

LOS ANGELES COUNTY
**JUSTICE
CARE AND
OPPORTUNITIES**
DEPARTMENT



Report on the County's Role in Pre-Arrest Release Protocols (PARP) Item 56

Tuesday September 26, 2023

Presenters:

Judge Songhai Armstead, (Ret.) JCOD

David Slayton, LA Superior Court

Sheriff Robert G. Luna, LASD

Sharon Woo, DA

Maggie Carter, CEO DOJ Compliance



**Chief
Executive
Office.**



Agenda

- 01** Pre-Arrest Release Protocols (PARP): Overview by LA Superior Court
- 02** LA County Sheriff's Department Role in PARP
- 03** LA County District Attorney Role in PARP
- 04** JCOD Role in Voluntary Services for PARP
- 05** CEO DOJ Compliance Perspective on PARP

PRE-ARRAIGNMENT RELEASE PROTOCOLS

PRESENTATION TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS



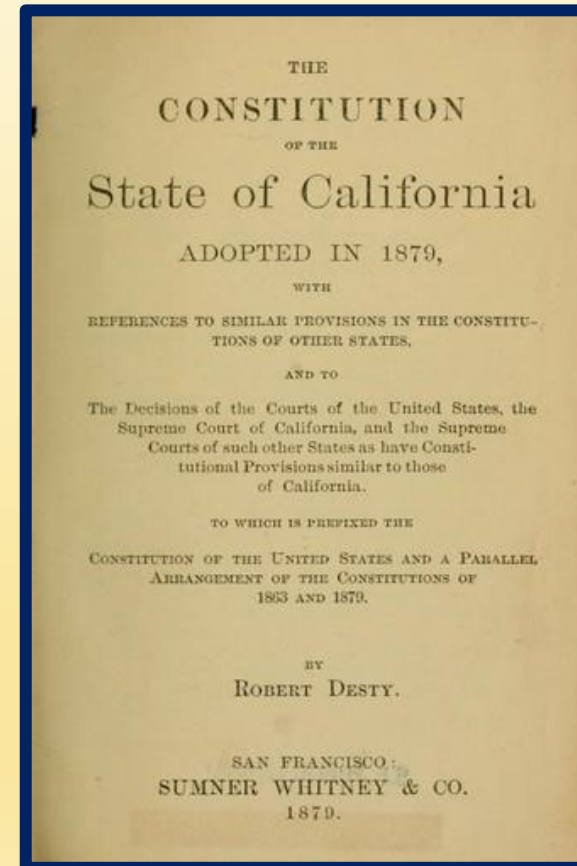
Executive Officer/Clerk of Court David W. Slayton
Superior Court of California, County of Los Angeles

