



ERIC ALEGRIA, MAYOR
DAVID D. BRADLEY, MAYOR PRO TEM
JOHN CRUIKSHANK, COUNCILMEMBER
KEN DYDA, COUNCILMEMBER
BARBARA FERRARO, COUNCILMEMBER

August 3, 2021

Via Email

The Honorable Robert Hertzberg
California State Senate
State Capitol, Room 313
Sacramento, CA 95814

The Honorable Nancy Skinner
California State Senate
State Capitol, Room 5094
Sacramento, CA 95814

SUBJECT: Notice of Opposition to SB 262

Dear Senator Hertzberg and Senator Skinner:

The City of Rancho Palos Verdes opposes SB 262, which would require bail to be set at \$0 for all offenses except, among others, serious or violent felonies, violations of specified protective orders, domestic violence, sex offenses, and driving under the influence.

While we appreciate the intention of the bill to ensure that pretrial incarceration is based on protecting the public and the victim, rather than the existing system that inequitably penalizes low-income and low-wealth arrestees, zero bail potentially threatens public safety and victims' rights, and directly contradicts the will of the voters, as expressed in their rejection of SB 10 (Statutes of 2018) in the November 2020 vote on Proposition 25.

SB 262 effectively eliminates cash bail, which was rejected in Proposition 25, and is an unconstitutional violation of Separation of Powers, as the California Constitution vests the power to set bail amounts with the courts. The courts have the information necessary to make informed decisions on bail amount, and case law provides that courts must consider an arrestee's ability to post bail and whether other, nonfinancial conditions can be used.

SB 262 circumvents the will of California voters, unconstitutionally shifts vested powers from the courts to the Legislature, and poses a threat to public safety. For these reasons, the City of Rancho Palos Verdes opposes SB 262.

Sincerely,

A handwritten signature in blue ink that reads "Eric D. Alegria".

Eric Alegria
Mayor

Senator Hertzberg and Senator Skinner

August 3, 2021

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cc: Lorena Gonzalez, Chair, Assembly Appropriations Committee
Ben Allen, Senator, 26th State Senate District
Al Muratsuchi, Assembly Member, 66th Assembly District
Jeff Kiernan, League of California Cities
Meg Desmond, League of California Cities
Marcel Rodarte, California Contract Cities Association
Rancho Palos Verdes City Council
Ara Mhuranian, City Manager
Karina Bañales, Deputy City Manager