

PRESS RELEASE

Downey, CA, September 29, 2023:

CITY OF DOWNEY JOINS ACTION SEEKING INJUNCTION FOR ZERO-BAIL SCHEDULE TO PROTECT PUBLIC SAFETY

The City of Downey has joined 11 other cities, in filing an injunction to postpone the County's new Zero-Bail schedule from taking effect. This is in an effort to safeguard the Downey community as the new bail schedule is set to take effect in LA County on October 1, 2023.

Downey, like many other cities across LA County, have seen an increase in lower-level crime, including assault, organized retail theft and other property-related crimes. The number of crimes in LA County that are no longer being prosecuted continues to grow and the Court's proposed Pre-Arrestment Release Protocols (PARP) further erodes the community's sense of security and trust.

Under the new schedule, individuals arrested for a variety of misdemeanor and non-violent felonies, include car thefts, car burglaries, thefts of property of any value, retail and commercial theft and burglaries, possession of stolen property, forgery, and drug sales, may now be cited in the field and released with a notice to appear in court with no individual assessment of the risk to public safety. The appearance in court could take weeks to months. This poses a threat to our residents, businesses and police personnel, who are already grappling with the rise in lower-level offenses, as this new protocol provides for little oversight or accountability.

Offenses considered "greater risk to the public", but still listed as non-serious/ non-violent crimes include offenses involving guns, sexual battery, crimes against children, contact with minors with intent to commit a sexual offense, taking a firearm from a peace officer, assault of a peace officer, and conspiracy to commit murder, fall under what are termed as MR crimes meaning they go out for "Magistrate Review".

To many in the public, many of these crimes are considered serious and violent. However, individuals arrested for MR crimes are also subject to \$0 bail but must be referred to an on-call magistrate, who has discretion to determine whether the arrestee should be released with no conditions or other non-financial conditions.

Currently, these conditions imposed are limited. They include being ordered to not commit any crimes, check in by phone requirements, and electronic monitoring, among others. Additionally, the County's Probation Department is the agency that would be responsible for monitoring compliance with any restrictions. They are already struggling with an insurmountable caseload and are understaffed.

To obtain a court hearing to request approval of bail deviation for offenses, the Court's PARP requires law enforcement agencies, within two hours of an arrestee's booking, to make a written application to the Court for a bail deviation. This places a significant burden on police departments who are already working hard preparing police reports and continuing to further investigate after an arrestee is booked.

"Public safety is our top priority," says Mayor Claudia M. Frometa. "Downey, like many other cities, continues to be negatively impacted by policies such as the zero-bail schedule that do not hold individuals accountable for their actions. We are taking a proactive measure to help preserve the safety of our residents, businesses and police personnel."

The City of Downey understands the Court's duty to maintain the constitutional rights for all people. However, it strongly believes PARP goes too far and threatens public safety in our communities.

Release of someone arrested for many of these offenses sends the message that the offense is low-level with threat of little to no consequences and may increase recidivism, including child abuse, elder abuse, and assault of a peace officer.

The City is urging the courts to reexamine its zero-bail schedule and develop protocols that take into account the safety of our communities, especially in a time where they are increasingly becoming victims of lower-level crimes.

The City of Downey will continue its commitment to safeguard public safety and will seek measures that protect its citizens.

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