

Pretrial Justice in Texas

Key takeaways based on public opinion research

October 2026

Vera ACTION

Tackling the politics of crime

Since 2022, Vera Action has conducted **50+ rounds** of qualitative and quantitative research on voter attitudes toward crime and public safety. The results contradict conventional political wisdom.

The goal is to counter cynical “tough-on-crime,” anti-immigrant rhetoric from **politicians** and the **media**.

We seek to turn down the temperature in the debate over safety and focus on the values that matter to everyone—**safety, accountability,** and **justice**.

*Vera Action fielded an online survey with YouGov of Texas registered voters from Aug 24-30, 2026
The polling data mentioned in this presentation is available at veraaction.org*

TAKEAWAY #1

The conventional political wisdom that “tough on crime” wins is wrong—it is only potent if left unchecked.

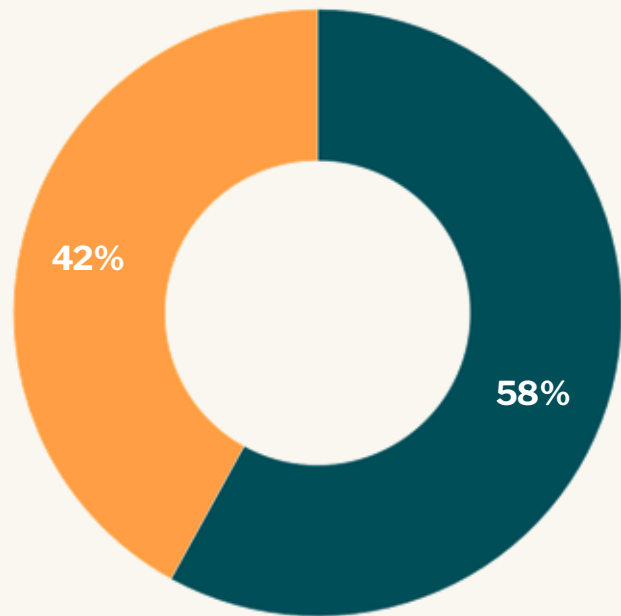
Only one-in-five voters in Texas say they believe crime is on the decline

Generally speaking, when it comes to crime in Texas, would you say crime has...



By 16 points, Texas voters prefer a “serious” approach to preventing crime and breaking its cycle over a “tough-on-crime” one

Which of the following statements comes closer to your own point of view, even if neither is exactly right?



[TOUGH]: We should do more to get tough on crime—like having tougher sentences for people convicted of violent crimes, maintaining strong bail laws, and providing police with more support and resources.

