

SOLUTIONS FOR SAFETY AND JUSTICE:

How to have positive conversations about how protecting bail reform protects New York's communities

Vera ACTION

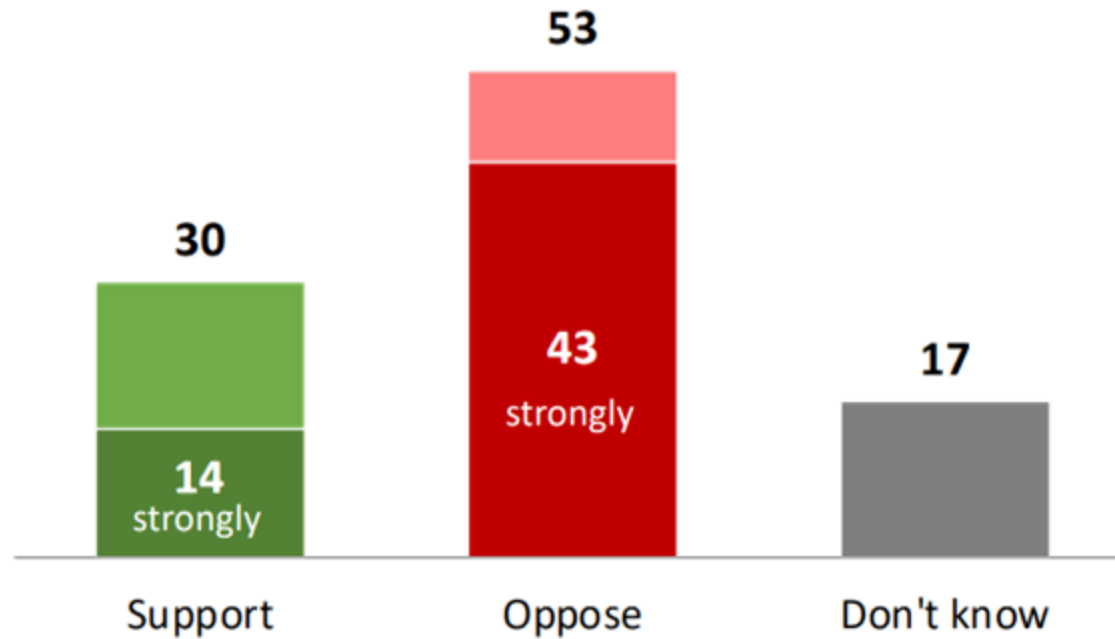
1. How to frame the conversation

Our polling

- ❖ **National survey** in June 2022 of nearly 4,000 likely voters to understand what voters are looking for nationally to understand what solutions and policies resonate with voters when it comes to making communities safer (Perry Udem, margin of error +/-2%)
- ❖ **New York survey** in March 2022 of 600 registered voters in the New York City metro area (New York, Kings, Bronx, Richmond, Queens, Nassau, Suffolk, Westchester, Rockland, Orange) to gauge their support for local solutions to make communities safer (David Binder Research, margin of error +/- 4.4%)
- ❖ **National online exit survey** on election night November 2022 of 1,800 voters (Hart Research Associates), and a second post-election quantitative survey of 2,100 midterm voters in 7 battleground states: AZ, FL, GA, MI, NC, PA, WI (Perry Udem)

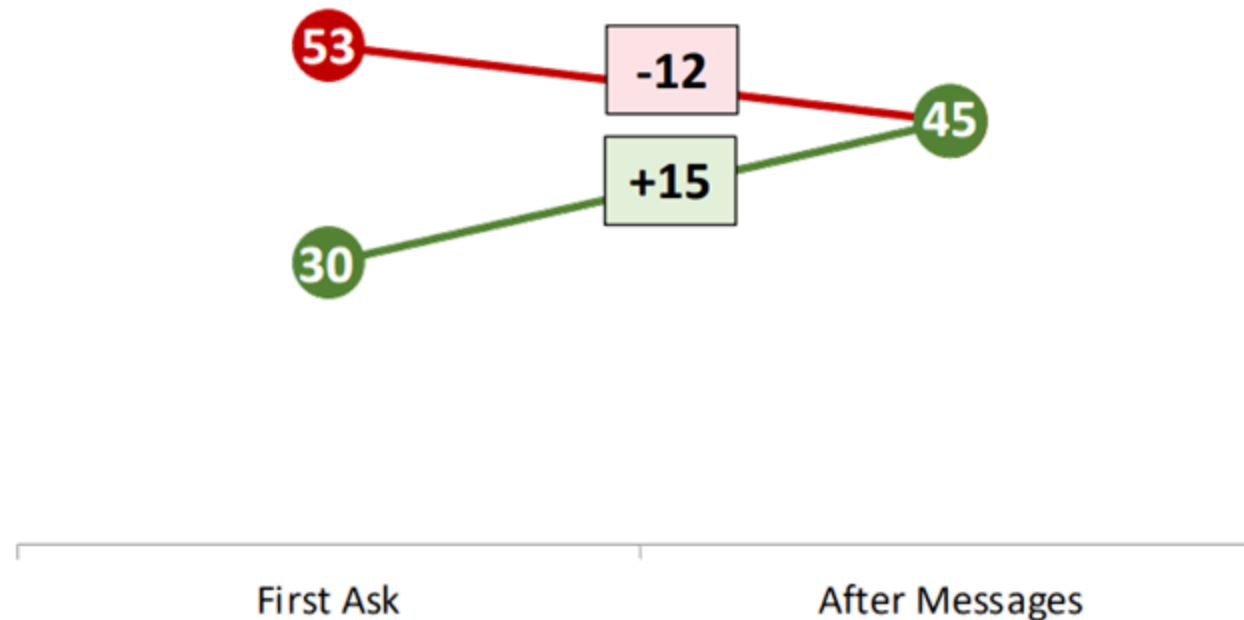
It's true that initial support for bail reform is low...

