Executive Summary

Awareness

- Over two-thirds of people in Utah consider themselves unfamiliar with the state’s bail system
- 86% of people in Utah have never posted bail for themselves or for someone else
- Over half of those who have posted bail, posted it for an immediate family member

Perception of Fairness

- The percentage of Utahns describing the system as at least somewhat fair decreased by 21 percentage points after the inclusion of additional information regarding the current bail process
- 51% of Utah residents disapprove of the current cash-based pretrial system, with Democrats almost twice as likely as Republicans to feel this way

Support for non-cash bail options

- Most people in Utah (92%) support legislation that would allow for risk assessments in pretrial procedures
- An overwhelming majority of residents believe that the defendant’s risk to public safety should be prioritized over the defendant’s financial situation
- 86% of Utahns believe that judges should options for supervising people before trial beyond cash bail

Sampling Methodology:

- 606 registered voters throughout Utah
- Survey in field: December 22 2017 – January 3, 2018
- Margin of error: + / - 4%
- Respondents were reached via live phone interviews
- Quotas were managed across survey demographics to ensure representative sample
Overall, respondents had a positive perception of the Utah criminal justice system, although the majority of respondents are unfamiliar with bail procedures.

Utah Criminal Justice System Rating

- Excellent: 6%
- Very good: 7%
- Fair: 5%
- Poor: 7%
- Don’t know: 37%
- Excellent: 44%

Bail Procedure Familiarity

- Familiar: 29%
- Unfamiliar: 71%

Q4: Based on what you know or have heard, how would you rate Utah’s criminal justice system?
Q5: How familiar are you with the bail procedures in the state of Utah?
The majority of Utahns have no experience with posting bail, but those who have experience mostly post bail for immediate family.

Q6: Have you ever needed to post bail in any of the following situations?

- Yes
- No

**Experienced Posting Bail**
- Yes: 86%
- No: 14%

**Bail Recipient**
- Immediate Family: 48%
- Extended Family: 25%
- Self: 16%
- Friend: 8%
- Other: 3%

**n = 606, n = 95**
Most people had a reduced perception of the fairness of bail procedure after additional information had been provided.

Q7: As the current procedure has been described, how fair do you view the current court procedures for setting bail in Utah?

Q8: With the additional provided information on Utah’s bail procedure, how fair do you view the current court procedure for setting bail in Utah?

Additional info: “Judges in Utah set a cash bail amount based on the current charge for each defendant. As described by a recent audit of Utah’s cash bail system, “little reliable information about a defendant’s risk of flight or danger to the community is provided to the judges” in order to make a decision on the bail amount. For example, judges do not have access to an arrestee’s criminal history information.”
Approval of a cash-based pretrial system is evenly split, with those disapproving feeling more strongly than those who approve.

Q9: Do you approve or disapprove of a totally cash-based pretrial system?
There is overwhelming support for providing judges with risk assessments and more information on defendants and the potential threat they pose to society.

Q10: Would you support legislation that would provide risk assessments, giving judges more information on defendants and the potential threat they pose to society?

Q11: [IF YES on Q10] Would you say you strongly support or somewhat support?

Q13: When making pretrial decisions, which of the following do you believe is more important to consider…
Most people think the judge should decide bail options for accused criminals, limiting bail for violent offenders and avoiding the jailing of non-violent offenders.

### Perceptions of Bail Policies

*n = 606*

1. **Should judges have options for supervising people before trial other than cash bail, such as regular check-ins with the court?**
   - **Yes:** 86%
   - **No:** 9%
   - **Don’t Know:** 5%

2. **Do you believe people accused of serious or violent crimes should be allowed to post cash bail and leave jail?**
   - **Yes:** 18%
   - **No:** 75%
   - **Don’t Know:** 7%

3. **Do you believe people accused of non-violent offenses should be jailed if they can’t afford cash bail, even if they are low-risk and pose no threat to society?**
   - **Yes:** 17%
   - **No:** 74%
   - **Don’t Know:** 8%

4. **As has been described to you, do you have a positive or negative reaction to bail bondsmen and their industry?**
   - **Positive:** 36%
   - **Negative:** 48%
   - **Don’t Know:** 16%
Appendix: Demographics

Gender

n = 606

Male: 50%
Female: 50%

Educational Background

n = 606

- Less than high school: 0%
- High school graduate (includes equivalency): 22%
- Associate or Technical degree: 17%
- Bachelor's degree: 34%
- Graduate or professional degree: 26%
- Prefer not to answer: 1%

Tea Party Affiliation

n = 606

Yes: 92%
No: 8%

Religious Preference

n = 606

- LDS: 67%
- Catholic: 4%
- Protestant: 2%
- Other: 8%
- None: 15%
- Prefer not to answer: 4%

Q20: Please indicate your gender
Q23: Do you consider yourself a member of the Tea Party?
Q24: What is the highest level of education you have completed?
Q26: What is your religious preference?
Appendix: Demographics

### Political Ideology
*n = 606*

- Very conservative: 2%
- Somewhat conservative: 8%
- Moderate: 13%
- Somewhat liberal: 20%
- Very liberal: 30%
- Prefer not to answer: 2%

### Registered to Vote
*n = 606*

- Yes: 97%
- No: 2%
- Prefer not to answer: 1%

### Political Affiliation
*n = 606*

- Republican: 47%
- Democrat: 16%
- Independent: 27%
- Other: 9%
- Prefer not to answer: 1%

### Military Affiliation
*n = 606*

- Yes, active in military: 1%
- Yes, veteran: 10%
- Yes, family member is/was in military: 50%
- No: 39%
- Prefer not to answer: 0%

Q21: In politics today, which of the following best describes your political affiliation?
Q22: Do you consider yourself politically as liberal or conservative?
Q25: Have you ever served in the military or do you have family members in the military?
Q27: Are you registered to vote at your current address?
Appendix: Demographics

Q1: In which county do you live?
Q2: In which of the following age categories do you fall?