

# PRE-ARRAIGNMENT RELEASE PROTOCOLS

## THREE-WEEK UPDATE



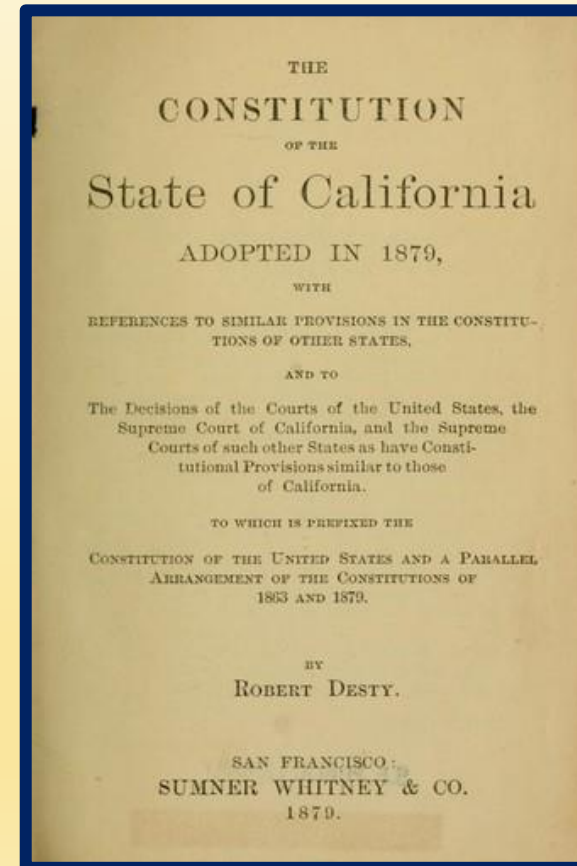
**Executive Officer/Clerk of Court David W. Slayton**  
Superior Court of California, County of Los Angeles

**November 8, 2023**

# PURPOSE OF BAIL

“In our society liberty is the norm, and detention prior to trial is the carefully limited exception.”  
-*United States v. Salerno* (1984) 481 U.S. 739, 755.

- California Constitution:
  - (1) ensure an arrestee appears for all court appearances.
  - (2) Reduce the risk to public or victim safety.



# WHAT HASN'T CHANGED



- **PENAL CODE 1270.1 OFFENSES: PERSONS ARRESTED FOR SERIOUS OR VIOLENT OFFENSES**
- **RELEASE SOLELY BASED ON ABILITY TO PAY, NOT INDIVIDUAL RISK**

**40%**

# WHAT HASN'T CHANGED

**0% ASSESSED  
FOR INDIVIDUAL RISK**



# PRE-ARRAIGNMENT RELEASE PROTOCOLS

- **APPLY TO NON-1270.1 OFFENSES**
- **BASE CONDITIONS OF RELEASE ON REVIEW OF INDIVIDUALIZED RISK:**
  - **Public and victim safety; and**
  - **Likelihood of returning to court**