September 26, 2023

PURPOSE OF BAIL

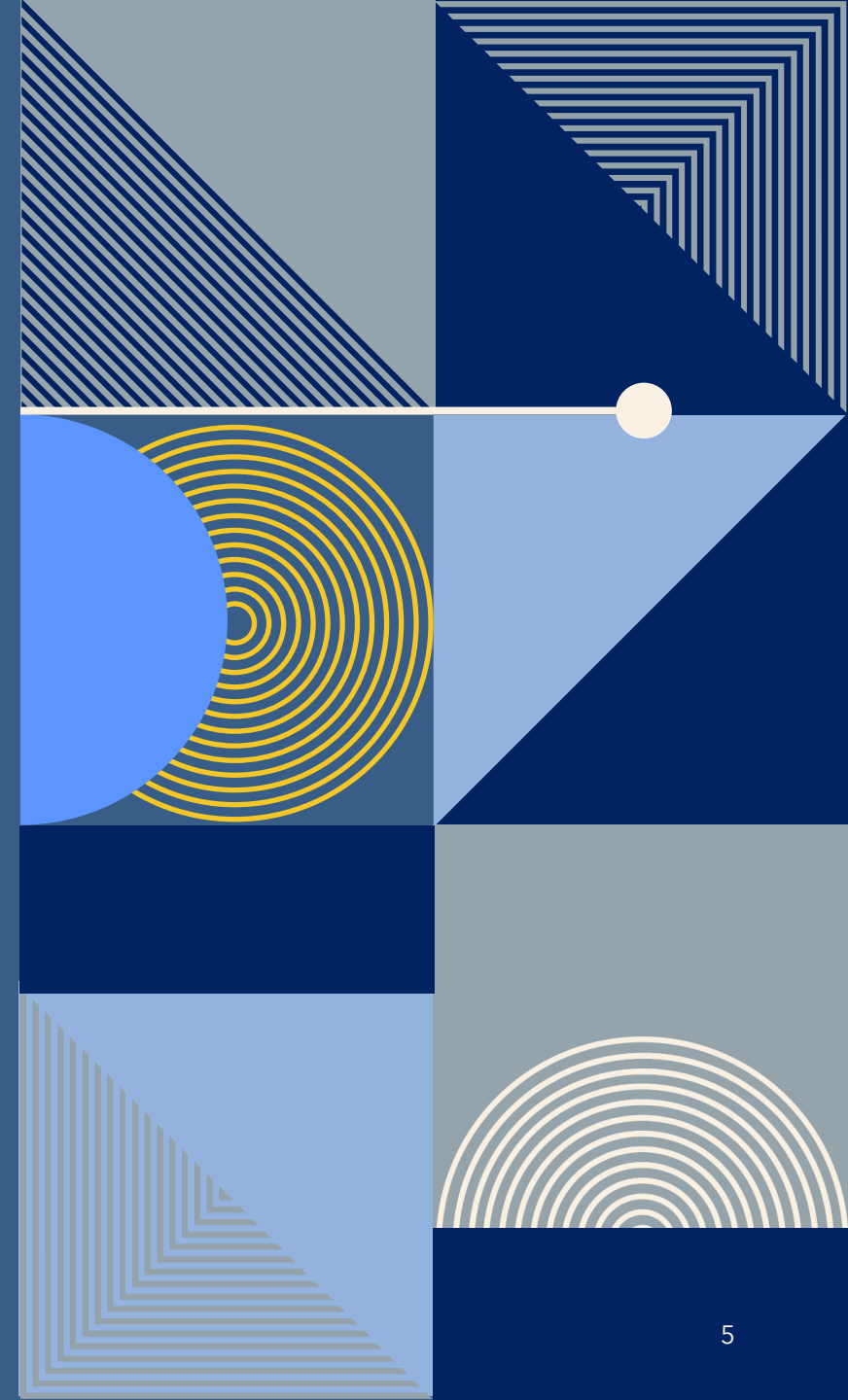
“In our society liberty is the norm, and detention prior to trial is the carefully limited exception.”
-*United States v. Salerno* (1984) 481 U.S. 739, 755.

- California Constitution:
 - (1) ensure an arrestee appears for all court appearances.
 - (2) Reduce the risk to public or victim safety.



PRETRIAL REFORM EXPERIENCE

- **Pretrial Risk Evaluation Pilot Program - 2020**
- **Emergency Bail Schedules - 2020**
- **Senate Bill 129 Permanent Pretrial Risk Evaluation - 2021**



SUPPORTING DATA

71-78%

Percentage of persons with criminal cases currently released pretrial in Los Angeles County

Proportion of the released population arrested for a new offense while awaiting trial:

40% in 2020 → 36% in 2021 → 29% in 2022

- 5.8% decrease in rearrest/rebooking for misdemeanors
- 2.4% decrease in rearrest/rebooking for felonies

“Zero Bail” does not increase failure to appear or rearrest rates. Rates of failure to appear (FTA) in court and of rearrest or new offenses remained either below or similar to their historical average.

Penal Code 1269b:

Local courts are required to set Uniform County Bail Schedules.

(c) It is the duty of the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses except Vehicle Code infractions. The penalty schedule for infraction violations of the Vehicle Code shall be established by the Judicial Council in accordance with Section 40310 of the Vehicle Code.

(d) A court may, by local rule, prescribe the procedure by which the uniform countywide schedule of bail is prepared, adopted, and annually revised by the judges. If a court does not adopt a local rule, the uniform countywide schedule of bail shall be prepared, adopted, and annually revised by a majority of the judges.

