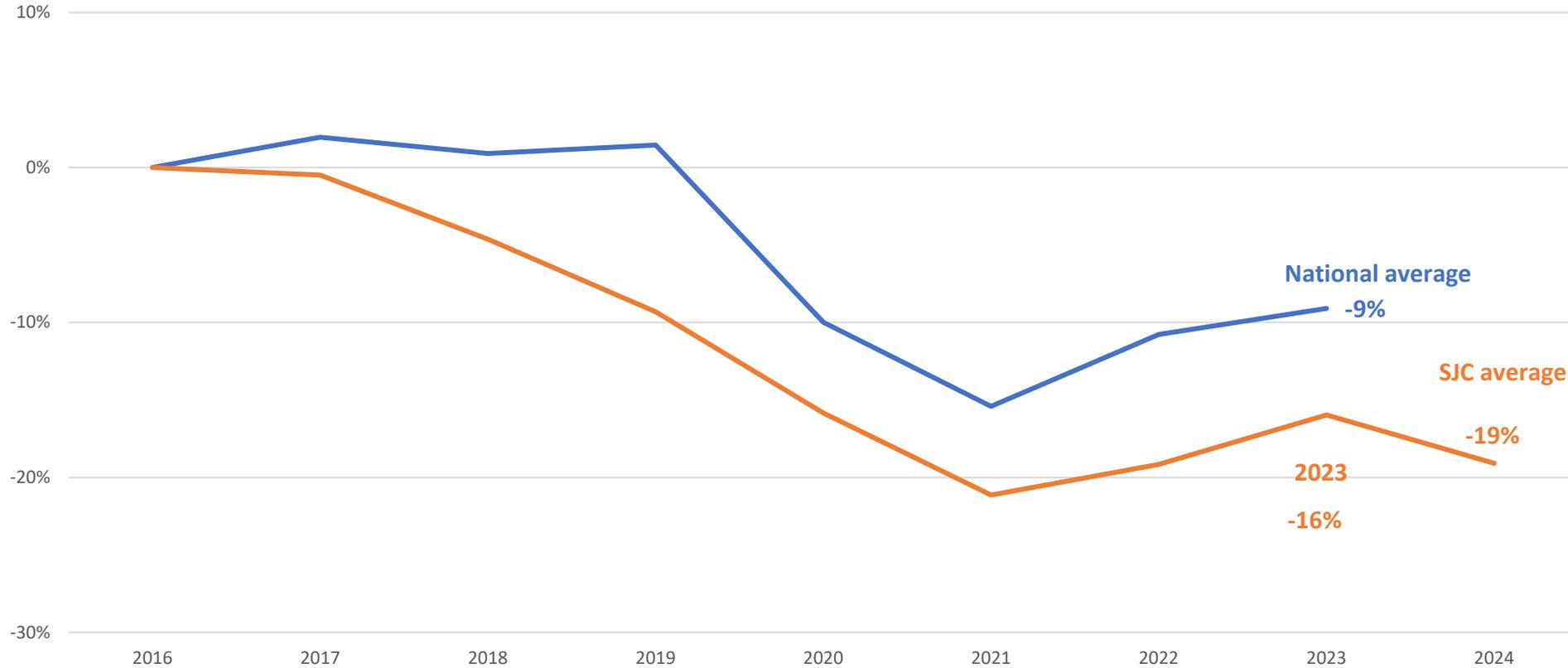


Pretrial Release Strategies in SJC Sites

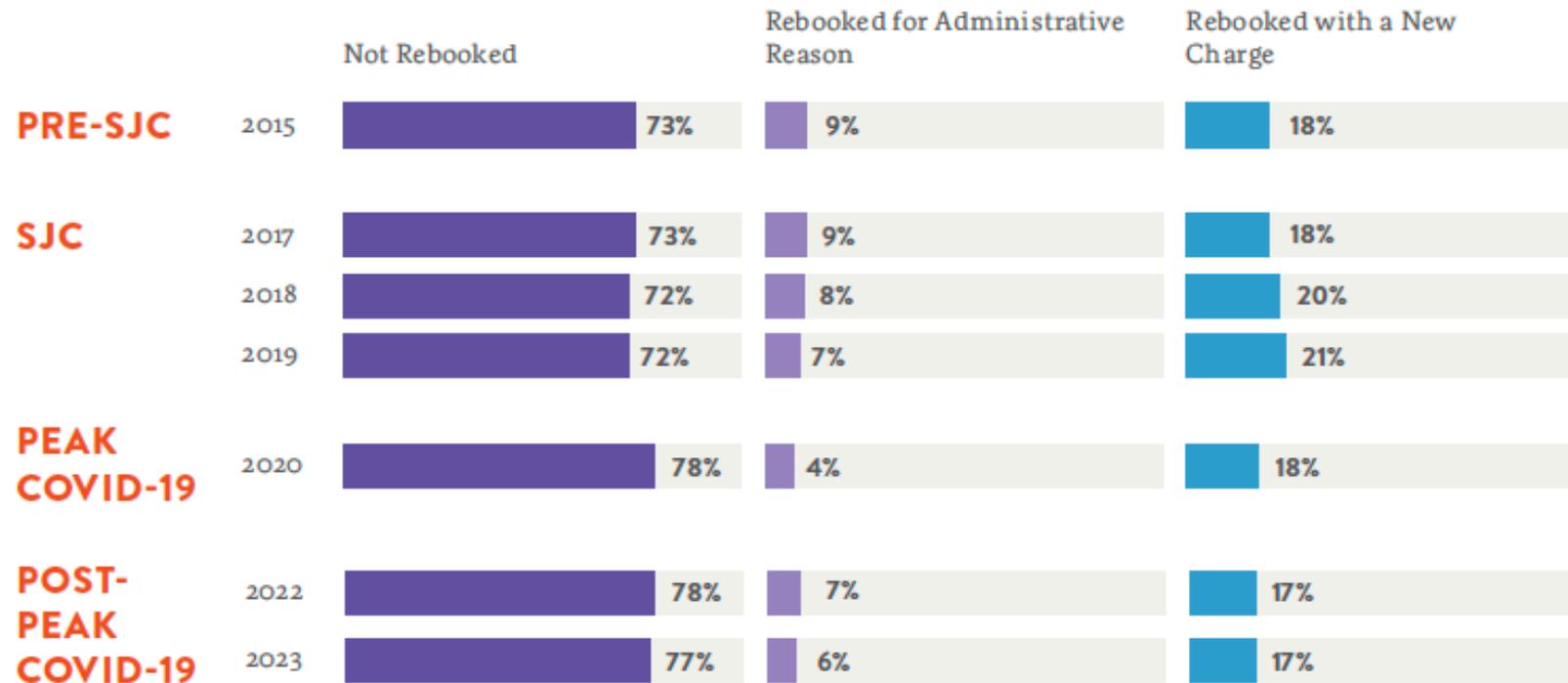
- Reform or replace bail/bond use
 - Pretrial risk assessment
- Improve court appearance rates (e.g automated court date reminders)
- Jail population review teams
- Pretrial supervised release
- Improve first appearance hearings
 - Earlier access to defense counsel

SJC Jail Population Trends Since 2016

Percent Change in Average Daily Population (APD) since 2016
National Comparison



Trends in Pretrial Release Recidivism in SJC Sites



Source: ISLG (2024): Lowering Jail Populations Safely Before, During and After COVID-19

For many, the “headline” of the Pretrial Fairness Act was the **elimination of cash bail**

But, the PFA also restricts **eligibility for pre-trial detention**, requires a **petition to detain** filed by the State’s Attorneys to initiate the detention process, and requires a judicial **decision to detain**

Eligibility for detention

Public Safety Consideration

- Non-probationable felonies
- Forcible felonies
- Weapons offenses
- Domestic Battery/Viol. Order of Protection

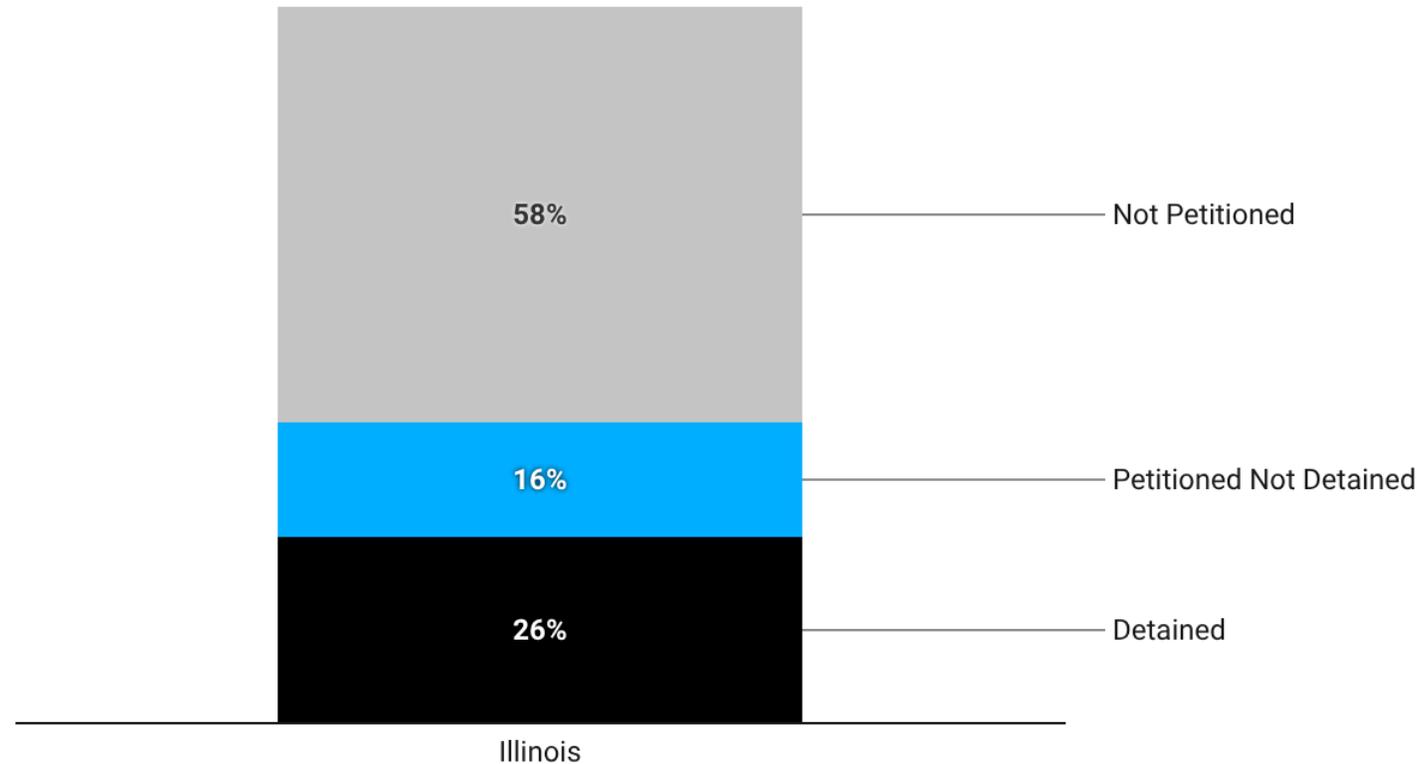
Willful Flight Consideration

- Class 1, 2, 3 Felonies

Non-Detainable

- Class 4 Felonies and all non-DV misdemeanors

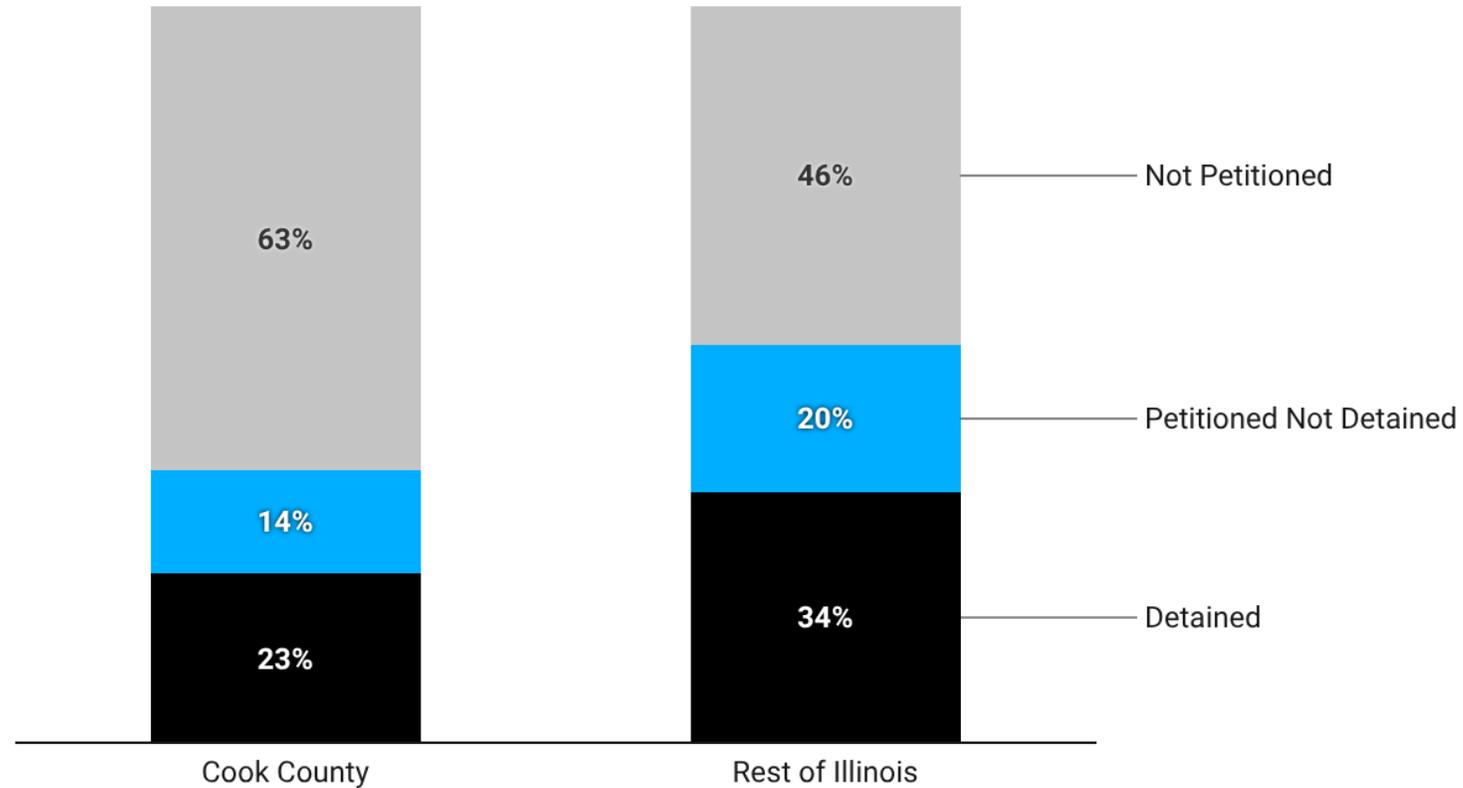
Of 63,000+ detainable cases filed in 88 counties post-PFA, 58% of defendants did not have a petition to detain filed, 16% were petitioned but not detained, & 26% were detained.



"Detainable cases" includes only cases detainable under the public safety consideration.

Source: Loyola Center for Criminal Justice Analyses of data from the Office of Statewide Pretrial Services for 82 counties, and 6 other counties, September 18, 2023 through June 2025. Data for September 18, 2023 through June 2025 except Cook (through April 2025).

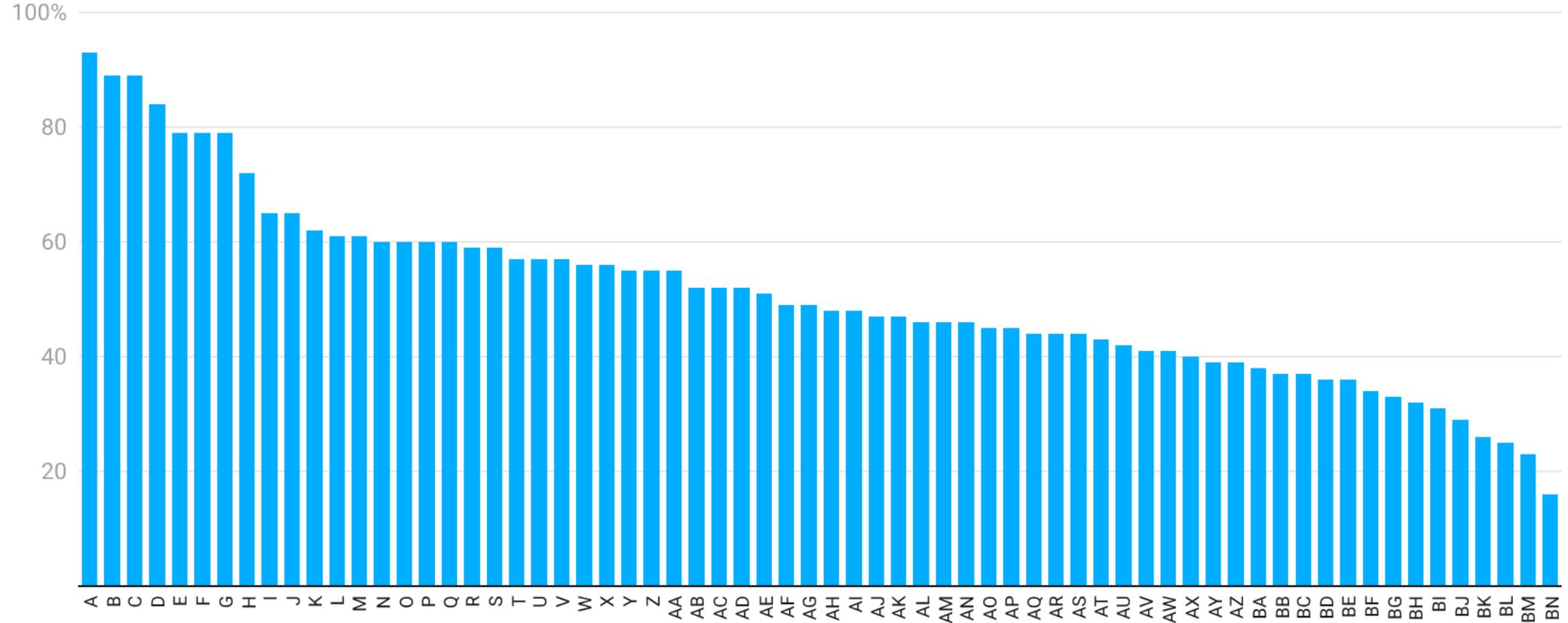
Of the detainable cases filed in Cook County, a larger share of defendants did not have a petition to detain filed and, as a result, a smaller share were detained.



"Detainable cases" includes only cases detainable under the public safety consideration.

Source: Loyola Center for Criminal Justice Analyses of data from the Office of Statewide Pretrial Services for 82 counties, and 6 other counties. Data for September 18, 2023 through December 2025.

