

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at NCsupport@lacity.org.

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Contact Information

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The Board approved this CIS by a vote of: Yea(10) Nay(2) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 01/18/2022

Type of NC Board Action: Against

Impact Information

Date: 01/19/2022

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 21-0002-s196

Agenda Date: 01/18/2022

Item Number: IX G.

Summary: The Reseda Neighborhood Council opposes the resolution requesting that the State Legislative Program supports legislation reinstating cash bail. The Resolution contains unsubstantiated assertions, and outright misstatement of facts, and marks a step backward in criminal justice reform. Please see attached pdf for our full statement.



Reseda Neighborhood Council

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Council File [21-0002-s196](#)

(Cash Bail / Reinstatement / Temporary Zero Emergency Bail Schedule / COVID-19)

The Reseda Neighborhood Council opposes the resolution requesting that the State Legislative Program supports legislation reinstating cash bail. The Resolution contains unsubstantiated assertions, and outright misstatement of facts, and marks a step backward in criminal justice reform.

In March of 2020, in response to the COVID-19 Pandemic, the Los Angeles District Attorney's Office implemented a zero bail policy for most misdemeanor and lower level felony offenses. This was followed a few weeks later by California's Judicial Council implementing a similar policy Statewide. The purpose of this humane policy was to protect individuals from becoming exposed to Covid 19 while in pre-trial detention, thus limiting the spread of the virus in jails. The statewide order ended in June of 2020,

After the state-wide expiration, the Los Angeles Superior Court implemented a zero bail policy for most infractions, misdemeanors and non-violent felonies. This Resolution requests that the State Legislature act by reinstating cash bail statewide. In support, this Resolution states that Los Angeles County has experienced a "substantial increase in violent crimes and brazen robberies." This is simply not true. In 2021, Robberies were down more than 7% from 2020, and more than 19% from 2019. Moreover, "violent crimes" continue to be subject to bail, and have never been covered by the zero bail policy.

There has been much fear-mongering of the zero bail policy and its alleged role in



decreasing public safety. But we know that elimination of bail for misdemeanor offenses can be a working model for the future because we are doing it right now. [The current system of cash bail supported by commercial bail bonds industry is one of only two in the world.](#) Sixty percent of people in U.S. jails today have not been convicted of a crime. The argument in support of cash bail is that it ensures that those arrested will show up to court, but in those jurisdictions that have eliminated cash bail, the rates of appearance are similar or better than prior to the elimination of cash bail.

An additional argument in support of cash bail is that it discourages recidivism. It is argued that people who must pay a cash bail will be less likely to commit additional crimes. In fact, the opposite is true. Those who are detained pretrial are more likely to commit crimes in the future. [Detention is associated with a 30% increase in new felony charges, and a 20% increase in new misdemeanor charges.](#) This likelihood increases the longer someone is detained. Rather than making communities safer, the current cash bail system and pre-trial detention actually causes an increase in criminal behavior.

The cash bail system disproportionately punishes people of color, the poor, and other marginalized communities by causing economic and social harm. A recent study by the Federal Reserve found that 47 percent of Americans could not cover an emergency expense of \$400. Spending even a few days in jail can result in people losing their jobs, housing, and even custody of their children. People who lose their jobs often suffer a reduction in wages if they are able to acquire a new one. Similarly, if a person loses his apartment or rental property, more money must be spent to get new housing causing further financial strain. The harm suffered by those arrested and incarcerated happens even if the charges are dropped or they are eventually acquitted.

Pre-trial detention is punishment without due process. Imposing cash bail on people who have been arrested forces those without the means to pay to choose between continued incarceration or pleading guilty. Most people subject to pre-trial detention choose to plead guilty rather than continue to be incarcerated.

Most guilty pleas lead to a sentence of "time served", meaning that the punishment is the time a person has already been detained in jail. Therefore, a person who cannot pay cash bail in order to be released must choose between additional punishment in order to have their day in court, or pleading guilty in order to be released. Pleading guilty to a crime can cause the loss of employment or housing, and the loss of future opportunities. These negative outcomes have disproportionately harsh impacts on people of color, the poor, and other marginalized communities.

During this pandemic, the elimination of cash bail has helped to keep people out of jails which have been a hotbed for Coronavirus infection. This policy has no doubt saved lives, but it has also demonstrated that the current system of cash bail is flawed, and disproportionately harmful to vulnerable communities. The Reseda Neighborhood Council strongly opposes the Resolution supporting the reinstatement of cash bail statewide.