JUSTICE NOT FEAR

MEDIA GUIDE

Justice Not Fear is a project committed to sharing the truth about bail reform and refuting misleading reports on the New York law. We are legal and policy experts who seek to provide accurate and accessible information about bail policy to the public, reporters, and decision makers.

OUR METHODOLOGY

We track stories published about the impact of pretrial reform and review them to correct false and misleading information, provide additional context, and promote accurate coverage. We draw on our extensive legal experience, public databases, court resources, public defender offices, and the law itself to ensure that the legislation and its impact are being correctly portrayed.

THE CONTEXT

Bail reform in New York has been an extraordinary success for public health and safety, enabling thousands of New Yorkers to await trial in their communities, rather than in jail. But despite the facts and data, there is an ongoing narrative to undermine pretrial reform, fueled in large part by misinformation about the law and its impact.

COMMON PATTERNS

The media has long played a role in shaping public opinion around criminal justice issues, more specifically pretrial reforms. Since the passage of 2019 bail legislation, patterns in reporting about pretrial freedom have emerged. This resource seeks to support reporters in avoiding these common pitfalls and remaining neutral in their coverage. Some common themes we identify include:

Misstatement of the law:	— Claiming that bail reform required judges to release certain people when the allegations were in fact eligible for bail. — Suggesting that reform eliminated a power judges never legally had: to consider so-called "dangerousness" when setting bail.
Single-Perspective Sourcing:	— Sourcing exclusively from people who are police, prosecutors, or aligned with carceral interests, instead of community members, public defenders, and local organizers.
Misrepresentation of the law's impact:	— Falsely tying bail reform to crime despite all evidence to the contrary. — Publishing unfounded speculation that the release of one person whose case is pending emboldens others to commit harm.
Decision to Print and Amplify:	— Cherry-picking outlier stories, that do not represent the vast majority of people released pretrial.
Use of dehumanizing, misleading, and racist language:	— Calling people "criminals," "felons," "thieves," "cons," etc. when amplifying outrage and fear about their release. — Using words with clear racist overtones, such as "hordes" and "thugs."