

January 2020 Bail Reform Impacts on Racial Disparities

Ellen Dries

December 2021

1 Figures: Impact of Bail Reform on Racial & Ethnic Disparities

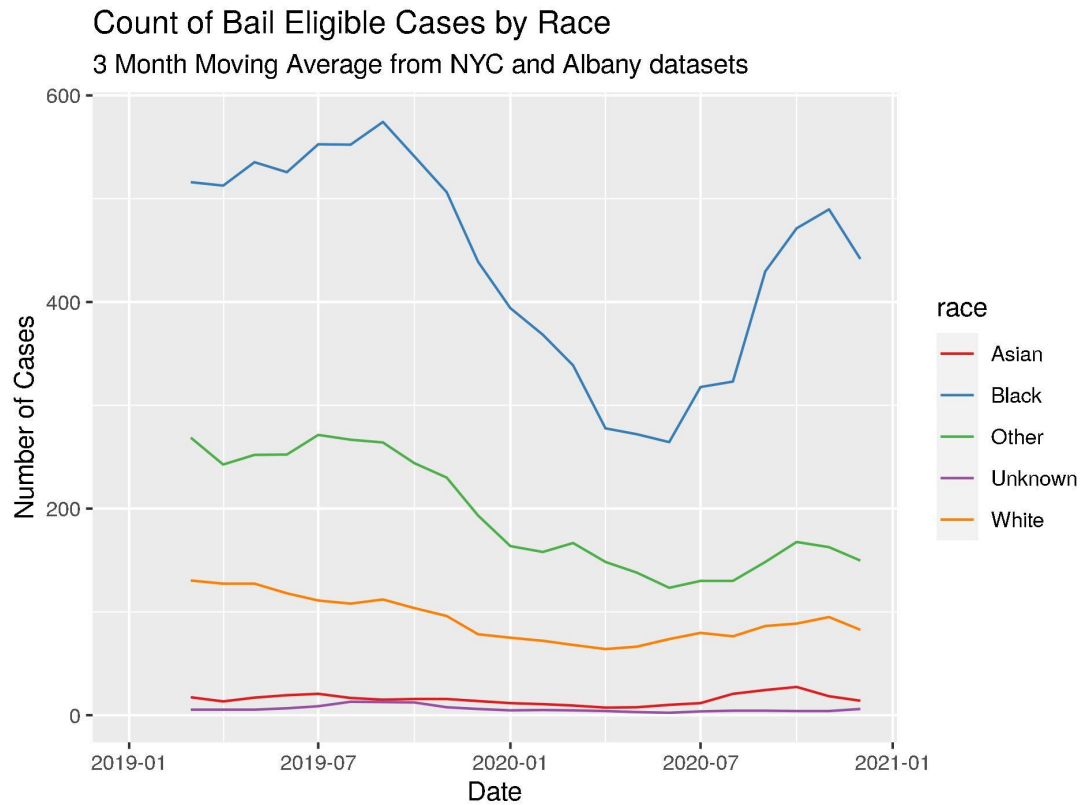
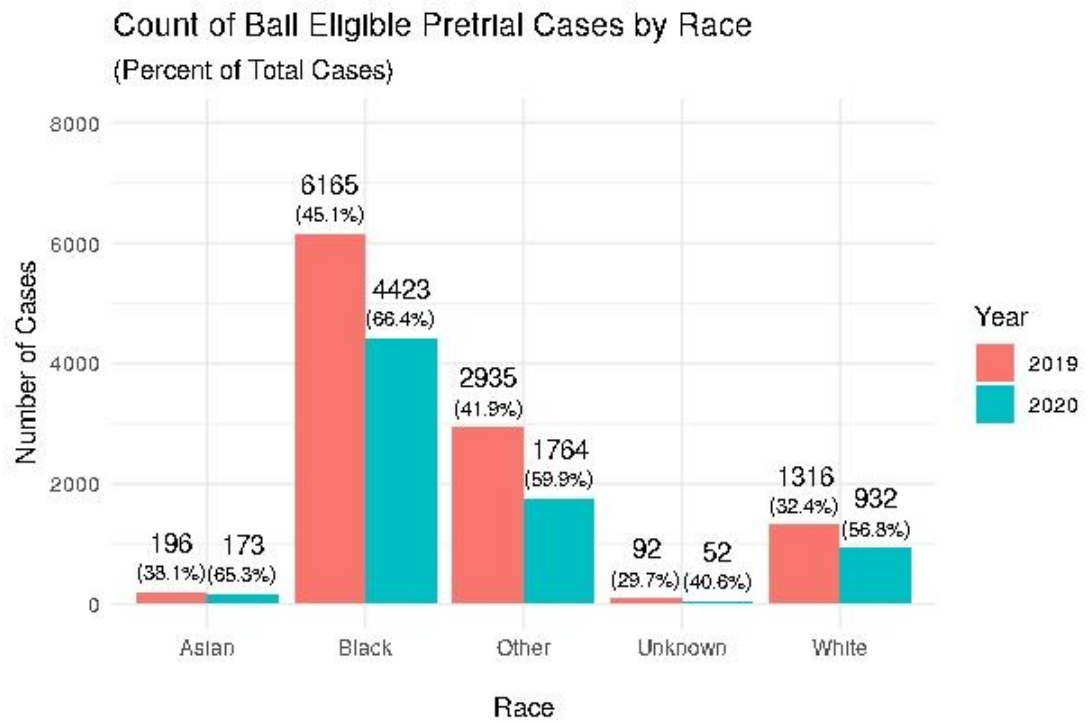


Figure 1: Three Month Moving Average of Bail Eligible Pretrial Cases by Race



From NYC and Albany admissions datasets.
Cases where bail eligibility is unknown are excluded the total cases.

Figure 2: Count of Bail Eligible Cases by Race

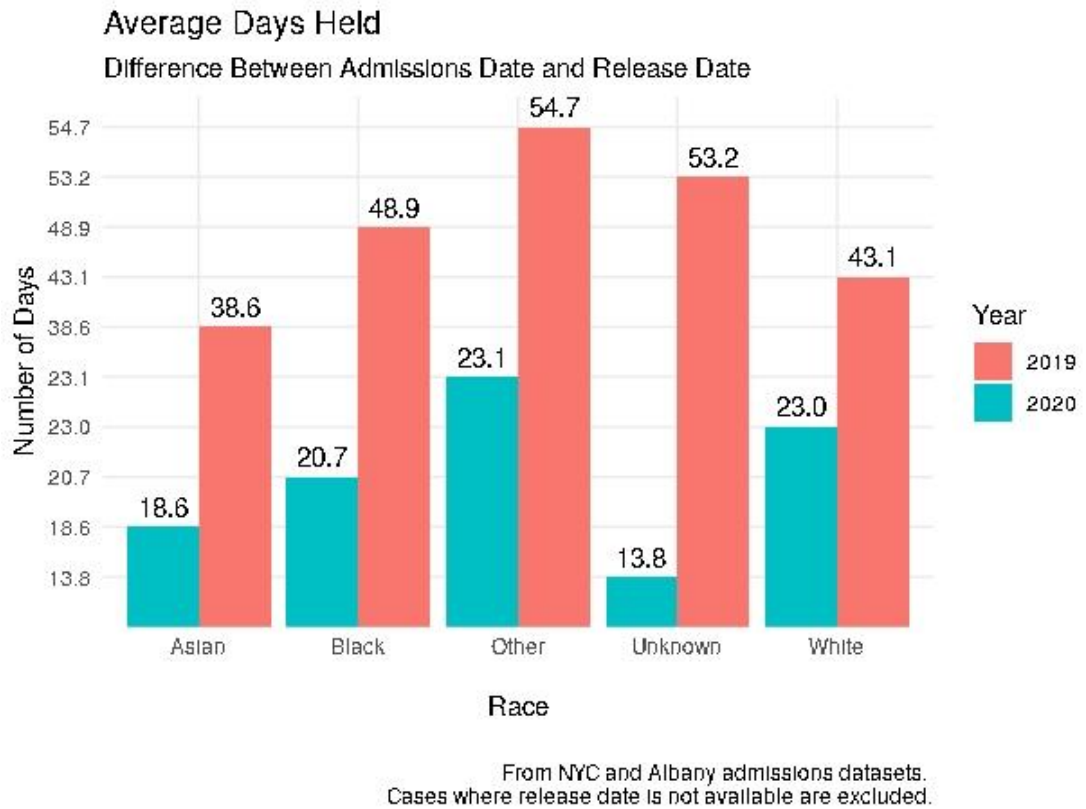


Figure 3: Average Days Between Admission Date and Release Date

2 Figure Discussion

Both Figure 1 and Figure 2 depicts the count of bail eligible pretrial cases and the percentage of total pretrial cases for different racial groups in 2019 and 2020. The graph shows that black New Yorkers have a number of bail eligible cases that is disproportionately high to their composition of New York's population and are thus positioned to be particularly impacted by January 2020's bail reform law. Despite the bail eligibility percentage of pretrial cases increasing, the number of bail eligible cases decreased for all groups with black people facing charges experiencing the greatest declines.

Figure 3 depicts that the average number of days between the admissions date and release date has decreased after the implementation of the bail reform law. While we would need to control for charge severity and other factors, the visualization indicates that the bail reform laws may be addressing racial disparities in how long people are held after being admitted.

While the graphs and data clearly depict that bail reform will have a disproportionately large and positive effect for racial minority New York residents, the bail eligible variable is limited in that while the charge may be bail eligible, we do not know whether the defendant was charged monetary bail for release. Additionally, bail eligibility was unknown for a portion of cases, which limits our ability to determine bail eligibility rates. To analyze the impact of the law on racial disparities further, I would recommend a difference-in-difference estimation that controls for race, ethnicity, charge severity, charge and location.

3 Incarceration data from 45 county jails in New York State

Moving forward, we will be able to analyze the impact of the bail reform law using incarceration data from 45 county jails in New York State. I plan to collaborate with two junior researchers. First, we would want to write web-scraping code to download the data files if they were separated by jail. Then, we would append the datasets together and create a variable for jail location. I would have each of the researchers create preliminary summary tables of key variables, identify any missing values and any variables that need recoding. To complement their data assignments, I would have junior researchers identify papers relevant to bail reform and any papers that use the incarceration data. I would select the most relevant papers for us to read together and discuss how their findings would inform our data cleaning and analysis process. If available, I would have them do a brief exercise replicating a graph or two from a paper that uses the incarceration data to get more comfortable with it.

Through the cleaning and standardization process, I would have us document the choices we were making with any supporting references or charts. I would also have us document our code well and write our code such that if we wanted to update the data, we could click one button and the data would download and our cleaned data would be saved.

Once we had cleaned the data and felt comfortable with the dataset, I would discuss with the junior researchers what analysis would be most suited to analyzed the law's impact. I would have us draw from related literature, but would also value the interests and experiences of my junior collaborators. For example, if one junior researcher had a particular interest in employment impacts of incarceration, I would guide them through exploring how decreased monetary bail and pretrial restrictions may have positive labor market impacts. If another researcher had specific data visualization skills they enjoyed, I would work with them to use those skills.