**REGARDLESS  
OF WEALTH**

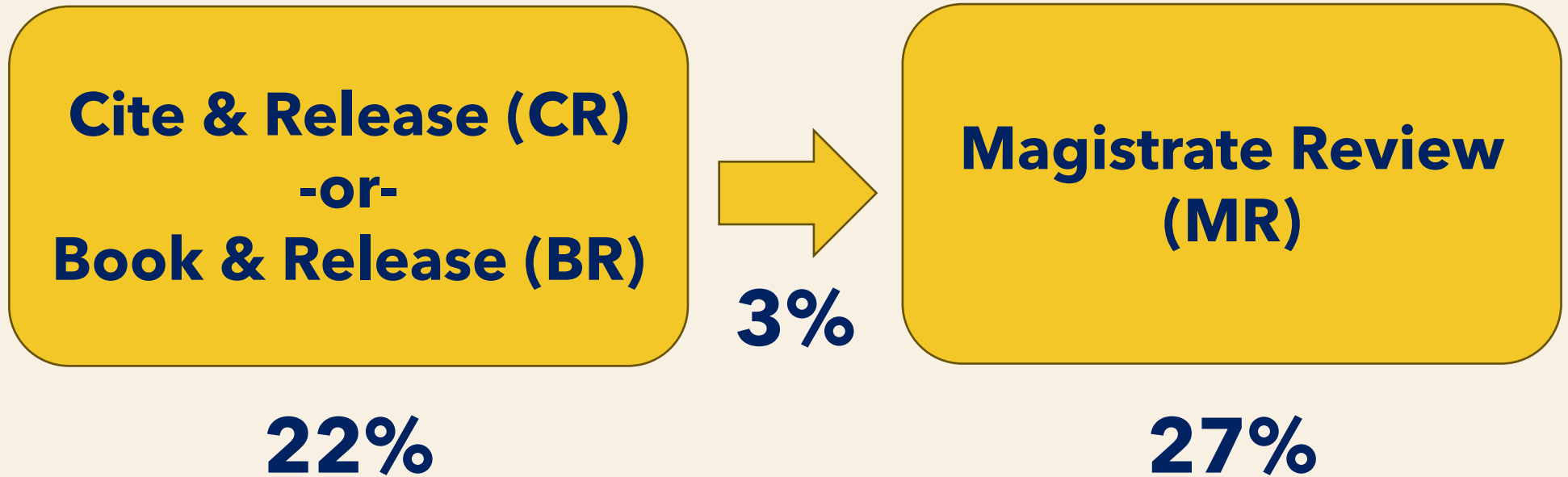
# NEW PROTOCOLS ONLY APPLY PRE-ARRAIGNMENT



**PRE-ARRAIGNMENT RELEASE  
PROTOCOLS APPLY**

# RELEASE CATEGORIES UNDER NEW BAIL SCHEDULES

**55% OF BOOKINGS UNDER PARP ASSESSED FOR RISK**



**ALL RELEASE TERMS FOR ARRESTEES  
MAY BE RECONSIDERED AT ARRAIGNMENT**

# EXCEPTIONS, ENHANCEMENTS, AND BAIL DEVIATION

- **Exceptions: Felony Probation, Parole or Post-Release Community Supervision**
- **Enhancements: Alleged Sentencing Enhancements result in money bail or MR**
- **Bail Deviation: LEA can request Magistrate Review on CR and BR offenses.**



# MAGISTRATE REVIEW

- **REVIEW BASED ON INDIVIDUALIZED RISK FACTORS**
  - CRIMINAL HISTORY
  - PREVIOUS FAILURES TO APPEAR
- **NOT BASED ON FINANCIAL MEANS**
- **APPROPRIATE NON-FINANCIAL RELEASE TERMS, IF ANY**



## PSA SCORES

DETAINEE INFORMATION	
DETAINEE'S NAME [REDACTED]	DOB [REDACTED]
BOOKING NUMBER [REDACTED]	BOOKING DATE 10/11/2023

SCORES		
FTA 6 Point Scale	NCA 6 Point Scale	NVCA Flag
6	6	4

DECISION	
10/12/2023	Hold For Further Review
Arrestee is temporarily held until arraignment to protect victim or public safety, or ensure the arrestee's appearance at arraignment. Based upon the facts and risk assessment known prior to arraignment, there does not appear to be a less restrictive alternative prior to arraignment.	

RISK ASSESSMENT			
Risk Factor	FTA	NCA	NVCA
1. Age at current arrest		0	
2. Current violent offense			0
Current violent offense & 20 years old or younger			0
3. Pending charges at the time of the offense	1	3	1
4. Prior misdemeanor conviction		1	
5. Prior felony conviction		1	
Prior conviction (misdemeanor or felony)	1		1
6. Prior violent conviction		2	2
7. Prior failure to appear in the past two years	4	2	
8. Prior failure to appear older than two years	1		
9. Prior sentence to incarceration		2	

## RECORD DETAILS

## Current Arrest Charges

Charge #	Statute Code	Degree	Violent
1	PC29800(A)(1)	F	No

## Pending Filed Charges

Case #	Charge #	Statute Code	Degree
DOW9DN [REDACTED]	01	HS11377	M
DOW8DN [REDACTED]	01	HS11377	M

