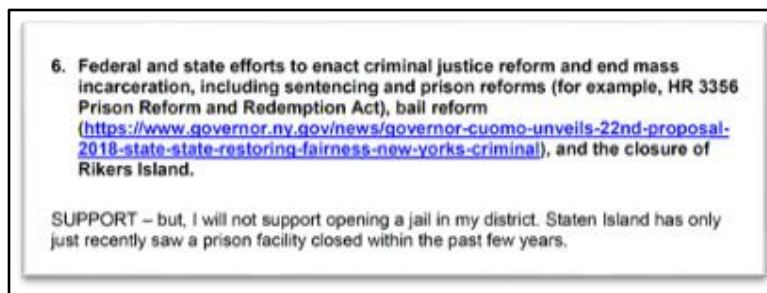


Max Rose supported closing Rikers Island and ending cashless bail for criminals, which led to the release of thousands of criminals.

Editor's Note: [Cash bail](#) and [money bail](#) are different terms for the same [practice](#) in which, “the court determines an amount of money that a person has to pay in order to secure their release from detention” and “the cash amount serves as collateral to ensure that the defendant appears in court for their trial.”

Max Rose supports New York State's bail reform law and closing Rikers Island:

- In a 2018 LAMBDA Independent Democrats of Brooklyn questionnaire, Rose supported NY State Bail Reform and supported closing Rikers.



(Max Rose Questionnaire, [Lambda Independent Democrats of Brooklyn](#), 2018)

On January 1, 2020, legislation in New York State went into effect that eliminated cash bail:

- **New York's Bail Law eliminates cash bail for most misdemeanors and nonviolent felonies.** “New York’s bail law currently eliminates money bail for most misdemeanors and nonviolent felonies. Those accused of these crimes are either freed without restrictions while their case plays out, or released under certain conditions like electronic monitoring. The law also requires police to issue appearance tickets to people charged with some low-level minor offenses, rather than taking them to jail.” (Jared Trujillo and Simon McCormack, “Why We Can’t Go Backwards on Bail Reform,” [NYCLU](#), 1/13/22)
- **Under New York's Bail Reform, judges release people before their court date.** “Both before and after the law went into effect on January 1, many criticized its reforms. Despite limited data, some claimed that the law contributed to increases in crime. Prominent district attorneys and other law enforcement and public officials called for immediate revisions to the new law. The legislature complied, putting changes into the annual state budget bill, which the governor signed a few days later. The basic framework established by the original bail reform law has not changed. For most misdemeanors and nonviolent felonies, judges are still required to release people with the least restrictive conditions necessary to reasonably assure the person will come back to court. For these crimes, cash bail is still prohibited. In all other cases, judges have the discretion to release people, with or without pretrial conditions designed to ensure their return to court. These include electronic monitoring, participating in drug treatment programs, and setting bail. In certain felony cases, judges can remand people into custody.” (Taryn A. Merkl, “[New York's Latest Bail Law Changes Explained](#),” Brennan Center, 4/16/20)

- **The bail reform law affects people charged for crimes who sat in jail for extended periods of time because they couldn't afford bail.** “The 2019-20 state budget included a few major criminal justice reforms, including ending cash bail for most misdemeanor and nonviolent felony offenses. The changes were supported by Democratic lawmakers who sought to address flaws with bail, specifically people accused of low-level offenses who sat in jail for extended periods because they couldn't afford bail.” (Robert Harding, [“CNY Democrats for Congress respond to bail reform ad: Katko promoting fear,”](#) Auburn Pub, 2/6/20)

Bail reform laws release criminals back onto the street:

- **As a result of bail reform, in Cook County, IL, “the number of released defendants charged with committing new crimes increased by 45%” and “the number of pretrial releasees charged with committing new violent crimes increased by an estimated 33%.”** “Recently bail reform issues have been in the news across the country, as concerns about fair treatment of defendants and possible public safety risks from expanding pretrial release have collided. These issues involve important empirical questions, including whether releasing more defendants before trial leads to additional crimes. An opportunity to investigate this public safety issue has developed in Chicago, our nation’s third largest city. There, the Office of the Chief Judge of the Cook County Courts adopted new bail reform measures in September 2017 and reviewed them empirically in May 2019. Cook County’s Bail Reform Study concluded that the new procedures had released many more defendants before trial without any concomitant increase in crime. This article disputes the Study’s conclusions. This article explains that, contrary to the Study’s assertions, the new changes to pretrial release procedures appear to have led to a substantial increase in crimes committed by pretrial releasees in Cook County. Properly measured and estimated, after more generous release procedures were put in place, the number of released defendants charged with committing new crimes increased by 45%. And, more concerning, the number of pretrial releasees charged with committing new violent crimes increased by an estimated 33%. In addition, as reported by the Chicago Tribune, the Study’s data appears to undercount the number of releasees charged with new violent crimes; and a substantial number of aggravated domestic violence prosecutions prosecutors dropped after the changes, presumably because batterers were able to more frequently obtain release and intimidate their victims into not pursuing charges. These public safety concerns call into question whether the bail “reform” measures implemented in Cook County were cost-beneficial. And because Cook County’s procedures are state-of-the-art and track those being implemented in many parts of the country, Cook County’s experience suggests that other jurisdictions may similarly be suffering increases in crime due to bail reform.” (Paul Cassell and Richard Fowles, “Does Bail Reform Increase Crime? An Empirical Assessment of the Public Safety Implications of Bail Reform in Cook County, Illinois,” [University of Utah Law Faculty Scholarship](#), 2/2020)
- **Because of New York’s bail reform law “the number of pretrial defendants who are being released, often without conditions and without allowing judges to consider the risk that a defendant poses to the public” has resulted in “repeat and serious offenders—some with violent criminal histories—being returned to the street.”** “After enacting a sweeping bail reform, New York lawmakers have drawn the ire of constituents who are troubled by the many stories of repeat and serious offenders—some with violent criminal histories—being returned to the street following their arrests. In the state’s biggest city, the public’s growing concerns are buttressed by brow-raising, if preliminary, crime data, amplifying calls for amending or repealing the bail reform. The operative provisions of

New York's bail reform severely limit judicial discretion in pretrial release decisions, increasing the number of pretrial defendants who are being released, often without conditions and without allowing judges to consider the risk that a defendant poses to the public. New York is now the only state that does not allow judges to consider public safety in any pretrial release decisions." (Rafael A. Mangual, "Issue Brief: Reforming New York's Bail Reform: A Public Safety-Minded Proposal," [Manhattan Institute](#), 3/5/20)

- **HEADLINE: "New data shows nearly 4 percent of people out due to bail changes were rearrested for violent felonies"**



(Joshua Solomon and Brendan J Lyons, "New data shows nearly 4 percent of people out due to bail changes were rearrested for violent felonies," [Albany Times Union](#), 1/2/22)

- **HEADLINE: "The worst NYC crimes committed in 2021 are thanks to shaky bail reform law"**



(Jorge Fitz-Gibbon, "The worst NYC crimes committed in 2021 are thanks to shaky bail reform law," [New York Post](#), 12/28/21)

- **Because of New York's bail reform law, in 2021 "a slew of violent criminals landed back on the streets – only to reoffend."** "The year 2021 brought a hefty serving of junk justice to the Big Apple. Between lenient judges and liberal state bail reform laws, a slew of violent criminals landed back on the streets – only to reoffend. The soft-on-crime statute, passed by state lawmakers in 2019 and tweaked in 2020, stripped judges of discretion by barring them from setting bail on nearly all misdemeanors and non-violent felonies." (Jorge Fitz-Gibbon, "The worst NYC crimes committed in 2021 are thanks to shaky bail reform law," [New York Post](#), 12/28/21)