NEW PROTOCOLS ONLY APPLY PRE-ARRAIGNMENT



PRE-ARRAIGNMENT RELEASE PROTOCOLS APPLY

PRE-ARRAIGNMENT RELEASE PROTOCOLS

- **APPLY TO LOW-LEVEL, NON-VIOLENT, NON-SERIOUS OFFENSES**
- **BASE CONDITIONS OF RELEASE ON:**
 - Risk to public and victim safety; and
 - Likelihood of returning to court

HOW THEY COMPARE

EXISTING FELONY BAIL SCHEDULE

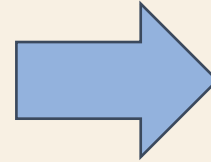
PENAL CODE SECTION	OFFENSE	PENAL CODE	PRESUMPTIVE BAIL
337a	BOOKMAKING.....		10,000
	Second Offense.....		12,500
	Third Offense.....		15,000
368	ELDER ABUSE		50,000
405a	TAKING PERSON FROM LAWFUL CUSTODY OF A PEACE OFFICER BY MEANS OF A RIOT.....		50,000
422	CRIMINAL THREATS		50,000
424	EMBEZZLEMENT OR FALSIFICATION OF ACCOUNTS BY PUBLIC OFFICERS		25,000
451(a)	ARSON CAUSING GREAT BODILY INJURY.....		250,000
451(b)	ARSON, INHABITED STRUCTURE		250,000
451(c)	ARSON, STRUCTURE OR FOREST LAND.....		75,000
451(d)	ARSON, OTHER PROPERTY		50,000
451.5	AGGRAVATED ARSON.....		500,000
452(a)	RECKLESSLY CAUSING FIRE WITH GREAT BODILY INJURY.....		35,000
452(b)	RECKLESSLY CAUSING FIRE, INHABITED STRUCTURE		25,000

NEW FELONY BAIL SCHEDULE

PEN. CODE §	OFFENSE	SERIOUS OR VIOLENT	CITATION	PRE-ARRESTMENT RELEASE PROTOCOL
337a	Bookmaking			CR
	Second Offense			BR
	Third Offense			BR
368	Elder Abuse			MR
405a	Taking Person from Lawful Custody of a Peace Officer <u>By</u> Means of a Riot			MR
422	Criminal Threats	S	1192.7(c)(38)	\$50,000
424	Embezzlement or Falsification of Accounts by Public Officers			BR
451(a)	Arson Causing Great Bodily Injury	S, V	1192.7(c)(14), 667.5(c)(10)	\$250,000
451(b)	Arson, Inhabited Structure	S, V	1192.7(c)(14), 667.5(c)(10)	\$250,000
451(c)	Arson, Structure or Forest Land	S, V	1192.7(c)(14), 667.5(c)(10)	\$75,000
451(d)	Arson, Other Property	S, V	1192.7(c)(14), 667.5(c)(10)	\$50,000
451.5	Aggravated Arson	S	1192.7(c)(14)	\$500,000
452(a)	Recklessly Causing Fire with Great Bodily Injury	V	667.5(c)(8)	\$35,000
452(b)	Recklessly Causing Fire, Inhabited Structure	S	1192.7(c)(14)	\$25,000

RELEASE CATEGORIES UNDER NEW BAIL SCHEDULES

**Non-violent, non-
serious offenses**

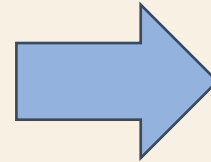


**Cite and Release
(CR)
-or-
Book and Release
(BR)**

**ALL RELEASE TERMS FOR ARRESTEES
MAY BE RECONSIDERED AT ARRAIGNMENT**

RELEASE CATEGORIES UNDER NEW BAIL SCHEDULES

- **Offenses with greater risk to the public.**
- **Non-violent offenses while person on Post-Release Community Supervision or Parole.**

