

# Dror's Story: Efficiency and Justice Have Nothing to Do with Each Other

Courtney Sloan · August 26, 2018



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## **“DADDY! THERE ARE POLICEMAN AT THE FRONT DOOR.”**

Dror Soref was in the shower when his five-year old daughter, Lili, burst into the room with the exclamation.

It seemed silly to him at the time. “We’re in a really affluent neighborhood in Los Angeles,” says Soref, who makes his living as an accomplished director, “It didn’t make sense.”

Sure enough, there were police at the front door, and more, outside. They set before Soref a thick stack of papers encasing more than 70 charges against him, and, with little

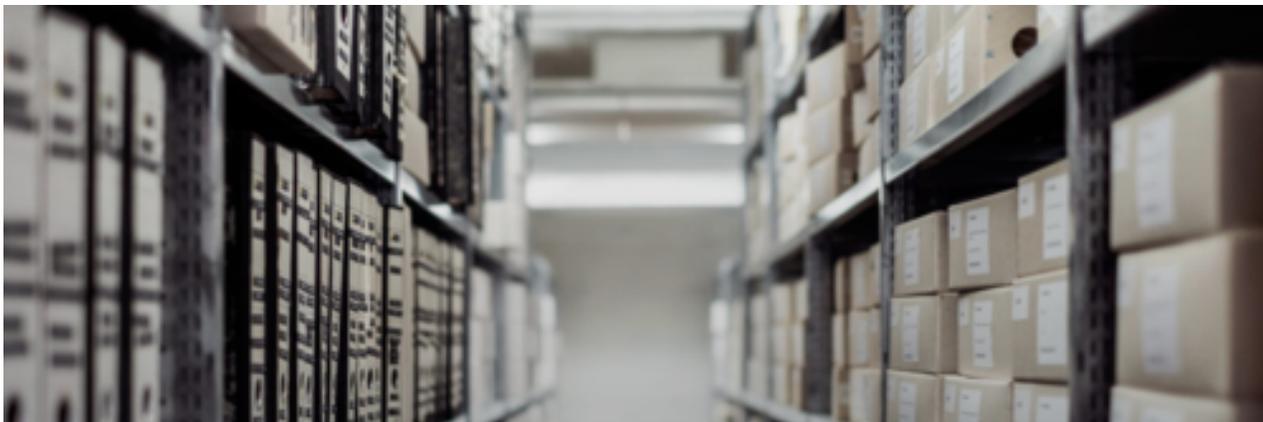
explanation, arrested the director and producer in front of his wife, mother-in-law, and the five-year-old daughter Lili.

He was instructed to leave behind his watch, his wallet, and his phone, and was able to gather, during the ride in the back of the police car, that an associate, Michelle Seward (now Michelle LeClair), illegally obtained funds that were used to finance the science fiction Saturn Award nominee *Not Forgotten*, a film Soref wrote and directed himself.

Soref learned that his associate had prior knowledge of the charges and turned herself in, negotiating release on her own recognizance. Soref himself “never talked to one investor about one dime.” Because of this, his own release seemed like a no-brainer. Instead, he was hit with a \$2.7 million bail.

## WHY?

“Well, that’s the \$2.7 million dollar question.”



In D.C., this procedure has kept the jail at only 45% capacity, a statistic which stands to lessen what can become a substantial taxpayer burden. For an inmate in a Philadelphia jail, costs can run as much as \$120 a day.

Soref noted that Nikolas Cruz, who faces 17 counts of first-degree murder for the Parkland school shooting in Florida this year, was given a \$3 million dollar bail.

Soref suspects the prosecution of discriminating on the basis of national origin, since he was deemed a flight risk on the basis of his dual citizenship: the U.S. and Israel. Even when Soref offered to surrender his passport, the prosecution was unmoved, and he spent 140 days in jail, allowing his career, relationships, and reputation to suffer.

It seems blatant that pre-trial incarceration contradicts the premise of “innocent until proven guilty,” and cities and states across the U.S. have been taking action. Maryland, California, and New York are just a few that have introduced policies that reduce—or, in some cases—abolish the use of money bail. In Maryland, the language introduced in 2017 reads that judges “... may not impose a financial condition, in form or amount, that he/she knows or has reason to believe the defendant is financially incapable of meeting.” New Jersey’s pretrial detention policies have relegated the implementation of bail to a last resort.

Some places are ahead of the game when it comes to bail reform—the District of Columbia eliminated money bail back in 1992 and replaced that effective ransom with a risk assessment. This risk assessment determines the appropriate action based on an individual’s criminal history, ties to the community, and potential threat to themselves and others. The accused is then either released on their own recognizance, granted a conditional release (such as electronic device monitoring), or remanded to jail, in the event that they pose a danger to themselves or others.

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For the nonviolent crimes of which Soref was eventually exonerated, an appropriate risk assessment likely would have resulted in his release. Active within the community, Soref served as a political leader in Israel and was cited for excellence in the military. He’s lived in the United States for the last forty years, served two terms as the Director of the Board of the Greater Los Angeles Chamber of Commerce, made significant donations to charitable organizations, received recognition for all of his short and feature films, and remains an active promoter of social causes and human rights campaigns.

His newly-founded Rebel with a Cause Institute, “dedicated to guiding aspiring talent to create movies, TV and other content fostering principled ideals” seems to embody a commitment to a socially-reformed future.

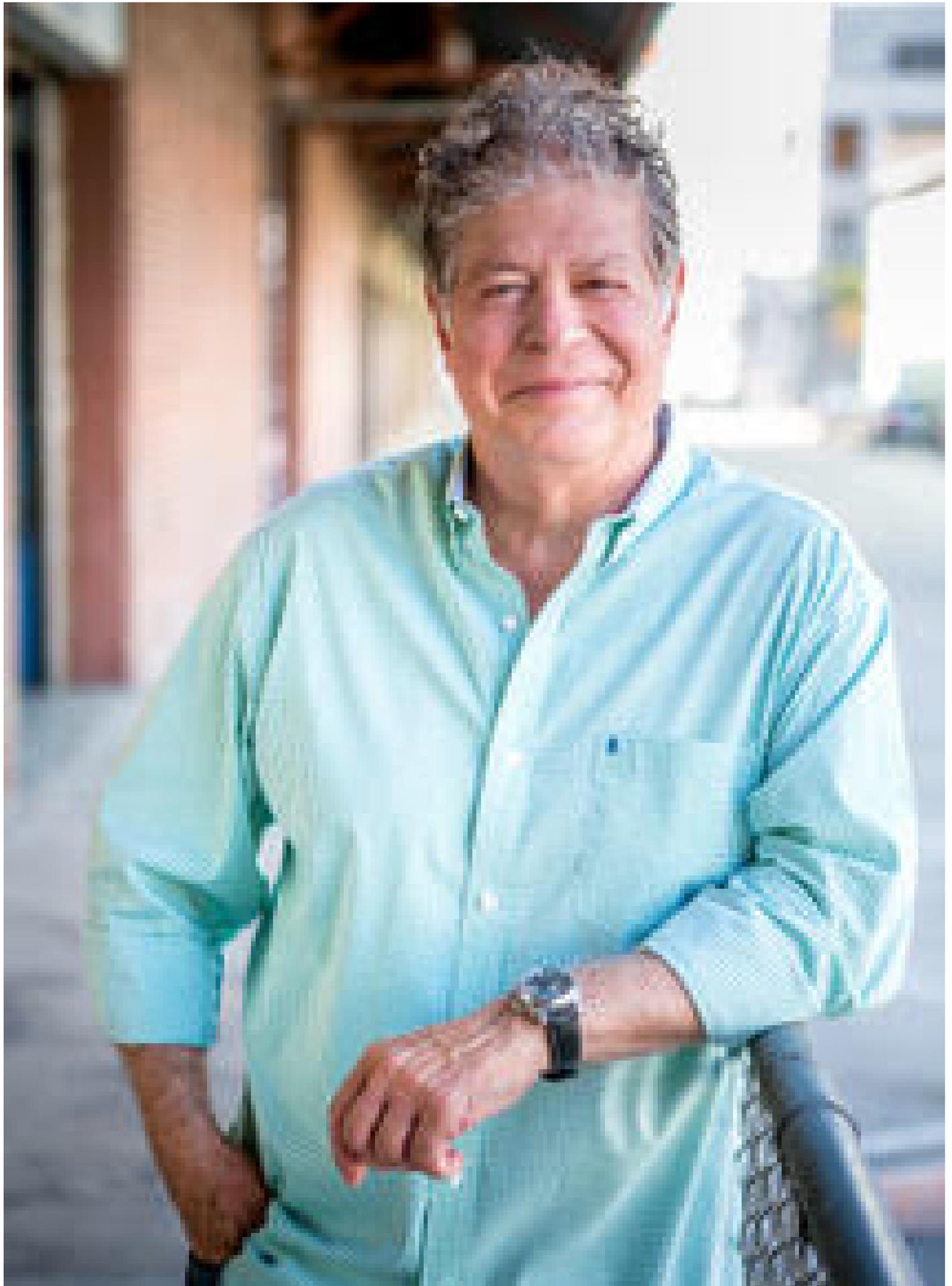
Instead of taking these things into account, the judge upheld the staggering \$2.7 million dollar bail. And Soref acknowledges that this is not uncommon. He’s right that judges only

get a few minutes to assess a defendant's case, and they're likely to err on the side of caution. After all, they certainly don't want to be responsible for releasing a dangerous defendant.

However, D.C.'s Pretrial Services Agency has found that that's unlikely to be the case. After the extensive risk assessment interview, almost 90% of defendants are eligible for release, either on their own recognizance or with some degree of supervision. That means it's possible that only 10% of those withheld on bail in other states, unable to go to work and separated from their home and family, actually pose a flight risk or a danger to society.

These kinds of statistics reveal that cash bail does more harm than good. Low-risk defendants with some jail time under their belts have been found more likely to commit crimes upon their release, and Soref saw this firsthand. In the five months he was imprisoned, of the thousand or more people he encountered, he was "the only person who was in jail... for the first time."

The rate of recidivism is one reason Soref considers the term "correctional facility" insulting. When families can't afford bail, they often are left with few options. They might wait in jail and miss work opportunities, losing money and face, similarly to Soref. They might end up indebted to a bail bond company. Or they might plead guilty, leaving innocent people with lifelong criminal records—and residual court fees.





**The judge determined the prosecution failed to meet that standard. More than a year and two months after his arrest, Soref was fully exonerated.**

Ioan Gruffudd, currently starring in *Harrow*, “got to know [Dror] as a sort of father” in their school days, and he remembers the toll that Soref’s incarceration took on the entire family.

“His wife knocked on the door one morning and burst into tears, and explained what happened,” Gruffudd recalls. He describes a certain despair accompanying the excitement in the visiting area, “full of families and children, dressed in their Sunday best.” Meanwhile, the inmates appeared emotionally and physically deteriorated.

Gruffudd voices what many of us expect from our justice system, “I thought that everyone there—who was accused of something—had a fair trial... I didn’t realize there was all this deal-making going on.”

**AFTER SERVING MONTHS IN JAIL FOR A CRIME HE WOULD NEVER BE TRIED FOR, SOREF KNOWS THE FALSITY OF SUCH A BELIEF BETTER THAN MOST.**

Soref was briefly released after another judge saw fit to reduce his bail—and Gruffudd and other supporters were able to contribute to Soref’s release. Over a year after his original arrest, his case began its preliminary hearing.

“Every day, the judge would say, ‘I hope tomorrow we’re going to hear something bad about you,’” Soref recalls.

Soref remembers the judge explaining the purpose of the hearing—to determine whether there was probable cause that a crime was committed, and the defendant might be guilty of the crime—and then recites verbatim the judge’s words, “It is an extremely low standard. However, it is a standard.”

The judge determined the prosecution failed to meet that standard. More than a year and two months after his arrest, Soref was fully exonerated. He remains a passionate advocate for social reform, and aims to create a documentary piece drawing on his experience, with Gruffudd in the director’s seat. You can find more about Soref’s case and his work at [Sorefsocialreform.org](http://Sorefsocialreform.org).

Soref's experience highlights the injustice present in our justice system. An enormous bail kept an innocent man separated from his career, wife, and his five-year-old daughter for five months. It's made even more poignant by the success of risk assessments in other localities, illustrating how such a pre-trial punishment might have been easily avoided. Soref reminds us, "Efficiency and justice have nothing to do with each other."

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Dror's activity with non-profit organizations includes the Aleph Institute (a Jewish-based association providing crucial assistance to families whose loved ones are in prison or serve in the US Armed Forces), Equal Justice Under the Law (dedicated to ending inequality in the justice system), The Midnight Mission (A non-denominational mission in the heart of Los Angeles' skid row dedicated to feeding the homeless and restoring people to sobriety), and the Greater Los Angeles Chamber of Commerce (where he served as a Director of the Institute's Board, promoting job opportunities and internships for Los Angeles youth.)

Most recently Soref founded RCI (Rebel with a Cause Institute) dedicated to guiding aspiring talent to create movies, TV and other content fostering principled ideals.

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