

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/there-is-no-magic-bullet-to-fixing-bail>

Public Facing Advocacy Writing

The belief that bail reform needs to happen in New York City is no longer a fringe position. Most New Yorkers agree that someone should not sit in jail simply because he or she lacks \$500 to pay bail. But what that reform should look like is up for much debate: How should bail work? What works and what doesn't?

On May 11th, Vera and the Mayors Office of Criminal Justice hosted a forum at the Schomburg Center for Research in Black Culture in Harlem to ask big questions on bail. It was a vibrant, engaging evening of conversation about the challenges to fixing New York City's bail system and possibilities for change. It included:

You can watch the evenings lineup [here](#).

Most importantly, though, were the perspectives shared through [five short video stories](#) of New Yorkers who had firsthand experience with our bail system. Reynaldo shared the anguish of taking a plea as a teenager at Rikers Island because his family couldn't make his bail. Esther, better known as Ms. Diva, recounted how being bailed out by the Bronx Freedom Fund made it possible to fight the charges against her. Justin described the supervised release program and how it kept him from having \$3,000 bail set at arraignments. Adarmis and his brother, Ali, talked about how Adarmis spent two months in jail on \$75,000 bail before a judge was willing to set a partially secured bond that his family could pay. And, finally, Michael shared his perspective of how it changed his case and his life when a judge took a chance and released him on his own recognizance.

While the evening highlighted many of the successes New York City has had with reforming our broken bail system, it also underscored the many challenges ahead. When debating the appropriate response to a woman charged with stealing baby formula from a Rite Aid, each of the panelists had a different perspective. Judge Grasso suggested this was the type of case where supervised release should be imposed given her troubled history with prior arrests and failures to appear in court. Robyn Mar countered that if this woman were to be placed under court supervision, with all of its attendant conditions, one of her conditions of release should be to receive six months of free baby formula, given that she was taking it to feed her child. And Assistant District Attorney O'Connor offered the real-life perspective that this kind of case typically ended with a plea at arraignments with little to no services or support to address the underlying reasons why the woman was arrested in the first place.

So what is the appropriate response in this case and others like it? There is no magic bullet, but the opportunity to have real, productive conversations about what works and what doesn't work in our bail system can get us closer to the answers.

Transformative change, sent to your inbox.

Vera Institute of Justice. All rights reserved.