

# CITY OF LOS ANGELES

CALIFORNIA

**HOLLY L. WOLCOTT**  
City Clerk



**ERIC GARCETTI**  
MAYOR

Office of the  
CITY CLERK

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**SHANNON HOPPE**  
Council and Public Services  
Division

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

When making inquiries relative to  
this matter, please refer to the  
Council File No.

September 4, 2014

To All Interested Parties:

**Chief Legislative Analyst**

I HEREBY CERTIFY that the City Council adopted the action(s), as attached, under  
Council File No. 14-0002-S84, at its meeting held August 29, 2014.

City Clerk  
wrq

cc: 8 Certified copies sent to Sacramento Representatives

OFFICE OF THE MAYOR  
Mayor's Time Stamp  
RECEIVED  
2014 AUG 29 PM 5:45  
CITY OF LOS ANGELES

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CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

# FORTHWITH

SUBJECT TO THE CONCURRENCE OF THE MAYOR

COUNCIL FILE NO. 14-0002-S84

COUNCIL DISTRICT \_\_\_\_\_

COUNCIL APPROVAL DATE August 29, 2014

RE: ESTABLISHING THE CITY'S POSITION TO SUPPORT SB 210, WHICH WOULD REVISE THE CRITERIA FOR DETERMINING ELIGIBILITY FOR PRE-TRIAL RELEASE FROM CUSTODY

LAST DAY FOR MAYOR TO ACT SEP 08 2014  
[10 Day Charter requirement as per Charter Section 231(h)]

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**DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY**

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APPROVED  
✓

\*DISAPPROVED  
\_\_\_\_\_

\*Transmit objections in writing pursuant to Charter Section 231 (h)

DATE OF MAYOR APPROVAL OR DISAPPROVAL 9/3/14

E.G. 12  
MAYOR

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2014 SEP -3 PM 4:46  
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RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to establishing the City's position to support SB 210, which would revise the criteria for determining eligibility for pre-trial release from custody.

Recommendation for Council action, as initiated by Resolution (Parks - Englander), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 State Legislative Program SUPPORT to SB 210 (Hancock), which would revise the criteria for determining eligibility for pre-trial release from custody.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst (CLA). The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary

At a special meeting held on August 29, 2014, the Rules, Elections and Intergovernmental Relations Committee considered a CLA report and Resolution (Parks - Englander) relative to establishing the City's position to oppose SB 210 (Hancock), which would revise the criteria for determining eligibility for pre-trial release from custody. The CLA report, attached to the Council file, provides a summary of the Resolution and additional background information. After consideration and providing an opportunity for public comment, the Committee recommended that Council adopt the accompanying substitute Resolution submitted during the Committee meeting. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE



MEMBER VOTE

WESSON: YES

HUIZAR: YES

LABONGE: YES

**ADOPTED**

AUG 29 2014

**LOS ANGELES CITY COUNCIL  
TO THE MAYOR FORTHWITH**

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**

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 have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, current law states that, except in certain circumstances, a defendant shall be granted release on bail prior to their trial; and

WHEREAS, in many cases, when a defendant cannot afford to post bail, they remain incarcerated while awaiting trial; and

WHEREAS, the current bail system in California creates a two-tiered pretrial population based on income, with defendants with the economic means to post bail able to return to their homes and jobs, while poor defendants remain incarcerated; and

WHEREAS, pretrial incarceration can cause significant disruptions to a defendant's life, resulting in the loss of work, economic hardship, relationship strains, and can increase the likelihood that a defendant would offend again; and

WHEREAS, SB 210 (Hancock) would revise the criteria for determining eligibility for pretrial release from custody, including a defendant's release on their own recognizance (OR), without the requirement to post bail; and

WHEREAS, SB 210 would require the court to consider the nature of the charged offense, the history and characteristics of a defendant and their prior criminal history, as well as the probability that the defendant would appear for their court dates, when considering pretrial release; and

WHEREAS, SB 210 emphasizes the use of evidence-based pretrial risk assessments to determine if a defendant is eligible for pretrial release from custody; and

WHEREAS, SB 210 would create a more fair way of dealing with pretrial incarceration, allowing poorer defendants to be released on OR without having to post bail, while reserving pretrial incarceration for those who pose a threat to the community, thereby reducing jail populations and allowing lower income defendants to remain a part of their community while awaiting trial;

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 SUPPORT for SB 210 (Hancock), which would revise the criteria for determining eligibility for pretrial release from custody.

jwd

I CERTIFY THAT THE FOREGOING  
RESOLUTION WAS ADOPTED BY THE  
COUNCIL OF THE CITY OF LOS ANGELES  
AT ITS MEETING OF AUG 29 2014  
BY A MAJORITY OF ALL ITS MEMBERS.

HOLLY L. WOLCOTT  
CITY CLERK



BY \_\_\_\_\_  
DEPUTY