



**LEGISLATION & PUBLIC
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March 30, 2017

Honorable Reginald Byron Jones-Sawyer, Sr.
Chair, Public Safety Committee
California State Assembly
Capitol Building, Room 2117
Sacramento, CA 95814

RE: AB 42 (BONTA) – SUPPORT

Dear Assembly Member Jones-Sawyer, Sr.:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, supports AB 42. This bill is scheduled for hearing in the Assembly Public Safety Committee on April 18, 2017.

This bill would declare the intent of the Legislature to enact legislation that would safely reduce the number of people detained pretrial, while addressing racial and economic disparities in the pretrial system, and ensure people are not held in pretrial detention simply because of their inability to afford money bail. It would implement a revised pretrial release procedure. It would require each county to establish a pretrial services agency responsible for gathering information about newly arrested persons, conducting pretrial risk assessments, preparing individually tailored recommendations to the court regarding release options and conditions, and providing pretrial services and supervision to people on pretrial release.

The bail system is unfair to people with low incomes and people of color. Further bail and pretrial detention negatively and disproportionately impact people with mental health disabilities, contributing to the over-incarceration

of this population. Pretrial detention causes people to lose their jobs, their housing, and connections with their families. People in jail pretrial are more likely to be convicted and serve longer sentences than similarly situated people who are released pretrial. The system is also bad for public safety because people held pretrial have higher recidivism rates than similarly situated people who do not stay in jail pretrial.

The negative effects of the bail system are felt beyond the people held pretrial and their families. Pretrial detention is expensive, costing more than \$100 per night compared to the minimal costs associated with own recognizance release, even with conditions. The high level of unnecessary pretrial detention puts pressure on counties to build new, expensive, and unnecessary jail beds. Those funds could be used for more productive uses including improving social services, investing in housing and developing community based programs for people with mental health disabilities.

For these reasons, we support this bill. Please contact me if you have any questions about our position on this bill.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Margaret Johnson', with a long horizontal flourish extending to the right.

Margaret Johnson, Esq.
Advocacy Director
Disability Rights California

cc: Honorable Rob Bonta, California State Assembly
Justin Rausa, Senior Field Representative, Office of Assembly
Member Bonta
Honorable Members, Assembly Public Safety Committee
Sandy Uribe, Counsel, Assembly Public Safety Committee