

# PRETRIAL INCARCERATION IS NOT A SUBSTITUTE FOR MENTAL HEALTH CARE.

## HERE'S HOW THE PRETRIAL FAIRNESS ACT WILL HELP PEOPLE WITH MENTAL HEALTH NEEDS:



The current system of money bond and pretrial incarceration criminalizes mental illness and **harms the mental health and well-being of currently and formerly incarcerated people.**

- Due to the criminalization of mental illness, prisons and jails have become places where people with unmet mental health needs are incarcerated. In 2017, 44% of people incarcerated in U.S. jails had a mental health diagnosis. There could not be a worse place for people who need mental health care—proper mental health treatment cannot happen while in a cage.
- Despite attempts to provide treatment, many features of jails and prisons are inherently detrimental to mental health, including: overcrowding, various forms of violence and abuse, enforced solitude and isolation from social networks or, conversely, lack of privacy, lack of meaningful activity, insecurity about future prospects, and inadequate health services—especially mental health services.
- The torturous nature of jail contributes to the alarmingly high suicide rates for people incarcerated pretrial. Jails have suicide rates more than double that of the general population, and nearly half of all suicides in jails occur within the first week of incarceration.

How does the **Pretrial Fairness Act** support the mental health of people impacted by pretrial incarceration?

- The Pretrial Fairness Act will end money bond and expand access to pretrial freedom, allowing people to attend to their legal case while also accessing support and managing their mental health from within their community, where meaningful treatment is meant to occur.
- Reducing pretrial incarceration will ensure that fewer people are subjected to the mental turmoil jails cause, and fewer people will experience the development of a mental health diagnosis or exacerbation of existing mental illness as a result of pretrial incarceration.
- Ensuring pretrial freedom for people with mental health needs will help prevent loss of employment, housing, and other resources that help stabilize people's lives and mental health.

If governments paid less to incarcerate people pretrial, and families did not have to pay bond to free their loved ones, **where could that money go?**

- Rather than paying an average of \$300 million per year to incarcerate people pretrial, our local governments could increase funding for community-based mental health services, as well as essential resources like public housing, education, and jobs programs that help stabilize families and communities.