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>> Please stand by for real-time captions.

>> The meeting will begin shortly.

>> The meeting is now in session and we plan to adjourn later this afternoon at approximately 1:30 PM. Under the California Rules of Court, rule 10.5 indicates additional meetings may be scheduled as necessary. And in the case of this August meeting we are having today, the 2019 Budget Act earmarked \$75 million for the Judicial Council to launch and evaluate a two-year pretrial project and local trial courts. Our meeting today is primarily to consider the proposed pilot projects being recommended by the Pretrial Reform and Operations Workgroup, we call them PROW. Our first order of business is to get a roll call of our council members who are joining us by phone. So, I'm going to ask you to indicate that you are present. I have six that I know of. I think Justice Doug Miller, are you on the phone? How about Judge Bottke?

>> I am here.

>> Thank you. Judge Lyons? We will come back. Judge Nadler? Ms. Nancy CS Eberhardt.

>> Good morning.

>> Ms. Gretchen Nelson? Mr. Michael Roddy? I know that people could be on mute and I know you may join us for discussion on our item today so I am expecting Justice Miller, Judge Lynes, Ms. Nelson and Mr. Roddy. And of course, and Judge Nadler. In light of that then our first order of business is our regular opportunity at our meetings for in person public comment. As you know this is in addition to the written comments we regularly receive on agenda items or issues affecting the administration of justice. Last count we had four written submissions. I am not aware that there are any comments to be made on the public aspect of the agenda. Judge Anderson?

>> I do believe we have nine persons here from public comment and this is the opportunity for members of the public to provide general comments with respect to judicial administration and or comments with respect to specific item. We do have one item on the agenda today and as a reminder for those that are making comments on general administration rather than a specific item, that we are not in an adjudicatory body and we do not receive comments about individual cases so please keep that in mind. We do have the nine speakers who have two minutes each allotted for speaking. You will see a timer that is there that is green. Yellow is for one minute

and red is when the time has expired. And what I would do at this particular point in time is call the first person. That would be Kate Monica Klein. If I could have you come to the podium. The next speaker in the second position would be David. If you could go ahead and stand by the barrier. And then we will have you next. Go ahead and good morning.

>> Good morning. My name is Kate Monica Klein. I will read a letter that the San Francisco Taxpayers for Public Safety has written on the funding for pretrial programs. This letter is submitted on behalf of the San Francisco Taxpayers for Public Safety to urge you to preserve the San Francisco pretrial diversion project when considering pretrial project funding for San Francisco. San Francisco Taxpayers for Public Safety has worked for nearly a decade to identify alternatives to incarceration that supports the closure of the seismically unsafe San Francisco County Jail at the Hall of Justice. The pretrial diversion project is a critical component of our efforts to close the jail. The state's effort to find and establish pretrial programs throughout California is commendable. Many California counties lack pretrial opportunities. It may make sense in those counties to select an existing county agency to develop much-needed programs however in San Francisco we've had the benefit of an independent, nonprofit pretrial program for more than 40 years. A program which can serve as a model to other counties and can be replicated throughout California. We understand that the Judicial Council has received many letters of support on behalf of the pretrial diversion project highlighting the project's accomplishments. We need not repeat to you those accomplishments. Instead we want to continue to emphasize how important it is to acknowledge and preserve the pretrial programs like San Francisco and Santa Clara County which have been operational, functional and widely respected in California. San Francisco's pretrial diversion project serves a vital community need and is supported by the community it serves. And I would like to add on a personal note my own commitment goes back to pretrial respect to the 1970s when I was hired in the very early days as a staff person there. And I can't emphasize to you enough how important this project has been to San Francisco. Thank you.

>> Thank you. Next is David more of and if you go ahead and stepped to the podium. After David there is David risk.

>> Good morning Chief Justice and members of the Judicial Council. I'm the CEO of the San Francisco pretrial diversion project. I'm testifying urging you to support the pretrial pilot funding recommendations issued by the Pretrial Reform and Operations Workgroup. San Francisco's history of pretrial services date back to 1965 partnership between the SF Bar Association and the Superior Court. As a pretrial is been embedded in our pretrial system since 1976 serving our courts in advancing bail and bail reform. As documented by independent third party, our public safety and appearance rate outcomes meet and exceed national standards. We're being honored next month by the National Criminal Justice Agency at their national forum. In 2015 the courts asked us to implement the public safety assessment. In concert with the district attorney, public defender, sheriff, courts, adult probation and bar association we implement the tool and diligently collaborate to review and refine the process. Our partners have invested countless hours in the outcomes stated above along with a significant decrease in our jail population

illustrate the impact of our combined efforts. In reviewing the pilot program application submitted on behalf of San Francisco we have three main concerns. The first is we already have a robust successful and for the pretrial program in place. The second is that none of the parties were consulted in summoning the application. And the third is that we feel that our work exemplifies a solid pretrial system. Since SB 10 passed women looking over our shoulders at the potential elimination of our agency and our caseloads have increased with the acuity of our clients is increased and we continue to deliver exemplary services. While we do not, while we support the recommendation of the PROW, if there is any capacity within this funding to provide funding to our superior courts, we do support that given the upcoming changes and pretrial system but not at the expense of our existing agency. We also would like to say we would love to partner with you Judicial Council in implementing these changes given our statewide and national expertise and would really encourage you to look to us as a resource and not an obstacle in the process. Thank you very much.

