

Contra Costa County

LEGISLATION COMMITTEE

August 9, 2018

SIGN-IN SHEET

Signing in is voluntary. You may attend this meeting without signing in.

Name	Representing	Phone
Tim Jensen	CCC Flood Control	(925) 313-2390
Mitra Avalon	" " "	(925) 313-2203
BRIAN BARBAS		
MARK GOODWIN		
ROBIN LUPETZKY	PUBLIC DEFENDER	925-325-8035
Pat Frost	Contra Costa EMS	925 313-9554
Peggy Jen	Contra Resident	925-922-4053
Gloria Brue	East Bay Housing Organization	510 663 3830 x.322
Mariana Moore	Ensuring Opportunity Campaign	510-234-1200 x311
BRIAN BARBAS	CCCPWD	925 313-2201



August 10, 2018

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

The Honorable Lorena Gonzalez Fletcher
Chair, Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, CA 95814

**Re: SB 10 (Hertzberg) – Bail: Pretrial Release.
As Amended September 6, 2017 – OPPOSE
Set to be heard August 15, 2018 - Assembly Appropriations Committee**

Dear Assembly Member Gonzalez Fletcher:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes to respectfully oppose Senate Bill 10 by Senator Bob Hertzberg. This measure, as amended, would enact major reforms to California's bail system that would add incredible costs to counties by requiring them to establish a Pretrial Services Agency, as well as the other costly mandates that are embedded within the measure.

CSAC supports the concept of reforming California's bail system from one that is solely based on an individual's ability to pay, to a system that looks at an individual's risk of reoffending. CSAC would like to continue working with the author on these reforms through the fall so we can ensure a comprehensive reform of California's bail system that can be successful in all 58 counties.

Various counties have implemented comprehensive pretrial and custody alternatives to address the large number of individuals being held pretrial in county jails. Pretrial assessments provide a guide for balancing an individual's overall risk to fail to appear, with risk to reoffend while in the community when making release decisions, as opposed to a money based system of posting bond based on current charges. However, SB 10 creates a complicated system that in some cases releases individuals based on charges not on an assessment of an individual's risk to reoffend. In addition, SB 10 states that if a pretrial services report is not available, the court shall release the person subject to a release agreement without further conditions or subject to conditions. These provisions in SB 10 are very problematic for CSAC and do not improve public safety.

Currently counties provide pretrial service programs through various agencies whether it is the Sheriff's Department or Probation Department depends on the county. SB 10 would remove this flexibility by requiring counties to establish a Pretrial Services Agency. The costs for establishing a new agency as prescribed in SB 10 could be in the tens of millions of dollars for counties. Without any funding in the measure, CSAC must oppose this unfunded mandate.

For these reasons, CSAC opposes SB 10 and respectfully requests your **NO** vote. We will continue to solicit input from counties and welcome the opportunity to continue the dialogue with the author's office and the sponsors. Thank you for considering the county perspective. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at jdevencenzi@counties.org or 916.650.8131.

Sincerely,

Jessica Devencenzi
Legislative Representative

cc: The Honorable Bob Hertzberg, California State Senate
Members and Consultant, Assembly Appropriations Committee
Jared Yoshiki, Consultant, Assembly Republican Caucus