

★ ARGUMENT IN FAVOR OF PROPOSITION 25 ★

Now is the time to replace California’s money bail system with one based on safety and fairness.

End money bail. Vote YES on Proposition 25 for a safer, fairer and less costly system.

MONEY BAIL IS UNFAIR:

Under the current money bail system, if you can afford to pay bail, you go free until your trial. If you can’t afford bail, you must stay in jail. So, the rich can go free, even when accused of serious violent crimes, while the poor stay in jail even when innocent or accused of low-level nonviolent offenses. Money bail doesn’t make us safer, and it results in gross injustice.

Just one example, senior citizen Kenneth Humphrey was accused of stealing \$5 and a bottle of cologne. He was forced to wait in jail nearly a year before his court date, not because he was dangerous, but because he couldn’t pay bail. A California appellate court ruled Mr. Humphrey was “imprisoned solely due to poverty.” Unfortunately, there are thousands of these stories.

MONEY BAIL IS UNSAFE:

Proposition 25 means decisions will be based on risk to our safety, not a person’s ability to pay. Judges will determine whether a person poses a risk of committing new crimes or fleeing when deciding who is held pretrial—decisions won’t be made based on the size of the person’s wallet.

Proposition 25 makes our communities safer by ensuring jail space is reserved for those who are actually dangerous and shouldn’t be released, instead of the poor.

MONEY BAIL IS COSTLY:

Proposition 25 will save taxpayers tens of millions of dollars a year. Under the current system, approximately 46,000 Californians await trial or sentencing in local jails because they can’t afford money bail, costing taxpayers \$5 million every day.

Let’s end money bail. Vote YES on Proposition 25 for a SAFER, FAIRER, LESS COSTLY system.

INNOCENT PEOPLE SUFFER:

The money bail system can force innocent people to plead guilty to crimes they didn’t commit.

When the innocent can’t afford a nonrefundable fee of \$5,000 or more to a bail bond company, but also can’t afford to stay in jail, risking their jobs or homes while they await their trial, some will plead guilty, resulting in a permanent criminal record. In jail, most will receive little or no mental healthcare, and for many, incarceration will make their existing conditions worse.

A YES vote helps ensure innocent people will no longer be forced to languish in jail or plead guilty to crimes they didn’t commit.

Vote YES on Proposition 25.

THE PREDATORY MONEY BAIL INDUSTRY DOESN’T CARE ABOUT OUR COMMUNITIES:

But don’t expect the money bail industry to go quietly. It’s a \$2 billion for-profit industry, led by predatory bail bond insurance corporations that get rich off the poor. Proposition 25 ends an unjust system that profiteers off working people, which is why the money bail industry is spending millions to fight this measure.

Safety should be our guiding principle, not the size of anyone’s wallet.

Vote YES on Proposition 25.

www.YesOnCAProp25.com

LENORE ANDERSON, President
Californians for Safety and Justice

DIANA BECTON, Contra Costa County District Attorney

HEIDI L. STRUNK, President
Mental Health America of California

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 25 ★

PROP. 25: UNFAIR, UNSAFE AND COSTLY

Written by Sacramento politicians, Prop. 25 eliminates the option to post bail for every Californian and replaces this right with a county-administered system of COMPUTER-BASED PROFILING to determine who goes free and who stays behind bars pending trial. Read why civil rights groups, crime victims’ advocates, law enforcement and local officials all say NO on Prop. 25.

PROP. 25 IS UNFAIR

Prop. 25’s computer profiling has been shown to discriminate against minorities and people from neighborhoods with higher concentrations of immigrants and low-income residents, *which is why civil rights groups like the NAACP and United Latinos Vote say NO on Prop. 25.*

PROP. 25 IS UNSAFE

Bail is an important constitutional right and ensures defendants satisfy the terms of their jail release and appear for trial and holds them accountable if they don’t. California’s recent experiment with “zero bail” during the coronavirus pandemic was disastrous, with

many defendants arrested, released, and rearrested multiple times in one day. Prop. 25 would make zero bail permanent, *which is why law enforcement and victims’ rights groups say NO on Prop. 25.*

PROP. 25 IS COSTLY

Prop. 25 will require additional court hearings to overrule a computer’s decision, causing more delays in our already backlogged courts. As cities and counties face historic budget deficits and devastating cuts to essential services, Prop. 25 will cost local governments and California hundreds of millions of dollars more each year to build and administer a new bureaucracy—*which is why local officials and taxpayer advocates say NO on Prop. 25.*

VOTE NO ON PROP. 25!