>> Thank you. We had David risk.

>> He is on his way to federal court. I will go ahead and call Julie. Go ahead and step forward. Then we will have our next speaker.

>> Good morning. I am Julie and I'm here to speak today on behalf of the more than 60 San Francisco criminal defense attorneys that serve our court every day by representing those who are indigent and accused of crime in San Francisco. That's about one third of all the criminal cases in San Francisco. Many counties now faced the grueling daunting task of starting from scratch with risk assessment analysis and development of a pretrial release program. Our San Francisco pretrial program in the criminal justice partners which necessarily included the bar association's conflicts panel undertook a tremendous amount of work commencing in 2015 with the Arnold model and with the time, effort researching commitment we adapted the PSA to serve all of the best interests of all of the justice partners and our common and shared interest in public safety. It took nearly 2 years of incredibly hard work for all the partners to feel sufficiently comfortable that the risk assessment criteria addressed our concerns and the knowledge and the knowledge gained in that process was and is invaluable. Important goals in the context of pretrial must include a reduction in pretrial detentions, elimination of wealth based detentions, combating bias and systemic racism, protecting the public through implementation of successful monitoring practices and the validation of any and all pretrial risk assessment tools. We simply ask that you follow the working group's recommendation by maintaining the integrity of the San Francisco model which meets all of these goals so that the rest of the state may bend toward justice rather than work San Francisco to conform to the problematic element of SB 10 that favors probation. Pretrial has readied itself by preparing on every level for increased risk releases in an expedited fashion. From increasing staffing and structural pains to program development, training of partners, technology, careful monitoring of those released, collaborative and close working relationships with our community organizations, this award-winning organization has earned the respect and full support of every member of the Board of Supervisors, the mayor, district attorney, public defender, sheriff, ACLU, and was certainly the lawyers on our panel. Not

one of these offices supports the application by the adult probation department. We really wish to thank and commend the work of the working group for their thorough and thoughtful report. Please honor their work and follow the recommendation which excludes San Francisco from the pilot program. We don't need it. We don't want it. But we do stand ready to support those that do. Thank you.

>> And the next speaker is Brian Cox. Go ahead and step forward. After that we will have the next speaker. Good morning.

>> Good morning. Good morning Chief Justice and members of the council. I am typically Public Defender Brian Cox and appear on behalf of the entire public defender's office picked her the council to accept the recommendation of the Pretrial Reform and Operations Workgroup not to support the pilot program funding for the San Francisco probation department essential component to any plan that changes status quo and pretrial services is to have the support and cooperation of that community's criminal justice stakeholders. Every criminal justice stakeholder in San Francisco supports in this community of the San Francisco pretrial diversion project. They have good reason to support that there's a nationally recognized model because of the valuable important work that is performed in the last 43 years. SF pretrial has reduced our jail population nearly by half and 30% more defendants have been released since the trial began conducting risk assessments for the court. The collateral benefits of this cannot be overstated. Those released from custody can keep their jobs and housing and be with their families as they await their day in court. This is expertly and manages releases and maintains public safety rate and court appearance rate of nearly 90%. These numbers have been validated and compare favorably with other similar agencies but criminal justice stakeholders have relied on SF Pretrial to maintain the integrity of the criminal justice system because it is a neutral third party. Support for SF Pretrial extends beyond the stakeholder respected San Francisco Board of Supervisors had repeatedly confirmed its support for SF Pretrial for its budget , the board passed a resolution in December 2018 with all member signing on as cosponsors urging the mayor's office to maintain the structural independence of the pretrial services program in San Francisco. Abandoning a program that's been successful and continues to improve and grow will have unintended consequences for our clients. Some communities prefer to limit contact with law enforcement and may be wary of being supervised by law enforcement agencies but before they've ever been convicted of a crime. Similarly our immigrant clients may be afraid to report to pretrial services agency because it immigration consequences. Both groups and others will be disproportionately harmed by this change SF Pretrial bridges this gap precisely because it is a neutral third party. As public defender said in his letter and other jurisdictions may benefit from this pilot program. But SF Pretrial has earned our respect and support and therefore urges council to continue to let SF Pretrial continue with excellent work. Thank you.

>> Thank you. Next please. After that we will have the next speaker. Morning and welcome.

