



JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

520 Capitol Mall, Suite 600 • Sacramento, California 95814-3368
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

September 16, 2019

Hon. Gavin Newsom
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: Senate Bill 36 (Hertzberg)–Request for Signature

Dear Governor Newsom:

The Judicial Council respectfully requests your signature on SB 36, which relates to the use of risk assessment tools in pretrial decision-making including validation and reporting requirements to measure the effectiveness of the tools and potential bias.

The Judicial Council worked closely with the author and sponsors of SB 36 on amendments to the bill to ensure that it furthers the goals of the \$75 million allocation in the Budget Act of 2019 for courts to establish pretrial pilot projects that incorporate the use of risk assessment tools and provide data to the Judicial Council to measure the impact of the use of pretrial risk assessments. SB 36 requires the Judicial Council to do a “deep dive” into the use of pretrial risk assessment tools, to develop a better understanding of the extent to which they inform judicial decision-making regarding release and detention, are predictive of pretrial failures (new criminal activity and failure to appear in court as required) and result in disparate impact based on race or ethnicity. In addition, the council believes that SB 36 will serve the increasing interest of the courts, lawmakers, and justice partners for criminal justice related data

.For these reasons, the Judicial Council respectfully requests your signature on SB 36.

Hon. Gavin Newsom
September 16, 2019
Page 2

Should you have any questions or require additional information, please contact Shelley Curran at (415) 865-4013.

Sincerely,

Mailed on September 16, 2019

Cory T. Jaspersen
Director, Governmental Affairs

CTJ/SR/jh

cc: Hon. Robert Hertzberg, Member of the Senate
Mr. Anthony Williams, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California
Ms. Shelley Curran, Director, Criminal Justice Services, Judicial Council of California