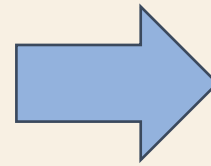


**Magistrate
Review
(MR)**

**ALL RELEASE TERMS FOR ARRESTEES
MAY BE RECONSIDERED AT ARRAIGNMENT**

NOT ELIGIBLE FOR RELEASE

**Capital offenses or
certain felonies
designated in the
California Constitution
and Penal Code 1270.5**



**Not Eligible for
Release**

**ALL RELEASE TERMS FOR ARRESTEES
MAY BE RECONSIDERED AT ARRAIGNMENT**

NOT ELIGIBLE FOR RELEASE ON CR, BR OR MR

- **PENAL CODE 1270.1 OFFENSES:**
- **PERSONS ARRESTED FOR SERIOUS OR VIOLENT OFFENSES UNDER THE LAW REMAIN ELIGIBLE TO POST MONEY BAIL FOR PRE-ARRAIGNMENT RELEASE.**

**ALL RELEASE TERMS FOR ARRESTEES
MAY BE RECONSIDERED AT ARRAIGNMENT**

MAGISTRATE REVIEW

- **AVAILABLE 24 HOURS A DAY, 7 DAYS A WEEK**
- **CONSIDER THE FOLLOWING FACTORS:**
 - **CRIMINAL HISTORY**
 - **PREVIOUS FAILURES TO APPEAR**
 - **APPROPRIATE NON-FINANCIAL RELEASE TERMS, IF ANY**

MAGISTRATE REVIEW

Examples of Offenses Subject to Magistrate Review:

- Crimes involving firearms
- Sexual battery
- Violence against children or seniors
- Contact with a minor with intent to commit a sexual offense
- Battery against an elderly or dependent adult
- Persons arrested for a felony while on parole or community supervision

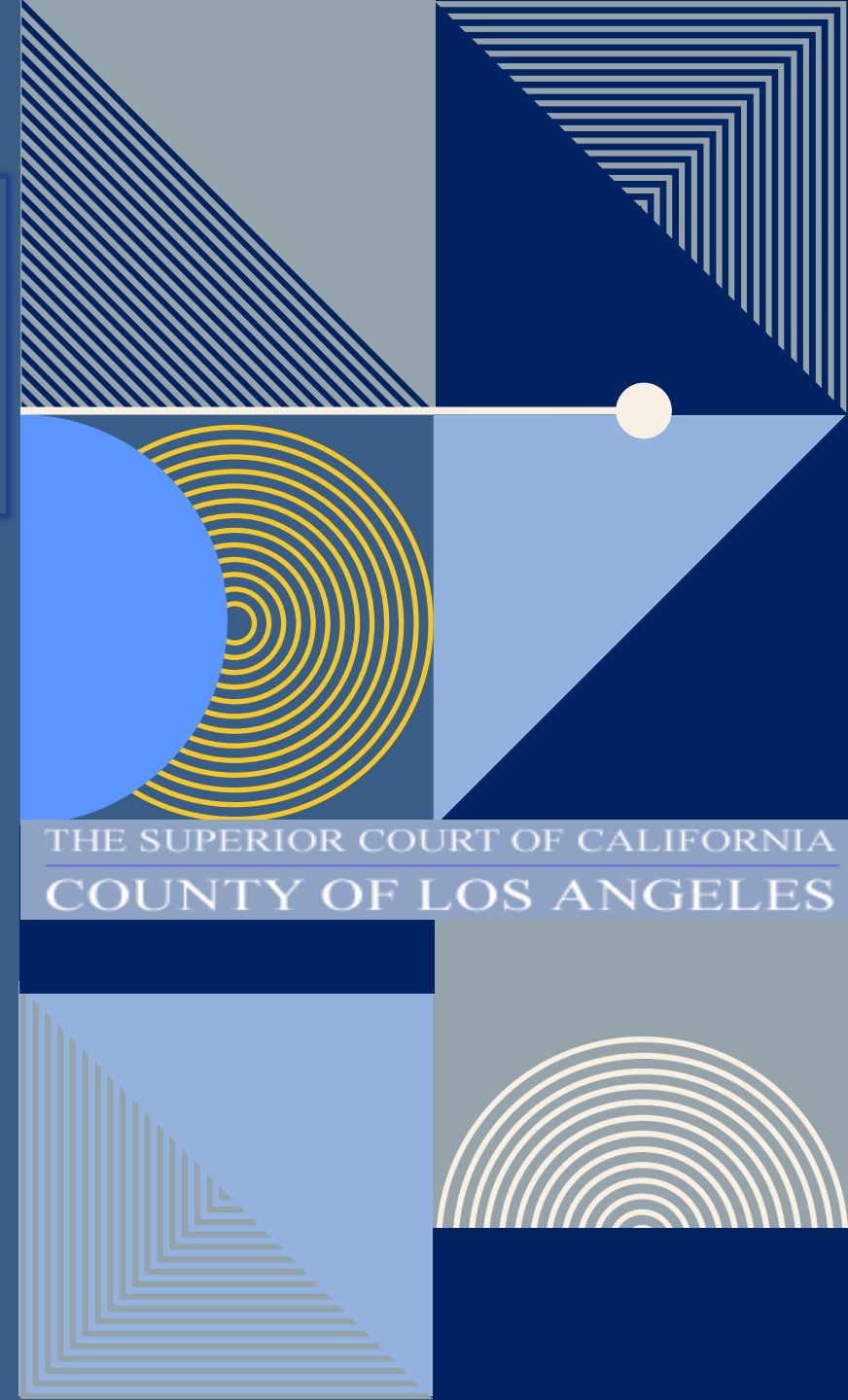
EXCEPTIONS, ENHANCEMENTS, AND BAIL DEVIATION

