

14-0002-584

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, SB 210 seeks to revise the factors in setting, reducing, or denying bail that a judge or magistrate would be required to consider to, among other things, require the judge or magistrate to consider the history and characteristics of the defendant, and to consider the nature and circumstances of the offense, and would also require a judge or magistrate to consider those factors when determining conditions for pretrial release; and

WHEREAS, SB 210 is predicated on the availability of evidence-based pretrial risk assessment reports which will determine which defendants are good candidates for own recognizance (OR) release, but only Santa Cruz County is set up to issue these reports and it is not clear when the other 57 counties will have the funds necessary to do these assessments, and the courts will therefore be encouraged to release felony defendants on OR without the reports they need to make an informed decision and public safety will suffer; and

WHEREAS, electronic monitoring can be a useful tool in the right circumstances, such as in the post-conviction context where bail is not available, but a 2011 study found that electronic monitoring had a 70% rate of false alerts causing significant increases in officer workloads, costs and dangers to public safety; and

WHEREAS, there are too many uncertainties and too little preparation to ensure that such an OR program can be implemented effectively.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-2014 State Legislative Program OPPOSE SB 210 which would revise the criteria for determining eligibility for pretrial release from custody.

PRESENTED BY: Bernard C. Parks
Bernard Parks
Councilmember, 8th District

SECONDED BY: A. Englar

ORIGINAL

[Signature]
JUL 2 2014