



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 1240 • 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

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

June 12, 2013

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: AB 805 (Jones-Sawyer) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to support AB 805. AB 805 provides that in setting, reducing, or denying bail, a judge or magistrate may consider a report prepared by investigative staff for the purpose of recommending whether a defendant should be released on his or her own recognizance. Under a strict reading of existing law, the report may be used to consider granting release on the defendant's own recognizance, but not for these related purposes of setting, reducing, or denying bail.

The council supports the author's intent of making it clear that as much valuable information as possible is available to judicial officers so that they may make the best decisions within their discretion. Clarifying that these investigative reports may be used for considering the amount of, or denying, bail is an important change.

For these reasons, the Judicial Council requests your signature on AB 805.

Sincerely,

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Hon. Reggie Jones-Sawyer, Member of the Assembly
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
770 L Street, Suite 1240 • 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

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

May 22, 2013

Hon. Reginald B. Jones-Sawyer, Sr.
Member of the Assembly
State Capitol, Room 5144
Sacramento, California 95814

Subject: AB 805 (Jones-Sawyer), as introduced – Support, if amended

Dear Assembly Member Jones-Sawyer:

The Judicial Council is pleased to support AB 805, if amended. AB 805 provides that in setting, reducing, or denying bail, a judge or magistrate may consider a report prepared by investigative staff for the purpose of recommending whether a defendant should be released on his or her own recognizance. Under a strict reading of existing law, the report may be used to consider granting release on the defendant's own recognizance, but not for these related purposes of setting, reducing, or denying bail.

The council supports the author's intent of making it clear that as much valuable information as possible to judicial officers so that they may make the best decisions within their discretion. Clarifying that these investigative reports may be used for considering the amount of, or denying, bail is an important change. However, consistent with the intent of the author, the council believes that the statute should not limit the factors the court may consider to this investigative report. Rather, the council believes the bill should be amended to clarify that a judge or magistrate may consider "factors such as" a report prepared by investigative staff for the purpose of recommending whether a defendant should be released on his or her own recognizance, and in addition to that purpose, when denying, setting, or reducing bail. This amendment would clarify that a judge or magistrate AB 805 does not limit the information a judge or magistrate may consider for those purposes to the investigative report.

Hon. Reginald B. Jones-Sawyer, Sr.

May 22, 2013

Page 2

For these reasons, the Judicial Council supports AB 805, if amended.

Sincerely,

A handwritten signature in black ink, reading "Sharon Reilly". The signature is written in a cursive, flowing style.

Sharon Reilly
Senior Attorney

SR/yc-s/lmb

cc: Ms. June Clark, Deputy Legislative Secretary, Office of the Governor