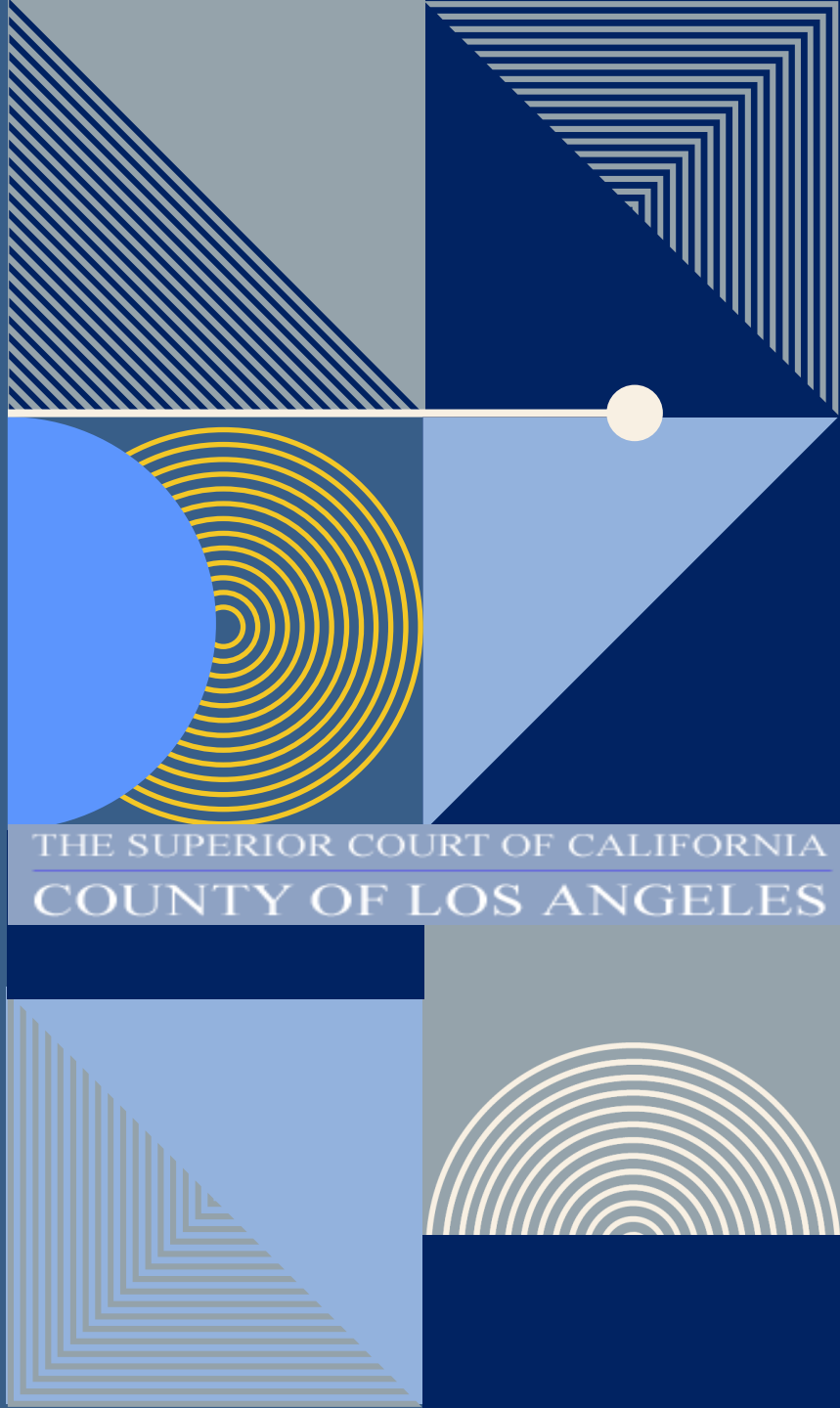
- **Exceptions: Parole or Post-Release Community Supervision**
- **Enhancements: Alleged Sentencing Enhancements result in money bail.**
- **Bail Deviation: LEA can request Magistrate Review on CR and BR offenses.**

