



CITY of CALABASAS
CITY COUNCIL AGENDA REPORT

DATE: OCTOBER 3, 2023

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: KINDON MEIK, CITY MANAGER

SUBJECT: RECOMMENDATION TO APPROVE LETTER TO THE HONORABLE SAMANTHA P. JESSNER, PRESIDING JUDGE OF THE LOS ANGELES COUNTY SUPERIOR COURT, REQUESTING TO SUSPEND THE OCTOBER 1, 2023, IMPLEMENTATION OF PRE-ARRAIGNMENT RELEASE PROTOCOLS (PARP)

MEETING DATE: OCTOBER 11, 2023

SUMMARY RECOMMENDATION:

Recommendation to approve letter to The Honorable Samantha P. Jessner, Presiding Judge Los Angeles County Superior Court, requesting to suspend the October 1, 2023, implementation of Pre-Arrest Release Protocols (PARP), and authorize for the Mayor to sign on behalf of the City Council.

BACKGROUND:

On July 18, 2023, the Superior Court of Los Angeles County approved a new set of bail schedules, Pre-Arrest Release Protocols (PARP), aimed at releasing low-level, non-violent and misdemeanor suspects before their arraignment. The Court's proposal mandates the release without presumptive bail for most arrestees following their arrest. Under the new guidelines, the schedule applies to a broad range of offenses including nearly all theft offenses, vehicle code violations, and crimes against property such as petty theft, and vandalism among others. Instead of assigning money bail amount to non-violent felonies and misdemeanors, a majority of arrestees will now be released at the location of the arrest (CR) or

booked in jail, and then released on their own recognizance with a citation for a future court date (BR). In some cases, suspects arrested for certain crimes which pose an increased risk to the public will be referred to an on-call magistrate, who will have discretion to determine the appropriate release terms and conditions (MR).

DISCUSSION:

The Governing Board of the Las Virgenes-Malibu Council of Governments (COG) held a Special Meeting on October 3, 2023, to discuss the implementation of the Pre-Arrestment Release Protocols, "zero-bail policy" set forth by the Superior Court of Los Angeles, which went into effect on October 1, 2023. The COG took action by proposing a letter to The Honorable Samantha P. Jessner, Presiding Judge of Los Angeles County Superior Court, requesting to suspend the October 1, 2023, implementation of Pre-Arrestment Release Protocols (PARP). The new bail schedule will dictate one of three possible actions by law enforcement for an arrestee's release: Cite and Release (CR), Book and Release (BR) or Magistrate Review (MR). The newly approved Release Protocols will replace the traditional bail schedules.

Offenses involving guns, sexual battery, crimes against children/ elders and contact with minors with intent to commit a sexual offense are examples of offenses subject to Magistrate Review. Magistrates will consider the crime, and a risk assessment report to determine whether the arrestee should be released with no conditions or determine the least restrictive, non-financial conditions intended to address whether the arrestee is likely to return to court. All offenses in the MR category are designated as "zero bail" offenses.

Capital offenses such as murder with special circumstances and limited felonies are not eligible for pre-arrestment. Most people arrested on suspicion of non-violent or non-serious offenses will either be cited and released in the field or booked and released at a police or sheriff's station with orders to appear in court on a specific date for arraignment once they are actually charged with a crime.

This PARP proposal was announced and scheduled for speedy implementation without a Court solicitation of community input and without sufficient consideration of the impact that this new policy would have on those affected by it. The latest version of the Court's new bail schedule was issued on September 12, 2023, with an effective date, 19 days later, on October 1, 2023.

Affected agencies, such as the Sheriff's Department, other police agencies and the District Attorney's Office, will not be as prepared as they should be before these major bail changes are implemented.

Based on the rise in crimes in our region and throughout Los Angeles County, including assaultive crimes, organized retail theft and other property-related crimes that impact our residents and businesses, the Court's proposed zero bail schedule (PARP) further erodes the public trust and the public's sense of community security. These new Protocols represent a substantial change for all law enforcement agencies in Los Angeles County; these protocols will increase their already burdened workload and significantly hinder their ability to protect our residents within Los Angeles County.

FISCAL IMPACT/SOURCE OF FUNDING:

Fiscal impact undetermined at this time.

REQUESTED ACTION:

That the City Council approve letter to The Honorable Samantha P. Jessner, Presiding Judge Los Angeles County Superior Court, requesting to suspend the October 1 implementation of Pre-Arrestment Release Protocols (PARP) and authorize the Mayor to sign on behalf of the City Council.

ATTACHMENTS:

Letter to Presiding Judge, Los Angeles County Superior Court re:
Request to Suspend October 1 implementation of Pre-Arrestment Release Protocols (PARP)