

Bail Reform Testimony
For HB 315
David Williams

The purpose of government as expressed in the Preamble of the U.S Constitution; is to establish justice, ensure domestic tranquility. The Ohio Constitution Preamble states the Ohio Constitution was established for the common welfare of the people of Ohio. I do not believe the bail reform ideas set forth in this bill are pro-justice, promotes domestic tranquility, or promotes a safer common welfare. I believe bail reform to be pro-crime, pro-criminal, and promotes systematic chaos with higher failure to appear rates in our courts, societal chaos resulting in higher crime rates, and more needless victims. I believe it allows people with predatory criminal intent and behaviors to be less incumbered and will encourage them to commit more crime.

For bail reform advocates across America, this change to a bail reform (catch and release) model is a no-brainer: Why incarcerate anyone? pandemic or not, just because they cannot post a cash bond? Why incarcerate anyone? The simple answer is because they are accused of breaking the law, and once charged; the court(s) want them to appear to answer the charge(s) against them. released with sufficient sureties.

Bail reform and the pandemic emergency response and those failure.

Bail reform has been enacted in several states prior to the pandemic of covid-19. As America started experiencing the pandemic, emergency measures which included, pandemic bail schedules, reducing bail and issuing recognizance bonds or zero-dollar bail that that would have normally included secured bail. The intent was too de-populate county jails across America. (Bail Reform had placed depopulation as a priority, and a cost saver for governments. These actions greatly mirrored each other.

The States

a critical point in bail reform is the premise that crime is accidental, another is that criminals do not evolve in their crimes. This is contrary to what we experience daily in the secured bail industry, often criminals start with petty crime and escalate to higher level felonies. While bail reform proponents are quick to critically review secured bail, they do not use the same for bail reform.

New York

On April 1, 2019, New York ended cash bail (started Bail Reform) In 2019, the New York legislature passed one of the most progressive bail-reform packages in the United States, abolishing bail for many misdemeanors and nonviolent crime. In the approximate years that followed the following was reported. From March of 2020 to March of 2021 in New York City's Murder rate increased 36%, Rape increased 30.4%. The NYPD report in March of 2020 crime was up 22.5% from February 2019 to February 2020. In addition the NYPD reported in January and February of 2020, 482 people who had arrest on charges that bail reform released then went on to commit 846 new crimes. Failure to appear rate rose by 20 %

The push to change bail reform followed, Bail reform advocates saw it, as the policy had not been in place long enough to know what the impact on crime. Had time been able to give those change to take hold, I'm very confident that we would have seen how right we were," a quote attributed to Scott Hechinger, a New York bail reform advocate. "The problem was, we didn't have patience." In a roundabout way bail reformers accept a rise in crime, and state that governments need to have patients in waiting for crime to lower, and citizen to accept they will be victims of crime. Bail reform proponents seem to be accepting many more law-abiding people will be victims of crime.

California

Yolo County California

Since April 13, 2020, individuals released on \$0 bail have committed over 908 new crimes in the county and 41.6% have been rearrested, according to the DA.

One person has been rearrested 19 times after a \$0 bail release, the DA says — among listing other examples of offenders being arrested multiple times under the Emergency Bail Schedule.

Ohio

Why Bail Reform does not work in Ohio, I.09 Bail, cruel and unusual punishments

All persons shall be bailable by sufficient sureties, except for a person who is charged with a capital offense Where a person is charged with any offense for which the person may be incarcerated, the

court may determine at any time the type, amount, and conditions of bail. Excessive bail shall not be required. Zero bail is not sufficient surety, and reasonable bail is not excessive. Sufficient sureties secured bail is and has been part of the founding of Ohio.

7/15/2018 the Franklin County Sherriff office held 2,034 inmates. On 6/8/2021 Franklin County Sheriff office help 1,725 inmates. A reduction of 15%. In part to the pandemic response, and the quiet bail reform program which was implemented in the Franklin County Municipal Court. We are on pace to set a new murder rate in Columbus.

The Numbers:

Columbus

81 Murders

890 Rapes

1,812 Robberies

1,794 Assaults

5,830 Burglary

20,956 Thefts

Cleveland

92 Murders

479 Rapes

1,901 Robberies

3,328 Assaults

4,311 Burglary

10,018 Thefts

Cincinnati

64 Murders

280 Rapes

872 Robberies

1,346 Assaults

2,765 Burglary

8,956 Theft

Ohio

In relation to the New York Experience; specifically, the NYPD report of a 22.5% increase in crime. Even adjusting the percentage down to 20% the potentials are profoundly serious. (Reported/20%increase)

Statewide

538/107.6 Murders

5,731/1,146 Rapes

8,846/1,769.2 Robberies

19,154/3,830.8 Assaults

43,894/8,778.8 Burglary

17,7725/35,545 Theft

Violent Crimes 34,269 20% increase adds 6,853.8

Property Crimes 240,291 20% increase adds 48,058.2

Summary

Bail Reform has consequences, it is A pro-crime/pro-criminal, catch and release program that critically perceives secured bail, while fails to critically look at releasing criminals back into society with little to no deterrent to crime. To be clear criminals educate one another. If there is no deterrent to crime, no negative consequences for breaking the law, it promotes higher crime, far more victims, and weakens faith in the Authorities to protect law abiding citizens.

California

<https://fox40.com/news/local-news/yolo-county-da-nearly-42-of-those-released-on-0-bail-arrested-again/>

New York

<https://www.themarshallproject.org/2020/04/23/in-new-york-s-bail-reform-backlash-a-cautionary-tale-for-other-states>

Ohio

<https://www.legislature.ohio.gov/laws/ohio-constitution/section?const=1.09>

<https://www.legislature.ohio.gov/laws/ohio-constitution/section?const=1.10a>

<https://www.legislature.ohio.gov/laws/ohio-constitution/section?const=0.00>

<https://www.neighborhoodscout.com/oh>

<https://www.city-data.com/crime/crime-Columbus-Ohio.html>