## Prior Convictions

Case #	Charge #	Statute Code	Degree	Date	Violent
DOWVA [REDACTED]	01	HS11370.1(A)	F	08/31/2010	No
DOW3DN [REDACTED]	01	PC273.6(A)	M	03/09/2023	No
DOW2DN [REDACTED]	01	PC484(A)	M	08/24/2023	No
DOW2DN [REDACTED]	01	PC243(E)(1)	M	01/09/2023	Yes
DOW2DN [REDACTED]	01	PC243(E)(1)	M	01/24/2022	Yes
DOW7DN [REDACTED]	02	PC368(C)	M	03/16/2017	Yes
DOW7DN [REDACTED]	01	PC422(A)	M	03/16/2017	No
WH 1WW [REDACTED]	02	VC12500(A)	M	09/11/2012	No

## Prior Sentences

Case #	Charge #	Statute Code	Degree	Sentencing
DOWVA [REDACTED]	01	HS11370.1(A)	F	Yes
DOW3DN [REDACTED]	01	PC273.6(A)	M	Yes
DOW2DN [REDACTED]	01	PC484(A)	M	Yes
DOW2DN [REDACTED]	01	PC243(E)(1)	M	Yes
DOW2DN [REDACTED]	01	PC243(E)(1)	M	Yes
DOW7DN [REDACTED]	02	PC368(C)	M	Yes
DOW7DN [REDACTED]	01	PC422(A)	M	Yes

FTA Dates
06/02/2023
04/10/2023
12/30/2022
10/11/2022
10/23/2020
10/19/2020
07/02/2020
07/02/2020
07/02/2020
02/21/2020
02/21/2020
12/10/2019
12/06/2019
09/19/2019
11/07/2018
01/30/2012

**PSA SCORES**

<b>DETAINEE INFORMATION</b>	
<b>DETAINEE'S NAME</b> [REDACTED]	<b>DOB</b> [REDACTED]
<b>BOOKING NUMBER</b> [REDACTED]	<b>BOOKING DATE</b> 10/11/2023 9:12 PM

<b>SCORES</b>		
FTA 6 Point Scale	NCA 6 Point Scale	NVCA Flag
1	1	0

<b>DECISION</b>	
10/12/2023 2:28 AM	Conditional Release

<b>RISK ASSESSMENT</b>			
Risk Factor	FTA	NCA	NVCA
1. Age at current arrest		0	
2. Current violent offense			0
Current violent offense & 20 years old or younger			0
3. Pending charges at the time of the offense	0	0	0
4. Prior misdemeanor conviction		0	
5. Prior felony conviction		0	
Prior conviction (misdemeanor or felony)	0		0
6. Prior violent conviction		0	0
7. Prior failure to appear in the past two years	0	0	
8. Prior failure to appear older than two years	0		
9. Prior sentence to incarceration		0	

**RECORD DETAILS****Current Arrest Charges**

Charge #	Statute Code	Degree	Violent
1	VC23152(A)	M	No

**Pending Filed Charges**

Case #	Charge #	Statute Code	Degree
No data found.			

**Prior Convictions**

Case #	Charge #	Statute Code	Degree	Date	Violent
No data found.					

**Prior Sentences**

Case #	Charge #	Statute Code	Degree	Sentencing
No data found.				

**Failure To Appear**

FTA Dates
No data found.

# WHAT HAPPENS AT MAGISTRATE REVIEW?

- **36% ORDERED RELEASED ON CONDITIONS**
  - **30% OF THOSE ALREADY RELEASED BY LEA AT TIME OF ORDER**
- **1% RELEASE OWN RECOGNIZANCE (OR)**
- **64% TEMPORARILY HELD FOR FURTHER REVIEW AT ARRAIGNMENT**
  - **NO LESS RESTRICTIVE ALTERNATIVES PRIOR TO ARRAIGNMENT**

