



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
770 L Street, Suite 1240 • Sacramento, California 95814-3368
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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

January 3, 2014

Loni Hancock, Chair
Senate Public Safety Committee
State Capitol, Room 3191
Sacramento, California 95814

Subject: SB 794, as amended April 8, 2013 - Support
Hearing: Senate Public Safety Committee – January 14, 2014

Dear Senator Hancock:

The Judicial Council is pleased to support SB 794, which simplifies and reduces peremptory challenges in criminal misdemeanor cases. Where current law permits ten peremptory challenges in misdemeanors in cases subject to incarceration for more than 90 days, and six challenges in cases subject to 90 days or less, SB 794 would standardize the number of challenges at five for all misdemeanor cases, plus two challenges per side when two or more defendants are jointly tried. California currently permits more peremptory challenges in criminal cases than 47 other states and the federal system. The average number of peremptory challenges in other states for misdemeanors is in the range of 2-4.

Reducing peremptory challenges in misdemeanor cases will have a number of beneficial effects for both the courts and the public, without any adverse impacts on due process. First, SB 794 will significantly reduce court costs because fewer jury summonses will need to be issued. This change will achieve important efficiencies in court operations by reducing staff time and costs for mailing and handling, as well as reducing overall jury infrastructure costs. It is estimated that the total annual court cost savings that would result from the bill's enactment would be \$1.2 million. Second, SB 794 will reduce the time prospective jurors must be away from work, benefitting both employers and employees whose compensation is reduced or lost when not at work.

Hon. Loni Hancock

January 3, 2014

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Third, the bill will have a positive impact on juror satisfaction. Judges routinely report significant juror complaints about needless dismissals of qualified prospective jurors and their frustration with the overly lengthy nature of the jury selection process under the current system, both of which will be significantly diminished under the bill. Finally, SB 794 will achieve important savings for law enforcement since public safety officers will need to spend less non-productive time in the courtroom due to the reduced time that will need to be dedicated to jury selection.

For all of these reasons, the Judicial Council strongly supports SB 794 and respectfully urges your Aye vote on the measure.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Pone", written in a cursive style.

Daniel Pone
Senior Attorney

DP/nco

cc: Members, Senate Public Safety Committee
Hon. Noreen Evans, Member of the Senate
Mr. Mike Belote, Lobbyist, California Judges Association
Ms. Lexi Howard, Legislative Director, California Judges Association
Ms. Mary Kennedy, Counsel, Senate Public Safety Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Eric Czismar, Consultant, Senate Republican Office of Policy



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May 7, 2013

Hon. Noreen Evans
Member of the Senate
State Capitol, Room 4085
Sacramento, California 95814

Subject: SB 794 (Evans), as amended April 8, 2013 - Support

Dear Senator Evans:

The Judicial Council supports SB 794, which reduces the number of peremptory challenges available in all misdemeanor trials from ten to five, and reduces the number of “non-joint” peremptory challenges in multiple defendant cases from four to two. The Judicial Council believes that the reductions in peremptory challenges made by SB 794 are an appropriate approach to jury management, and will result in new efficiencies for the courts.

For these reasons, the Judicial Council supports SB 794.

Sincerely,

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Hon. Allan D. Hardcastle, President, California Judges Association
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



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June 17, 2014

Tom Ammiano, Chair
Assembly Public Safety Committee
State Capitol, Room 3146
Sacramento, California 95814

Subject: SB 794, as amended January 21, 2014 - Support
Hearing: Assembly Public Safety Committee – June 24, 2014

Dear Assembly Member Ammiano:

The Judicial Council is pleased to support SB 794, which simplifies and reduces peremptory challenges in criminal misdemeanor cases. Where current law permits ten peremptory challenges in misdemeanors in cases subject to incarceration for more than 90 days, and six challenges in cases subject to 90 days or less, SB 794 would standardize the number of challenges at five for all misdemeanor cases, plus two challenges per side when two or more defendants are jointly tried. California currently permits more peremptory challenges in criminal cases than 47 other states and the federal system. The average number of peremptory challenges in other states for misdemeanors is in the range of 2-4.

Reducing peremptory challenges in misdemeanor cases will have a number of beneficial effects for both the courts and the public, without any adverse impacts on due process. First, SB 794 will significantly reduce court costs because fewer jury summonses will need to be issued. This change will achieve important efficiencies in court operations by reducing staff time and costs for mailing and handling, as well as reducing overall jury infrastructure costs. It is estimated that the total annual court cost savings that would result from the bill's enactment would be \$1.2 million. Second, SB 794 will reduce the time prospective jurors must be away from work, resulting in substantial cost savings to employers and the community.

Hon. Tom Ammiano

June 17, 2014

Page 2

Third, the bill will have a positive impact on juror satisfaction. Judges routinely report significant juror complaints about needless dismissals of qualified prospective jurors and their frustration with the overly lengthy nature of the jury selection process under the current system, both of which will be significantly diminished under the bill. Finally, SB 794 will achieve important savings for law enforcement since public safety officers will need to spend less non-productive time in the courtroom due to the reduced time that will need to be dedicated to jury selection.

For all of these reasons, the Judicial Council strongly supports SB 794 and respectfully urges your Aye vote on the measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Pone", with a stylized, flowing script.

Daniel Pone
Senior Attorney

DP/nco

cc: Members, Assembly Public Safety Committee
Hon. Noreen Evans, Member of the Senate
Mr. Mike Belote, Lobbyist, California Judges Association
Ms. Lexi Howard, Legislative Director, California Judges Association
Mr. Gabriel Caswell, Counsel, Assembly Public Safety Committee
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor