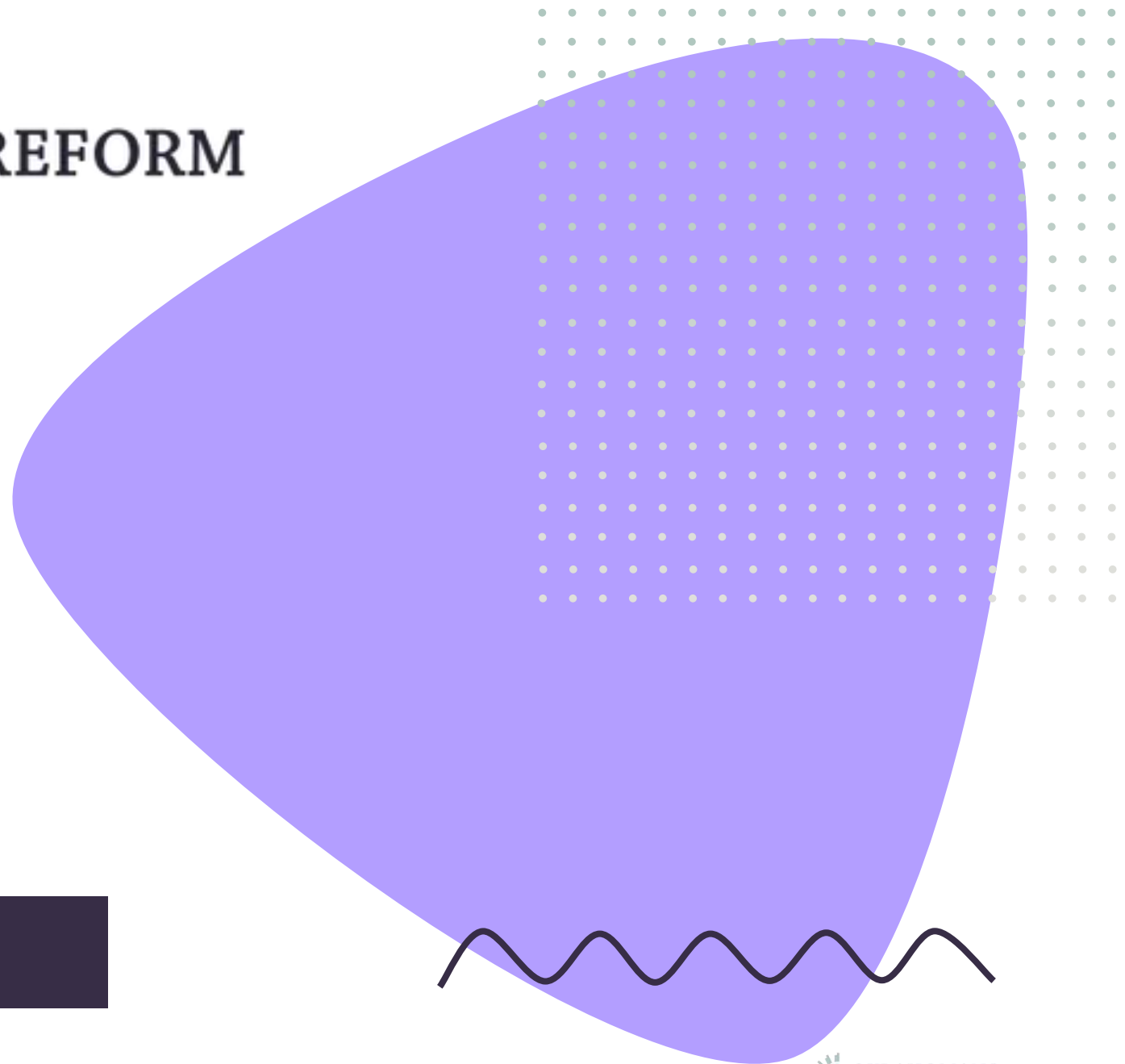




OKLAHOMANS *for*
CRIMINAL JUSTICE REFORM

The Hidden Costs of Pretrial Detention

Michael Olson - Policy Counsel



Costs to the Individual

TABLE 2: EMPLOYMENT

Variable	<3 days		3 days +	
	N	%	N	%
Employed prior to arrest (% yes)***	502	76.5%	184	62.6%
Employed now (% yes)***	472	71.8%	143	48.6%
If employed now, same place (% yes)***	430	94.1%	111	79.9%
If at same place, consequences (% yes)***	127	28.7%	62	50.8%

TABLE 4. RESIDENTIAL

Variable	<3 days		3 days +	
	N	%	N	%
Prior residential stability***				
No/mild issues	580	88.3%	211	71.8%
Moderate to unmanageable	77	11.7%	83	28.2%
Current residential situation***				
No/mild issues	479	73.0%	177	60.4%
Moderate to unmanageable	177	27.0%	116	39.6%

Immediate Economic Harms

- Job loss and employment consequences
- Wage Reductions: Pretrial detention reduces formal sector earnings by \$948 per year (Dobbie, Goldin, & Yang (2018)).
- People who have been incarcerated more than once are 13 times more likely than the general public to experience homelessness (Urban Institute, 2018)
- Jails are high risk settings for infectious diseases: 14% of jail prisoners have an infectious disease compared to 1% of the general population. (Maner M, Omori M (2022)).

Costs to the Individual - Downstream

Reduced Future Earnings

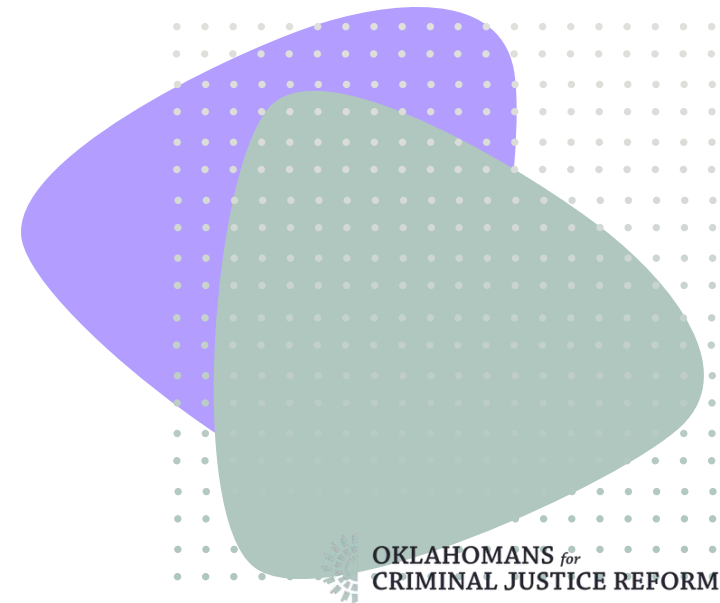
- Pretrial detention decreases the probability of employment in the formal labor market three to four years after the bail hearing by 9.4% (Yang 2018).

Increased Risk of Insolvency

- After three years individuals detained pretrial were over 16% more likely to experience an insolvency event (Slutzky & Xu, 2025).

Intergenerational Effects

- Family income for children is highly associated with future incarceration. There are more individuals in prison coming from the poorest 1% of families than the top 15% of wealthiest families combined. (Brookings Institute, 2018).



Costs to Society - Direct Costs

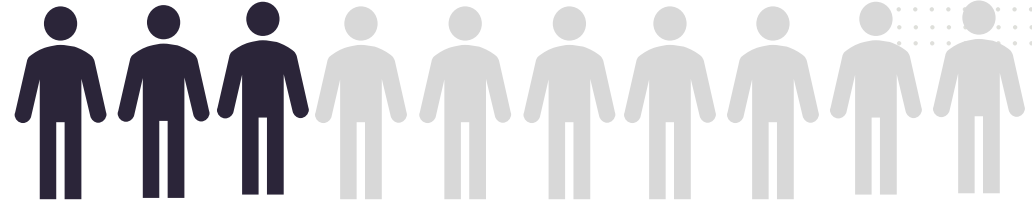
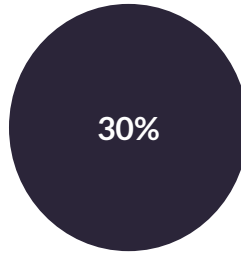
The actual daily cost of a jail detainee is anywhere from \$50 to \$75 dollars depending on the estimate. (Oklahoma Watch; NonDoc; Wiseman, Yale Law Journal (2014)).

34% of cases in which the person was released were dismissed, the dismissal rate was just 19% for people who were detained. While people who were unable to pay bail within seven days of their bail hearings were 25% more likely to be convicted. (Vera Institute, 2019).

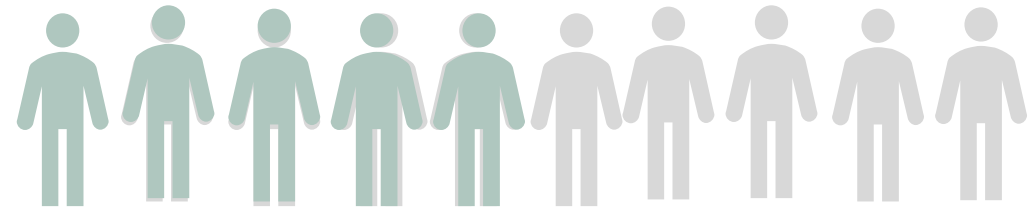
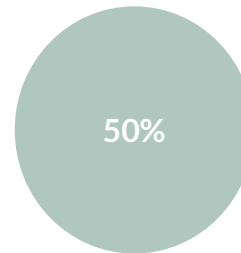
City and County Jail spending accounts for 23% of all corrections dollars spent in the State. This represents a massive opportunity costs to fund other county level essential services (Pew, 2017).



Costs to Society - Indirect Costs



Only 30.8% percent of pretrial detained defendants file a tax return three to four years after the bail hearing, while losing \$1,200 in income annually on average.



50% percent of jail releases wind up in the emergency room within 5 years of release compared to just 18% of the general population (NIH, 2023).

Public Safety Costs &

Pretrial Detention Does Not Lower Crime

There is a short-run incapacitation effect where individuals released pretrial are 7.6% more likely to commit a crime prior to case disposition (Goldin, Yang 2018)).

However, on the back end. Detention increased the share of defendants charged with new misdemeanors by 9.7% at 18 months post-hearing; it also increased the likelihood of any future felony charges by 32.2% (Heaton 2016).

Offense	Cost of Arrest ¹	Cost of Pre-Sentence and Adjudication ²	Cost of Incarceration ³	Victim Cost ⁴	Total Cost
Murder/Non-negligent Homicide	\$17,764	\$15,990	\$27,848	\$1,375,335	\$1,435,507
Rape/Sexual Assault	\$17,764	\$15,990	\$10,994	\$18,840	\$62,159
Aggravated Assault	\$17,764	\$8,710	\$6,502	\$89,495	\$121,042
Simple Assault	\$17,764	\$8,710	\$5,127	\$58,872	\$89,043
Robbery	\$17,764	\$8,710	\$7,236	\$88,598	\$120,878
Burglary	\$3,627	\$8,710	\$1,484	\$779	\$13,171
Larceny/Theft	\$2,675	\$3,640	\$888	\$150	\$7,353
Stolen Property Offenses	\$2,675	\$3,640	\$888	\$498	\$7,701
Drug Offenses	\$2,675	\$8,710	\$998	\$38	\$10,992
MV Theft	\$2,675	\$3,640	\$1,254	\$6,800	\$14,369
Vandalism	\$2,675	\$3,640	\$888	\$212	\$7,415
Arson	\$17,764	\$8,710	\$5,188	\$846	\$31,078
Weapons	\$17,764	\$8,710	\$5,127	\$269	\$30,440

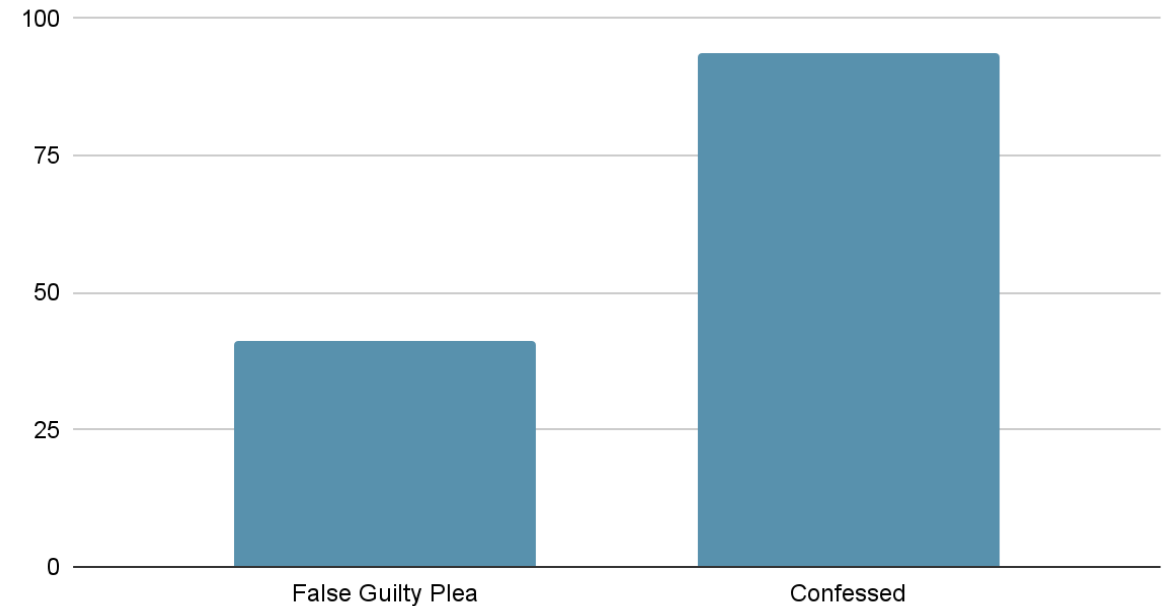
State Prison Increases

Downstream Consequences

One meta-analysis which included 57 studies in the United States from the 1990s to the present finds:

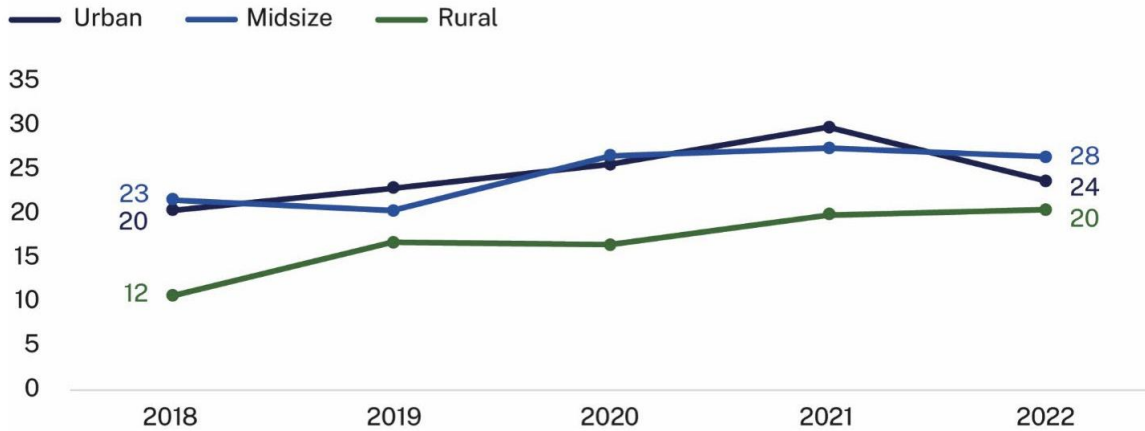
“Across the included studies, detained defendants were much more likely to be incarcerated than released defendants. They also were more likely to be convicted and plead guilty, less likely to have their cases dismissed, and received longer custodial sentences.” (St. Louis, 2024).

Analysis of 375 DNA Exonerations



The Scope of the Problem in Oklahoma.

Average Length of Stay (In Days) 2018 to 2022



Source: Sample of six Oklahoma jails

- In 2019, Oklahoma ranked 11th in the nation for pretrial detention rates. With 75% of individuals not-yet convicted, Oklahoma's pretrial population was 10% higher than the national average. (MODERN Task Force, 2022).
- Individuals who posted bail or bond had the shortest length of stay, ranging from 3 days in rural jails to 5 days in an urban jail. ROR releases had the second shortest length of stay, from an average of 1.5 days in an urban jail and 5 days in rural jails to a high of 11 days in a midsize jail. All other release types had stays of over two weeks to a month. (MODERN Taskforce, 2022).
- In two jail types, midsize and rural, the average length of stay for pretrial releases increased by 37 percent and 60 percent, respectively. (Modern Taskforce, 2022).

Methodology – Estimating Fiscal Impact of Pretrial Detention

Objective: Quantify fiscal impact of pretrial detention in Oklahoma counties.

Counties: Tulsa (urban), Atoka (rural)


Assumptions:

- Pretrial detainees: 70% of jail population (Modern Taskforce, 2022).
- Average Daily Population: Tulsa 1,059; Atoka 74
- Avg Length of Stay: Tulsa 24 days; Atoka 20 days
- Daily Jail Cost: \$66.49 (Oklahoma Watch; NonDoc)
- Annual Taxable Income Loss per detainee: \$1,200 (Dobbie et al. 2018)).
- State Income Tax Rate: 2%
- Sales Tax Rate: 9.05%, applied to 60% of lost income. (Tax Foundation, 2025).

Calculations:

1. Direct jail costs = detainee-days × daily cost
2. Income tax loss = unique detainees × income loss × state tax rate
3. Adjusted sales tax loss = unique detainees × income loss × taxable spending fraction × sales tax rate
4. Total fiscal impact = direct costs + indirect tax losses





County	Direct Jail Costs	Income Tax Loss	Sales Tax Loss	Total Fiscal Impact
Tulsa	\$17,850,690	\$405,684	\$531,280	\$18,787,654
Atoka	\$1,252,680	\$34,164	\$45,486	\$1,332,330



**Pretrial Detention is
costly**

Court processes are **increasing pretrial detention.**

70 Days

In a sample of 13 counties, the average time for case processing increased 70 days from 2019 to 2022. (Modern Taskforce, 2022).

61%

In Roger Mills County the length of time between opening a case and final disposition increased 61% (Modern Taskforce, 2022).

90 Days

In some jurisdictions, appointed counsel is not provided for as long as 90 days after an arrest date. (Modern Taskforce, 2022).

10 Days

In Oklahoma certain discovery items do not need to be disclosed to the defendant until 10 days before trial

652%

From 2017 to 2022 the State saw a 652% increase in the number of individuals waiting for treatment at the Oklahoma Forensic Center (Modern Taskforce, 2022).

Opportunities to Modernize Court Process

Small Reforms; Big Results

- **Speedy Trial Reform:** Ensure that court processes are done in a timely manner, shortening allowable time where necessary, and ensuring that smaller courts and police departments have adequate funding to complete tasks in required time.
- **Discovery Reform:** Allowing meaningful access to discovery earlier in the process will allow better informed plea deals and allow further investigation into the guilt/innocence of the individual.
- **Court Text Reminders:** Provides alternatives to detention while ensuring that individuals go to Court eliminating a primary purpose of pretrial detention.
- **OWS application changes:** Defendants receive the application for indigent defense at differing times during the process.



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Thank you!



