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The Hidden Cost of Pretrial Detention

Posted By [David Berry](#) On March 16, 2011 @ 10:40 am In [Africa, Justice, Latin America & the Caribbean](#) | [1 Comment](#)

In Cotonou, the largest city in Benin, well-to-do ladies go to formal salons to have their hair styled, but most women have their hair done by so-called street hairdressers. Bernice A. worked for years as a street hairdresser and had finally saved enough money to open her own salon—until her husband got arrested.

Although he was charged with a low-level crime, and although he should have been eligible for bail, Bernice's husband languished in pretrial detention, waiting months and then years for a court date that never came. The detention facility where he was held provided little food to the inmates and "extras"—a blanket, a place to sleep, clean drinking water—could only be secured through bribes to the guards.

Having her husband in jail cost Bernice time: she traveled to the prison daily to take him food, and made a series of fruitless visits to the prosecutor to seek his release on bail. It also cost her money: she had to pay for her increased travel, food for her husband, and bribes for the guards. And it reduced her income: her husband's salary was gone and she had less time available to devote to hairdressing. Bernice slowly burned through her savings and eventually abandoned her plan to open her own salon. Her husband's pretrial detention pushed her from the brink of middle class stability to the edge of poverty.

Bernice's story hints at the true costs of excessive pretrial detention. Around the world, approximately 10 million people per year pass through pretrial detention; many of them will spend months or even years behind bars—without being tried or found guilty. Locking away millions of people who are presumed innocent is a waste of human potential that undermines economic development.

When economists look at pretrial detention (to the extent they look at all), they measure direct costs to the state, such as paying for guards. But this is just the tip of the iceberg: the true costs of excessive pretrial detention are paid by the detainees, their families, and their communities. Pretrial detainees may lose their jobs, be forced to sell their possessions, and be evicted from their homes. Their families suffer from lost income and forfeited opportunities, including a multigenerational effect in which detainees' children suffer lower lifetime income. And the ripple effect does not stop there: the overuse of pretrial detention undermines development, wastes state resources, and limits policy options.

Now, for the first time, [a new book](#)^[1] seeks to measure the full costs of excessive pretrial detention, including lost employment, stunted economic growth, the spread of disease and corruption, and the misuse of state resources. A joint publication of the [Open Society Justice Initiative](#)^[2] and the [United Nations Development Program](#)^[3], [The Socioeconomic Impact of Pretrial Detention](#)^[1] combines statistics, personal accounts, and recommendations for reform to argue for reducing the over-use of pretrial detention.

The report shows that less costly alternatives to pretrial detention exist and that governments can save money by implementing them. Because as Bernice A. knows all too well, the true costs of excessive pretrial detention are shockingly high.

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[1] a new book: http://www.soros.org/initiatives/justice/focus/criminal_justice/articles_publications/publications/socioeconomic-impact-detention-20110201

[2] Open Society Justice Initiative: <http://www.justiceinitiative.org>

[3] United Nations Development Program: <http://www.undp.org/>

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