



"None of us is free until  
all of us are free"

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# BACKLASH: HAMPERING POLICY AND HARMING PEOPLE

MINNESOTA FREEDOM FUND

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# Public Backlash in Minnesota

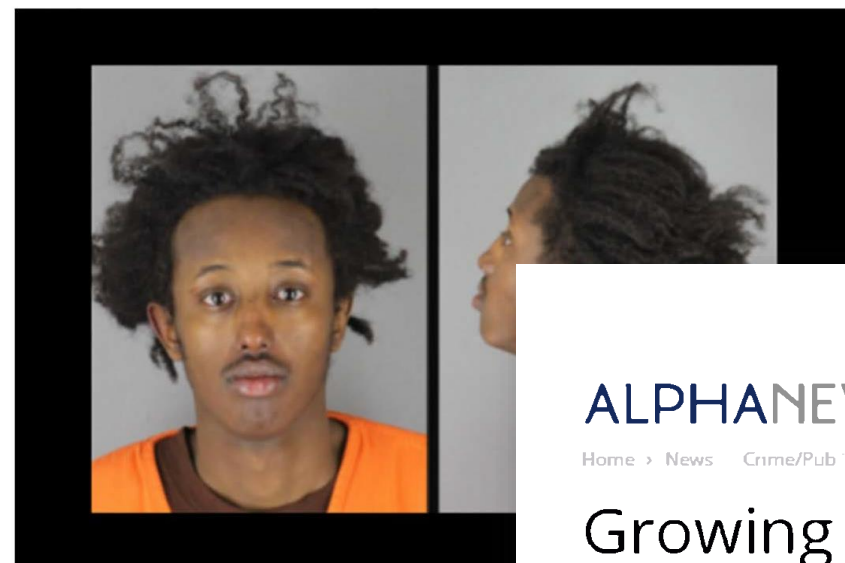
## ALPHANEWS

Home News Crime/Public Safety Felony suspect bailed out by Minnesota Freedom Fund charged with auto theft

### Felony suspect bailed out by Minnesota Freedom Fund charged with auto theft 3 days later

Hussein was arrested at least four times in just 23 days in January of this year.

By Crime Watch MN - March 22, 2022



Ismail Mohamed Hussein/Hennepin County Jail



CrimeWatchMpls  
@CrimeWatchMpls

1/  
We've had requests for a list of offenders @MNFreedomFund has bailed out who've gone on to commit new crimes, including serious assault, sex assault, murder. This list is by no means comprehensive, it's only those we know.

Link to this list when contacting your legislators.

4:48 PM · Feb 16, 2022 · Twitter Web App



A Affordable Bail Bonds MN 651-402-4868  
February 23 · 🌐

The scumbags of Minnesota. No accountability, no cosigners, free money and get out of jail free. Senate File MN 415 was authored and passed the Senate, but was killed in the House. It is getting reintroduced and we will not be giving up on this until their sent packing. We helped draft 415 and will continue to help anyway we can and continue to gather support for lawmakers.

<https://mnfreedomfund.org/>



MNFREEDOMFUND.ORG

### Minnesota Freedom Fund

The Minnesota Freedom Fund is a community based nonprofit that combats the harms of incarceration by paying bail for low-income individuals who cannot otherwise afford it. We oppose "pay-to-play" justice and believe tha...

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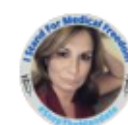
## ALPHANEWS

Home News Crime/Public Safety Growing list of violent offenders bailed out by Minnesota Freedom Fund

### Growing list of violent offenders bailed out by Minnesota Freedom Fund

The organization's most recent financial disclosure indicates it had revenue of over \$41 million in 2020.

By Crime Watch MN - March 5, 2022



Mary Franson  
@RepMaryFranson

Today, at 1pm, I will be holding a press conference on the BANE Act. The definition of "BANE" is "a source of harm or ruin" and that's exactly what @MNFreedomFund has done. This nonprofit has brought pain and distress to victims and all Minnesotans who no longer feel safe.

9:17 AM · Mar 17, 2022 · Twitter for iPhone



# Public Backlash in Minnesota



Minnesota Freedom Fund paid bails for 544 people last year. **About a quarter of those people were white.**

The list of "dangerous" clients compiled by @CrimeWatchMpls includes 22 people. **Every one of them is a person of color, and 16 of 22 are Black men.**

A large account called @CrimeWatchMpls, run by anonymous administrators, drives a large share of the racist backlash in Minnesota. Their content is regularly picked up by FOX News.





# Public Backlash in Minnesota

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A small number of headlines from **maybe one Twitter account and one news outlet** are completely driving the conversation ... That's how politics overtake good policy, and people are harmed in the process.

**Jasmine Heiss**

Researcher & Project Director, Vera Institute of Justice





# Legislative Backlash in Minnesota



Public backlash, driven primarily by one fear-mongering "neighborhood crime watch" social media account, intensified prior to the legislative session.

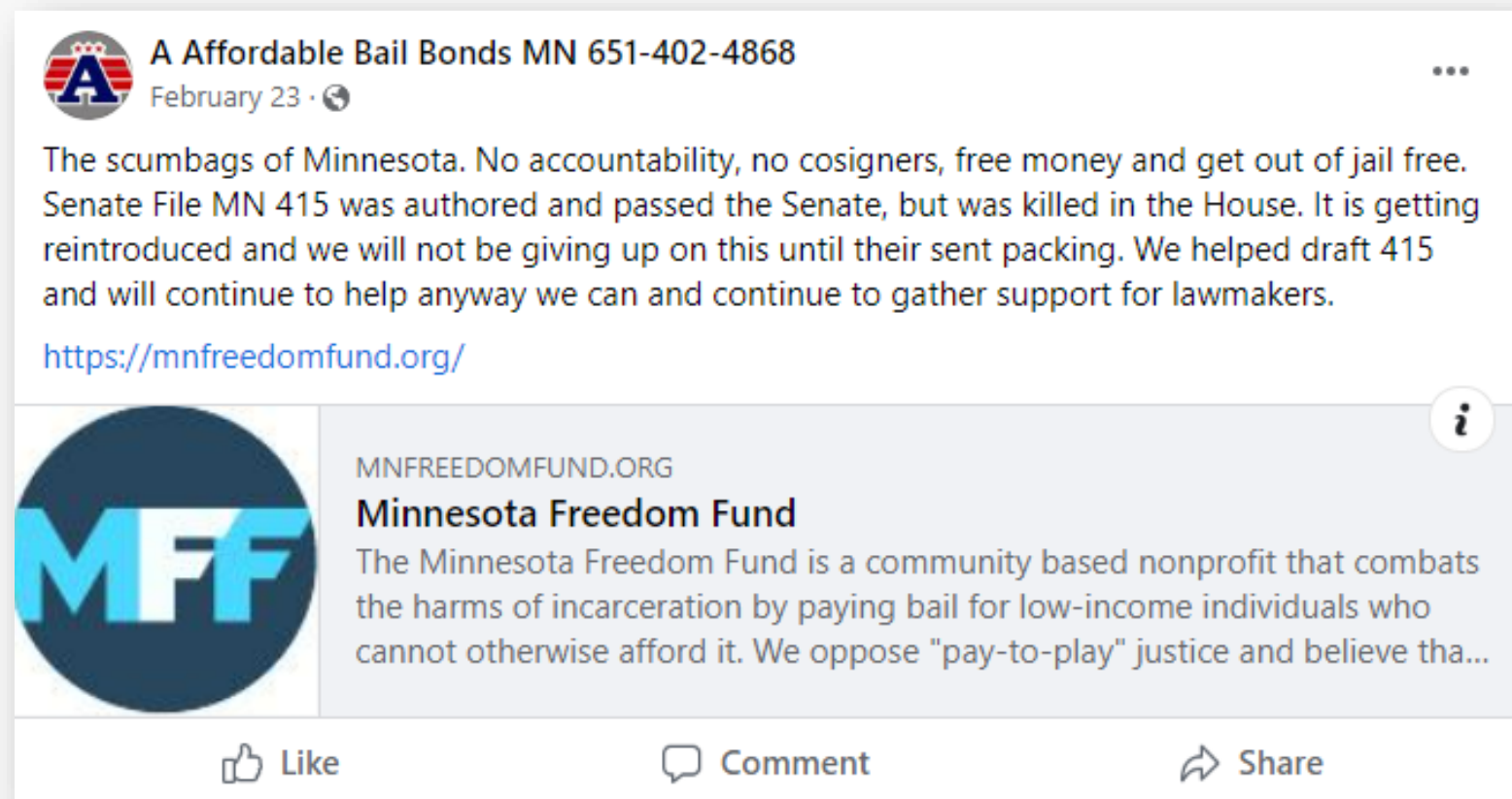
The racist backlash paved the way for GOP-sponsored **legislation to severely restrict, or even shut down, Minnesota Freedom Fund.**

Republican state Rep. Mary Franson presenting what she called a "poster board of criminals" supposedly bailed out by Minnesota Freedom Fund. The list was sourced directly from @CrimeWatchMpls.





# Role of the For-Profit Bail Industry



For-profit bail bondsmen amplified the racist backlash and explicitly lobbied for bills targeting Minnesota Freedom Fund.

In one post, a bondsman boasted about having "helped draft" a bill to severely restrict bail funds' activities.

James "Big Jim" Cumler of A Affordable Bail bonds boasted on Facebook about having helped draft a bill that would, among other things, prevent Minnesota Freedom Fund for paying bail for people accused of felony crimes.





# Role of the For-Profit Bail Industry

During the 2021 Minnesota legislative session, the executive director of the American Bail Coalition testified in support of the anti-bail fund bill.

Closure or restriction of Minnesota Freedom Fund, which spent \$6 million+ to free people last year alone, would represent **a huge financial boon to the bail bond industry in Minnesota.**



Jeffrey Clayton, executive director of the American Bail Coalition, works with organizations like ALEC to draft and promote legislation stifling bail reform and targeting community bail funds. Clayton testifies in support of those bills in statehouses all over the country.





# Long History of Coordinated Backlash

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It's a familiar pattern. Backed by law enforcement, politicians, prosecutors and other long-time opponents of reform whip up fear about the impact of reform laws by **relying on cherry-picked stories about people released following their arrest** and a false narrative that bail reform laws unleash crime.

**Vincent M. Southerland**

Assistant Professor of Clinical Law & Co-Faculty Director of the Center on Race, Inequality and the Law at NYU Law School







# Backlash Leads to Bipartisan Failure

Public backlash and fear-mongering create political incentives on the left and the right, in blue states and red states, to respond with **more criminalization and incarceration – even when police data shows there is no real rise in crime.**

In Democratic-controlled New York, lawmakers watered down recent bail reform legislation, and in liberal San Francisco, voters recently chose to recall their "progressive" prosecutor.

NATIONAL

## New York is debating bringing back cash bail

April 3, 2022 · 8:01 AM ET  
Heard on Weekend Edition Sunday

JON CAMPBELL

FROM WNYC

Bloomberg

## Biden Sees 'Clear Message' to Fight Crime After California Vote

U.S.

## New York Reaches Deal to Pull Back on Bail Reform

Tentative budget deal would allow judges to set bail for more offenses, authorize to-go cocktails and fund Buffalo Bills football stadium

JURISPRUDENCE

## The Real Reason Democrats Can't Agree on How to Address Rising Crime

BY JOHN PFAFF MARCH 08, 2022 · 8:00 AM





# Backlash Leads to Bipartisan Failure

The Washington Post  
*Democracy Dies in Darkness*

5. What are alternatives to cash bail?

Individuals awaiting trial can be released with conditions such as electronic monitoring, which geographically restricts their movements. Some jurisdictions also have supervised release programs which connect people with social services and require the accused to check in with case workers.

## Texans deserve a bail system based on risk, not riches

by Brett Tolman September 13, 2021



**California may replace cash bail with algorithms – but some worry that will be less fair**

We see bipartisan failure not only in the choice to roll back bail reform, but also in **the carceral alternatives that regularly achieve bipartisan consensus:**

- Pre-trial risk assessment instruments that determine eligibility for bail.
- Punitive pre-trial services that mimic post-conviction probation.
- Electronic monitoring or "e-carceration" as a condition for release.



# Educating Legislators

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Countering backlash requires education and base building among community members and legislators. To cultivate legislative allies, we must provide tools to help lawmakers resist political pressure to punish bail funds and roll back bail reform:

- Reinforce the purpose of the pre-trial system: To facilitate the release of legally innocent people and encourage their return to court.
- Educate legislators about constitutional issues related to cash bail and community bail funds.
- Provide research showing racial disparities throughout the pre-trial system and disproving supposed links between pre-trial release and rising crime.
- Help legislative allies recognize and call out the for-profit bail industry's role and motives in advancing retrograde policies.
- Teach lawmakers to discuss bail funds as an essential and constitutionally protected form of mutual aid and collective action.
- Develop and create buy-in for noncarceral alternatives to cash bail.