

THE ONGOING SUCCESS OF BAIL REFORM

Nearly three years after implementation, the research is clear: bail reform in New York has been a resounding success in upholding public safety, protecting freedom, and saving taxpayer dollars. Here are some key findings:

New York's passage of bail reform in 2019 was a modest and reasonable continuation of two decades of steep declines in pretrial incarceration rates, which paralleled steep declines in all major crimes.

- In the six years predating bail reform, the New York City jail population dropped from an average of around 14,000 people per year to under 6,000 people per year. Meanwhile, the number of major felonies in 2020, the year bail reform went into effect, was fewer than every year from 2000 to 2019. ([New York Daily News](#))

Since bail reform passed, there has been even more freedom: Hundreds of thousands of New Yorkers who otherwise would've been eligible for bail, have been able to fight their cases from a position of freedom, unburdened by the deadly harms of pretrial incarceration.

- Nearly 200,000 people who would have otherwise been unable to buy their freedom were able to spend time with their families, keep their jobs, and maintain their freedom while presumed legally innocent. ([Vera Institute of Justice](#))

But bail reform has proven that maximizing freedom also means maximizing public safety: Rearrests for alleged violent felonies have remained exceptionally rare after bail reform was enacted just as before and bail reform has no correlation to any national trends in increases in certain crimes.

- An analysis of 100,000 New York cases from July 2020 to June 2021 found that just 2 percent of cases were rearrests for an alleged violent felony. ([Brennan Center](#))
- Before and after bail reform, 99 percent of people, regardless of bail or other pretrial conditions, were not rearrested for an alleged violent felony in New York City. ([NYC Comptroller](#))
 - Note: An analysis of New York crime data found that 93 percent of arrests in New York City and 86 percent of arrests in New York State initially charged as felonies end in a dismissal, acquittal, misdemeanor conviction or non-criminal violation. ([New York DCJS](#))

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It's not just rearrest rates that remain low; people continue not to miss court. In fact, people are showing up to court at higher rates than before reform

- A higher percentage of people showed up to their court dates after bail reform was enacted. The failure-to-appear rate in New York City fell from 15 percent in 2019 to 9 percent in 2021 after the enactment of bail reform. ([Newsday](#))
- Outside of New York, failure-to-appear rates remained flat, going from 17 percent in 2019 to 18 percent in 2021. ([Newsday](#))
 - Note: Years of data show that the vast majority – between 85 and 95 percent – of people show up to their court dates. ([New York City Criminal Justice Agency](#))

Freedom is also fiscally responsible: Reduced incarceration rates save hundreds of millions of dollars.

- A report found that maintaining jail populations at June 2020 levels could save New York counties up to \$638 million annually. ([Vera](#))

Pretrial incarceration is deadly, dehumanizing and increases the likelihood of future arrests.

- Sixteen people have died in the New York City jail system in 2022, amid a pattern of human rights violations. ([New York Times](#), [U.S. House Committee on Oversight and Reform](#))
- There are nearly 5,000 people waiting for their day in court in New York City jails. Of them, 1,178 had been waiting for trial for more than one year. ([Vera](#))

We shouldn't be surprised. Bail reform is working across the country.

- In Houston, misdemeanor pretrial reform did not lead to any spike in crime, and researchers found a decline in cases over a three-year period following reform. ([Quattrone](#))
- In Los Angeles, failure-to-appear and rearrest rates decreased or remained constant following increases in pretrial release. ([Los Angeles County Executive](#))