

Second Shot

a film by Andrew Michael Ellis



Bailout Guide

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About the Author

Arielle Reid

Arielle Reid is a career public defender and prison industrial complex abolitionist, currently serving as the Supervising Attorney of The Decarceration Project at The Legal Aid Society. In her work at the Decarceration Project, Reid fights to make pre-trial detention, commonly referred to as bail, obsolete.



On Christmas night over 30 years ago, two young lives were destroyed in a hail of bullets. One child died and the other was ordered to spend the rest of his life in prison. *Second Shot's* recounting of the tragic shooting at Sunrise Cinema puts in stark relief the cyclical nature of victimization in our society: victims become perpetrators who go on to be revictimized in jails and prisons across the country.

A 2020 report by New York's Center for Court Innovation revealed that victimization was a near-universal experience among young New Yorkers who carry guns. Eighty-one percent of the youth surveyed had been shot or shot at, while 88% had experienced the shooting of a family member or friend. This study tells us that we continue to lose generations of children to the pressure cooker of community disinvestment and political neglect.

How do we disrupt this pattern? Certainly not by building and filling more jails and prisons. Data from the Vera Institute of Justice shows that community-based, public health-centered violence intervention programs do a better job of preventing and decreasing gun crime than policing and prosecution. In New York City, for example, implementing the Save Our Streets program in Crown Heights led to an estimated 20% reduction in gun violence compared to adjacent police districts.

These community-based violence interruption programs and investments in housing, public health, and other social services represent our best chance at breaking the cycle of victimization. We cannot incarcerate our way to safety precisely because incarceration exacerbates the root drivers of crime. People lose their jobs, housing, and benefits, children lose their parents, and families lose their providers, all of which culminate in the most vulnerable communities being further destabilized and divested of power. This we know: the safest communities are not the ones with the highest jail populations. They are the ones with the most resources.

Consider: what if Lawrence Bartley had truly felt safe in his community? What if that feeling had extended to all the boys in the movie theater that night? Would they have sought the superficial safety of a gun? Would they have carried it with them to a movie premiere?

We must grapple with these questions to prioritize prevention instead of punishment and to invest in communities instead of jails. We must reject an ideology that defines justice as a compounding of violence and loss that promises performative safety only upon a sacrifice of our families, our communities, and ourselves. We must free each other.”



How to Organize a Mass Bailout

1 Familiarize yourself with bail laws in your city.

The first step toward a successful bailout is researching your local jurisdiction's procedures, policies, and laws. Cash bail is a national problem, but the methods of paying it are hyper individualized and unique to every jurisdiction. For instance, some jurisdictions allow bail to be paid by credit card, some permit families to pay a small deposit on a bond, and some have eradicated the use of cash bail.

You do not need a law degree to understand how bail works in your state. A simple internet search can reveal a wealth of resources about your local bail regime. Public defender offices, private defense attorneys, and community bail funds are great sources for additional, on-the-ground insight.

2 Identify recipients of your bail funds.

Once you understand how bail works in your jurisdiction, you will need to determine who to bail out. Understand that in the absence of an unlimited funding source, it may not be feasible to free everyone in your local jails. Start with broader categories. For example, do you want to prioritize folks with health risks? Folks of a certain gender? Folks under a certain age? Over? As you do this assessment, consider who is most in need and who is most likely to be overlooked. For instance, many bail funds target those accused of misdemeanors, but a much shorter list are willing to bail out folks accused of felonies or violent crimes.

After you have identified your target demographic, develop a mechanism for identifying particular individuals in need of your support. Publicize your bailout to community stakeholders, including folks in the neighborhoods most targeted by the police, your local public defender offices and private defense firms, and community organizations and institutions. To make your bailout as accessible as possible, designate an online form and a number for phone referrals. If you have the time to spare, you can also go directly to the source: the local courthouse.

3 Fundraise

Every bailout needs bail money. Because you've already researched your local bail laws and identified the targets of your bailout, you have a better understanding of the resources that will be required to effectuate these releases. Digital platforms and social media are great tools for raising awareness as well as money.

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4

Support.

Coming home is just the beginning. Substantive and prolonged support is often needed to ensure that individuals who get out can remain out during the pendency of their legal case.

Coordinate with community organizations that provide reentry services like housing, mental health treatment, and job programming to stabilize folks and improve their material conditions.

In the interim, establish a network of volunteers who can see to the immediate needs of folks returning home. Consider providing care packages with necessary toiletries and a gift card to your local grocery store. If you live in a city with robust public transportation, a Metrocard or bus pass will help ensure folks can make it to their myriad appointments and court appearances. In car-reliant locales, a neighborly rideshare network can fill the gap.

A necessary part of freeing ourselves is taking care of each other. Regularly check in with the folks you bail out; make sure they are stable and supported. These investments will pay dividends in the long run in the form of sustained freedom for the first recipients of the bail money and in the opportunity for freedom for someone else once the funds are returned.

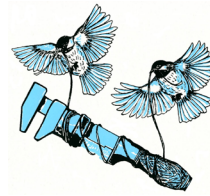


Resources for Getting Started

Whether you're interested in freeing one person or many, check out these resources for getting started in your area:

THE BAIL PROJECT

A national organization that provides bail support in cities across the country.



COMMUNITY JUSTICE EXCHANGE

Home of the “National Bail Fund Network,” a directory of community led bail funds across the country.



A formation of Black organizers offers “Until Freedom Comes: A Comprehensive Bailout Toolkit.”



the NATIONAL REENTRY RESOURCE CENTER

Includes resources and toolkits for supporting returning citizens in the reentry process.

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