What We've Learned (June 2026)

Below, we summarize some of our research findings, compiled from all the helpful information you provided. Thank you again for sharing your experiences! We hope you find this summary interesting, and we are always happy to answer your questions. Our email is bailpayingstudy@american.edu.

Want to stay involved? We are now scheduling longer conversations to learn more about your experience. As a thank you, we are giving another $30 gift card. Sign up here: https://calendly.com/pretrialresearch/bailconversation

Our Focus

We wanted to understand who pays bail, how the process unfolds, the impacts they experience, and whether those impacts differ across people and communities. To do this, we collected information from felony cases in counties representing a range of urban and rural areas across Wisconsin. Within each county, we gathered information on every felony case filed between January 1st and May 31st, 2025, including which defendants had been bailed out (as of July 2025) and who posted the bail.

How Often Defendants Are Bailed Out

Across the eight counties, there were 2,510 felony cases filed between January and May. Nearly half of the defendants (1,217; 49%) were released on a signature bond, meaning they did not need to pay to be released but would be charged if they do not appear for court. **About one in four defendants (682; 27%) were released after their bail was posted.** However, about one in five defendants (500; 20%) could not afford their bail and were still held in jail as of December 2025.

Who Posts Bail and How Much Do They Spend

Usually, people do not post their own bail. **Only 13% of postings were paid directly by defendants.** Most other bail-payers were loved ones, posting bail for romantic partners (21%), friends (19%), children (19%), parents (17%), siblings (12%), cousins (5%), or even acquaintances (5%). People who post bail were, on average, 49 years old and disproportionately women (62%). **Everyone who posted bail, together, put down over $1.3 million; the average bail posted per person was $2,938.** While women overall spend more money on bail than men ($764,151 versus $546,257), men pay higher amounts on average than women ($3,252 versus $2,719).

Why and How People Post Bail

While most people's decision to post bail was easy (67%), others had mixed feelings (23%) or found it somewhat difficult (10%). Similar patterns appeared in posters' social circles, where **52% of people reported broad support and 45% mixed opinions**. We grouped the reasons people posted bail into four categories. In order of what people considered most important, they were: concerns about jail, protecting stability, feeling obligated, and having empathy for the defendant. While men and women felt similarly about the importance of protecting stability, women saw jail conditions as slightly more important than men and empathy and obligation as much more important.

Most people knew nothing or only a little about the bail-posting process before this experience (62%), and most often turned to the defendant or jail staff for help. However, they were

not always the most helpful; instead, people ranked public defenders and private attorneys as most helpful, followed by other people, government websites, defendants, and finally, jail staff. Most people posted bail in person (77%), and most were the sole contributor (82%). **People had very different experiences gathering the bail money: 26% found it very easy, 26% somewhat easy, 23% neither easy nor difficult, 21% somewhat difficult, and 5% very difficult.** Having to post higher bail did not necessarily create more difficulty; instead, people with lower incomes often found posting harder, regardless of the amount. While many people used their savings to gather some or all the money, others borrowed from other people, used credit, or took out a bank or payday loan.

The Financial, Relational, Logistical, and Emotional Impacts of Posting Bail

Before posting bail, most people were already carrying debt (80%), most commonly credit card (43%), auto (37%), or education (30%). Some people found it challenging to manage these debts alongside paying bail (38%). In fact, **only 30% of people were financially prepared to pay bail**. Paying bail put a serious financial strain on some posters' households (32%), with the uncertainty of bail being returned creating additional strain (47%). While posting bail derailed financial goals for many people (50%) or used up savings meant for recreation (35%), for others, it meant going into debt (32%), missing bills or paying them late (17%), or going without basic needs like groceries (17%).

About half of people felt posting bail did not impact how close they were with the defendant (57%), how often they talked (52%), or how valued they felt (50%). However, others were split: 24% grew closer but 19% more distant; 16% talked more but 31% less; 31% felt more valued but 19% less. Some of these changes may come from the **continued support that nearly everyone lent after posting bail (97%)** – most often emotional support (76%), court date reminders (55%), and attending hearings (52%). Even as they supported others, some people faced emotional difficulties of their own. About 50% reported moderate levels of stress, and nearly 22% anxiety and depression.

Posters' Perceptions of the Justice System and Bail Reform

We asked participants about how accessible the bail-posting process was and how fair it felt. On average, people rated accessibility at 72% and fairness at 53%, both falling below the National Center on State Court's performance goal of 80%. When asked if bail was set to a fair amount, many posters strongly disagreed (39%) or somewhat disagreed (15%); in fact, nobody strongly agreed and only 15% somewhat agreed. We also asked about support for various bail reforms; in another study, we asked members of the general public the same questions.

The average level of support among posters (57%-87%) was much higher than the public's average level of support (16%-53%). Among posters, support was highest for the right to representation at pretrial hearings (87%), requiring judges consider ability to pay when setting bail (80%), and using the least restrictive pretrial conditions (78%). Yet, pretrial representation was the public's least supported reform (16%), and only 38% of the public supported requiring ability to pay and using least restrictive conditions. We suspect the public does not understand the full impact of posting bail on loved ones. **That's what makes this research and your involvement so important.**

Sharing your experiences helps researchers, policymakers, practitioners, and the public better understand the often-overlooked impacts of paying bail. Consider participating in a paid follow-up interview. Sign up here: https://calendly.com/pretrialresearch/bailconversation