
Bail Reform Updates

November 4, 2021

The “end cash bail” or “zero bail” movement has increased crime in America’s cities and is contributing to the break-down of law and order.

For the last ten years, we have seen policies where suspects are caught by police charged with crimes and simply cut loose from jail with zero bail only to do it over and over again.

Many of these policies involve the removal of judicial discretion to consider certain factors while considering the setting of bail to protect public safety.

In Denver, according to a recent CBS4 investigative report, over 4,000 felons have received zero or low bonds in 2021.¹ When we say low bonds—we mean \$1 or \$2. A shocking **45% of felons arrested for gun possession were released in on low or no bonds.** Felons possession a gun illegally is a federal crime!

In Houston, Texas, the no money bail movement was implemented five years ago. **The result was a tripling of crimes committed by criminals while out on bail.** The number of persons who committed a new crime while already out on 2 to 4 bonds increased by 400%. District Attorney Kim Ogg, a Democrat, helped Governor Abbott pass legislation to restrict no bonds in many of the cases. DA Ogg said that “Re-offending by criminal defendants who have been released on bail is up. Bond failures by criminal defendants are up. Violent offenses committed by defendants free on bail is up.” **Bail reform, she said, “will continue to be a driving factor in the crime crises gripping our community.”**²

In Chicago, a couple of professors have an article coming out in a law journal where they found bail reform in Chicago completely backfired. **There was a 45% increase in crimes while on bail, and a stunning 33% increase in violent crimes while on bail.**³

¹ <https://denver.cbslocal.com/2021/10/28/pr-bond-repeat-offender-no-bond/>

² https://app.dao.hctx.net/sites/default/files/2021-09/HCDAO%20Bail%20Crime%20%20Public%20Safety%20Report%2009.02.21_0.pdf

³ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3541091

In Atlanta, when bail was eliminated for non-violent misdemeanors, failures to appear in court more than doubled, increasing by 138%.⁴

Crime in New York City spiked 17% during the first month of bail reform in January, 2020, with Police Commissioner Shea blaming bail reform for the spike, and the legislature partially repealed the law in April, 2020. Commissioner Shea continues to blame bail reform for spikes in crime, including the wave of shoplifting and violent crime in New York City.

In Long Island, New York, the backlash to the bail reform laws swept Republican candidates for District Attorney into office in Nassau and Suffolk Counties on November 2. People are concerned about crime, and concerned about bail reform.⁵

In Sacramento, a man out on zero bail raped a 61 year old woman, killed her, killed her two dogs, and set her house on fire.⁶ City leaders called the case a monumental failure of zero bail, and this has stalled out bail reform efforts in California.

In San Francisco, the zero bail policies have lead to what the *Wall Street Journal* called a “shoplifter’s paradise.”⁷ Steal under \$950 get a ticket, steal over \$950 get a zero bail. No wonder Walgreens has closed 22 stores with five more closing and more to come.

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⁴ <https://www.ajc.com/news/atlanta-news/atlanta-jail-closure-talks-continue-as-council-discusses-bail-reform-court-changes/3BZKGWJKHRCNDC5EXORNMAQAMA/>

⁵ <https://nypost.com/2021/11/03/republican-candidates-for-district-attorney-in-nassau-and-suffolk-win-elections/>

⁶ <https://www.abc10.com/article/news/crime/family-slain-land-park-woman-responds/103-29c1f078-3113-481a-b19e-7a37bdfa04a7>

⁷ <https://www.wsj.com/articles/san-francisco-shoplifters-theft-walgreens-decriminalized-11634678239>