



million

ONE JAIL AT A TIME.

story

REFORM TOOLKIT

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Marching Toward Reform in New Orleans

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Lantigua
Williams
& Co.

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PEABODY
NOMINEE



WHO



**The New Orleans Safety and
Freedom Fund**

WHO

The Fund bails people out of jail “who are not a public safety risk, are not a flight risk, haven’t been convicted, aren’t serving time, are just there because they’re too poor to post the bond amount that’s been set.”

-Jennifer Medbery, cofounder of the New Orleans Safety and Freedom Fund



The [New Orleans Safety and Freedom Fund](#) is a revolving bail fund that was founded two years ago with the dual mission of bonding people out of jail and ending cash bail.

When someone is arrested and booked into jail in Orleans Parish, a bond is usually set. The exact amount is determined by either a bond schedule or a hearing, depending on the offense. If someone is able to post bond, they are free to go home. If they cannot afford bond, they have to stay in jail until their case is resolved, which could take months or years.

“Bond Angels” from the New Orleans Safety and Freedom Fund raise money to pay certain bonds. When a person’s case is resolved, the money goes back into the fund to help others in need.

New Orleans Criminal District Court. Photo by Cheryl Gerber.

WHAT



**A Way to Help the Poor Get Out
of Jail**

WHAT

Six out of 10 people in U.S. jails—nearly a half million individuals on any given day—are awaiting trial.

-The Pretrial Justice Institute

The problems of pretrial detention are well documented: People who are kept in jail while awaiting their trial are more likely to plead guilty and more likely to recidivate than people who are allowed to go home.

In recent years, many jurisdictions have sought to eliminate or dramatically reduce their use of cash bail to keep people in jail. But in places where cash bail is still commonly used, revolving bail funds have become a popular approach to addressing the problems of the cash bail system. The National Bail Fund Network counts among its members 50 community bail funds in places as diverse as Arizona, Oregon, and New York.

In the last two years, the New Orleans Safety and Freedom Fund has raised over \$100,000 and paid the bonds of over 200 people in Orleans Parish.

Orleans Parish Jail. Photo by Cheryl Gerber.



WHERE

New Orleans

WHERE

“The thought process of the criminal justice system was that making people pay to get out of jail: there was nothing wrong with that. Having people when they pay to get out of jail, to have some of the money used by the court itself to operate: nothing was wrong with that.”

-Calvin Johnson, Former Chief Judge of the New Orleans Criminal Court



New Orleans has one of the highest rates of incarceration in the world and has struggled to reform its criminal justice system for years.

[Last season](#), 70 Million looked at how New Orleans was trying to set a new course on bail reform. Federal judges ruled on two cases in August 2018 concerning the Parish’s use of cash bail, fines, and fees to fund its criminal justice system.

The judges found that the [Magistrate Court was violating defendant's' constitutional rights](#) by setting money bail without first determining if a defendant could afford to pay that bail. They also argued that it was [unlawful for them to enforce conviction fees or impose money bail](#) because the court stood to benefit financially from such decisions.

Calvin Johnson. Photo by Cheryl Gerber.



WHEN

2016 - Present

WHEN

“We knew that there were people who were sitting in jail and who could not afford bond and did not deserve to just sit because they could not afford bond.”

- Keva Landrum-Johnson. Chief Judge of the Orleans Criminal District Court



Much has changed in New Orleans since the Bond Angels launched in the city in 2016.

Thanks in part to pressure from activists and federal court rulings, the city has [virtually eliminated money bail for municipal offenses](#) and doubled the criminal court’s budget so the court doesn’t have to rely on cash bail, fines, and fees to fund its work.

But some argue that the changes didn’t go far enough. This June, the federal court issued a [landmark injunction](#) saying that the Magistrate Court has been violating last year’s rulings by continuing to keep people in jail simply because they are too poor to pay for their release.

If the city doesn’t change its bail practices, it risks being held in contempt of federal court.

Judge Keva Landrum-Johnson. Photo by Cheryl Gerber.

WHEN

“We can pass these laws, we can change how we fund things, but if there's no oversight component in it, there's no accountability.”

- Syrita Steib-Martin, Exec. Dir. of Operation Restoration



Locals are keeping up the pressure on the criminal justice system through court-monitoring initiatives.

[Operation Restoration](#), a women's re-entry program, has trained a team of women to go into every courtroom daily and collect data on proceedings. They document whether a judge considered a defendant's ability to pay before they assessed fines, fees, or cash bail.

The information the court watchers collect are then analyzed by experts. They've found that not all New Orleans judges are abiding by last year's rulings on how bail should be set.

In June, Operation Restoration was one of over 30 organizations that endorsed [a plan from Vera Institute](#) to end the problematic role money plays in New Orleans' criminal justice system.

Syrita Steib-Martin. Photo courtesy of Operation Restoration.

WHY



Albert's Case



WHY

“At the time [of my arrest] I was in between pay periods. Just paid the rent, lights, water.”

- Albert



One late night last fall, 54-year-old Albert was biking home from his job when a police officer pulled him over for running a red light. Albert says that the streets were deserted and he had stopped at the light to look for cars before riding through the intersection.

But when the officer ran Albert's name through his computer system, he found that there was a warrant out for Albert's arrest. He was being charged with distributing crack cocaine as the result of an undercover operation the year before.

Albert was taken to the Orleans Justice Center and his bail bond was set at \$300, an amount that was beyond his means. So Albert sat in the jail for weeks waiting for his case to be resolved.

Orleans Parish Jail. Photo by Cheryl Gerber.

HOW

**The Bond Angels Paid Albert's
Bond**

HOW

“[We] rally the community to bond out our neighbors so they can get back to work, get back to their families.”

-Jennifer Medbery, cofounder of the New Orleans Safety and Freedom Fund

After learning that he couldn't pay his bail bond, Alber's court-appointed public defender reached out to the New Orleans Safety and Freedom Fund. As a person with strong community ties and a steady job, Alber was an ideal candidate for help.

The Bond Angels paid the full \$300 and Alber was able to leave the jail after three weeks in custody. If they hadn't intervened, he would have had to stay in jail until his case was resolved, which ended up taking six months. He was able to return to his job and deal with his case from home.

Ultimately, Alber accepted a plea deal of two years' probation. With his case resolved, the \$300 the bond fund used to buy Alber's freedom can be used to pay another person's bond.

Orleans Parish Jail. Photo by Cheryl Gerber.



RESOURCES

To get started developing a reform project like the New Orleans Safety and Freedom Fund:

- [“How New Orleans Could Set a New Course for Bail Reform” \(70 Million Season 1, Episode 9\)](#)
- [“The Hidden Costs of Pretrial Detention” by the Arnold Foundation](#)
- [“The Effects of Pre-Trial Detention on Conviction, Future Crime, and Employment” by Will Dobbie et al.](#)
- [“What if we ended the injustice of bail?” TED talk by Robin Steinberg](#)
- [Pretrial Justice Institute](#)

70 Million Team

Editor: Jen Chien

Managing Editor: Casey Miller

Ep. 1 Reporter: Eve Abrams

Host: Mitzi Miller

Sound Designer: Luis M. Gil

Associate Producers: Adizah Eghan and Cher Vincent

Marketing Lead: Kate Krosschell

Staff Writer: Nissa Rhee

Design Director: Kenia D. Serrette

Fact Checker: Sarah McClure

Intern: Emma Forbes

Creator/Executive Producer: Juleyka Lantigua-Williams

70MillionPod.com

@70MillionPod // Hello@70Millionpod.com