

**Arleta Neighborhood Council**

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CALIFORNIA



**ARLETA NEIGHBORHOOD COUNCIL**

Attention: Arleta NC  
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[www.arletanc.org](http://www.arletanc.org)

*ARLETA NEIGHBORHOOD COUNCIL*  
Community Impact Statement

June 15, 2021

**RE: *In Opposition to State Senate Bill 262***

Dear State Representatives:

We write to you to inform that the Arleta Neighborhood Council **opposes** State Senate Bill 262. SB 262 amends California Penal Code Section 1269b where subdivision (c) <sup>1</sup> will read:

Bail shall be set at zero dollars (\$0) for all misdemeanor and felony offenses except the following:

- (1) A serious felony, as defined in subdivision (c) of Section 1192.7, or a violent felony, as defined in subdivision (c) of Section 667.5.
- (2) A felony violation of Section 69.
- (3) A violation of paragraph (1) of subdivision (c) of Section 166.
- (4) A violation of Section 136.1 when punishment is imposed under subdivision (c) of Section 136.1.
- (5) A violation of Section 262.
- (6) A violation of paragraph (1) of subdivision (e) of Section 243 or Section 273.5.
- (7) A violation of Section 273.6 if the detained person made threats to kill or harm, has engaged in violence against, or has gone to the residence or workplace of, the protected party.
- (8) A violation of Section 422 where the offense is charged as a felony.
- (9) A violation of Section 646.9.
- (10) A violation of an offense listed in subdivision (c) of Section 290.
- (11) A violation of Section 23152 or 23153 of the Vehicle Code.
- (12) A felony violation of Section 463.
- (13) A violation of Section 29800.
- (14) A violation of Section 422.6 or Section 422.7.
- (15) A violation of Section 236.1.
- (16) A violation of Section 273a or Section 273d.
- (17) A violation of Section 368.

<sup>1</sup> [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB262](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB262)

**APPROVED**  
June 15, 2021

13 Yea 0 No 0 Absent 1 Abstain

(18) A violation of paragraph (4) of subdivision (a) of Section 245.

One would have to read all of the various penal code sections for a "full scope" of what both misdemeanors and felony offenses are not covered by the \$0 bail. The proposed state bill by State of California representatives Bob Hertzberg (D-Van Nuys), Nancy Skinner (D-Berkeley), and coauthors Scott Weiner (D-San Francisco), Bob Bonta (D-Oakland), and Steven Bradford (D-Compton), *is in direct negation of the results of the 2020 statewide ballot measure known as Proposition 25.*<sup>2</sup> On November 3, 2020, nearly 57% of the total California vote (or 9,358,226 voters) voted against Proposition 25 which would have eliminated the use of cash bail for detained suspects awaiting trials. Fifty-four percent of the total vote in Los Angeles County (or 2,182,376 voters) rejected Proposition 25 while 45.3% of the vote (or 1,804,340 voters) approved of the measure.<sup>3</sup> An array of various crime victims organizations, faith leaders, 25 county sheriffs, various chapters of the NAACP, and multiple sitting and former elected officials opposed Proposition 25 as well.<sup>4</sup>

This bill endangers victims of crime and their families and the public's safety in general. The legislators named above—but not exclusively them alone—are not considering the safety of families, children, crime victims, businesses' operations and establishments, and law enforcement personnel who put their lives on the line to detain criminals each and every day and night and each and every second of every minute of every hour to protect us. All this bill does is further incentivize criminals to continue to commit more crimes and skip court appearances. There is also a *preposterous assumption by State representatives that offenders will retain or possess a mobile phone to receive text message reminders to appear in court as proposed paragraph (i) of Section 1 of said bill articulates:*

Modern technology provides an array of valuable tools that have already proven effective in the pretrial context, rendering many current practices obsolete. For instance, recent research suggests that simple text message reminders can significantly improve court appearance. The pretrial system in the County of Santa Clara, which relies on text message reminders, has maintained a 95-percent court appearance rate for defendants released before trial.

