

# EXHIBIT C

**Bond Failure Rates in Harris County, Texas, Since Implementation of the Preliminary Injunction in  
*ODonnell v. Harris County*, No. 16-1414 (S.D. Tex.)**  
 Failure rates from June 6, 2017 to December 31, 2017\*

Bond Type	Failure Type	# Bonds Approved	Failure Count	Failure Rate
<b>Secured Bond</b>	<b>Forfeiture</b>	<b>10,521</b>	<b>919</b>	<b>8.73%</b>
	Revocation	10,521	251	2.39%
	Surrender	10,521	111	1.06%
	Order of Court	10,521	3	0.03%
	<i>Total Failure Rate</i>	<i>10,521</i>	<i>1,284</i>	<i>12.20%</i>
<b>Unsecured Bond — Sheriff</b>	<b>Forfeiture</b>	<b>8,538</b>	<b>3,821</b>	<b>44.75%</b>
	Revocation	8,538	223	2.61%
	Order of Court	8,538	9	0.11%
	<i>Total Failure Rate</i>	<i>8,538</i>	<i>4,053</i>	<i>47.47%</i>
<b>Cash Bond</b>	Forfeiture	1,375	200	14.55%
	Revocation	1,375	22	1.60%
	Order of Court	1,375	2	0.15%
	<i>Total Failure Rate</i>	<i>1,375</i>	<i>224</i>	<i>16.29%</i>
<b>Personal Bond</b>	Forfeiture	7,682	1,827	23.78%
	Revocation	7,682	416	5.42%
	Order of Court	7,682	2	0.03%
	<i>Total Failure Rate</i>	<i>7,682</i>	<i>2,245</i>	<i>29.22%</i>

- **Secured Bond.** Secured bond obtained through commercial bondsman.
- **Unsecured Bond — Sheriff.** Unsecured release bond issued, pursuant to the *ODonnell* injunction, to arrestees who claim they cannot afford money bail.
- **Cash Bond.** Bond obtained through depositing with the court 100% of the bond amount.
- **Personal Bond.** Unsecured bond issued by magistrates in the exercise of their discretion.
- **Forfeiture.** Defendant failed to appear as ordered.
- **Revocation.** Defendant violated a condition of release.
- **Surrender.** Surety asked permission to surrender the bond.
- **Order of Court.** Alias *capias* issued by the Court.

\* The data was compiled using Harris County’s Justice Information System. The data was computed by dividing, for each bond type, the instances in which a judge entered a particular failure action—generally a forfeiture for failure to appear or a revocation for failure to comply with some other bond condition—by the total instances in which that bond was approved. There may be a small number of instances in which an arrestee was “approved” for a bond but was not physically released from police custody. For example, some arrestees are “approved” for a Sheriff’s unsecured bond (i.e., a bond issued pursuant to this Court’s injunction) but are not actually released into the community; instead, they are released to their holds. See Order of Preliminary Injunction ¶ 4 (Apr. 28, 2017), Doc. 304. Because these individuals cannot miss their misdemeanor court dates, the reported failure to appear rate for Sheriff’s bonds may *underestimate* the actual failure to appear rate for arrestees released into the community on a Sheriff’s bond. A small number of other misdemeanor arrestees may be “approved” for any of the bond types but may not be released into the community because, after the bond was approved, it was discovered that the arrestee was subject to a hold. These caveats are not expected to materially change the relative magnitude of the difference between the failure to appear statistics for individuals released on Sheriff’s bonds and those released on secured bonds; if anything, they likely cause the numbers to understate the disparity between failure to appear rates for Sheriff’s bonds compared to secured bonds.