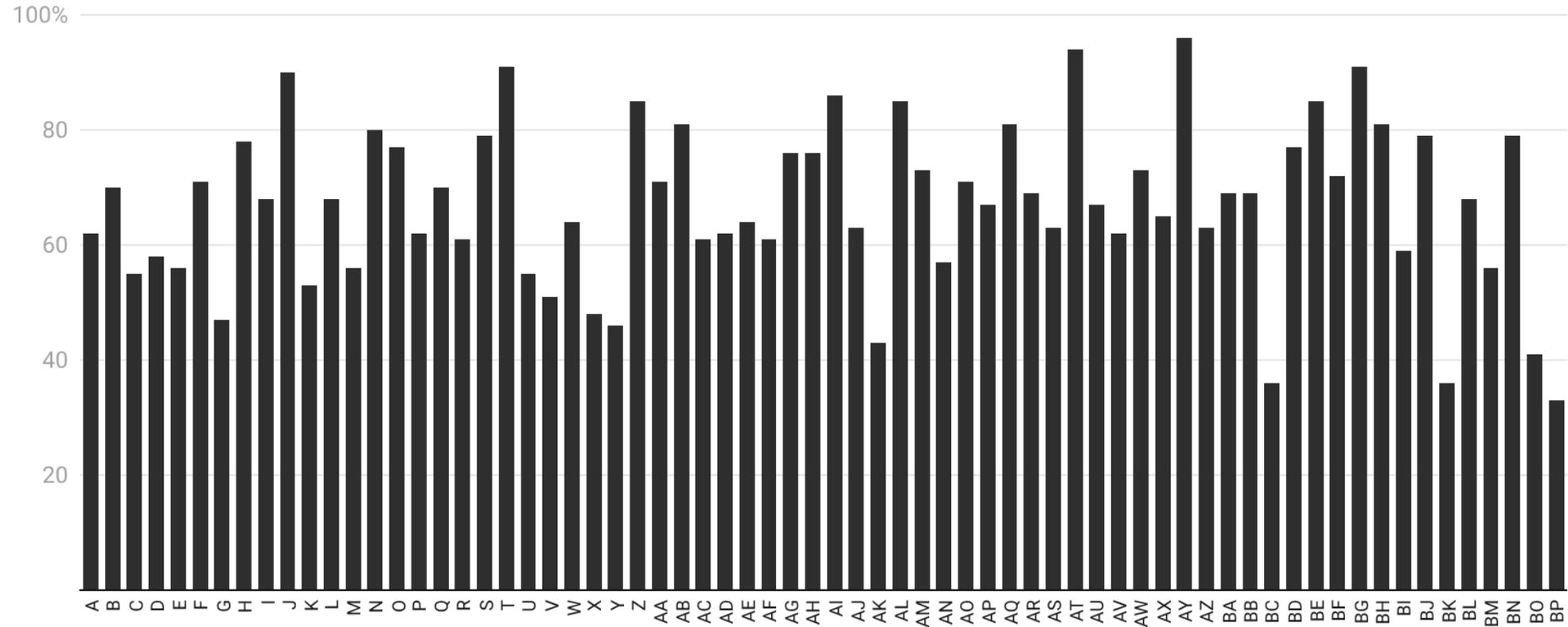
Across 68 counties with 50+ detention-eligible cases, the percent petitioned (i.e., detention sought) ranged from 80%+ in some counties to under 30% in others.



"Detainable cases" includes only cases with a charge detainable under the public safety consideration.

Source: Loyola Center for Criminal Justice Analyses of data from the Office of Statewide Pretrial Services and other counties. Data for September 18, 2023 through June 2025 except Cook (through April 2025).

Across 68 counties with 50+ detention-eligible cases, the percent petitioned who were detained (i.e., success) ranged from 80%+ in some counties to under 50% in others



"Detainable cases" includes only cases with a charge detainable under the public safety consideration.

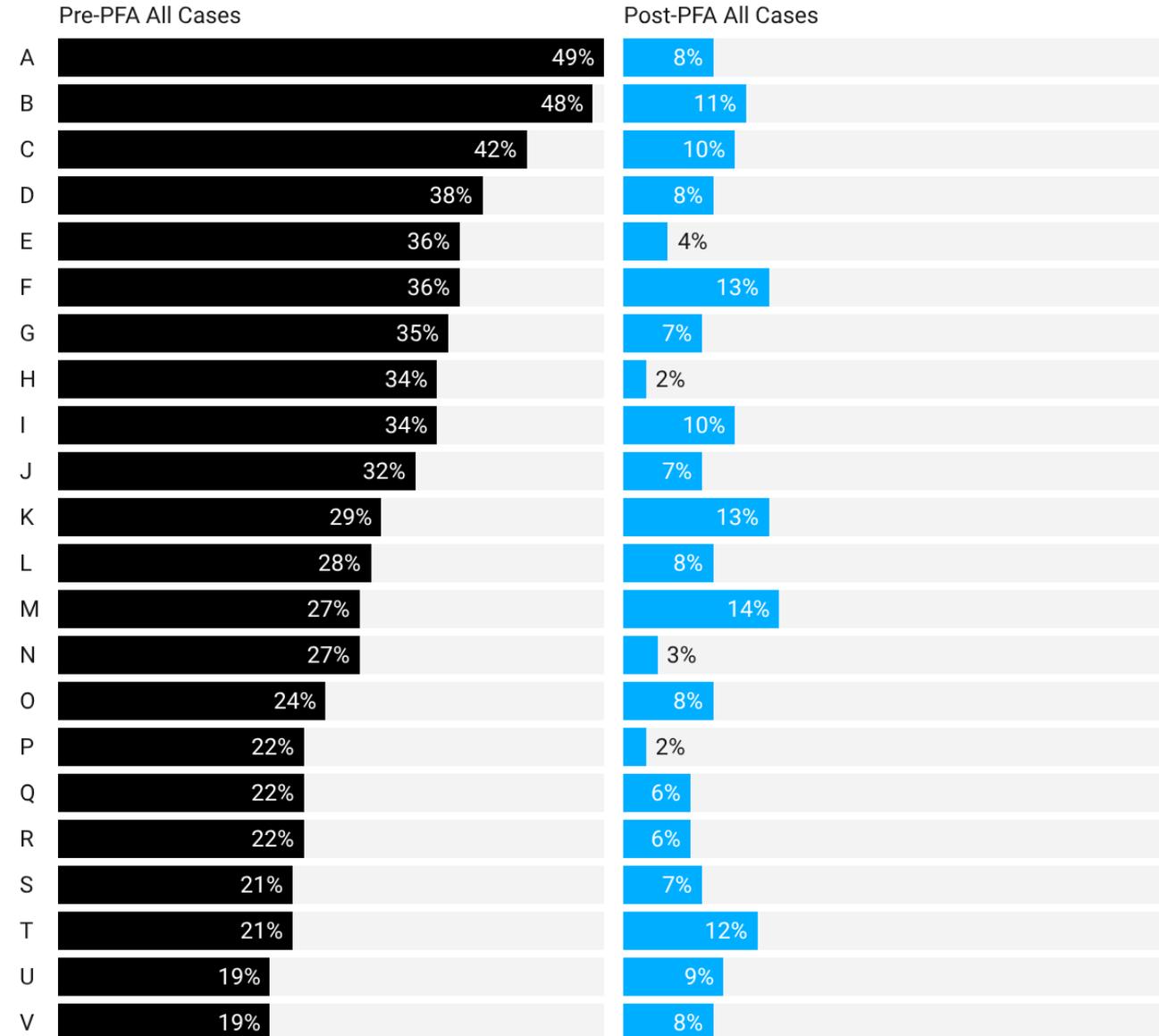
Source: Loyola Center for Criminal Justice Analyses of data from the Office of Statewide Pretrial Services and other counties. Data for September 18, 2023 through June 2025 except Cook (through April 2025).

When looking at all cases, the percent of defendants detained decreased markedly

In most counties, the percent of cases detained dropped below 10% after the PFA

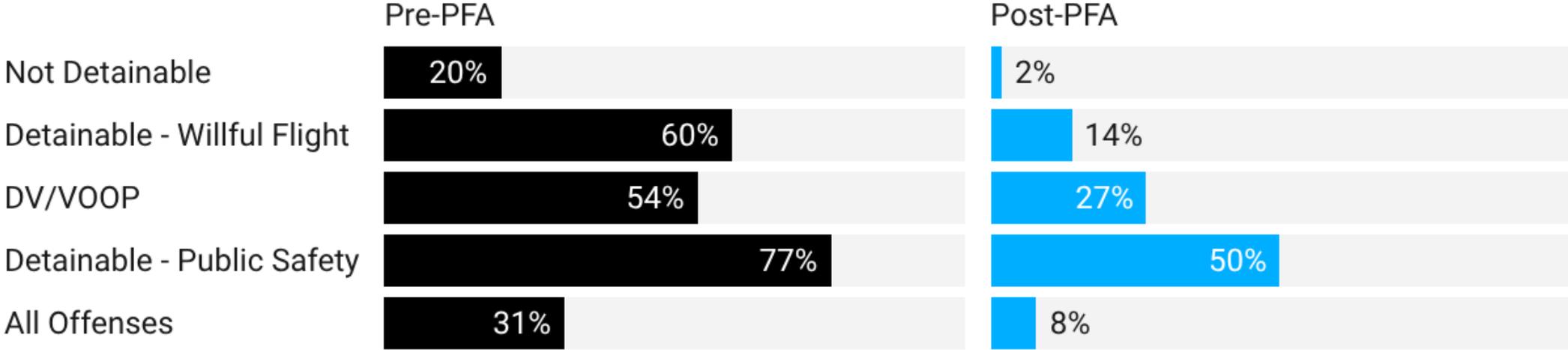
Across 22 counties, overall detention rates decreased markedly after the PFA.

This chart shows the percent of defendants detained for more than 3 days after the initial hearing (pre-PFA) or detained at the initial hearing (post-PFA) for any offense.



