



AB 42 (Bonta)

California Money Bail Reform Act of 2017

(As Amended February 14, 2017)

Summary

AB 42 would reform California's money bail system and replace the current pretrial process that often forces people of modest means accused of minor crimes to remain in jail until a court can determine their innocence or guilt while the wealthy go free.

Background

On any given day, 63 percent or roughly 46,000 Californians are awaiting trial or sentencing in a county jail, simply because they cannot afford to post bail. For people who can't pay, their lives are turned upside down, waiting in jail for weeks or months before their case goes to court even when the charge is minor. The result is devastating for the individuals, who can end up losing their jobs, their homes and almost anything of value, and creates great turmoil and difficulty for their families. Many people charged with minor crimes who are unable to pay bail, but believe they are innocent, decide to plead guilty simply to get out of jail, keep their jobs and return to their families.

While some individuals are considered too dangerous to release and should be held in custody for those reasons, many are not a threat to public safety and could be released, monitored and reminded when to return for court hearings. The current bail system not only disproportionately affects the poor, but it also costs counties. It currently costs counties holding inmates awaiting trial over \$100 per inmate per day, according to the Board of State and Community Corrections. The Pretrial Justice Institute reports that the cost of supervising a defendant in the community is about 10 percent of the cost of keeping him or her in jail.

Proposal

This bill safely reduces the number of people being held in jail awaiting trial. It ensures that those who are not a threat to public safety or at risk of fleeing are not held simply for their inability to afford bail.

Support

- American Civil Liberties Union of California (co-sponsor)
- Anti-Recidivism Coalition (co-sponsor)
- California Public Defenders Association (co-sponsor)
- Californians for Safety and Justice (co-sponsor)
- Ella Baker Center for Human Rights (co-sponsor)
- Essie Justice Group (co-sponsor)
- SEIU California (co-sponsor)
- Silicon Valley De-Bug (co-sponsor)
- Western Center on Law and Poverty (co-sponsor)
- American Academy of Pediatrics, California

Opposition

- None on file

Contact

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