Our New York City metro area polling shows that 53% of people say they oppose bail reform when first asked



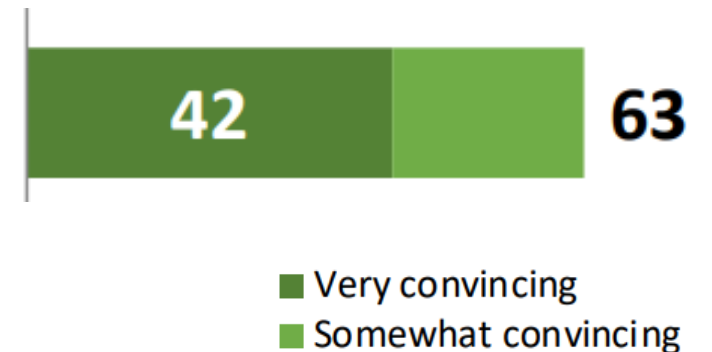
...but pro-reform narratives increase support for bail reform by double digits

—●— Support —●— Oppose



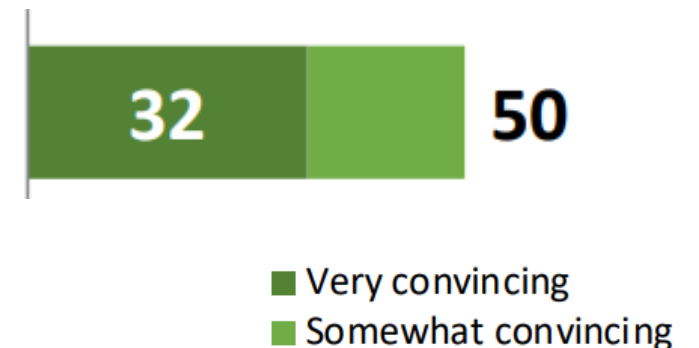
Voters are persuaded by the idea of preventing crime before it happens

PREVENTION. Rather than locking up every person accused of a crime, we should spend resources to prevent crime before it starts. By working to improve education and youth programs, create job opportunities, expand crisis assistance, and provide mental health and substance abuse treatment, we can prevent crime by attacking its root causes.



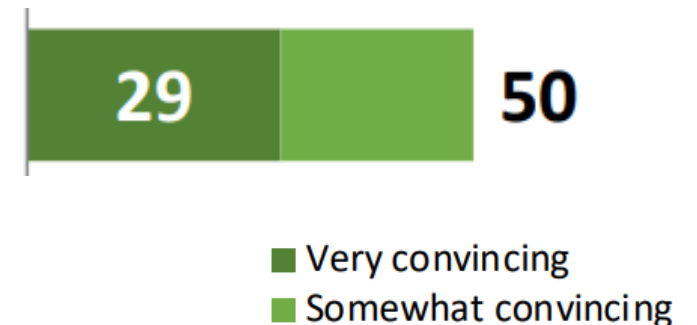
They care about treating rich and poor people equally

THE WEALTHY. If powerful wealthy interests get their way and reinstate cash bail, all that it means is that people who are accused of nonserious and nonviolent crimes will have to pay a lot of money to get out of jail while they're waiting for their trial. Rich people accused of crimes will still buy their way out of jail and do whatever they want. Reinstating cash bail is just another way of making the criminal justice system unfair to people who aren't rich.



And voters are moved by crimes of desperation

DESPERATION. The real issue is that a lot of folks in New York are hurting right now and some folks are getting desperate. Reinstating harsh bail policies will not reduce crime, because most crime occurs when people are desperate. The way to prevent these crimes is to help people avoid becoming desperate – with help finding stable jobs and stable housing – and if they do become desperate, provide access to the support they need – mental health care, addiction treatment, and crisis assistance.



Pro-reform messaging wins nationally, too

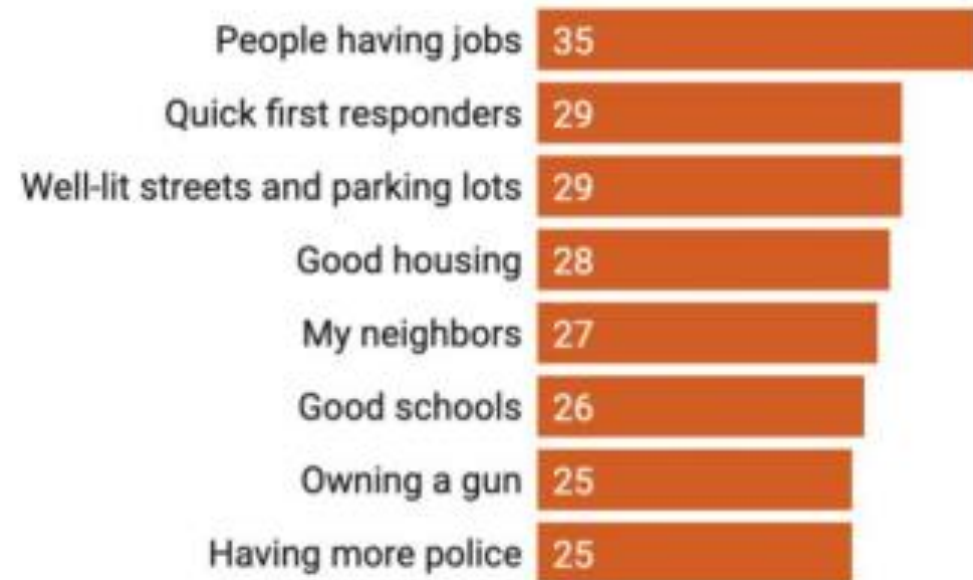


Statement A: Democrats are hellbent on eliminating cash bail. They wanted to release dangerous criminals on their own recognizance or a nominal bond amount. Now there's blood on their hands.

Statement B: Cash bail actually makes us less safe. When someone with minor offenses is kept in jail for months or years because they can't afford bail, they lose their livelihoods - their jobs and their ability to get jobs in the future. That feeds the cycle of crime. We need a system where public safety, not wealth, determines who is released pending trial.

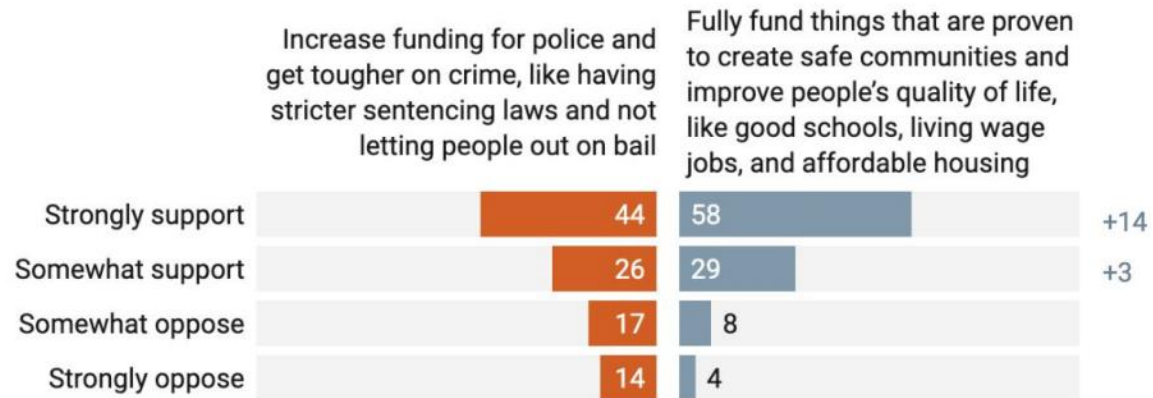
Nationally, people believe that jobs, housing, and schools create safety

“What makes you feel safe in your own neighborhood and community? Choose the top three or four:”

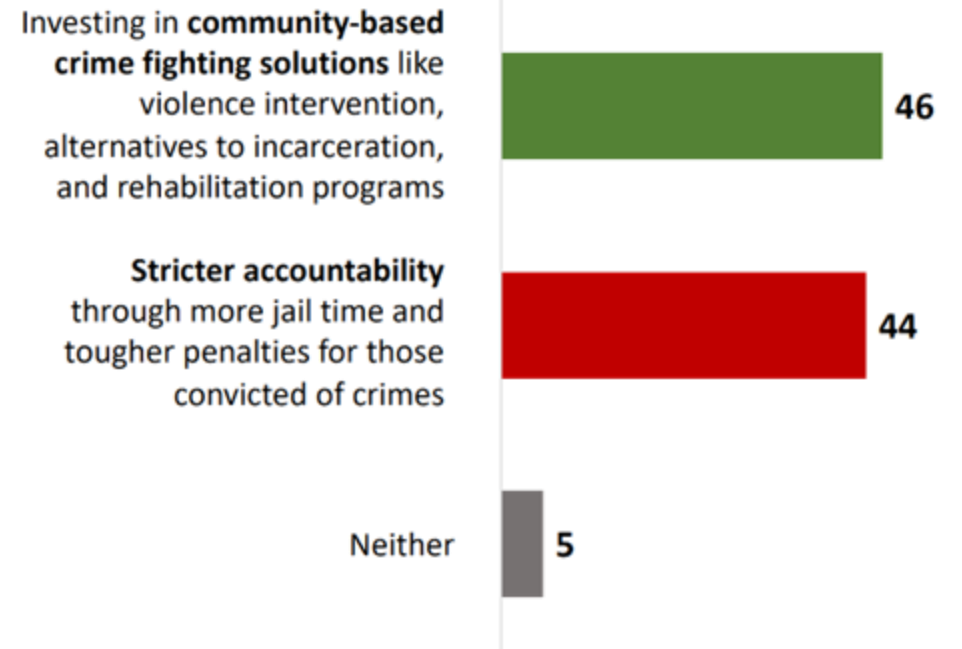


Voters are interested in solutions, not scare tactics

From our national poll



From our NYC metro area poll



Voters want services that prevent crime rather than just reacting after the fact

From our national poll

92%
agree

62%
strongly

We need to focus on **preventing crime in the first place**, not just reacting to it after it happens.

From our NYC metro area poll

63% of voters agree that rather than locking up everyone accused of a crime, we should spend resources on preventing crime before it starts.

Evidence-based solutions to crime are overwhelmingly popular

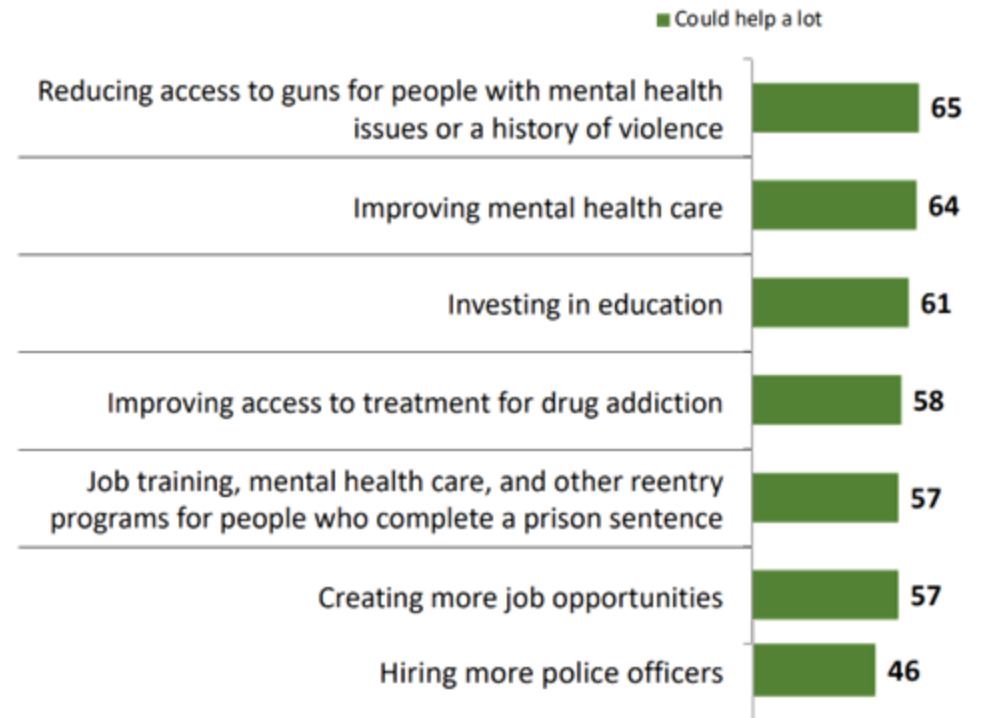
From our national poll

70%
agree

44%
strongly

Fully fund things that are proven to create safe communities and improve people's quality of life – like good schools, living wage jobs, and affordable housing.

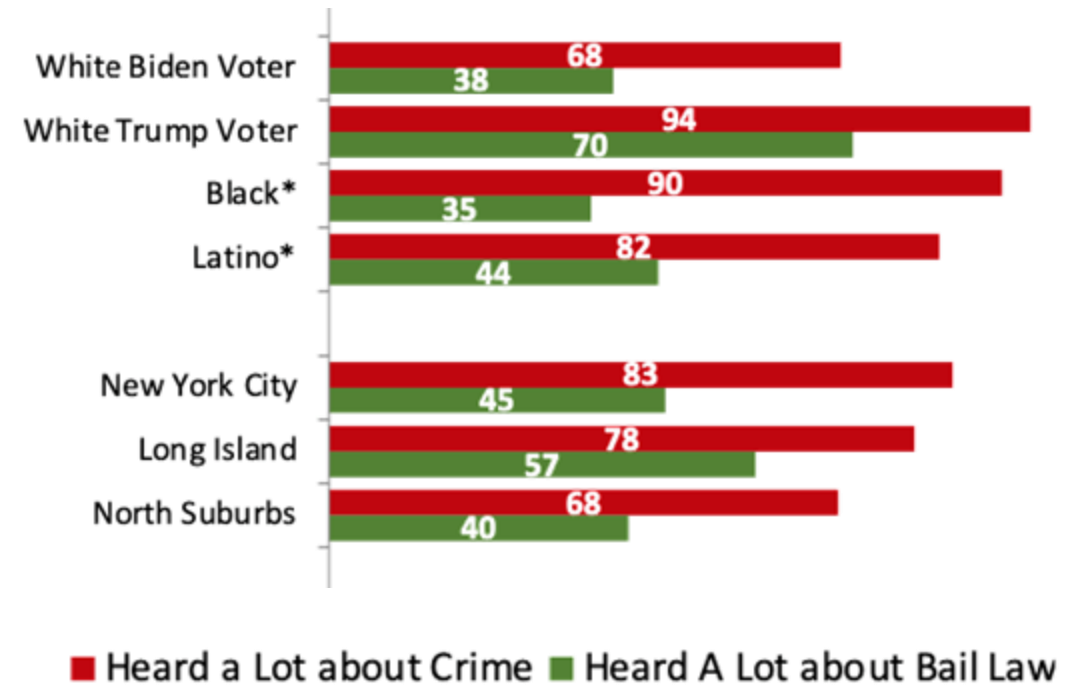
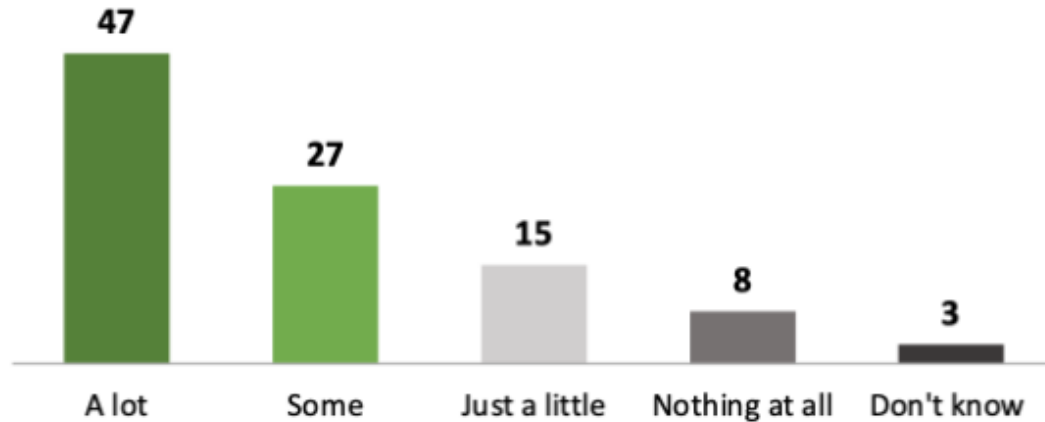
From our NYC metro area poll