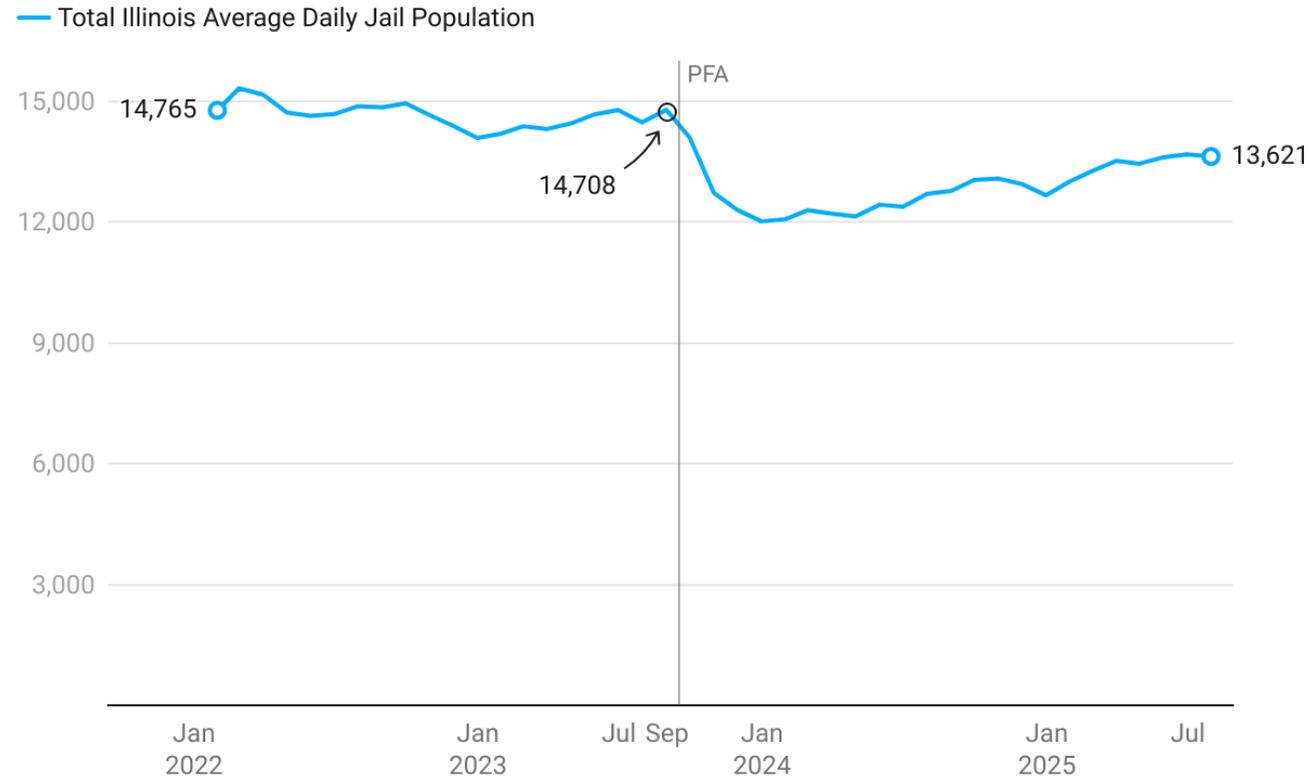
The percent of defendants detained decreased markedly for all defendant groups. The overall detention rate across 22 counties decreased from 31% to 8% after the PFA.

This chart shows the percent of defendants detained for more than 3 days after the initial hearing (pre-PFA) or detained at the initial hearing (post-PFA)



For many advocates, the goal of the PFA was to
reduce the number of defendants held in jail
pretrial, or change the composition of who is in jail
to reflect more serious charges and individuals who
pose a threat to public safety

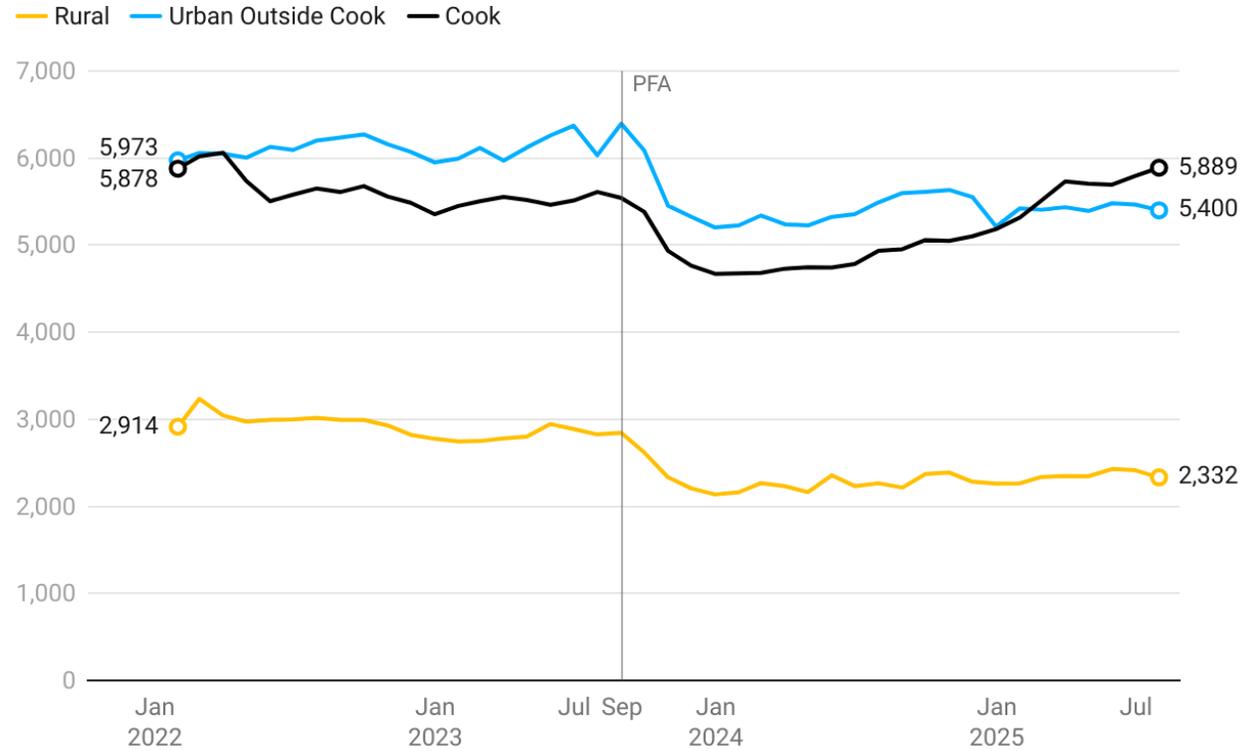
Overall, the average pre-trial jail population in Illinois fell 15% shortly after the PFA went into effect and remains 7% lower than pre-PFA levels as of July 2025



Comparison of Jan-May 2023 (pre) average vs. Jan-May 2024 (post) average shows 15% decrease (down 2,170 individuals). Comparison of Jan-July 2023 (pre) average vs. Jan-July 2025 (post) average shows 7% decrease (down 1,013 individuals); July 2023 vs. July 2025 shows a 6% decrease.

Source: Loyola's Center for Criminal Justice analyses of monthly average daily jail population data provided by the Illinois Department of Corrections' Jail and Detention Standards Unit and obtained from the Lake County and Cook County jails.

Pretrial jail populations fell after the PFA went into effect and remained down 17% in rural counties and 11% in urban counties outside Cook. Cook County jail populations initially fell but rebounded and were up 2% as of July 2025

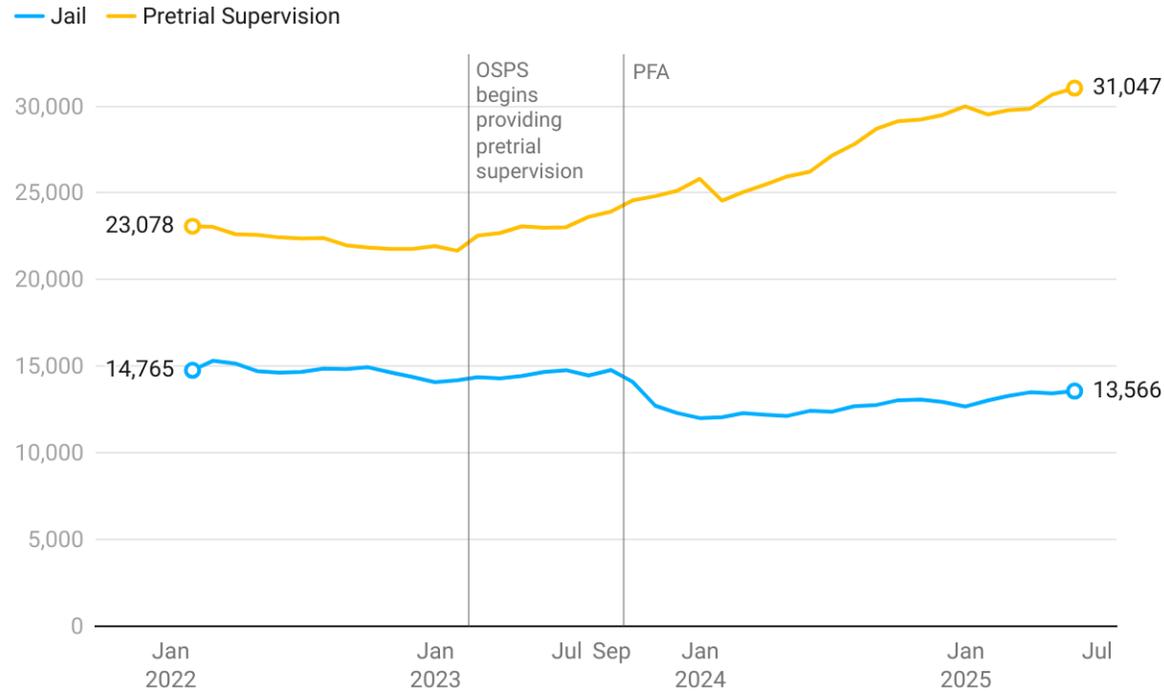


Comparison of Jan-July 2023 (pre) average vs. Jan-July 2025 (post) average; Comparison of July 2023 vs. July 2025 saw rural jail populations down 17%, urban counties outside Cook County down 10% and the Cook County jail population up 5%.

Source: Loyola's Center for Criminal Justice analyses of data provided by the Illinois Department of Corrections' Jail and Detention Standards Unit and supplemental data from Cook and Lake County

Monthly pretrial jail populations have fallen 7% since the PFA went into effect, but pretrial supervision populations have risen 33% during the same period.

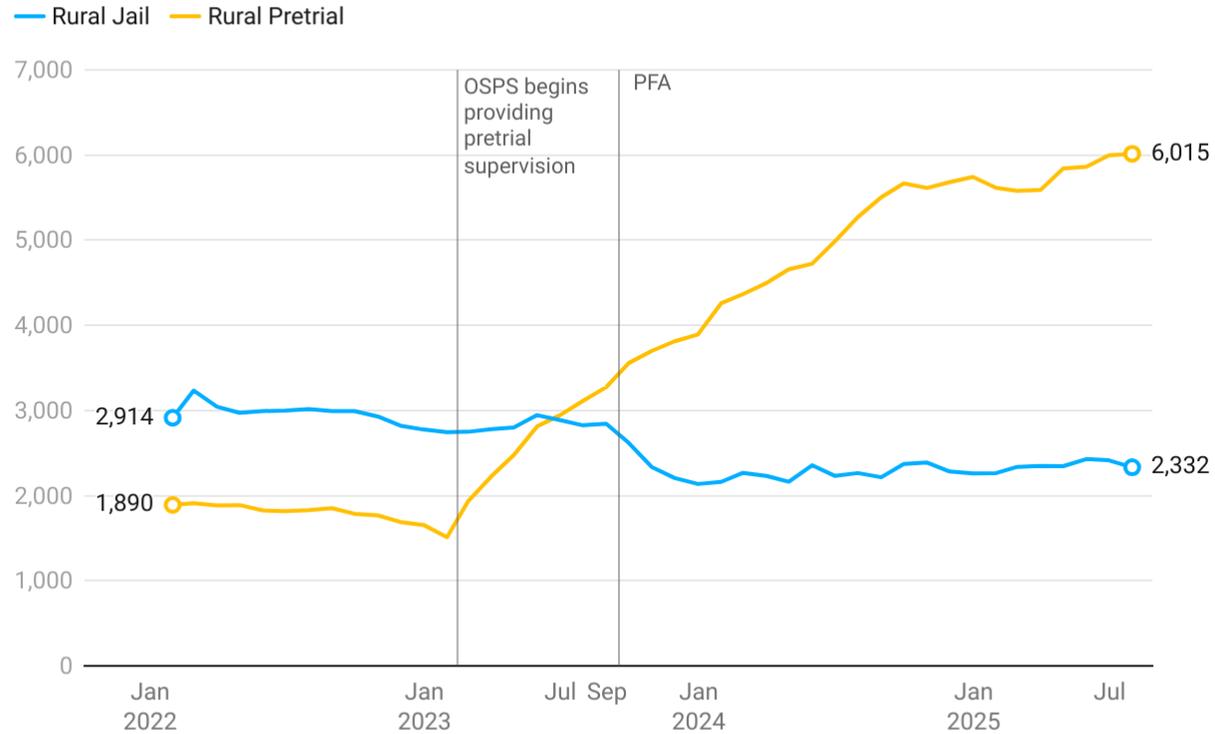
Overall, jail populations decreased by 1,030 people between the implementation of the PFA and July 2025. During the same period, pretrial supervision populations increased by 7,500 people.



Comparison of Jan-July 2023 (pre) average vs. Jan-July 2025 (post) average for jail populations shows a 7% decrease; comparison of July 2023 (pre) vs. July 2025 (post) shows a 6% decrease in jail populations and a 31% increase in pretrial supervision populations. Pretrial supervision populations include supervision by pretrial service officers plus Cook County Sheriff's Electronic Monitoring program.

Source: Loyola's Center for Criminal Justice analyses of monthly average daily jail population data provided by the Illinois Department of Corrections' Jail and Detention Standards Unit and obtained from the Lake County and Cook County jails, plus pretrial supervision populations from AOIC & OSPS.

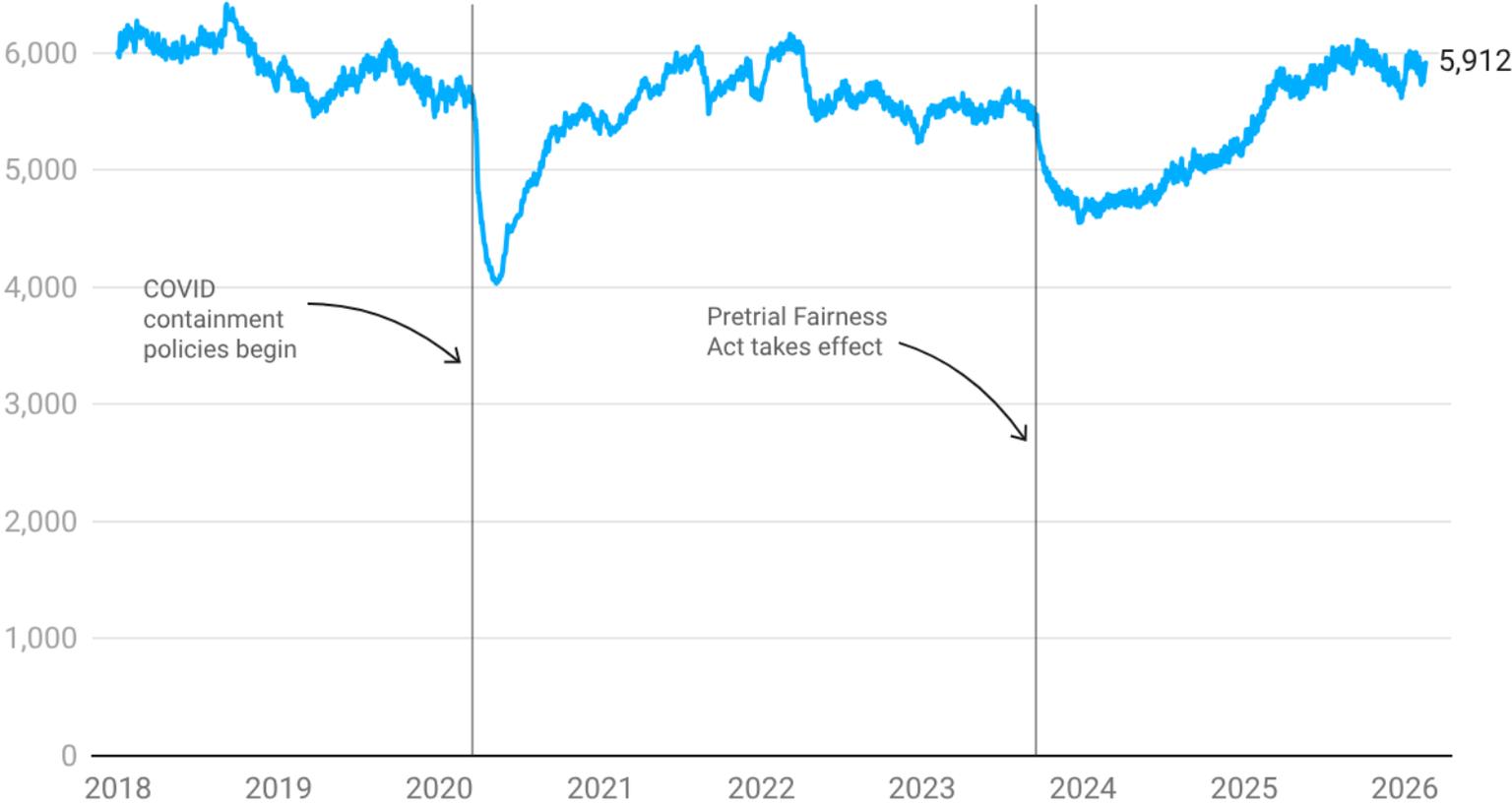
In rural counties, monthly pretrial jail populations fell 17% (477 fewer people) but pretrial supervision populations rose 138% (3,355 more people) since OSPS was created and the PFA went into effect (as of July 2025)



Comparison of Jan-July 2023 (pre) average vs. Jan-July 2025 (post) average for jail populations shows a 17% decrease; comparison of July 2023 (pre) vs. July 2025 (post) shows a 17% decrease in jail populations and a 138% increase in pretrial supervision populations based on Jan-July averages and a 93% increase based on July comparisons. Pretrial supervision populations include supervision by county pretrial plus OSPS.

Source: Loyola's Center for Criminal Justice analyses of monthly average daily jail population data provided by the Illinois Department of Corrections' Jail and Detention Standards Unit plus pretrial supervision populations from AOIC & OSPS.

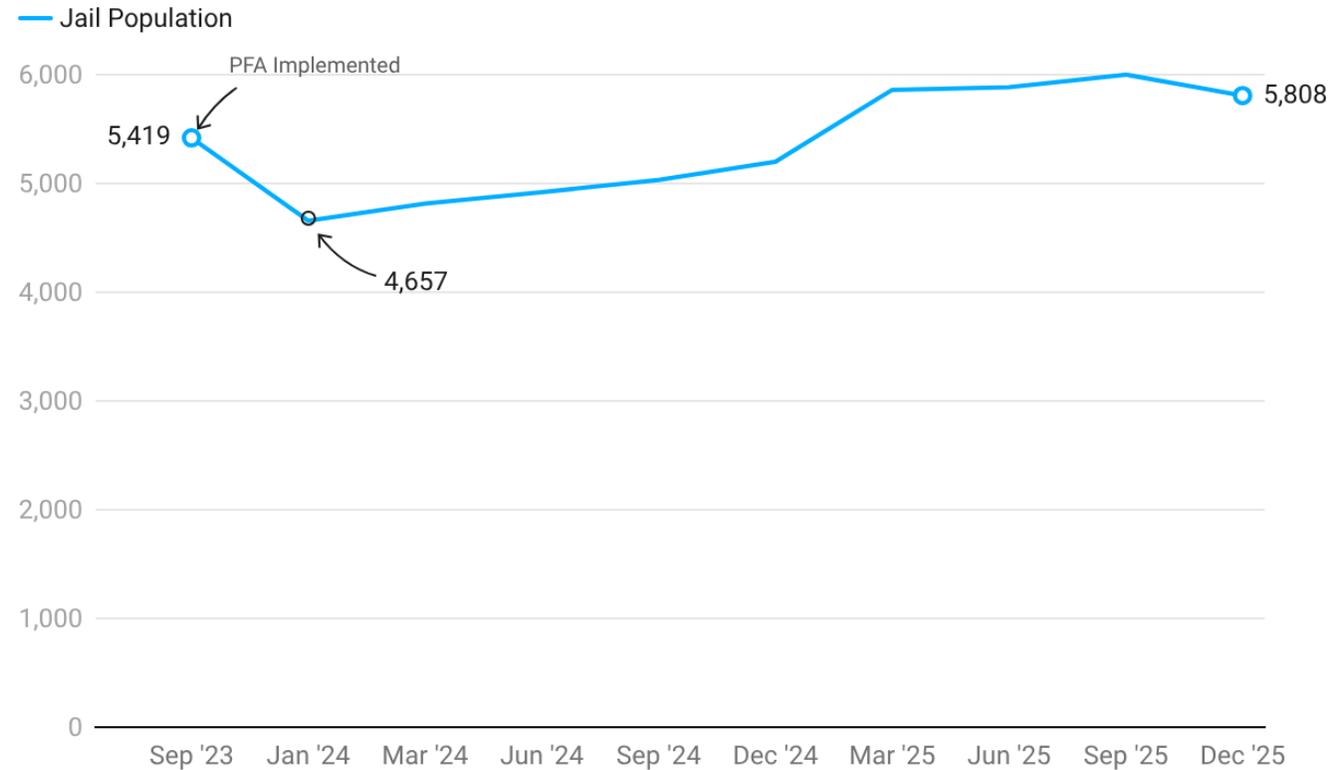
The current population of the Cook County Jail is back to the level it was in early 2022.



We use a technique called git scraping to update this data. The Github repo can be found here.

Chart: Branden DuPont & Don Stemen Loyola Center for Criminal Justice • Source: Cook County Sheriff's Office Jail Population Data Archive

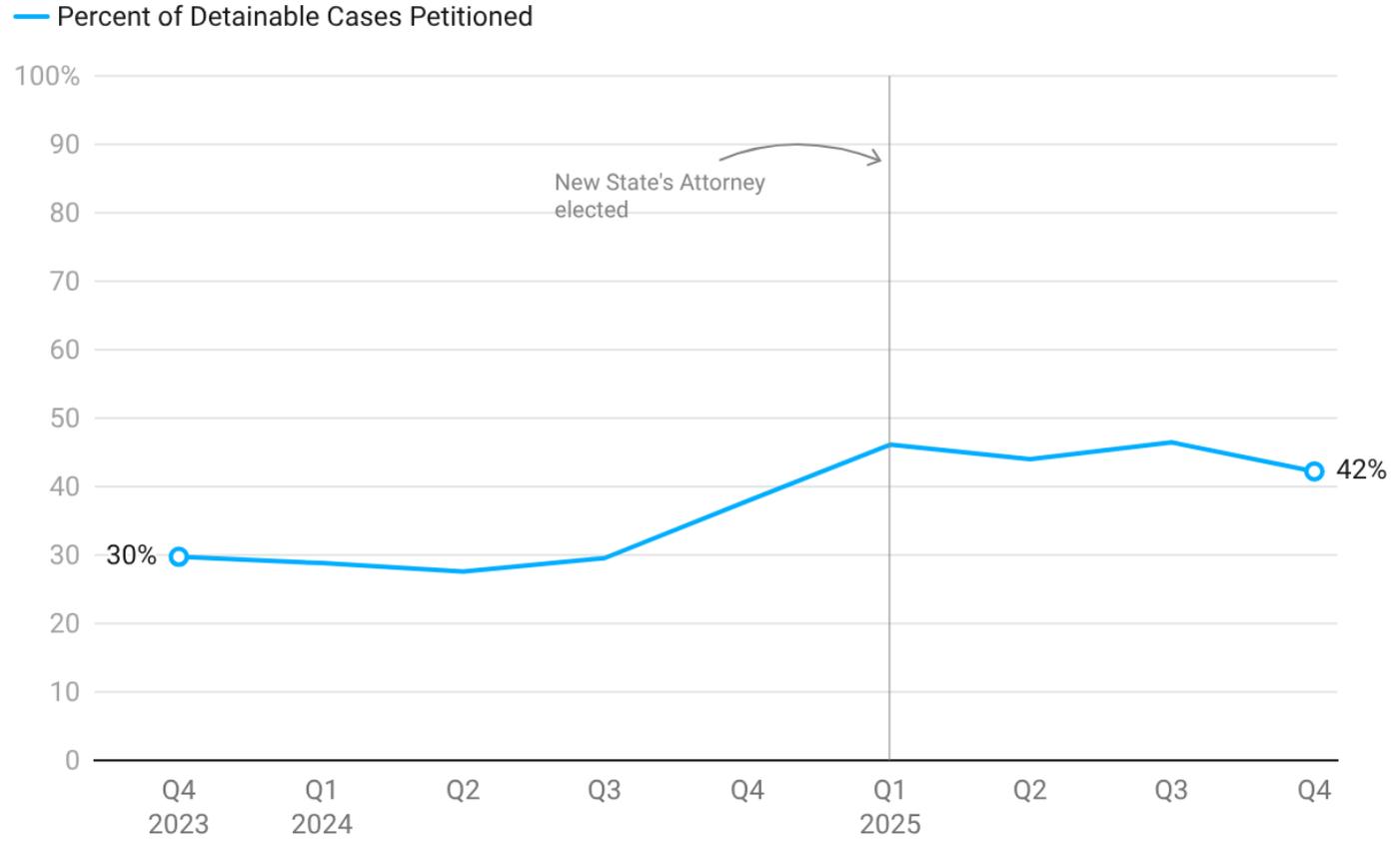
After initially decreasing following the implementation of the PFA, the Cook County jail population increased 25% between January 2024 and December 2025.



Numbers in the chart represent the number of people in the jail at the end of each month. The only exceptions are September 2023 - the number represents the number of people in jail on September 17, 2023 the day before the implementation of the PFA - and January 2024 - the number represents the number of people in jail on December 31, 2023, so an estimate of the number people in jail at the start of the day January 1, 2024.

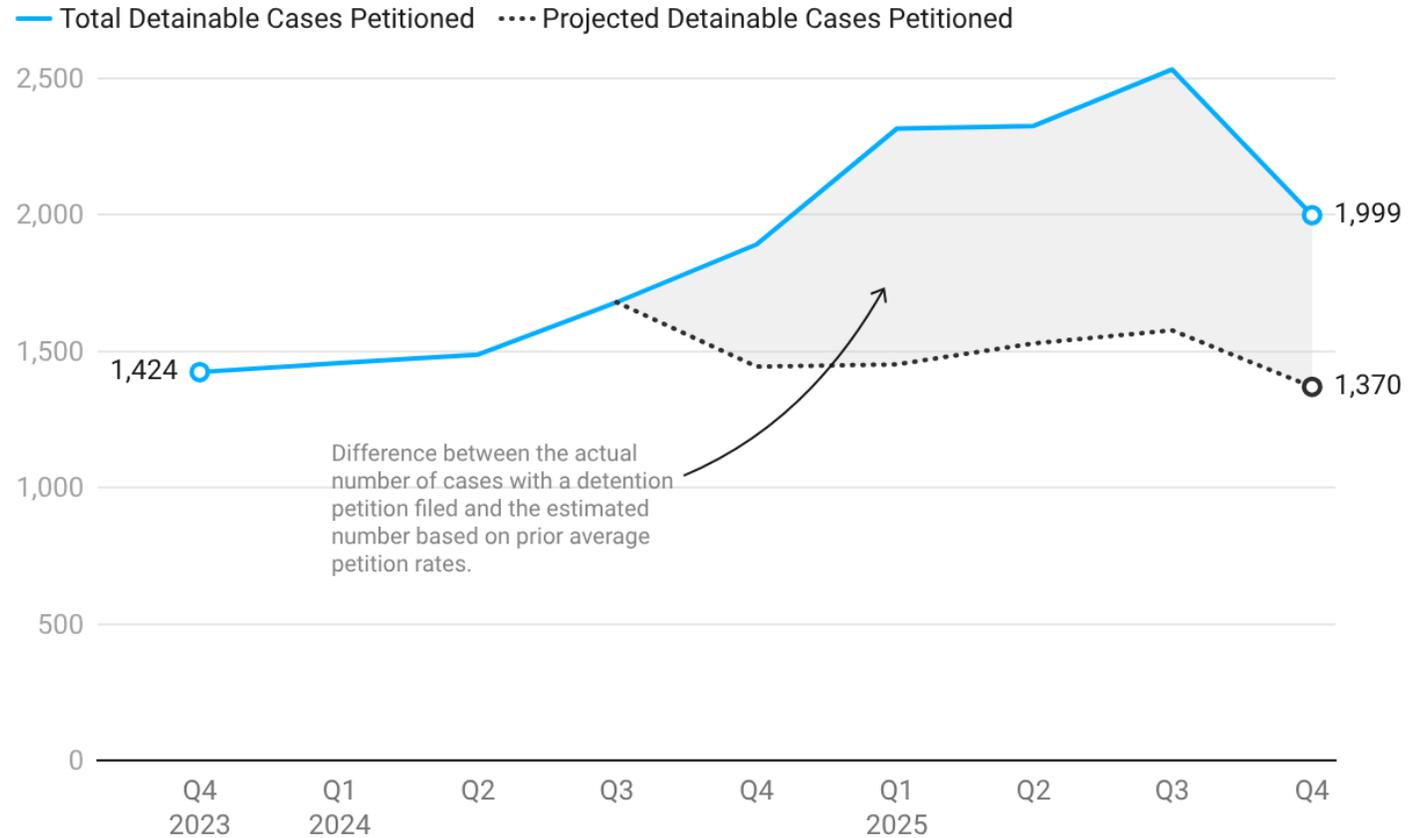
Source: Loyola University Chicago Cook County Jail Tracker

In Cook County, the percent of detainable cases in which the state's attorney filed a petition to detain increased from 30% at the end of 2023 to 42-46% in 2025.



Detainable cases includes all cases detainable under the PFA's public safety consideration.
Source: Cook County Criminal Justice Data Dashboard

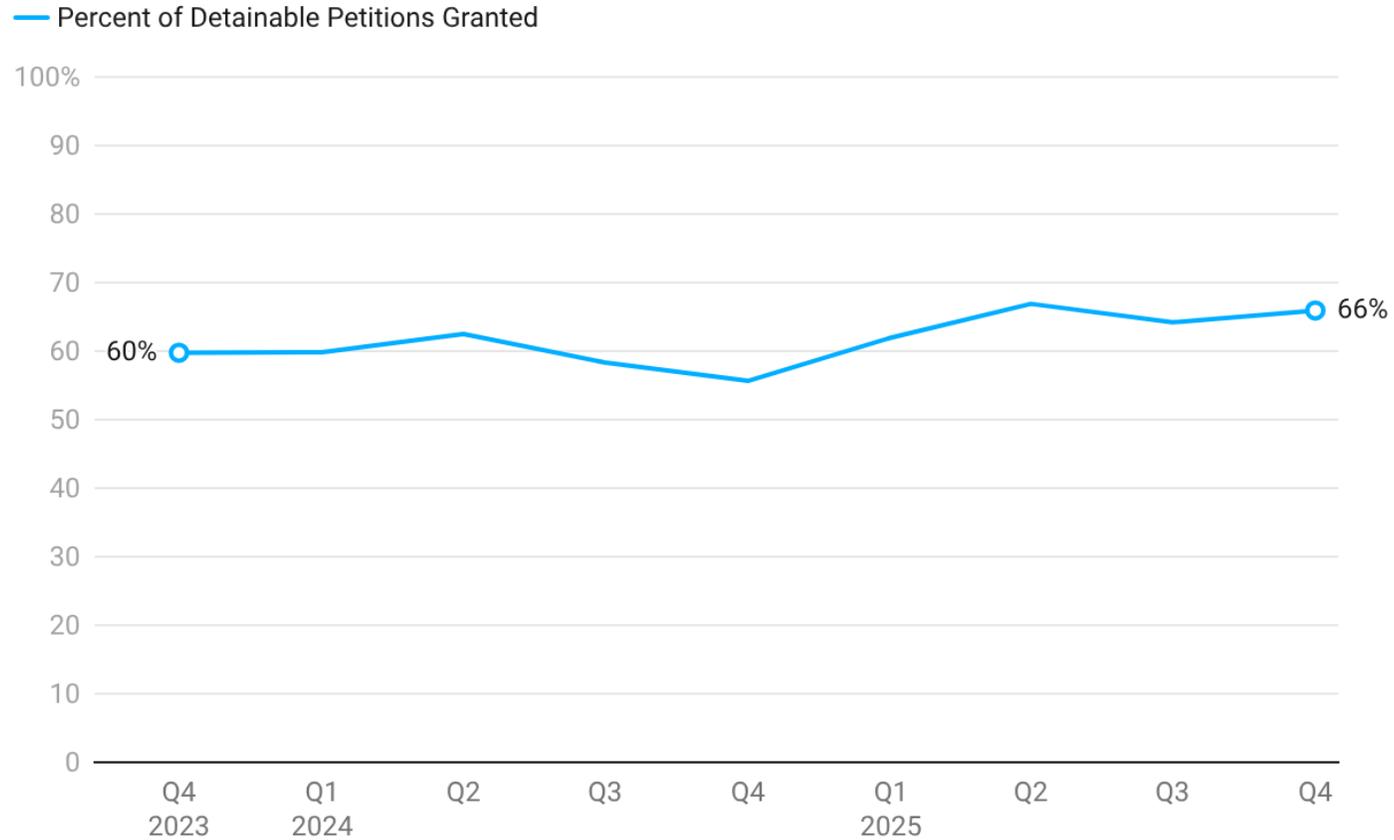
There were significantly more cases with a petition to detain than expected at then end of 2024 and the beginning of 2025.



Detainable cases includes all cases detainable under the PFA's public safety consideration.

Source: Cook County Criminal Justice Data Dashboard

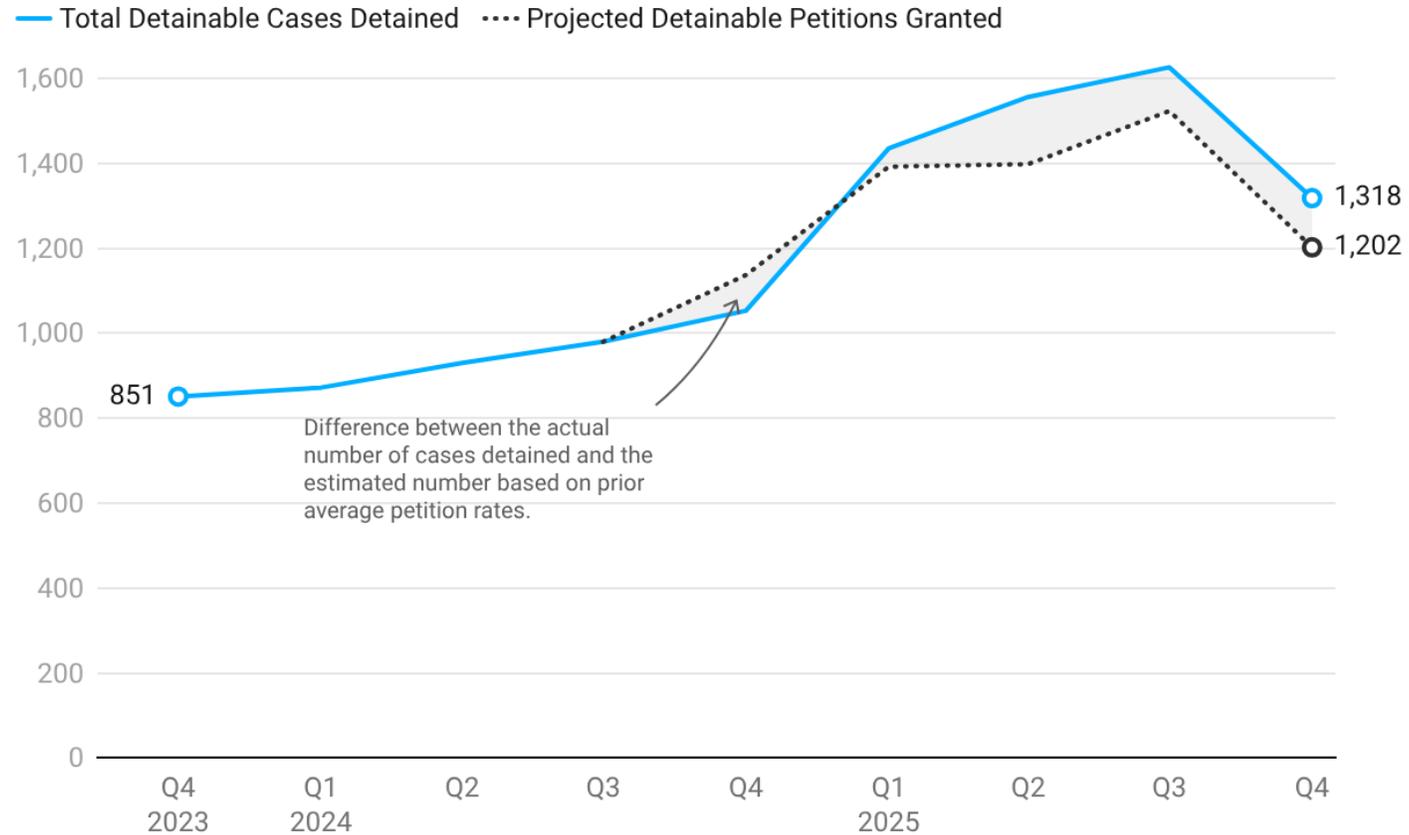
In Cook County, the percent of "successful" petitions to detain that resulted in detention increased from 60% at the end of 2023 to 66-67% in 2025.



Detainable cases includes all cases detainable under the PFA's public safety consideration.

Source: Cook County Criminal Justice Data Dashboard

There were fewer cases detained at the end of 2024 than expected; however, there were more cases detained in 2025 than expected.