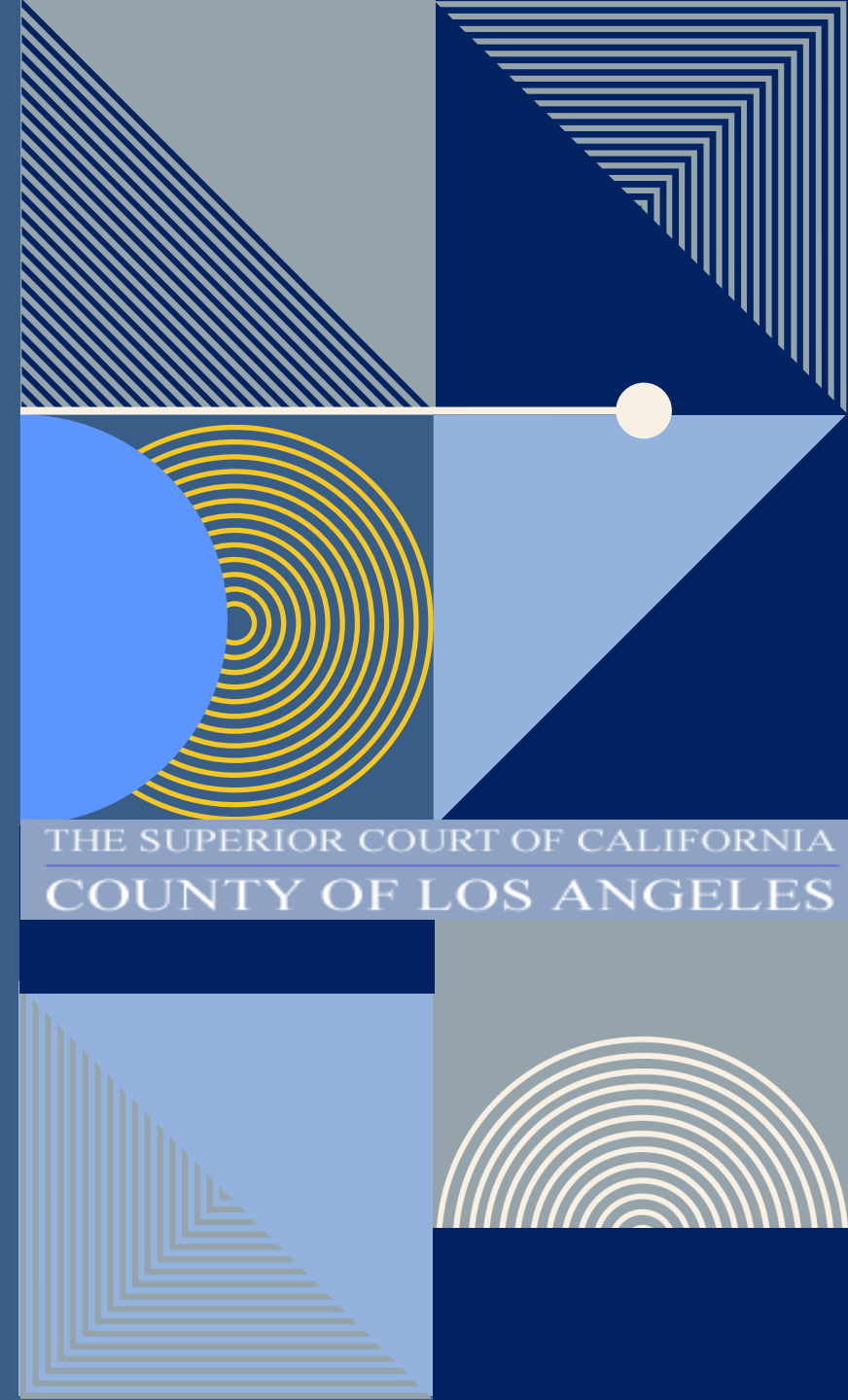
# PUBLIC SAFETY BENEFITS OF PRE-ARRAIGNMENT RELEASE PROTOCOLS

## Risk Scores of people booked:

- **52%** of those eligible for **money bail** had a **medium-to-high risk score**
- **85%** of those **ordered released** by magistrates had a **low-risk score**
- **71%** of those **temporarily held** until arraignment had a **medium-to-high risk score**

# REBOOKINGS

- **128 individuals** booked into jail were rebooked
  - 2.5% of all bookings
- **Almost half** were released on **money bail**
- **Two** of those ordered released by the magistrate were rebooked.



THE SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES