

THE LEGAL AID SOCIETY

Justice in Every Borough.

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*****FOR IMMEDIATE RELEASE*****

Legal Aid to Legislators: Don't Believe NYPD Commissioner Shea's Fearmongering on Bail, Discovery Reform

(NEW YORK, NY) - **The Legal Aid Society**, in response to a New York State Assembly [hearing](#) on gun violence, urged lawmakers to ignore calls from New York City Police Department (NYPD) Commissioner Dermot Shea demanding additional rollbacks of the historic pretrial reforms – bail and discovery – which were enacted in 2020 and enjoy widespread public support.

Commissioner Shea and others in law enforcement have continually faulted these necessary reforms for the supposed rise in violent crime in New York City. However, using the City's own data, this specious claim has been consistently [debunked](#) in the media.

“Since day one, Commissioner Shea and his police department have relied on falsehoods, fearmongering, dog whistling and other unscrupulous tactics to undermine both bail and discovery reform. These lies are all they have since the data and evidence do not support their claims,” said **Marie Ndiaye, Supervising Attorney of the Decarceration Project at The Legal Aid Society**. “The reality is that these laws are keeping New Yorkers safe from the humanitarian crisis at Rikers Island, which has already claimed the lives of 12 people this year alone. The Legal Aid Society urges Albany lawmakers to ignore these blatant lies and instead build on the successes that these reforms have ushered in.”

Bail Reform Facts

- A New York Post [analysis](#) of NYPD data found that while there were 528 shootings through June 30, 2020, only one person released due to bail reform was charged with a shooting.
- [Since bail reform went into effect](#), there has not been a single month when more than 0.8% of released people were re-arrested for a violent felony. This number has not changed since before bail reform.
- [Bail reform had no effect on re-arrest rates for people charged with violent felonies](#). Among people whose initial charge was a violent felony, an average of 1.2% had a violent felony re-arrest. Even when adding up all re-arrests, including low-level misdemeanors, the total pretrial re-arrest rate for people initially charged with a violent felony never exceeded 5%.

- Instead, the rise in shootings is almost certainly driven by the massive societal disruptions occasioned by the pandemic. The rise in shootings in [New York City](#) is matched or outpaced by [increases in cities across the nation](#) regardless of whether they have taken steps to reform their justice system. Despite rhetoric suggesting the opposite, overall crime declined from 2019 to 2020.

-New York City: [Comparing summer 2020 to the summer 2019](#), reported felony crimes declined 9% and misdemeanor crimes declined 18%. Arrests dropped by almost half, with violent felony arrests dropping 17%.

-Statewide: According to DCJS data released in June 2021, [overall crime across New York state increased by only 1.5% compared to 2019](#), contradicting claims of a sharp increase in crimes due to reforms. Violent crimes specifically increased by less than 1% statewide and by just .3% in NYC, and there was a sharp decline in rape and robberies statewide.

Earlier this week, Commissioner Shea and the NYPD falsely accused a Legal Aid client of a burglary in Fort Greene, Brooklyn, using this case as another reason to rollback bail reform. However, this client was [fully exonerated](#) as he was still incarcerated at Rikers Island the day of the incident.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For 145 years, we have protected defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org