Los Angeles County has over 10 million people while Santa Clara County has just under 2 million people. With all due respect LA County is not Santa Clara County and both counties' demographics distinctively diverge from each other.

Furthermore, at the expense of taxpayers' safety the State of California continues to develop *more "Wild, Wild, West" legislation* as SB 262 is also in line with Assembly Bill 109 (California Public Safety Realignment Act of 2011) that shifted responsibility for certain populations of offenders from the state to the counties whereupon inmates were released from county jails due to overcrowding in both jurisdictions.<sup>5</sup> People with substance abuse addictions and former convicts were released into our neighborhoods from prisons/jails and absent

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<sup>2</sup> [https://ballotpedia.org/California\\_Proposition\\_25,\\_Replace\\_Cash\\_Bail\\_with\\_Risk\\_Assessments\\_Referendum\\_\(2020\)](https://ballotpedia.org/California_Proposition_25,_Replace_Cash_Bail_with_Risk_Assessments_Referendum_(2020))

<sup>3</sup> <https://elections.cdn.sos.ca.gov/sov/2020-general/ssov/ballot-measure-summary.pdf>

<sup>4</sup> <https://stopprop25.com/coalition-members-2/>

<sup>5</sup> <https://probation.lacounty.gov/ab-109/>

mechanisms/nets to rehabilitate them, if applicable, a good portion of them can in fact be the homeless living on our public rights-of-way.

Moreover, Proposition 47 (or Safe Neighborhoods and Schools Act of 2014) was sold as legislation to further reduce the prison population and direct prison funding towards educational and rehabilitative measures as certain felonies were reclassified as misdemeanors. To illustrate this a Washington Post article published 11 months after the adoption of Prop 47 indicates that there was:

a known gang member near Palm Springs [California] who had been caught with a stolen gun valued at \$625 [but whom] reacted incredulously when [an] arresting officer explained that he would not be taken to jail but instead written a citation. "But I had a gun. What is wrong with this country?" the offender said, according to the police report.<sup>6</sup>

The same Post article indicated that while drug arrests in LA County dropped by a third, property theft went up by 11% almost a year later and police chiefs noted that "their officers [had] been dealing with the same offenders again and again."<sup>7</sup> In a 2017 RAND Corporation study of the Los Angeles County Sheriff's Department (LASD) it was found that of the 21,487 offenders for the time period from November 2014 to October 2015, 12,433 were repeat offenders and attributed to Prop 47.<sup>8</sup> LASD statistics showed that 58% of the identified Prop 47 offenders were "classified as repeat offenders" (Hunter et al. 2017).

While elected representatives who support this type of legislation may reside in affluent and/or gated/privately protected communities in their daily lives, the rest of Californians are at the mercy of their own physical capabilities to defend themselves from repeat offenders, the criminally incapable of correction, assaults by both substance abuse addicts and mentally ill individuals, and newer would-be criminals who aspire to get away with their crimes thanks to the authors of Senate Bill 262.

Given the preponderance of the evidence, Senate Bill 262 grossly impacts Arleta and all communities and cities of the State of California. The Arleta Neighborhood Council opposes SB 262 and it requests that State representatives oppose this bill, including its authors.

Opinions expressed in this Community Impact Statement are those of the Arleta Neighborhood Council and not necessarily those of the City of Los Angeles.

Respectfully,

The Arleta Neighborhood Council

cc:

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<sup>6</sup> <https://www.washingtonpost.com/sf/national/2015/10/10/prop47/>

<sup>7</sup> <https://www.washingtonpost.com/sf/national/2015/10/10/prop47/>

<sup>8</sup> Sarah B. Hunter, et al. 2017. *Impact of Proposition 47 on Los Angeles County Operations and Budget*. Santa Monica, CA: RAND. [https://www.rand.org/pubs/research\\_reports/RR1754.html](https://www.rand.org/pubs/research_reports/RR1754.html) or pages 34-35.

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