About half of New Yorkers don't know much about bail reform

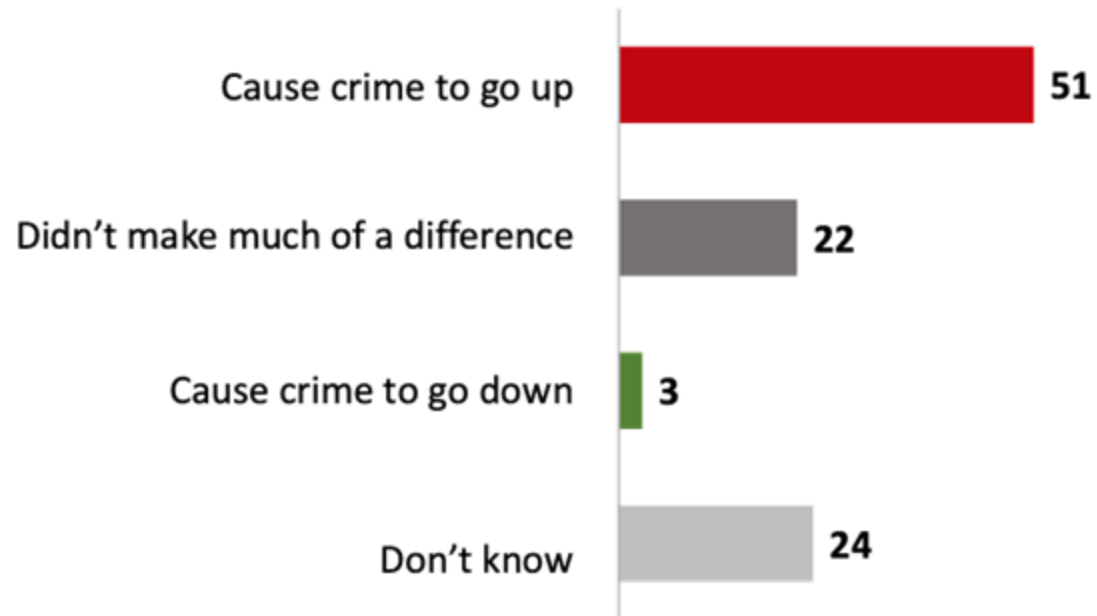
“How much, if anything, have you heard about a law passed in 2019 that ended cash bail for most misdemeanors and non-violent felonies?”

The information gap was especially true for Democrats, New York City residents, and Black New Yorkers



And half are unsure or skeptical of the connection between bail and safety

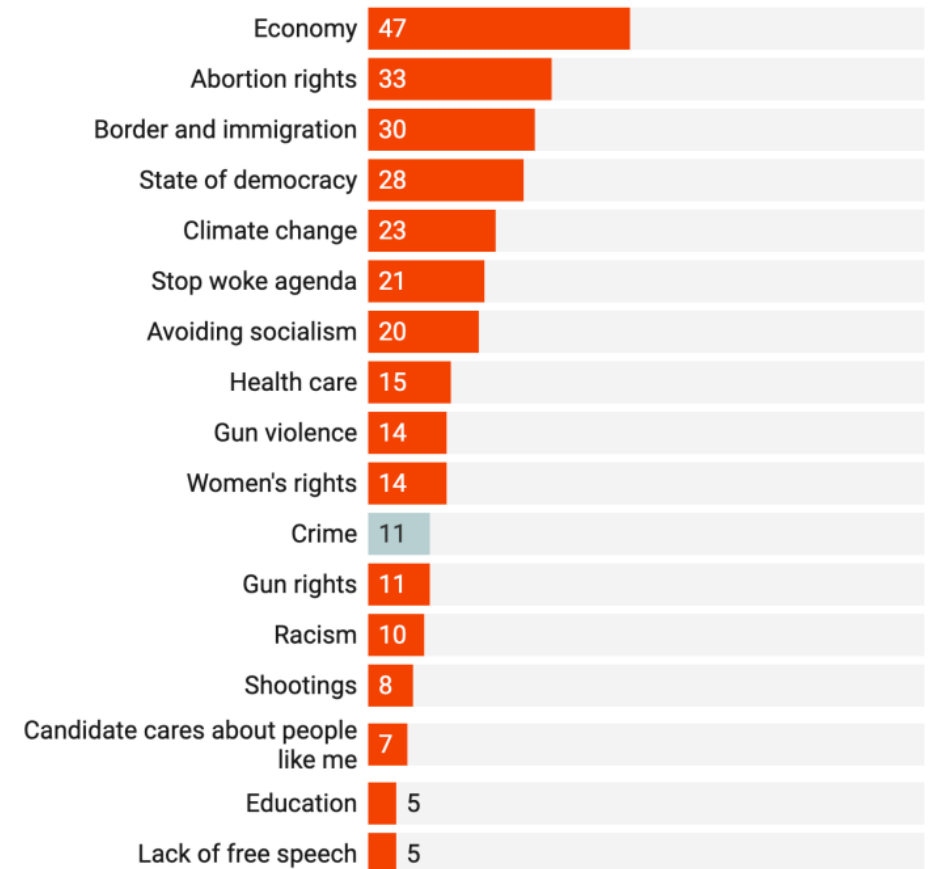
And from what you know, did the law that ended most cash bail in New York...