Effective Date of New Bail Schedules:

OCTOBER 1, 2023

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES





THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES



LA County Sheriff's Department Role in PARP





LA County District Attorney Role in PARP



Justice, Care and Opportunities Department Role in Voluntary Services for PARP



Launching October 1st



Court Reminders



Transportation



Care Management

www.justiceconnect.org



1-833-LAC-JCOD

Operating 7-Days/Week from 6a-11p



JusticeConnect.org Website and Outreach Campaign

JusticeConnect.org:



- ✓ Direct links to resources
- ✓ Next steps for court process
- ✓ Critical tips to navigate the system
- ✓ Frequently asked questions



**JUST RELEASED?
WONDERING WHAT'S
NEXT?** Let the LA County Justice Care and Opportunity Department (JCOD) help connect you to services today.

6 A.M. TO 11 P.M. DAILY

LOS ANGELES COUNTY
JUSTICE CARE AND OPPORTUNITIES
DEPARTMENT

833-LAC-JCOD
(833-522-5263)

JusticeConnect.org

CONNECT TO **TRANSPORTATION** • **HOUSING**
MENTAL HEALTH CARE • **SUBSTANCE USE CARE** • **AND MORE**

TIP: Click on **bold** words to find out what they mean.

IN CUSTODY

Arrested by law enforcement
NEED TO KNOW

- People are innocent until proven guilty.

Booked at police station
NEED TO KNOW

- Booking can take several hours.
- They'll be fingerprinted, searched and background-checked.
- Personal items they're carrying are taken and stored.
- After booking, a judge may decide if your loved one is eligible for:
 - **paid bail**
 - **release without bail**
 - or if they don't qualify for release for some other reason.
- If they're not eligible for bail or release, they'll stay in custody.
- They can ask to pay a smaller bail amount (**bail deviation**) for certain offenses. Check out the **bail schedule** for more information.
- If bail is paid, they can be released any time before trial as long as there's no other reason to hold them in custody.
- If bail isn't paid, they'll have to stay in custody.

NEED TO DO

- **Keep track of any paperwork** your loved one received. This can be a **citation** (Notice to Appear) or any other papers.
- If released, write down their arraignment court date. **Remember, they must go to court.**
- Have questions? You may want to contact the **Los Angeles County Public Defender's Office** before your loved one's court date.

In custody
NEED TO KNOW

- They will be either held at the **booking station** or transported to county jail to wait for arraignment.
- Arraignment usually happens within 48 hours of law enforcement contact. Weekends or holidays can make the process longer since courts aren't open.

Sample content

JCOD Support Center



Pretrial Court Hearing Reminders



Warm handoff to Service Providers



Assist with Pretrial Navigation to Reduce FTAs



Follow-Up with Clients Released Pretrial by Court



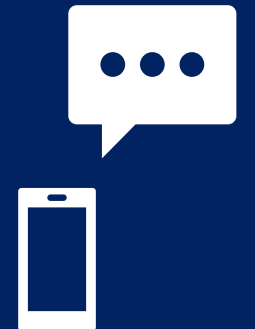
Capture Data Regarding Services Delivered



1-833-LAC-JCOD (522-5263), Operating 7-Days/Week from 6a-11p

Bilingual (English/Spanish) Support Center Agents

Interpreter Services Available for Other Languages



Pretrial Court Reminders

Court Hearing Reminder System:



Can Send

free email and/or text reminders prior to hearings



But...

a case number is required to receive hearing reminders



...And

JIs don't receive case numbers immediately

Interim Solution via JCOD's Support Center

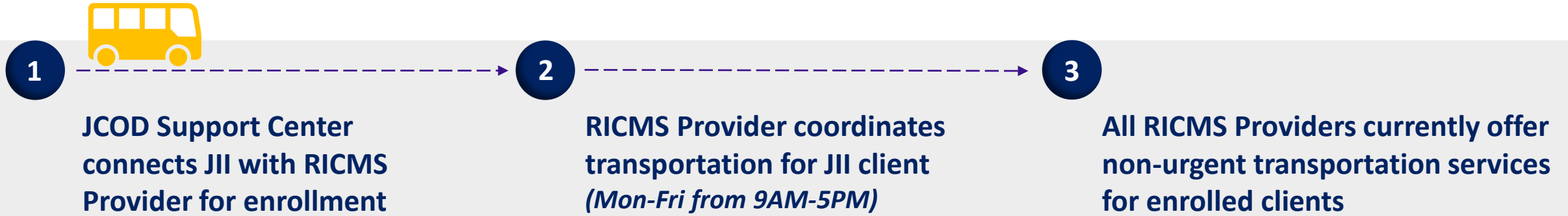
Justice Involved Individuals (JII) without assigned case number:



- Offer phone call reminders based on the notice to appear date on their citation form
- *Post Launch: Developing option for text reminders*

Transportation Services & Coordination

RICMS Transportation Support Currently Available



Coming Soon

On-Demand Transportation to housing and court appointments during Support Center hours



Reentry Intensive Case Management Services (RICMS)

Care Management Capabilities across 24 Providers:



Stabilization Needs



Housing Support



Physical/Mental Health



Employment & Education



Social Services Enrollment



Transportation



Cognitive Behavioral Interventions

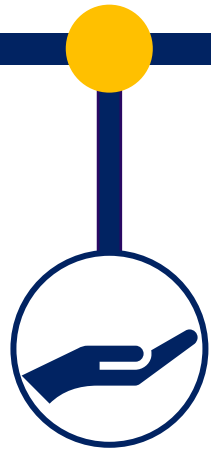


Arts & Entrepreneurship



Substance Use Disorder Treatment

Bringing Together JCOD's Pretrial Services Agency and RICMS



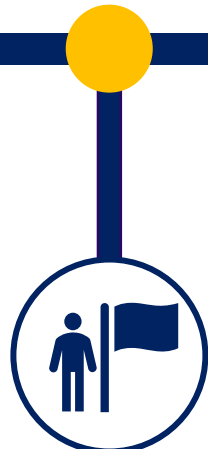
01

Support
Center
Contact



02

Initial
Needs
Screening



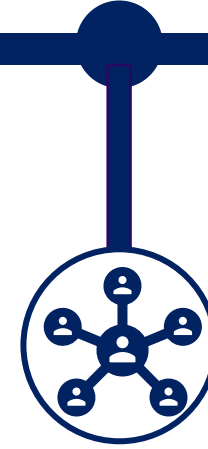
03

Determine
Client
Location



04

Identify
Nearby
RICMS
Providers



05

Warm Handoff to
RICMS for
Connection to
Services



**Chief
Executive
Office.**

CEO DOJ Compliance Perspective on PARP



Questions?



LOS ANGELES COUNTY

**JUSTICE
CARE AND
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DEPARTMENT

