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Court Orders Riverside County to End Unconstitutional Wealth-Based Detention for Individuals Arrested for Lower-Level Charges

ORANGE COUNTY, CA — An Orange County Superior Court judge has enjoined Riverside County, the Riverside County Sheriff's Office, and Sheriff Chad Bianco, stopping them from jailing people arrested on lower-level charges before they have a court hearing simply because they cannot pay money bail.

"I am happy that because of this case, fewer people will go through what I went through," said plaintiff Violet Graham, who was jailed because they could not afford cash bail and denied the use of a wheelchair while in jail, only to ultimately be released without charge. "I hope it is just the beginning of necessary reforms in Riverside County that will change real lives."

After the plaintiffs filed this case seeking to end the practice of imposing unconstitutional pre-arraignment money bail in Riverside County, the Riverside County Superior Court issued an updated bail schedule significantly reducing the number of charges automatically subject to money bail following a warrantless arrest in the county. A "bail schedule" sets the amount of money an arrested person is required to pay to be released from jail based on the offense the police accuse the person of committing, before any lawyer or judge has reviewed the case. Although Riverside's policy change lessened the amount of unconstitutional wealth-based detention in the county and was an acknowledgement that money bail fails to protect public safety or ensure appearance in court, its new bail schedule continues to arbitrarily mandate unconstitutional cash bail for many other low-level charges. That's why plaintiffs requested, and the Court has now granted, an emergency order called a "preliminary injunction" to stop the jailing of individuals arrested on 19 lower-level felonies that remain subject to money bail under the County's bail schedule prior to their arraignments.

The Court relied on studies demonstrating that cash bail fails to improve appearance rates or lessen re-arrests and causes destabilizing incarceration that *harms* public safety: "pretrial detention lasting more than 24 hours *increases* the likelihood of the arrestee committing future crimes, negatively impacts an arrestee's financial well-being in terms of loss of employment and negatively impacts an arrestee's family well-being."

The Court also recognized the profound harms caused by unnecessary incarceration, illustrated by the plaintiffs in this case: "Robert Chismar testified that he was in custody for seven days before being arraigned and that his time in jail resulted in the loss of his truck (his sole means of transportation) and at least a week of pay. Oscar Sandoval and Matthew Wholf point to the loss of income and opportunities while remaining in jail, unable to afford cash bail. Violet Graham suffered physical and emotional trauma as a result of having to remain in jail for 3 days, unable to meet her \$20,000 bail. Michael Jensen suffered physical distress and was unable to fulfill his

caretaker duties as a result of his inability to come up with cash bail. All of these arrestees were jailed in Riverside County for three to five days solely because they could not afford their cash bail. None were told of any option to obtain pre-arraignment release other than by paying the amount of bail set according to the bail schedule.”

Filed in May 2025, [Sandoval v. Riverside County](#) alleges that individuals — who have not been convicted of any crimes, are presumed innocent, and are not yet represented by counsel — are confined in Riverside County jails based solely on their inability to pay arbitrary, pre-set bail amounts. People who cannot pay the pre-set bail amounts remain in jail until their first court hearing, which often does not occur until four or five days after their arrest. These individuals are not detained because they have been determined to be too dangerous to release — those who have the ability to pay are released, while those that cannot pay for their freedom remain incarcerated. With this latest update to the case, people who would have previously been subjected to money bail on lower-level charges while awaiting arraignment can now go back to their families, jobs, and communities while awaiting their first court date.

In October 2025, Judge Cluster [denied two demurrers to a complaint](#) challenging the county’s cash-based jailing of individuals between their arrest and first court hearing, as well as its unnecessary delay of that hearing. The court ruled that the arguments raised by defendants Riverside County Superior Court, County of Riverside, Riverside County Sheriff’s Office, and Sheriff Chad Bianco were without merit and that each and every one of the plaintiffs’ claims against them could proceed. Since Riverside continues to jail people for multiple days before giving them a lawyer or hearing after arrest, and since Riverside continues to use unconstitutional money bail for a host of offenses, the case is ongoing.

Rev. Jane Quandt, who joined the lawsuit because she views cash-based jailing as unconscionable, said: “This case is so simple. We live in a country where all people are supposedly equal under the law. How can we continue to treat people with money differently from people who are poor? It is past time for us to correct this injustice.”

Salil Dudani, senior attorney at Civil Rights Corps, said: “Whenever courts examine the evidence, they always conclude the same thing: money bail accomplishes nothing at all. All it does is enrich for-profit bail companies – an industry that is only allowed to exist in the U.S. and the Philippines – off the backs of Riverside County’s most vulnerable families. Jailing people for failure to pay money bail separates parents from children, destabilizes lives, and demonstrably *increases* crime rates as a result. The Court issued its emergency order limiting the use of cash bail in Riverside both stems these devastating harms and makes us all safer.”

Brian Hardingham, senior attorney at Public Justice, said: “Here, the Court relied on compelling testimony that money bail fails to increase court appearances and protect public safety. Money bail is more than simply ineffectual—it is actively harmful. The Court cited research showing money bail makes communities less safe: jailing someone who can’t afford bail *increases* the likelihood that the person will be charged with another crime in the future. In stark contrast, the Court found that there is strong evidence that nonfinancial conditions of release are effective.

Courts deciding these issues keep coming to these same conclusion—that pre-arraignment money bail is both harmful and unconstitutional. It’s time for judges and jailers statewide to end the practice of incarcerating people before arraignment simply because they cannot pay bail.”

Brian Olney, partner with civil rights firm Hadsell Stormer Renick & Dai LLP, said “For too long, Riverside County has kept people in jail simply because they are poor. The Court’s order marks the beginning of the end of this unconstitutional and outrageous practice.”

Plaintiffs are represented by **Public Justice, Civil Rights Corps, Hadsell Stormer Renick & Dai LLP, Akin Gump Strauss Hauer & Feld LLP, Prison Law Office, and Schonbrun Seplow Harris Hoffman & Zeldes, LLP.**

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