

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/research/new-yorks-new-bail-law>

Policy Issue Resources

On January 1, 2020, New York ushered in a new bail law that delivers justice, fairness, and public safety. As a result, thousands of New Yorkers who otherwise would not have been able to afford bail, or only do so at great personal expense, have been able to keep their jobs, stay with their families, remain in school, and return to their communities, rather than face trial from inside a jail cell. But less than a month into the new law, there has already been unprecedented backlash grounded in anecdotes, not data or reason against the new pretrial reforms. Opponents of the new law claim that bail reform has led to an uptick in crime, claims unsubstantiated by data or evidence. This video urges New York to hold firm and not give in to calls to "roll back" the new law. Incarceration is not the answer to public safety. The disruptive nature of even short term incarceration is deeply harmful and can destroy lives and families. Studies show that incarcerations destabilizing impact means that even 2 or 3 days behind bars makes it more likely that someone will be arrested again in the future. That leads to less, not more, public safety.

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Experimenting with Alternative Forms of Bail in New York City's Criminal Courts

Statistics show that money bail is unaffordable and out of reach for many New Yorkers. On any given day, 7,000 people are detained pretrial at Rikers Island and other New York City jails because they cannot make bail. While judges in New York can choose up to nine different forms of bail at arraignment including alternative forms that require lit ...

The New York law has been on the books for less than a month and already the critics are on the attack.

A First Look

New York's recent bail reform law, which was passed in April 2019 and amended on July 2, 2020, was expected to reduce the footprint of jail incarceration by limiting the use of money bail. The new law mandated pretrial release for the vast majority of nonviolent charges and required that judges consider a person's ability to pay bail. A comprehensi ...

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