ALICE HUFFMAN, President
California State Conference of the NAACP

CHRISTINE WARD, Executive Director
Crime Victims Alliance

JOE COTO, President
United Latinos Vote

★ ARGUMENT AGAINST PROPOSITION 25 ★

PROP. 25 ELIMINATES THE RIGHT TO BAIL FOR EVERY CALIFORNIAN

California's justice system guarantees that people accused of a non-violent crime have the CHOICE of securing their release by posting bail or by order of a judge. But Prop. 25 replaces this right with an automated system of computer-generated predictive modeling based on mathematical algorithms administered by 58 different counties. Read why civil rights leaders, law enforcement, victims' rights groups and county officials all say NO on Prop. 25.

CIVIL RIGHTS GROUPS WARN: PROP. 25 IS MORE BIASED AGAINST MINORITIES AND THE POOR

Prop. 25 imposes a computer-based system of algorithms to make important criminal justice decisions. Civil rights groups like the NAACP oppose Prop. 25 because it will create more biased outcomes against people of color and those from economically disadvantaged areas.

- "Prop. 25 will be even more-discriminatory against African-Americans, Latinos and other minorities. Computer models may be good for recommending songs and movies, but using these profiling methods to decide who gets released from jail or who gets a loan has been proven to hurt communities of color."—*Alice Huffman, President, California State Conference of the NAACP*

PROP. 25: MAKES COMMUNITIES LESS SAFE

California's experiment with "zero bail" during the coronavirus pandemic had disastrous results as many defendants were arrested—released back on the streets and committed new crimes within hours—and then rearrested the same day. Prop. 25 will make "zero bail" permanent, which is why law enforcement throughout the state oppose it.

- "Prop. 25 will endanger public safety and makes it harder for police and sheriff's departments to do our jobs."—*Chad Bianco, Riverside County Sheriff*

PROP. 25: DENIES JUSTICE

California's current system provides justice by ensuring

people accused of a crime appear for trial and holds defendants accountable for their actions if they don't.

- "Prop. 25 destroys one of the best tools our communities have to make sure defendants appear and face their day in court."—*Christine Ward, Executive Director, Crime Victims Alliance*

PROP. 25: COSTS TAXPAYERS HUNDREDS OF MILLIONS OF DOLLARS EACH YEAR

Prop. 25 forces counties to create a new bureaucracy to determine who will and will not get released from jail pending trial. This new state mandate will cost taxpayers hundreds of millions of dollars to implement at a time when state and county budgets are facing historic budget cuts due to the coronavirus.

- "Prop. 25 will cost state and local governments several hundred million dollars each year. This will force us to cut vital public services or raise taxes, something our local communities can't afford right now."—*Sue Frost, Sacramento County Supervisor*

PROP. 25: OVERBURDENS ALREADY OVER-CROWDED COURTS

Prop. 25 replaces a bail system that works well at almost no cost to taxpayers with a new system that requires additional court hearings to overrule the computer's decision, leading to even longer delays in our backlogged justice system.

- "Imagine a spouse, son, daughter or close friend stuck in jail at the mercy of computers and the bureaucracy, instead of having the immediate choice of getting out on bail or the ability to speak directly to a judge."—*Quentin L. Kopp, Retired California Superior Court Judge*

VOTE NO ON PROP. 25!

ALICE HUFFMAN, President
California State Conference of the NAACP

CHRISTINE WARD, Executive Director
Crime Victims Alliance

QUENTIN L. KOPP, Retired California Superior Court Judge

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 25 ★

Money bail is a discriminatory and discredited system.

Help us end it. Vote YES on Prop. 25.

Today, the rich can pay their bail and get out of jail, no matter how violent the crime charged. Money bail is unjust and unfair.

Why should poor people charged with nonviolent misdemeanors sit in jail while the rich get out, simply because they can't afford to pay bail? They shouldn't. Money bail is only a "right" for those who can afford it. People don't even get their bail money back if they're innocent or charges get dropped.

The massive bail industry, including Bankers Insurance Company and Lexington National Insurance Corporation, are spending their billions to protect their profits and preserve a broken, discriminatory system. They oppose Prop. 25 out of greed. You can see how they're funding their NO campaign at <http://cal-access.sos.ca.gov/Campaign/Measures>.

Prop. 25 replaces money bail with a system where judges

make determinations based on safety. Computer algorithms don't make the decisions, judges do.

According to the Judicial Council of California, Proposition 25 "will gather information and provide reports to aid judges in the decision about whether a defendant is a risk to the public or likely to return to court if released before trial."

Prop. 25 also adds transparency and public review to eliminate bias and racial disparities.

Prop. 25 has NOTHING to do with "zero bail," a temporary public health response to COVID-19.

For real social justice reform—finally—help change the system by voting YES on Prop. 25.

Let's end money bail once and for all!

STEVEN BRADFORD, Vice-Chair
California Legislative Black Caucus

LESLI CALDWELL, County Chief Public Defender, Retired

JESSICA BARTHOLOW, Policy Advocate
Western Center on Law & Poverty