



CITY of CALABASAS

ITEM 7 ATTACHMENT

DAVID J. SHAPIRO
Mayor

October 12, 2023

The Honorable Samantha P. Jessner
Presiding Judge Los Angeles County Superior Court
Stanley Mosk Courthouse
111 N. Hill Street
Los Angeles, CA 90012

RE: Request to Suspend October 1 implementation of Pre-Arrestment Release Protocols (PARP)

Honorable Presiding Judge Jessner:

On behalf of the City of Calabasas, we strongly urge the Court to suspend the October 1, 2023, implementation of the Pre-Arrestment Release Protocols (PARP). We request that the Court retain the current presumptive bail schedule for felonies and misdemeanors, under which indigent defendants may request bail reductions from the Court when appropriate pursuant to existing law.

As elected officials, representing cities that contract with Los Angeles Sheriff Department, we have deep concerns regarding the public safety impacts that the new PARP will have in our communities. 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.

The Court's proposal mandates the release without presumptive bail for most arrestees following their arrest. 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.

Our citizens have been increasingly voicing their serious concerns for their safety, 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 most. It is difficult for our residents to trust the criminal justice system when the list of crimes in our county that are no longer being prosecuted vigorously, or at all,

continues to grow. The Court's proposed zero bail schedule (PARP) further erodes this public trust and the public's sense of community security.

The Court's current bail schedule, which has been in effect for decades, lists a presumptive bail amount for each criminal offense. Such bail is legally required by the California Constitution, Article 1, Section 12, to ensure that the arrestee who posts such bail will attend his court appearances and not endanger public safety if released. Under the Court's proposed PARP, most crimes listed in the revised bail schedules do not provide for presumptive bail or a magistrate review prior to the required release of an arrestee.

We recognize the Court's responsibility to preserve constitutional rights for all. However, we strongly believe that the Court's bail system for offenses should be a presumptive bail system, as exists currently, which assigns a presumptive amount for each offense based on the nature and severity of the offense and incorporates amounts for additional factors such as:

- offender history
- number of crimes charged
- public safety risks

Under current law, except for capital offenses, a defendant is entitled to request a speedy court hearing to request a lower bail amount than the presumptive amount; the court is authorized to lower the defendant's bail or even provide him with a release on his promise to appear when it is legally appropriate to do so. This system provides for a fair hearing for both sides.

There is no reason to implement this new plan without full public input and on an expedited basis. The court should provide everyone who may be affected by it an opportunity to be heard and be willing to change this plan based on that input. Even if the Court is unwilling to modify its plan, there is no reason for the Court not to permit its justice partners to fully prepare for its implementation.

The City of Calabasas believes strongly in the scales of justice within our criminal system must be balanced. However, the implementation of the PARP tips these scales too far in the direction of endangering public safety in our communities. We urge your delay in implementation and reconsideration of the Court's new bail protocols.

Respectfully,

David J. Shapiro
Mayor
City of Calabasas

cc: Los Angeles County Board of Supervisors
Sheriff Robert Luna
Assemblymember Jacqui Irwin
Senator Ben Allen