



AMERICANS FOR PROSPERITY®

WEST VIRGINIA

1/28/2020

Dear Lawmaker:

On behalf of Americans for Prosperity activists across West Virginia, I urge you to support HB 2419, Bail Reform. We also encourage you to adopt the suggested changes to the bill below.

Forcing someone to post bail or stay in jail before trial, even when they pose little flight risk or danger, is both unjust and impractical. Making bail is a huge financial barrier for many low-income families—people stuck in jail for financial reasons, for even as little as two or three days before trial, can cause people to lose their jobs, have their worlds turned upside down, and be at greater risk for recidivism.

If someone isn't a threat to society, we shouldn't ruin their lives just because they don't have a lot of money. HB 2419 would address this issue by ensuring individuals who are not dangerous are released on their own recognizance, foregoing the need for bail.

This important reform to our current bail system follows the example of states like New Jersey that have safely avoided creating undue burdens for individuals who are not a flight risk or dangerous to the public and meaningfully lowered the burden faced by taxpayers by lessening the amount of individuals who would have been incarcerated without this reform merely due to a lack of financial means to make bail.

It is for these reasons that we urge you to support HB 2419. We also ask that you support the following changes:

Current language in the bill exempts individuals who were charged with a misdemeanor under Uniform Controlled Substances Act from being included in this new system of personal recognizance. The mere fact of someone being accused of a drug-related offense does not provide any useful information about their relative level of danger to others or flight risk. We would ask that this exemption be removed so that this classification of individual is included in the personal recognizance provision, unless good cause is shown for that individual not to be.

Sincerely,

Jason Huffman
West Virginia State Director