

Harada, Patricia

Subject: FW: Vera Institute Public Comment on Bail Policy
Attachments: El Segundo - Vera Written Public Comment for City Council - Bail Policy.pdf

From: Claire Simonich <csimonich@vera.org>
Date: October 17, 2023 at 12:02:35 PM PDT
To: *ALL CITY COUNCIL <allcouncil@elsegundo.org>
Subject: Vera Institute Public Comment on Bail Policy

Dear El Segundo City Councilmembers,

My name is Claire Simonich. I live in Los Angeles and am the Associate Director of Vera California, a local initiative of the Vera Institute of Justice, which advances policies and practices that will make California a model for promoting community safety, ending mass incarceration, and advancing racial justice.

Please see the attachment for my public comment on the court's new bail policy. If you have any trouble accessing the document, please let me know and I can resend it.

Warmly,
Claire

Claire Simonich
Associate Director, Vera California

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(pronouns: she/her)

October 17, 2023

El Segundo City Council:

Via email: allcouncil@elsegundo.org

Mayor Drew Boyles
Vice Mayor Chris Pimentel
Councilmember Carol Pirsztuk
Councilmember Lance Giroux
Councilmember Ryan Baldino

Re: Support – Implementation of the Superior Court’s new bail policy, the Pre-Arraignment Release Protocols (PARP)

Dear El Segundo City Council,

My name is Claire Simonich. I live in Los Angeles and am the associate director of Vera California, a local initiative of the Vera Institute of Justice (Vera) advancing policies and practices that will make California a model for ending mass incarceration, promoting community safety, and advancing racial justice. Vera has worked on pretrial policy across the country—from Michigan to Kentucky to New Jersey—for more than 60 years.

We are writing to share research, data, and factual information regarding the Superior Court’s new bail policy, the Pre-Arraignment Release Protocols (PARP), which is a step forward towards a more fair, just, and safe pretrial system.

The PARP policy rightfully shifts away from money bail and recommends administrative release for people charged with misdemeanors and low-level felonies.

The court’s policy does not represent a radical change in the pretrial system and instead builds off years of similar bail policies and assessment of those policies. For the past three years, the county has had a bail schedule (often called the “emergency bail schedule” or EBS) on and off where many people charged with low-level offenses were released through administrative means, like citations, instead of having traditional cash bail imposed. Like the emergency bail schedule, the PARP policy recommends administrative release for low-level offenses. The policies of having pre-arraignment magistrate reviews and a money bail system for people detained until arraignment [continue](#).

Extensive research demonstrates that reforms like the PARP policy are good for public safety.

[Vera analyzed](#) the Los Angeles Police Department's own data from the EBS period and found that violent crime and property crime in Los Angeles were lower or remained effectively unchanged under the EBS from the two-year period before the policy. As in Los Angeles, studies from around the country repeatedly find that reforms like the PARP policy *are not linked to an increase in violent or nonviolent crime*. The courts in Harris County, Texas—home to Houston—issued a standing order in 2019 for most people charged with misdemeanors to be released without money bond. An independent federal monitor tasked with analyzing the data [found](#) that far more people are now being released pretrial and that these higher release rates did not translate to higher rearrest rates—rearrest rates have stayed largely constant from before and after the policy change.

The Kentucky Supreme Court issued statewide orders similar to what is in the PARP, including release for nonviolent and nonsexual lower level felonies, and found that [the data showed](#) releasing more people does not compromise public safety. In 2017, the court mandated administrative pretrial release for most misdemeanors; 92 percent of those released were not rearrested. In 2020, after the policy expanded to include the aforementioned felonies, rearrest remained low and 89 percent of people were not rearrested.

In New York, despite the fearmongering around bail reform, a rigorous academic study found that it [reduced overall re-arrest and felony re-arrest among people released under the new law, compared to a pre-reform comparison group. Further, research shows no correlation](#) between bail reform policies and an increase in violent crime. These research findings counter false claims that the PARP policy is likely to increase crime.

The Council should not be swayed by critics' fearmongering and misleading claims.

Critics of the PARP policy frequently cite the Yolo County District Attorney's reports claiming their emergency bail schedule led to a huge increase in crime. The Yolo County DA reports should not be credited because they are significantly flawed. They are based on a small sample size—one study was of 100 people (compared to the tens of thousands studied in Houston's or Kentucky's policies which are similar in scope to PARP's)—and without establishing the proper research protocols that would show a discrete policy change causing a specific outcome (e.g., increased arrests). The robust research on similar policies with larger sample sizes—including from Los Angeles itself—should inform the Council.

Ultimately, more pretrial detention will not benefit public safety, nor justice.

Research demonstrates that just 24 hours in jail increases the likelihood that someone will be arrested again because of the destabilizing effect of detention and the resulting loss of jobs, housing, and community ties.

In addition to building safety, PARP serves justice. Only those who cannot pay experience the harms of pretrial detention, from the horrors of jail to housing instability or homelessness. The PARP policy ensures that a person's wealth does not determine whether they are free or in jail.

By following the research on public safety and policies like PARP, we have an opportunity to spare many people the harmful destabilization of pretrial incarceration and spare Angelenos the results of such destabilization. El Segundo's City Council should speak out in support of the Superior Court's new bail policy, educate the public about its public safety benefits, and encourage the court to monitor and share data analysis on implementation at regular intervals.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Simonich". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Claire Simonich
Initiative Associate Director
Vera California