



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA

May 24, 2017

The Honorable Ricardo Lara, Chair
Committee on Appropriations
California State Senate
P.O. Box 942848
Sacramento, CA 94248-0001

RE: SB 10 (Hertzberg)—SUPPORT

Dear Senator Lara:

The League of Women Voters of California is pleased to support SB 10, a bill that will reform the money bail system in California. This bill would require, except when a person is arrested for specific violent felonies, that a pretrial services agency conduct a risk assessment and make recommendations on conditions of release for the person pretrial. Thousands of people in California would no longer be detained pretrial simply because they cannot afford to post money bail. The bill also creates standards for training and for cost-effective and validated assessment tools.

The League of Women Voters is convinced that individual rights now protected by the Constitution should not be weakened or abridged. A basic constitutional right is the assumption of innocence prior to conviction and we believe that no person or group should suffer discrimination before the law due to their economic status. The League of Women Voters also believes that privatization is not appropriate when the provision of services by the government is necessary to preserve the common good, to protect national or local security, or to meet the needs of the most vulnerable members of society. Services fundamental to the governance of a democratic society, including the justice system and public safety, should not be privatized in their entirety.

SB 10 seeks to reform California's current system, which often causes arrestees who have not been convicted of any crime to spend weeks or months in county jail. Persons often lose their jobs, their housing, and their children. It is estimated that a significant number of innocent people plead guilty to avoid the destruction of their lives. The system is discriminatory, with bail amounts 35 percent and 19 percent higher for African American men and Hispanic men than for white men. Research has also found that people released on their own recognizance without money bail are equally likely to show up for court proceedings as those with money bail.

In California, more people are detained than in other states, and average bail is higher. Private money bail companies under the current system usually receive a \$5,000 nonrefundable bond for each person arrested in this state, although there is no evidence that money bail increases the likelihood of a person actually appearing at trial.

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“The cash-bail industry, which includes local bond agents backed by multinational insurance giants, is a morally tainted enterprise that systematically violates the constitutional rights of America’s most vulnerable citizens in the name of profit—and with no discernible benefit to the public.” *New York Times* Editorial, “Locking Up the Poor,” May 5, 2017

The current system also imposes significant costs upon the public system: it costs over \$100 per day to house people in our county jails, and this system of pretrial incarceration leads to significant overcrowding. Those incarcerated for more than two or three days are more likely to re-offend. Santa Clara County has implemented a successful pretrial services model similar to that proposed by these bills, and has saved \$33 million in six months by keeping 1,400 defendants out of jail. Removing private money bail bonds from many cases and replacing them with risk assessments will restore constitutional rights, prevent increased poverty, unemployment, homelessness, and potential family dissolution, and also save California communities significant amounts of money.

We are pleased to support SB 10 and urge your committee to pass this bill.

Sincerely,

A handwritten signature in blue ink that reads "Helen L. Hutchison". The signature is fluid and cursive, with a long horizontal stroke at the end.

Helen L. Hutchison
President

c.c. Senator Hertzberg