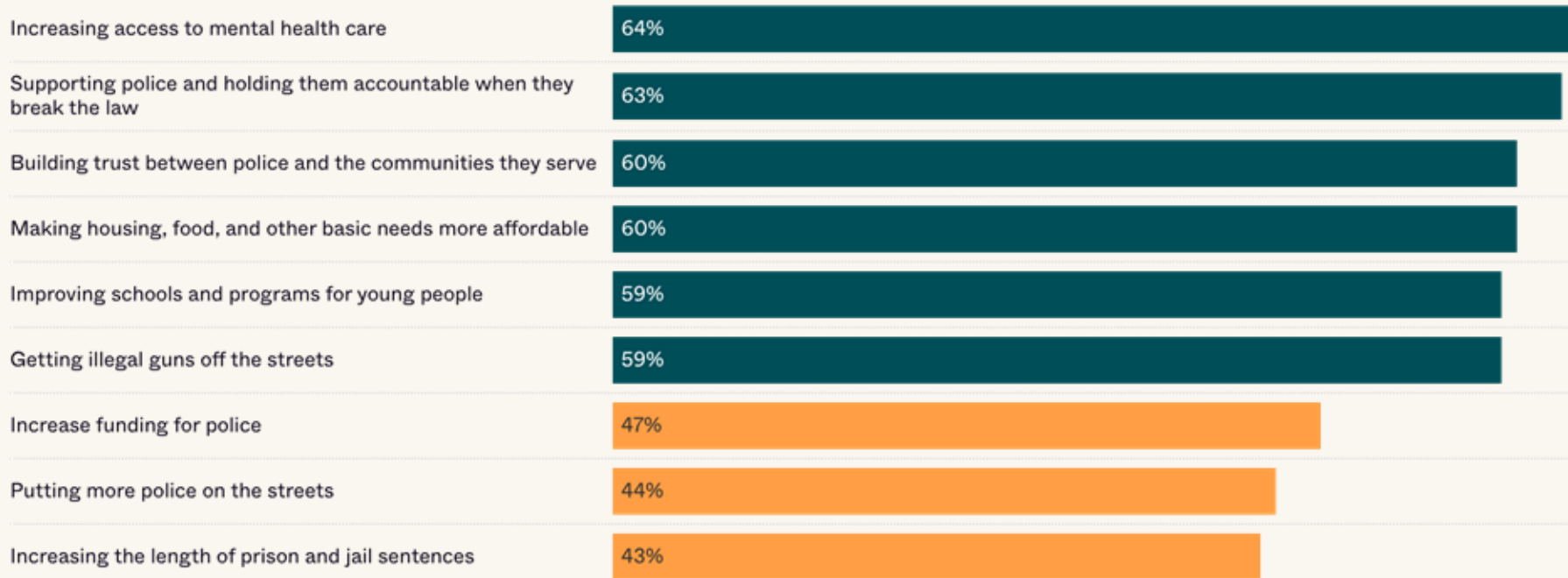


[SERIOUS]: We should fully fund things that are proven to create safe communities—like good schools, jobs, and affordable housing—and help prevent crime and break its cycle by increasing treatment for mental health and drug addiction and by getting illegal guns off the street.

Voters strongly favor investments in preventing crime and breaking its cycle over typical “tough” approaches like enforcement and long sentences

For each policy, say whether you think it would [improve public safety a lot, a little, not at all, or not sure:

% who say each policy would improve public safety a lot

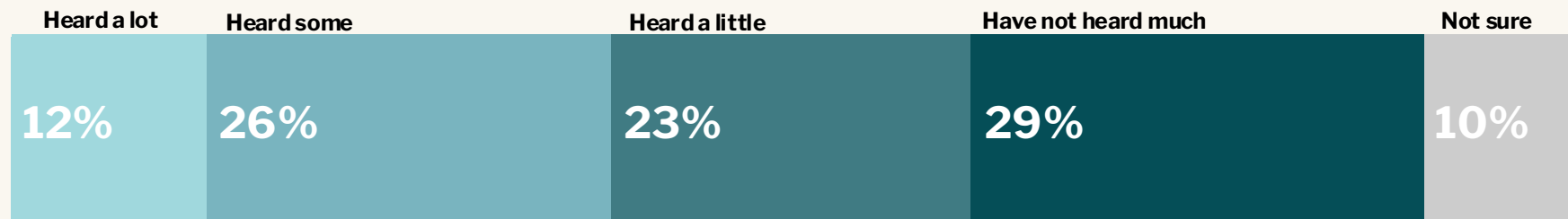


TAKEAWAY #2

Very few Texas voters say they have heard a lot about pre-trial policies, creating an opportunity to shape the debate.

Most Texas voters say they have only heard a little or not much about the state's pre-trial policies

How much have you heard about how Texas decides whether a person accused of a crime is detained or released before trial?



Two-thirds of Texas voters agree that an accusation alone shouldn't lead to automatic detention

Which of the following comes closer to your own point of view, even if neither is exactly right?

Judges should be able to keep someone in jail if the state shows at a hearing that they pose a real danger or are likely to flee. But an accusation alone should not automatically take away someone's freedom.

67%

When someone is accused of a serious crime, Texas should automatically jail them before trial. Judges should not be allowed to release someone who could be dangerous.

33%

TAKEAWAY #3

Sympathies fall when immigration status and past criminal records are mentioned.

Texas voters are evenly divided on jailing people before trial once immigration status is brought into the debate

Which comes closer to your own point of view, even if neither is exactly right?

Immigration status alone should not decide whether someone is jailed before trial. A judge should look at the facts of the case and decide whether the person actually poses a danger.

49%

Jailing people before trial is justified to keep criminals off our streets and keep American citizens safe. It is also necessary to send a message and deter more people from breaking our country's immigration laws and coming here illegally.

51%

Six-in-ten voters back automatic detention for people with past offenses on their record

Which of the following comes closer to your own point of view, even if neither is exactly right?

A new accusation should be taken seriously, but it should not automatically mean jail. A judge should hold a hearing and decide whether the person actually poses a danger.

39%

People accused of repeat offenses should automatically be detained pretrial. Getting dangerous criminals off the streets is what matters most to me, no matter the circumstance.

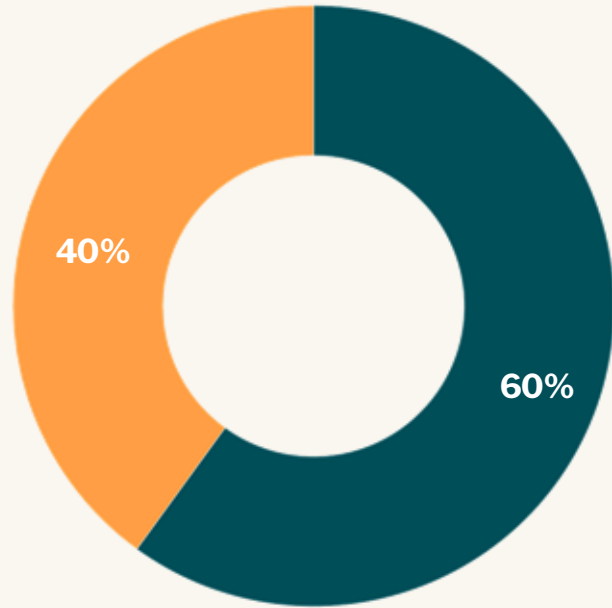
61%

TAKEAWAY #4

A message of “public safety, not wealth” beats a “cashless bail” attacks.

On bail, a majority of Texas voter prefer a message that “public safety, not wealth” should determine who stays in jail pretrial

Which of the following statements comes closer to your own point of view, even if neither is exactly right?



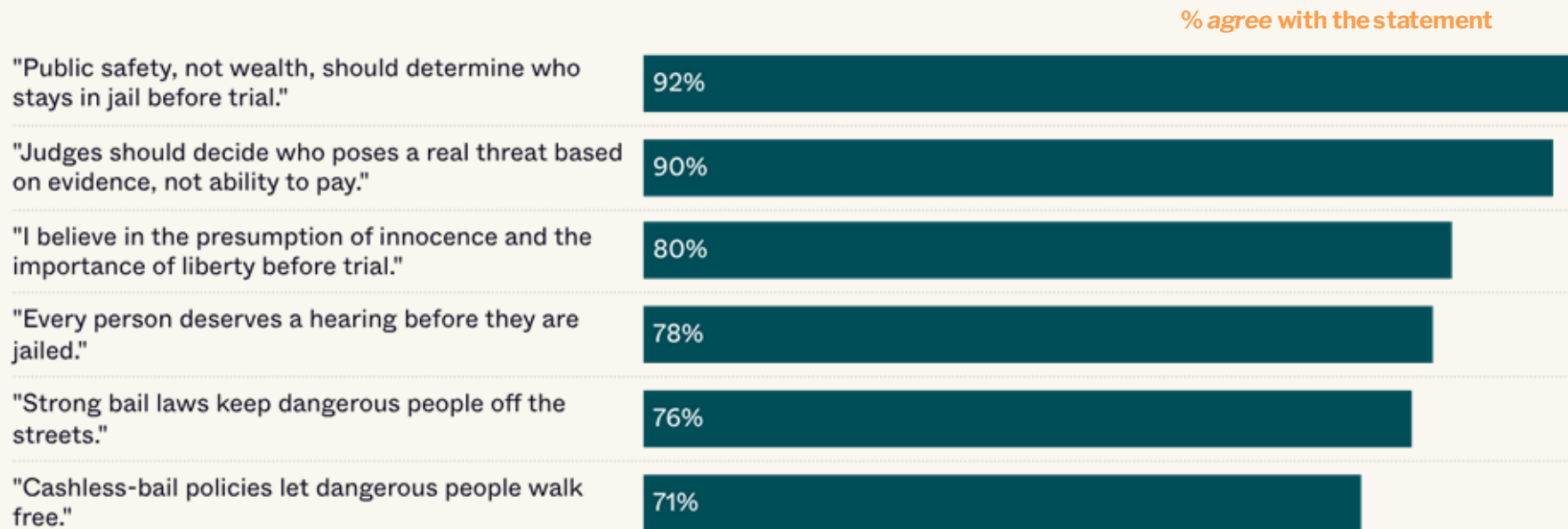
[TOUGH]: We need to maintain strong bail laws to keep dangerous people in jail. Cashless-bail policies let dangerous and repeat offenders walk free and make communities less safe.



[SERIOUS]: Public safety, not wealth, should determine who stays in jail before trial. Judges should decide who poses a real threat after an individualized hearing based on evidence and risk—not whether someone can afford to pay.

"Public safety, not wealth" is the top-performing approach surveyed

Below are some statements some have said when talking about bail and pretrial detention. For each, please say how much you agree or disagree with each.



Key messaging takeaways

1. **Make due process concrete:** a prompt hearing, access to counsel, evidence, a defined burden on the state, and an individualized judicial decision.
1. **Emphasize that a hearing does not mean someone will be released.** It means a judge looks at the facts and determines whether detention is actually necessary.
1. **Make clear that due process means having a meaningful opportunity to understand the case against you,** respond to the evidence, and be heard by a judge before your freedom is taken away.
1. **Highlight that a fair, evidence-based process** is how we can make better decisions in the true interest of public safety.

FOR MORE INFORMATION:

Brian Tashman, Deputy Director
Vera Action
btashman@vera.org

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