



Oklahoma Bondsman Association

Pre-Trial Release in Oklahoma

Facing budgetary concerns across the state, many Oklahomans are seeking options for the criminal justice system in an effort to save money and reduce the overcrowding of state prisons and local jails. External interest groups pushing for these changes may not fully understand the risks of current and proposed policies emphasizing pre-trial release as an adequate option, many of which may put public safety and victims' rights at risk.

Failure to Appear

While special circumstances do exist that warrant the use of some pre-trial release options, such as Own Recognizance, overuse of these alternatives could have a disastrous effect on the judicial system, negative ramifications on victims of crime and, ultimately, increased costs to taxpayers.

From November 2018 through April 2019, of the 488 defendants who were released on OR in Oklahoma County, 268 failed to appear in court at their arraignment, which is a failure rate of 56%. In comparison, from November 2018 through April 2019, of the 1,864 defendants released through a bail bondsman, only 307 failed to appear, which is a rate of 18%. This stark difference is due to the diligence and responsibility of bondsmen to ensure the defendants return to court, and since bondsmen operate as private businesses, their services are rendered at no cost to Oklahoma taxpayers.

The lack of financial obligation for the accused released on OR to reappear for court places any monetary responsibility for their apprehension onto taxpayers. This means while the release of a defendant on OR may lead to a cost savings on the front end, taxpayers must pay any expenses for their apprehension on the back end if that defendant fails to return. In addition, victims' rights are being jeopardized and the system continuously fails victims when accused persons avoid their day in court.

Moving Forward

Oklahoma continues to face tight budgets on the state, county and municipal levels, causing reductions in critical funding needs, including the funding necessary to maintain and improve the criminal justice system. In order to protect Oklahoma communities and provide long-term cost savings, pre-trial release options should be carefully monitored and exercised with caution, not used as a quick relief effort. The safety of Oklahoma communities and victims' right must remain of the utmost importance throughout the legislative and judicial processes.

Data collected and reported by Ken Boyer. This data was collected by attending all appearance arraignments during the reported time period. Mr. Boyer can be contacted by phone at 405-235-1354 or email at kenboyer3@hotmail.com.