



Alliance of California Judges

September 11, 2017

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The Honorable Robert Hertzberg
California State Senate
State Capitol
Sacramento, CA 95814

RE: SB 10 — Oppose

Dear Senator Hertzberg,

On behalf of the more than 500 current or former judges who make up our membership, we write to express our continued opposition to Senate Bill 10, which would completely upend the current system of bail and pretrial release.

Unfortunately, the latest amendments to the bill do nothing to address our concerns regarding unrealistic deadlines and court congestion. We also struggle to see how the proposed new system, with its presumption of release without bail in the majority of criminal cases, can be reconciled with our constitutional mandate to make public safety our paramount concern in setting bail.

We also note with grave concern that the bill now assigns a vast amount of responsibility for the oversight of the new bail system to the Judicial Council and its staff agency, formerly known as the Administrative Office of the Courts. The AOC failed in its attempt to build a statewide case management system, wasting over half a billion dollars of taxpayer money in the process. It has lavished hundreds of millions of dollars on opulent new courthouses while older buildings rot and crumble. We have no faith in the AOC's ability to oversee the operation of 58 newly created pretrial service agencies or the implementation of a radically new system of pretrial release.

We note that the latest amendments to the bill delay its implementation until 2020. Delayed implementation of a flawed bill is not a solution to any problems that may exist in the current bail and pretrial release systems.

We ask that the Legislature amend the bill to provide for a group of judges, prosecutors, defense counsel and probation officers to design a system that balances the public's right to safety against the needs of those who cannot afford to post excessive bail. We urge both houses of the Legislature to reject the current version of SB 10 and take a meaningful step toward true reform of the bail and pretrial release systems.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve White".

Judge Steve White
President

cc: Members, Assembly Appropriations Committee
ACJ Board of Directors