



CBCF EXECUTIVE ORDER TRACKER

Taking Steps to End Cashless Bail to Protect Americans

Executive Order #14342

Date Issued: August 25, 2025

Topic: Criminal Justice, Law Enforcement

WHAT DOES THIS EXECUTIVE ORDER DO?

- This executive order establishes the Trump Administration's policy to withhold federal resources from jurisdictions that have eliminated cash bail policies.
- Under the cash bail system, individuals accused of crimes have to pay a substantial amount of money or remain incarcerated until their trial date.

HOW WILL THIS EXECUTIVE ORDER BE ENFORCED?

- This executive order will primarily be enforced by the Attorney General (AG).
- The order instructs the AG to submit a report of the states and municipalities that have eliminated cash bail for crimes that "pose a clear threat to public safety and order" — including burglary, looting, vandalism — to President Trump and the Assistant to the President for Homeland Security within 30 days of the order's issuance.
- The order directs the AG to continuously update this list beyond the 30-day timeframe as appropriate.
- The order requires the Director of the Office of Management and Budget and the agency heads to identify all federal funding that could be terminated in municipalities that have eliminated cash bail.



HOW DOES THIS IMPACT BLACK COMMUNITIES?

- The cash bail system disproportionately impacts low-income Black communities. Pretrial detention has increased fivefold since 1970. In 2022, [six in ten defendants](#) were detained without a criminal conviction because they could not afford to post bail.
- The U.S. Commission on Civil Rights issued [a report](#) in 2022 that found that Black men received bail amounts 35% higher than white men and 16% higher than Latino men. The report also found that about three-fourths of the more than 600,000 people incarcerated daily are awaiting trial. Studies show that any amount of time in jail correlates to [increased rates](#) of mental and physical illness, including depression, hypertension, cancer, and hepatitis.
- [Eight states](#), the District of Columbia, and several cities have eliminated or reformed cash bail policies with positive results. In 2017, New Jersey eliminated cash bail for misdemeanor crimes, allowing the accused to return to their communities, and gave judges discretion over defendants charged with felonies. Despite concerns that people would not return for their court dates or commit more crimes as they awaited trial, [data](#) has shown otherwise. The city of Philadelphia implemented a similar policy in 2018, and Illinois became the first state to fully eliminate cash bail in 2023, ending what advocates call “criminal punishment for poverty.” This order will pressure states and municipalities to increase pretrial detention and deter cash bail reform, which will negatively impact Black communities.





HOW ARE CBC MEMBERS RESPONDING?

- Members of the Congressional Black Caucus (CBC) have a long history of advocacy for cash bail reform. **Rep. Terri A. Sewell**, Chair of the Congressional Black Caucus Foundation Board of Directors, **Rep. Ayanna Pressley** and **Rep. Bonnie Watson Coleman** co-sponsored [H.R.1249](#), the No Money Bail Act of 2021, which discourages the use of payment of money as a condition of pretrial release in criminal cases.
 - **Rep. Bonnie Watson Coleman:** “The standard operating procedures for our criminal justice system today — from mass incarceration, to sentencing biases, to monetary bail — have debilitating costs for our communities and our budgets. During my time in New Jersey’s legislature, and continuing here in Congress, I’ve fought for reforms that will ensure our justice system focuses on rehabilitation, maintains equal treatment, and considers alternatives to incarceration. I’m proud to join my colleagues in support of this bill, because it’s time for change. Sitting behind bars before you’ve been convicted of a crime – not because you’re a danger to the community but simply because you can’t pay to get out-- is exactly the kind of outrageous status quo that has caused so much societal damage.” [Full Statement](#)
- To read more about the CBC’s legacy on criminal justice issues, visit [Avoice](#), our virtual library.