

Rep. Rodriguez: Bail reform goes to voters in April

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MADISON – Rep. Jessie Rodriguez (R-Oak Creek) joined her colleagues in supporting Senate Joint Resolution 2 ([SJR 2](#)), which proposes an amendment to the Wisconsin Constitution regarding bail.

“Judges in Wisconsin are more limited in what they can consider when setting bail than they are in any other state,” said Rep. Rodriguez. “Currently, the court can only consider the likeliness that the defendant will fail to appear in court, protecting members of the community from death or risk of death, and preventing the intimidation of a witness.”

“As a result, we have high-risk defendants in our state being released on low bail, while low-risk, low-income defendants are held in custody pending trial. SJR 2 will give judges a few more tools to consider when setting bail, including prior conviction for a violent crime, to help keep high-risk defendants from posting bail and being released only to reoffend,” commented Rodriguez.

According to a U.S. Department of Justice report, violent criminals had a much higher rate of reoffending while on pretrial release than those with misdemeanor convictions or no prior convictions at all. In fact, [in 2021 over 1 in 5 homicides in Milwaukee were allegedly committed by individuals out on bail for a pending felony crime.](#)

SJR 2 passed both the Senate and Assembly with bipartisan support. This was the second session in a row that the constitutional amendment was proposed and supported in both houses of the legislature, so now the proposed amendment will go to the voters at-large in the nonpartisan spring election on April 4, 2023.