



CAPITOL BEAT

The Cost of Cashless Bail

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~~June Rodgers' son was shot 22 times on April 9, 2017. Just four days earlier, her son's killer, Jules Black, a convicted felon who was arrested for illegally carrying a 9 mm pistol, was released from jail as a result of New Jersey's Bail Reform and Speedy Trial Act. After a lengthy assessment screening~~

~~developed by the Arnold Foundation, Black was not considered a threat to society or likely to commit another crime prior to his hearing on the possession charge. The prediction couldn't have been more wrong, and it cost June's son, Christian, his life.~~

~~Following in New Jersey's footsteps, our state legislators are faced with the decision to reform the bail system in California. Like in New Jersey, the reform removes monetary bail and establishes an assessment tool to determine whether or not a criminal must remain detained until their court date or be released under their own recognizance. There is also talk about California using the same, and obviously flawed, Arnold Foundation pre-trial assessment tool. Although changes were made in the assessment within a few months after Rodgers' death, we can't help but ask ourselves, can one assessment truly determine whether or not a criminal will commit another crime if released without bail? Is that something a series of questions can legitimately predict?~~

~~California's bail reform bill, SB 10, authored by Senator Robert Hertzberg (D-Van Nuys), passed through the Assembly Public Safety Committee on a 4-2 vote with one Assembly member abstaining. There were many concerns up for deliberation during the hearing, and one Assembly member set an expectation for Hertzberg, noting that he should clarify the bill moving forward to address the Committee's concerns and consider his bill a work in progress.~~

~~PORAC remains strongly opposed to SB 10. PORAC leadership, along with the team at Aaron Read & Associates (ARA), continue to work with a coalition of law enforcement and crime victim groups ARE fight this dangerous bill. The author of the bill has not accepted the amendments that law enforcement has offered.~~

~~THE COALITION~~
PORAC is opposed to SB 10 for the following reasons:

- SB 10 retains probable release for significant crimes, including domestic violence and certain crimes involving human trafficking.
- Although SB 10 allows the prosecution to make a motion seeking pretrial detention in limited felony cases, the timelines created by SB 10 make those hearings unrealistic and unspecified.
- As currently written, SB 10 imposes unrealistic responsibilities and expectations on the pretrial services agencies that courts and district attorneys would rely on for information in making decisions. Police reports and investigations may be ongoing, and victims may still be undergoing medical treatment, sexual assault examinations and police interviews. We cannot expect victims still recovering from trauma to testify in contested hearings within hours of an incident. Without this relevant information, the court cannot make a reasonable verdict regarding public safety, the victim and the defendant.
- Finally, we are concerned that the permissive structure for release under SB 10 will be insufficient to ensure that the accused return for their court date.

~~Strategy~~
~~Coalition of Groups HAS~~
On August 4, the PORAC Board voted to introduce a new bail reform bill written by Los Angeles County District Attorney Jackie Lacey. PORAC, along with the California District Attorneys Association, California Police Chiefs Association, Crime Victims United, and other law enforcement organizations are co-sponsoring this legislation, which works to reasonably reform our current bail system without jeopardizing

~~VICTIM SAFETY OR OUR COMMUNITIES.~~

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