2. Lessons learned from the midterms

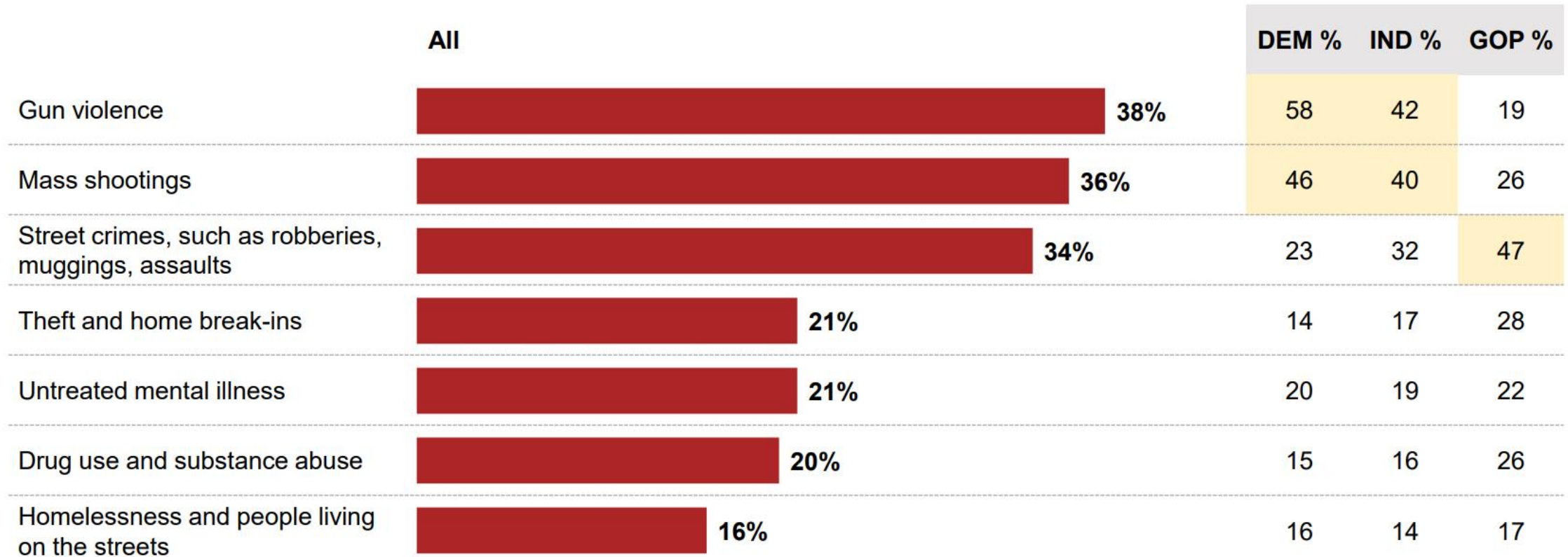
Our exit poll shows crime is important, but other issues are more urgent to voters

What issue was most important to your vote?



Source: Perry Udem November 2022 exit poll commissioned by Vera Action

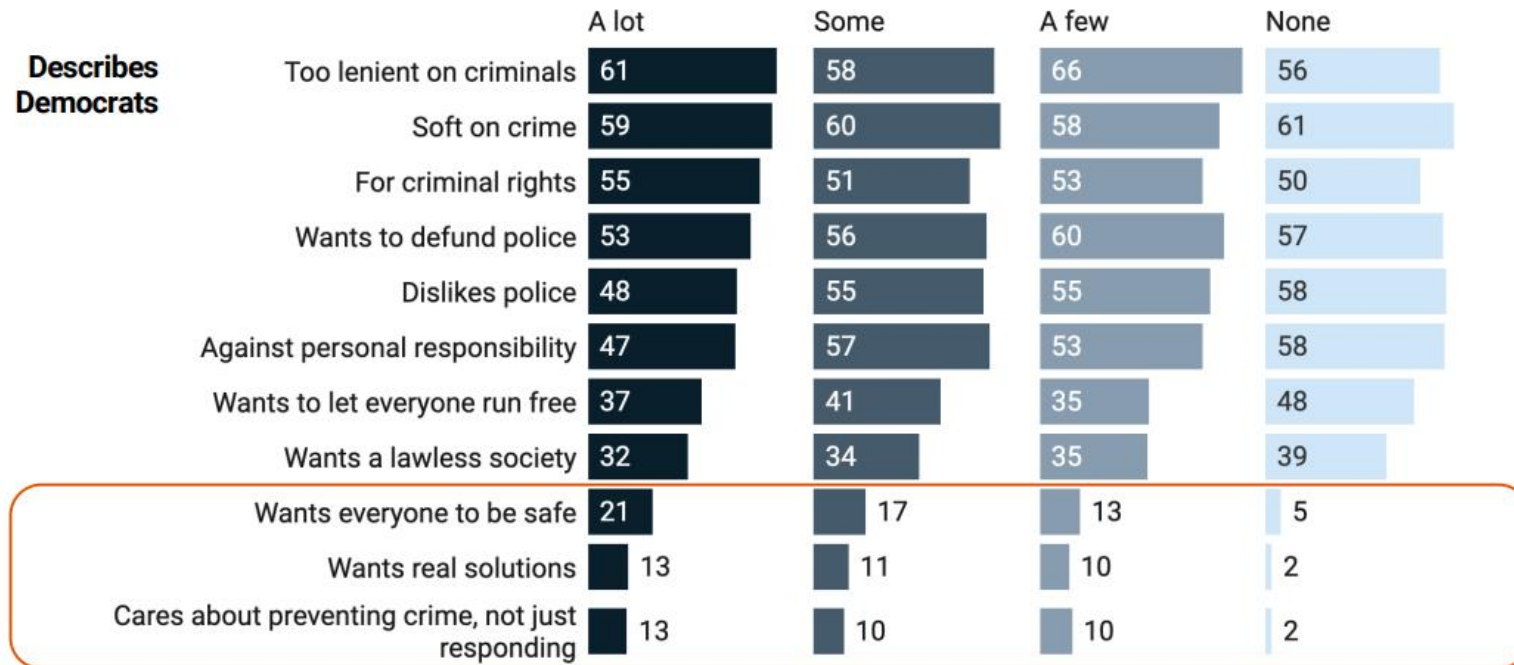
And when people talk about “crime” and “safety,” they mean a variety of topics



Voters didn't hear nearly enough about proactive solutions to safety

In the past month or two, how many political ads have you seen about crime?