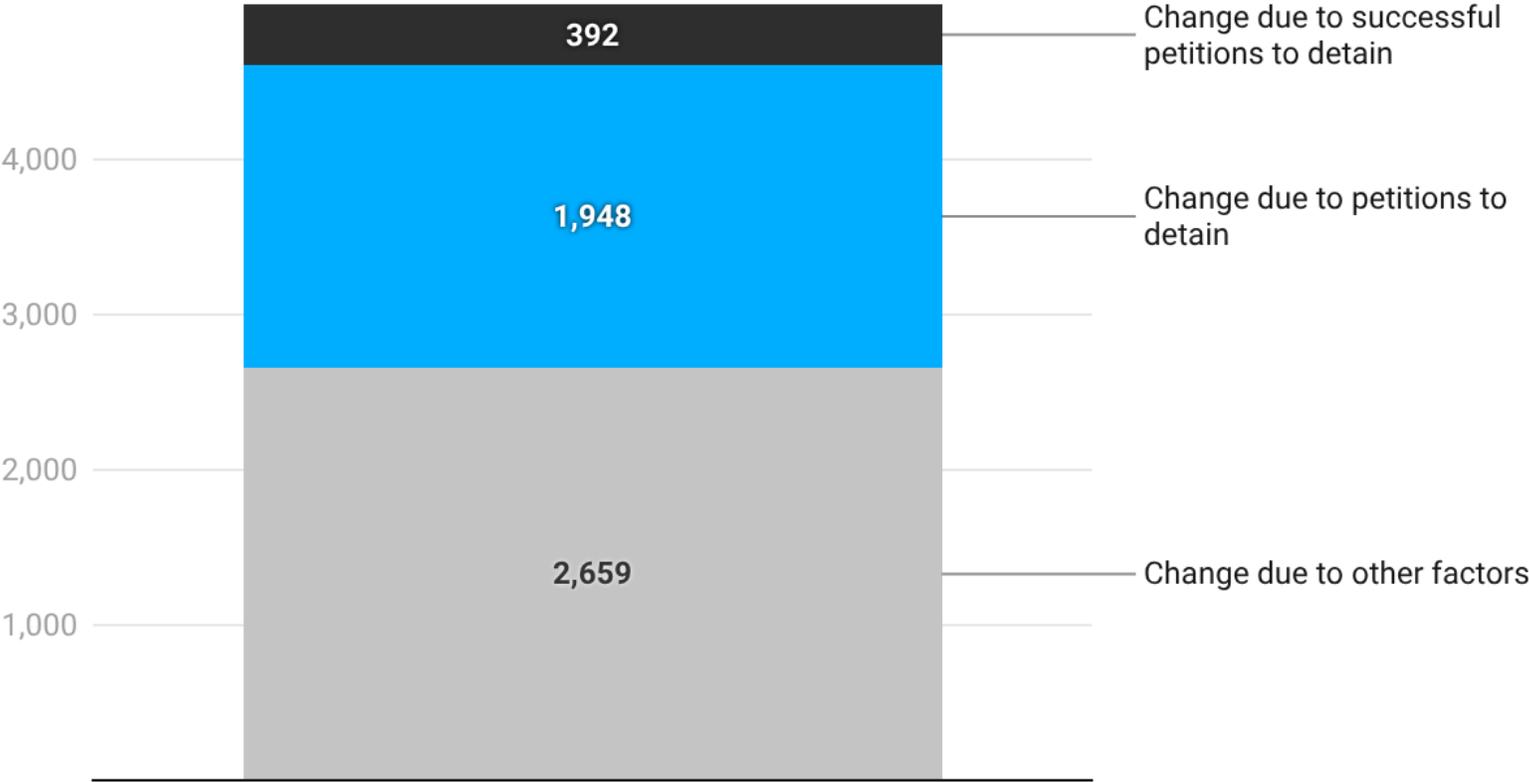


Detainable cases includes all cases detainable under the PFA's public safety consideration

Source: Cook County Criminal Justice Data Dashboard

Changes in petitions to detain and successful petitions to detain for cases detainable under the public safety consideration account for 46% (2,340 admissions) of the change in jail admissions in the first three quarters of 2025.

The remaining 54% is due to changes related to other non-detainable cases.



What other factors are driving the increased admissions to Cook County jail?

Willful flight cases

- Increases in cases filed, petitions to detain, and successful petitions for willful flight account for **~3% of admissions**

Revocations of probation and warrants

- Revocations of probation, IDOC Mandatory Supervised Release warrants, or warrants from other jurisdictions account for **~19% of admissions**

Sanctions or revocations from pretrial release

- Increases in the number of people sanctioned for FTAs or revoked from pretrial release account for **~37% of admissions**



Loyola University Chicago's Center for Criminal Justice

- Co-Directed by David E. Olson (dolson1@luc.edu), Ph.D., & Don Stemen, Ph.D (dstemen@luc.edu)
- Full-Time Staff includes Amanda Ward, Ph.D., Assistant Research Professor, Patrick Griffin, J.D., Director of Policy and Communication, and Letitia Monreal, M.A., Research Analyst



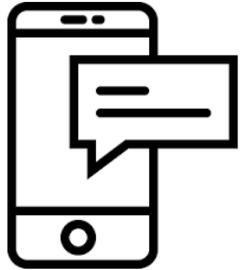
SafetyAndJusticeChallenge.org



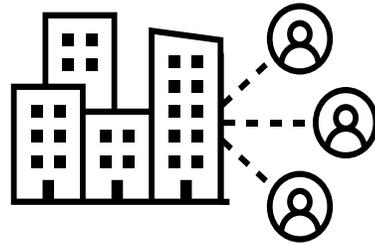
MISSOULA

MUNICIPAL COURT

PASS *(Pretrial Assistance to Support Success)*



Court Date
Notifications



Community-based
Referrals



Supportive
Services



Light-touch
Case Management

TIER 1

- No evidence or history of FTA
- Self-reported stable residence
- Low-risk defendants

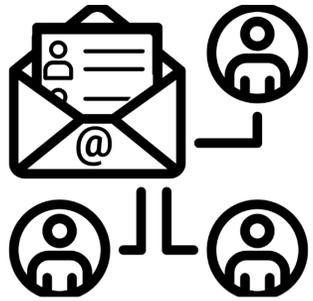
TIER 2

- 3 or fewer FTAs in last 2 years
- Unstable or temporary housing
- Monthly check-ins with PASS staff
- Moderate-risk defendants

TIER 3

- More than 3 FTAs in last 2 years
- Unstable or temporary housing
- Twice monthly check-ins with PASS staff
- Higher risk defendants

The Process:



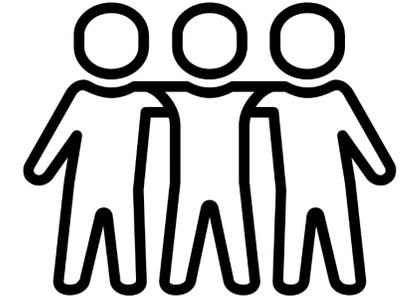
*Priority Defendant List is shared with MCES providers



MCES Providers inform clients about ComMUNItY Court



Defendants appear virtually with a Public Defender.

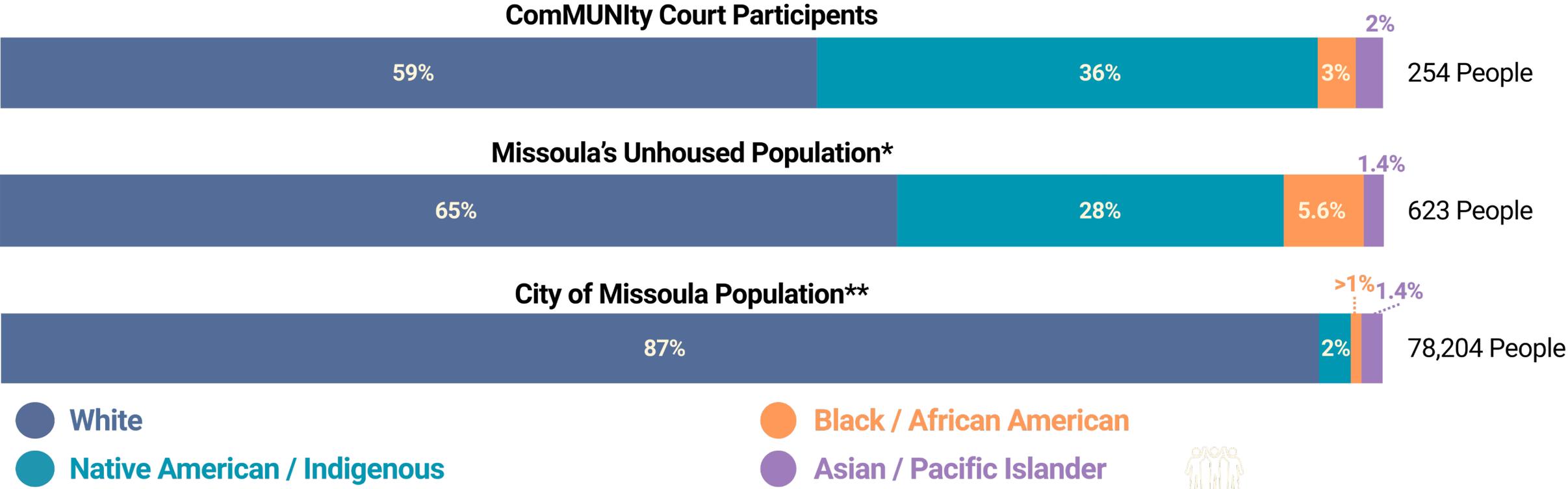


Defendants meet with the pretrial support team (PASS) and other community resources

*The **Priority Defendant List** identifies defendants with outstanding warrants or new charges by cross-referencing court records with the **Missoula Coordinated Entry System's (MCES)** list of currently unhoused individuals.

Who is Appearing in ComMUNItY Court?

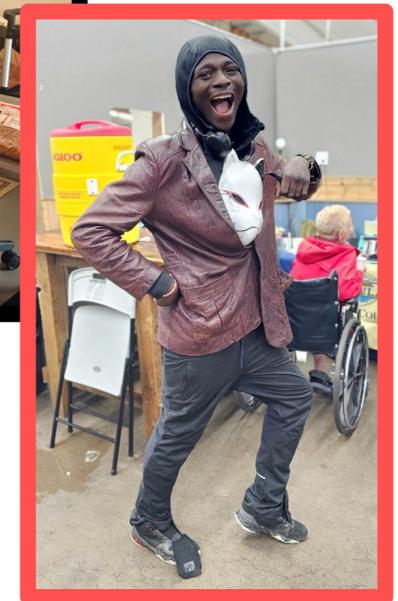
A comparison of Racial Demographics in Missoula



*Missoula Coordinated Entry System, January 2026
**US Census Data; July 1, 2024

“You people have all been very helpful and appreciate all the help, treating me like a person is the main thing. Most people look at me like I'm less-than.”

~ Participant



“Very grateful to have resources here. If I didn't come, my friends would not have [resources] either. I brought five friends here today!”

~Participant

COMMUNITY COURT

"Better than any other court appearance I've had. The city really needs to address the homeless problem. Two years ago, I had two jobs and still couldn't afford a place."

~Participant



"I wouldn't have gotten it done if you hadn't shown up."

~Participant



"Very appreciative of Community Court, glad it is at Watershed. Calms the nerves to not be in courthouse. I would like to see the court here at Watershed more often."

~Participant

Local Lessons on Rethinking Jail Use

Webinar Series

- January 21: Pretrial Detention and Release
- March 12: Prompt Resolution of Cases
- March 26: The Future of Local Justice Innovation



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