

Prop 25: Referendum On Law That Replaced Money Bail With System Based On Public Safety And Flight Risk.



Prop 25: The Way It Is

- Under the State Constitution, people arrested and placed into county jail—except for certain felony crimes—have the right to release before trial.
 - Release under their own recognizance when risk is low
 - Release by paying bail
- SB 10 was put into law in 2018 to eliminate cash bail and change the processes for getting released from jail before trial.
- Prop. 25 qualified before SB 10 went into effect and is a referendum asking voters to approve SB10

What Prop 25 Would Do

- **Prop 25, if it loses, would prevent the implementation of SB 10 in its entirety**
- **Prop 25 (SB 10) has provisions such as**
 - **Eliminates release from county jail on bail**
 - **Most misdemeanor prisoners are released after 12 hours in jail**
 - **Uses risk assessments to determine which people charged with felonies and some misdemeanors can be released safely**
 - **High risk persons, eg violent crime, murder, arson are detained in jail until arraignment**
 - **State trial courts are responsible for risk assessments**

Prop 25: Fiscal Impact

- **Increased state and local pretrial costs could be in the mid hundreds of millions of dollars annually**
- **Decreased county jail costs**
- **Competing effects on state and local taxes, total impacts unknown**
 - **Loss of taxes on bail bond fees**
 - **Increased spending by those released who don't have to pay bail bonds**

Prop 25: Arguments

Supporters say: Money bail is unfair, dangerous, and costly.

- With the bail system, the rich can go free and the poor stay in jail
- Dangerous criminals can be released on bail
- Misdemeanor release decreases the population of jails

Opponents say: Prop. 25 is unfair, dangerous, and costly

- Eliminates the right to bail
- Risk assessment is computer-based profiling, biased against minorities and poor
- Costly as it builds a new bureaucracy in the State Courts

Prop 25: Financial Support

- **Supporters: \$8.3 Million.** End Predatory & Unfair Money Bail (various Federal and State Democratic legislators, Unions)
- **Opponents: \$9.0 Million.** Californians Against the Reckless Bail Scheme (Bail bond and insurance companies)

Prop 25: Yes or No?

- A **“YES”** vote is to uphold the contested legislation, Senate Bill 10 (SB 10), which would replace cash bail with risk assessments for detained suspects awaiting trials.
- A **“No”** vote seeks to repeal SB 10, keeping in place the cash bail system for detained subjects awaiting trial