Base n = 622 independents who don't lean Democratic and not so strong Republicans

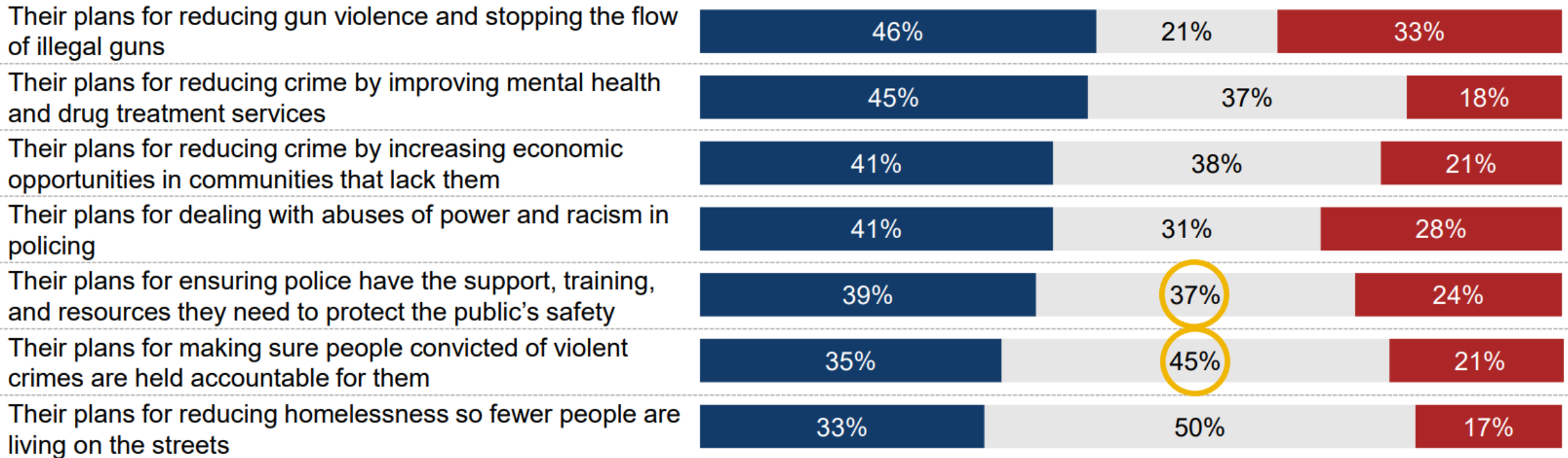


Voters didn't hear nearly enough about proactive solutions to safety

■ DEMs offered good ideas

■ Don't recall DEMs addressing

■ Disagree with DEM ideas



And they didn't hear enough from Democrats

58%

Of respondents say they heard more from Republicans on the issue of crime than Democrats

27%

Say they heard equally or more from Democrats

But when they did, it was powerful

AXIOS Chicago

Nov 9, 2022 - Politics

Democrats sweep the Illinois midterms

Justin Kaufmann, Monica Eng

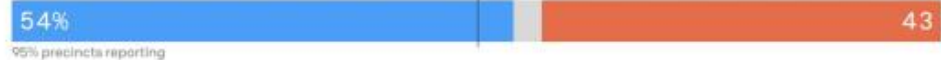


Key election results in Illinois

As of Nov. 9 2022, 5:30am; 95% precincts reporting; Checkmarks indicate winners called by AP

Governor

PRITZKER ✓



95% precincts reporting

U.S. Senate

DUCKWORTH ✓



95% precincts reporting

U.S. House 6th District

CASTEN ✓



99% precincts reporting

Illinois Democrats held their ground in last night's midterms by winning almost every contested seat and maintaining a 5-2 majority in the state Supreme Court.

Attorney General

Incumbent Kwame Raoul fended off Republican challenger Thomas DeVore.



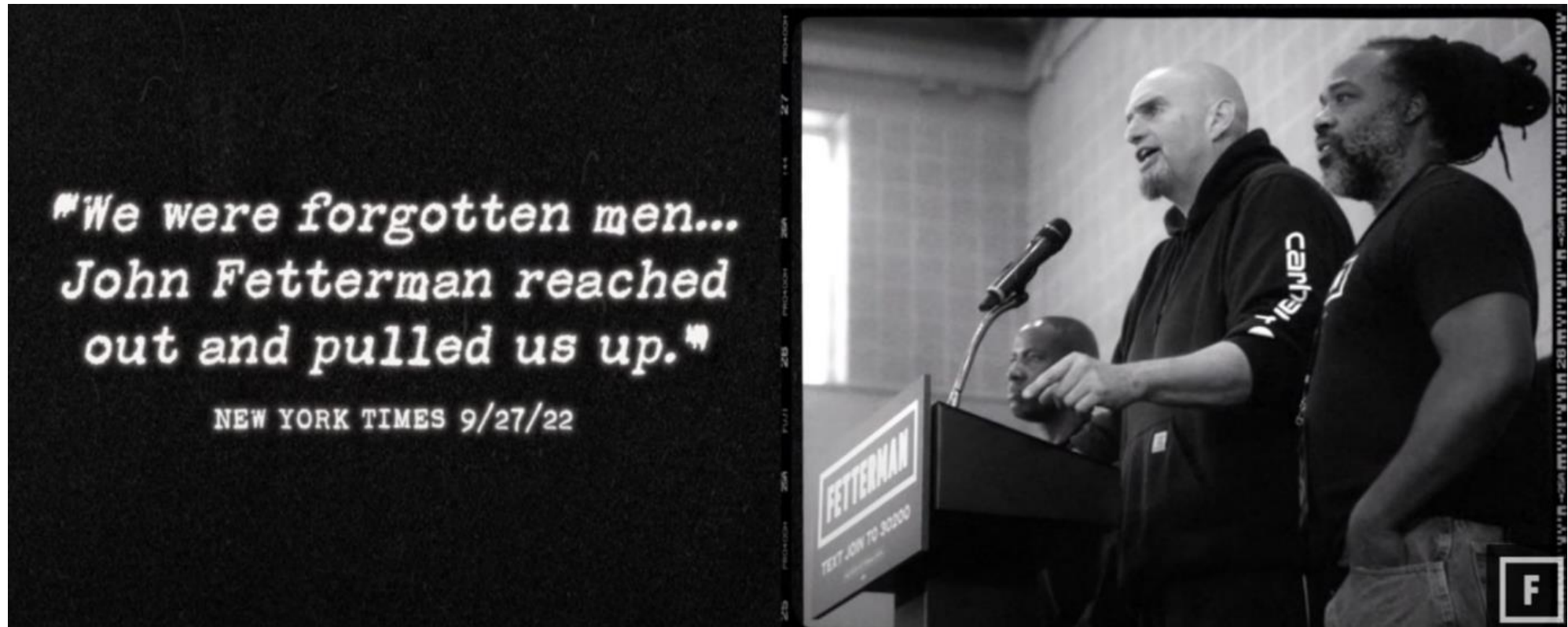
A message from Ericsson

The lack of a strong patent licensing system can slow or stagnate the cycle of innovation.

[Learn why](#) →

- Raoul helped craft criminal justice reform in Springfield.
- DeVore, an attorney, ran an aggressive campaign criticizing the SAFE-T act and suing the AG's office over mandates.

But when they did, it was powerful



3. Some messages that work for a new vision for public safety

How we recommend approaching the public safety conversation

- 1 Lead and unite with a shared vision of safety for everyone
- 2 Point out that the status quo is the enemy. We need to prevent crime in the first place, not just reacting in the aftermath
- 3 Be bold on bail reform. Educate people about how the 2019 reforms supported our values as New Yorkers
- 4 Acknowledge the role of police and highlight complementary evidence-based solutions
- 5 Reinforce that we need solutions, not scare tactics

Safety and justice go hand in hand

Punishment ≠
accountability

Accountability is addressing crime survivors' needs and preventing someone from causing harm again, which punishment doesn't do.

Punishment ≠
crime reduction

We spend over \$18 billion annually in New York on police, jails and prisons already – and we still aren't safe. Safety is breaking the cycle of arrests, which incarceration only perpetuates.

Punishment ≠
long-term fix

Jails and prisons make it much harder to address the underlying reasons why people get arrested in the first place.

Justice = safety

We have the solutions to tackle crime and deliver a justice system that holds people accountable while being accountable and fair itself.

We can stop cycles of crime...



...by preventing crime, not just reacting after



Stopping crime before it happens again...

We have new breakthroughs that stop the cycle of crime, such as:

- ❖ **Justice-involved supportive housing:** In New York City, reduced jail admissions by 38%, shelter admissions by 90%, and days in psychiatric facilities by 55%.
- ❖ **Education & jobs:** In 2018, job program participants were 48% more likely than non-participants to have steady jobs and 19% less likely to be rearrested.
- ❖ **Summer youth employment:** New York City's summer youth employment program reduced the chance of a young person being arrested on a felony charge by 17-23%.
- ❖ **Mental health & substance use treatment:** Increasing funding for substance use treatment has been shown to lead to crime reduction benefits 4x the cost of treatment.

...and stopping escalating cycles of violence

Research tells us that people who experience violence and crime often themselves perpetuate violence and crime. We have solutions to stop that cycle, such as:

- ❖ **Community violence intervention (CVI):** Brooklyn neighborhoods that participated in CVI experienced 20% less gun violence than adjacent areas.
- ❖ **Restorative justice:** A 2019 study of restorative justice “peacemaking circles” found that participation was associated with a 53% reduction in rearrests.

4. Some messages that work for protecting bail reform

We share these fundamental values...

Safe homes and
communities



Innocent until
proven guilty



Equal treatment
regardless of
wealth



Access to
opportunity



...and bail reform protects those values

Safe homes and
communities



Innocent until
proven guilty



Equal treatment
regardless of
wealth



Access to
opportunity



What is bail?



Bail is money a person facing charges must pay to be released while they await trial.

It is:

- ❖ A way to assure someone returns to court
- ❖ Imposed at the very start of a case, when the person is still presumed innocent
- ❖ One of a menu of options that can be imposed by the judge, including release, conditional release, supervised release, or remand (detaining the person)

What is the impact of bail?

- ❖ People who can afford bail are able to return to their families and communities while they await trial
- ❖ People who can't pay end up behind bars, and as a result can lose their jobs, their homes, and custody of their children
- ❖ In practice, bail disproportionately harms Black, brown, and poor New Yorkers
- ❖ Bail contributes to the stressors and instability that cause crime in the first place

What did the reforms do?

Eliminated the use of bail and pretrial incarceration for most low-level charges.



Required judges to consider a person's financial circumstances when setting bail.



Allowed judges to set bail and remand (incarceration) for more serious charges, including guns.



Bail reform's transformative impact

- ❖ Over **183,000** people have been spared the trauma of jail because of bail reform
- ❖ Over **95%** of people released were not rearrested on violent charges
- ❖ The statewide jail population fell by nearly **one-third**

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