In 2021, "nearly 100,000" people were released under New York's bail reform law, "nearly one-third" of those released were rearrested for other crimes "while their initial cases were pending," over 10% of those rearrested were rearrested on "violent felony charges":

- **In 2021, "nearly 100,000" people were released under New York's bail reform law.** "In the first full year after New York banned detaining people on a vast number of criminal charges, there were nearly 100,000 cases in which adults were released after being charged with offenses for which judges previously could have set bail or ordered them held in custody." (Joshua Solomon and Brendan J Lyons, "New data shows nearly 4 percent of people out due to bail changes were rearrested for violent felonies," [Albany Times Union](#), 1/2/22)
- **In 2021, "nearly one-third" of those released under New York's bail reform law, were rearrested for other crimes "while their initial cases were pending."** "Overall, of the

98,145 cases in which individuals were released on charges for which they can no longer be held in custody, nearly one-third led to a new arrest while their initial cases were pending, according to the data. A majority of the new offenses were misdemeanors and nonviolent felonies.” (Joshua Solomon and Brendan J Lyons, “New data shows nearly 4 percent of people out due to bail changes were rearrested for violent felonies,” [Albany Times Union](#), 1/2/22)

- In 2021, “about 4 percent” of those released under New York’s bail reform law while their initial cases were pending “went on to be arrested again for alleged violent felony charges” and “about 1 percent” involved individuals “arrested again on violent felony charges involving a firearm while their initial cases were pending.” “Among the cases, those released went on to be arrested again for alleged violent felony charges about 4 percent of the time, according to a Times Union analysis of newly published state data. In about 1 percent of the cases, the individuals released were arrested again on violent felony charges involving a firearm while their initial cases were pending. Those percentages are generally low values, but given the sheer volume of individuals released statewide, they translate into thousands of instances of people being released from custody only to allegedly commit violent felonies soon after.” (Joshua Solomon and Brendan J Lyons, “New data shows nearly 4 percent of people out due to bail changes were rearrested for violent felonies,” [Albany Times Union](#), 1/2/22)
- “The Big Apple saw an increase in almost every category of major crime in 2021 – returning to levels not seen in five years, NYPD data shows. The tally for major crime – murder, rape, robbery, felony assault, burglary, grand larceny and grand larceny auto – topped 100,000 incidents for the first time since 2016. Felony assaults surpassed 22,000 incidents for the first time since 2001, according to police data that also showed a 9.8 percent jump from 2020.” (Craig McCarthy, “NYC wiped out five years of policing progress in 2021,” [New York Post](#), 1/3/22)

In 19 of the past 30 months since January 2020, overall Index Crime levels increased in New York City:

- In 19 of the past 30 months since January 2020, overall index crime levels increased in New York City.

<u>New York City Increases in Index Crime Levels since Jan. 2020</u>		
<u>Year</u>	<u>Month</u>	<u>Increase in Index Crime Levels</u>
2022	June	31.1%
2022	May	27.8%
2022	April	34.2%
2022	March	36.5%
2022	February	58.7%
2022	January	38.5%
2021	November	21.3%
2021	October	11.2%
2021	September	2.6%
2021	July	0.2%
2021	June	3.1%
2021	May	22%
2021	April	30.4%

2021	March	2.4%
2020	November	0.6%
2020	September	2.4%
2020	August	0.7%
2020	February	22.5%
2020	January	16.9%
(NYPD Citywide Crime Statistics, NYPD , Accessed 7/19/22)		

As of February 2022, in New York City nearly every single city police precinct has seen spikes in crime in the year of 2022 – including five in which the rate doubled and 72 of the city’s 77 police precincts saw increases in crime:

- **As of February 2022, “nearly every single city police precinct has seen spikes in crime so far this year – including five in which the rate has doubled.”** “Nearly every single city police precinct has seen spikes in crime so far this year – including five in which the rate has doubled, according to the latest troubling NYPD statistics. ‘No neighborhood is safe,’ one Brooklyn cop warned Tuesday. ‘At this rate, we will lose the city by St. Patrick’s Day.’ The only precinct in Manhattan to not see its crime rate jump was the 22nd Precinct, the one covering Central Park. ‘Only the squirrels are safe,’ another cop added wryly. ‘Tourists will never come back.’” (Larry Celona, Steven Vago and Jorge Fitz-Gibbon, “No neighborhood is safe,’ Crime up in nearly every NYC precinct: latest stats,” [New York Post](#), 2/8/22)
- **As of February 2022, “Seventy-two out of the Big Apple’s 77 police precincts saw crime rise.”** “Seventy-two out of the Big Apple’s 77 police precincts saw crime rise, leaving just five at 2021 levels or dipping below their figures for the same period a year earlier. The NYPD CompStat numbers show that the 110th Precinct in Elmhurst, Queens, has been battered by the highest jump in crime as of Sunday, with a more than 142 percent increase over last year. The biggest percentage hikes in the precinct were for grand larcenies, with 197 incidents so far this year after just 43 at the same point in 2021; felony assaults, which rose to 59 from 28, and robberies, with 30 this year compared to 18 last year.” (Larry Celona, Steven Vago and Jorge Fitz-Gibbon, “No neighborhood is safe,’ Crime up in nearly every NYC precinct: latest stats,” [New York Post](#), 2/8/22)

Since the start of 2022, in NYC, crime is up nearly 42% with car thefts up more than 96%, grand larceny up nearly 62%, rapes up more than 35%, robberies up nearly 35% and transit crimes up nearly 75%:

- **Since the start of the year in NYC crime is up nearly 42% with car thefts up more than 96%, grand larceny up nearly 62%, rapes up more than 35%, robberies up nearly 35% and transit crimes up nearly 75%.** “Since the start of the year, overall crime has gone up by nearly 42 percent in the five boroughs, according to the numbers. Car thefts have gone up by more than 96 percent, grand larceny by nearly 62 percent, rapes by more than 35 percent, and robberies by nearly 35 percent over the same period last year, the statistics show. The year-to-date numbers also show that transit crimes have increased to 227 compared to 130 over this time last year, a spike of nearly 75 percent.” (Larry Celona and Jorge Fitz-Gibbon, “Crime up 60 percent citywide in the past week, NYPD stats show,” [New York Post](#), 2/7/22)

In February 2022, crime in NYC rose nearly 60% in one week compared to the same time last year:

- **Crime in NYC is up nearly 60% in February 2022 compared to the same time last year.** “Crime in the Big Apple continues to spike, with a nearly 60 percent hike in the past week alone compared to the same period last year – even amid frigid temps, according to NYPD figures released Monday.” (Larry Celona and Jorge Fitz-Gibbon, “Crime up 60 percent citywide in the past week, NYPD stats show,” [New York Post](#), 2/7/22)

In February 2022, car thefts were up more than 116%, grand larceny was up more than 93%, rapes were up nearly 67% and transit crimes were up nearly 89%:

- **In February 2022, car thefts were up more than 116%, grand larceny was up more than 93%, rapes were up nearly 67% and transit crimes were up nearly 89%.** “The biggest jump for the week ending Sunday came in reported car thefts, with 255 for the week compared to 118 in 2021 – an increase of more than 116 percent, the stats show. Grand larceny soared by more than 93 percent, with 908 reports compared to 470 for the same week last year, and reported rapes jumped by nearly 67 percent, to 35 from 21 last year. Transit crimes have also gone up over the past week, with 34 this year compared to 18 for the same period in 2021, a nearly 89 percent leap.” (Larry Celona and Jorge Fitz-Gibbon, “Crime up 60 percent citywide in the past week, NYPD stats show,” [New York Post](#), 2/7/22)