



Gun case bails rise in St. Louis; homicides drop

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ST. LOUIS • Could reducing homicides really be this easy?

Eight months ago, the St. Louis Circuit Court took a new, hard-line approach to gun crimes, setting bail at levels that virtually ensured each defendant would spend at least some time in jail awaiting trial.

Police Chief Dan Isom credited that practice this week with reducing the city's homicides by 20 percent, to a level not seen since 2004.

Researchers from the University of Chicago, who are studying the effect of methods here, believe it could even revolutionize crime prevention.

Those on the court side are using caution.

Judge John Garvey, who introduced the effort in May, said early signs are promising but it's too soon to gauge how much the simple strategy mattered.

"We absolutely need a bigger snapshot; that's why the University of Chicago is here," Garvey said. "I'm not convinced that gun bonds are the difference ..."©, but wouldn't it be amazing if it was this easy?"

Preliminary research is encouraging. Imposing immediate jail time instead of a delayed probationary period seems to deter impressionable youths from carrying guns, said Jens Ludwig, director of the University of Chicago's Crime Lab, which studies violence prevention tactics across the country.

"What St. Louis is doing is really cutting edge in terms of thinking about a problem we hear about from talking to cops everywhere," he noted.

THE \$30,000 QUESTION

The city's unofficial homicide total for 2011 was 114 — the lowest since 2004.

"It's always difficult to point to one reason why homicides go down, especially since we have gone down and gone up again," Isom said in an interview. "But if I had to put a finger on it ... the only thing that has changed is the court system started to put \$30,000 bonds on people carrying illegal weapons."

In mid-2011, the city was on pace to match the 2010 murder total of 144. In May, Garvey, who until recently saw all defendants in their first court appearances after indictment, began issuing \$30,000 cash-only bail — about 10 times higher than what was customary and difficult for many defendants to raise. The majority of pre-indictment cases got the same treatment from Judge Barbara Peebles.

In May, the city logged 16 murders. In June, 17.

"From there, our numbers dropped dramatically, and from that point on, we never went above 10 homicides," Isom said.

Garvey said the idea came to him while he was mowing his lawn. He shared it in weekly crime reduction meetings with Isom and St. Louis Circuit Attorney Jennifer Joyce, who both supported it.

Garvey targeted offenders in the 17-25 age range — those he reasoned might think twice about carrying a gun after a taste of jail. Keeping gun-toting criminals behind bars until trial reduces the threat to the community, he said.

"I haven't heard a good reason yet as to why a 17-year-old is walking around with a semiautomatic pistol," Garvey said. "This provides an immediate, quick response to unacceptable behavior."

POLICY'S CRITICS

Defense attorneys say bail is meant to ensure a person appears in court or is not a threat.

"It's being used by Judge Garvey as a deterrent, and that's not what bond is for," said Terence Niehoff, a defense attorney.

Defense lawyer Robert Taaffe called it a 'stupid policy.'

"There's no empirical proof that this is stopping street violence. ... All it's doing is empowering the police to go harass more people," he complained.

Taaffe said jail time doesn't scare repeat or violent offenders arrested on gun crimes because they know that's what they'll likely receive at sentencing anyway. First-time offenders facing probation under state sentencing recommendations are likely the only ones to be influenced — and they aren't as great a threat, Taaffe said.

Niehoff agreed, saying, "They're just carrying it because they live in a bad neighborhood and they want to feel secure."

Both attorneys said they have had several gun crime clients who were held in lieu of high bail plead guilty just to get through court and sentenced to probation.

A defense attorney argued to the Missouri Supreme Court last fall that Garvey's setting of a \$75,000 cash-only bail was excessive for a felon accused of possessing a loaded handgun in a Washington Avenue nightclub. The high court refused to review it.

Some judges also have reservations. But Garvey believes that if the University of Chicago review supports the crime numbers, it should satisfy the concerns.

Garvey estimates that there have been roughly 120 cases in which higher bail was set.

He has granted bail reductions in a handful of those cases — but only after 30 to 45 days and if the defendant showed a change of mind-set, strong family support and a commitment to drop ties with unsavory associates.

One defendant agreed to meet with University of Chicago researchers as a condition of his bail reduction, and interviews with others are planned.

STUDYING THE STRATEGY

Researchers learned of the high-bail policy through news reports, said Ludwig, who is a professor of public policy. He called it "a very potentially promising intervention strategy."

His team visited St. Louis once and plans to return.

About 80 percent of Chicago homicides are committed with guns, and about 80 percent occur outdoors, Ludwig said. "When you get into the details, these are impulsive decisions," he explained. "And when you've got people walking around with short fuses and they've got a gun in their waistband, a gun makes a bad impulse socially harmful."

He said, "The preliminary indication is that once the courts raised the bonds, (word of) it started to spread like wildfire."

Ludwig said gun charges typically carry low bail amounts that offenders post and usually result in probation that doesn't start for months, even years. Younger defendants, disproportionately involved in gun crimes, tend to focus on short-term consequences, he suggested.

"For people who are very present-oriented, they will think, 'If the cops catch me, I'm not sleeping in my bed tonight. I'm spending the next however many days, weeks, months behind bars immediately,'" Ludwig said. "That's a fundamentally different thing from worrying about what's going to happen a year from now."

Ludwig's team plans to present its findings in the spring. If it confirms the policy's link to drop in murders, it will recommend that courts nationwide implement the policy.

Locally, it appears the strategy is on course to continue.

Judge Philip Heagney, who replaced Garvey on Jan. 1 in the criminal assignment division, said he will continue the practice for now, keeping an eye on future crime statistics and what researchers find.

Meanwhile, St. Louis has logged two homicides so far this year — the same as the total for the month of January 2011.

Both victims died from gunshots.