>> Good morning. I am presently a member and am representing the San Francisco pretrial diversion project board of directors. I'm here to endorse and support your recommendation which will allow San Francisco's pretrial diversion project to continue to thrive, to expertly serve

our community and to serve as a model for the development of pretrial pilot projects throughout California. The pretrial diversion project in its 40 plus years has established a safety record of 87% as compared to a national average of 80%, as well as receiving national recognition for the work pretrial has been doing these many years. Most recently pretrial was selected as a 2019 Outstanding Criminal Justice Program by the National Criminal Justice Association. This is a program that should be replicated. This testimony may be best titled, if it's not broken, why fix it? Many California counties like diversion opportunities. It may make sense and those County to select an existing agency to develop these programs however in San Francisco we have had the benefit of an independent, nonprofit cost-effective pretrial program for more than 40 years. The program supported equally by the ACLU, pretrial program participants, the Board of Supervisors, the mayor, the Center for Legal and Evidence-Based Practice, the San Francisco Bar Association, the San Francisco sheriff, district attorney and the public defender. As a process implementation pilot pretrial projects unfold, please consider the value of preserving an independent and neutral San Francisco pretrial diversion project that is community-based and supports our community members efforts to stay out of the criminal justice system. Thank you.

>> Thank you.

>> Jerry or Tara? This is Jeremy?

>> Yes. I'm Jeremy.

>> Good morning and welcome.

>> Thank you. My name is Jeremy and appear as a member of California United for Responsible Budget Coalition of 70 groups working to reduce prison populations in California. We recently learned the Budget Act of 2019 allocated \$75 million for pretrial pilot programs. While we support state funding for counties in order to implement meaningful pretrial reforms that would reduce pretrial populations and expand community-based programs, we ask that you not approve any appropriation of funds that would go toward county probation departments or toward the development of risk assessment tools. We strongly urge you to reallocate these funds to preventative resources and treatment in the community. To begin, it is critical that the provision of pretrial services be independent of any law enforcement agency. Pretrial services agency serve people who are presumed innocent, many of whom will not be convicted, thus, their sole functions are to facilitate return to court and meet basic needs. In contrast, probation is part of a criminal sentence after a finding of guilt. Ensuring support services are independent from postconviction law enforcement entities create the proper incentives and protects the rights of legally innocent people. Risk assessment tool should have no place in the pretrial system. Just last month 27 experts from leading institutions sent a letter to the Judicial Council urging they abandon their plans to implement risk assessment tools. The author stated the technical problems with pretrial risk assessments cannot be resolved and strongly recommend California turn to other reforms. Los Angeles County alone estimates that SB 10 will more than double their jail population. Funding for current pilot programs are misplaced and will further entrench a field

system five empowering probation departments. We strongly urge you to reallocate these funds to community programs and away from law enforcement institutions. Thank you.

>> Thank you.

>> Tara? If not, we can go to Kathleen. I'm not sure if I'm signing in correctly. It's handwritten.

>> Good morning members of the council. My name is Kathleen, I'm a senior staff attorney at the ACLU of Northern California. I am here this morning to express comments on behalf of my colleagues in the Southern California Los Angeles affiliate. And those colleagues would like to share with members of the council their grave concerns about LA's probation department and caution against setting them up with new responsibilities at a time when we believe they clearly cannot handle the responsibilities they already have and we would also note that there have been ongoing conversations at a local level with stakeholders about pretrial release in LA and we would caution against disrupting those local efforts. Thank you.

>> Thank you. And we have Lily, am I saying that correctly again? Step forward. Good morning and welcome.

>> My name is Lily Haskel. I'm here with Critical Resistance and we are a member of two coalitions, one in Los Angeles and another in San Francisco. I'm here first to speak as the prior speaker to the case in Los Angeles and to ask you not to allocate any funding that would go to probation departments. I will read a bit from this letter that has been submitted to you and that I like to submit it again to the record if that's possible. Justice LA is a coalition of LA community organizations, at this a groups and individuals impacted by the incarceration system. While we support state funding for counties in order to implement meaningful pretrial reforms that would reduce pretrial populations and expand community-based programs, we ask that you not approve any appropriation of funds that would go toward county probation departments to develop or toward the development of risk assessment tools. LA County probation already oversees tens of thousands of adult probationers with 6,000 employees and a \$1 billion budget yet it is continually failed. After months of studying LA County probation the probation reform and implementation team concluded there is widespread consensus the LA County probation department is in dire need of oversight. And investing this law enforcement agency with more responsibility is deeply irresponsible. Not only will funding for these pilot programs increase supervision and punishment, but they will also negatively impact community-based programs that successfully operate outside of law enforcement. We also note similar programs that are in the works in trying to be implemented in the community and also note the case of San Francisco pretrial department and looking to models such as that in Los Angeles County as well. So, I will submit that to the rugged and on behalf of the jail coalition we submit a letter encouraging you to not fund more money for pretrial to probation in San Francisco but to continue to resource the SF pretrial department and the good work they do to reduce the pretrial population. Thank you for listening and for your time.

>> Thank you. Last, David

>> Since he did not answer that concludes public comment . Thank you to you and all of our speakers.

>> Chief, this is Delilah Lyons. I want to make sure the record reflects that I am attending by phone.

>> Thank you, Judge Lyons and let me also ask whether or not at this time,- Justice Miller, are you online?

>> Yes, I am.

>> How about Judge Nadler? Are you online?

>> Good morning. Yes, I am.

>> Thank you. Ms. Nelson, are you online?

>> Yes, I am.

>> Good morning. And Michael Roddy, are you online? Thank you. At this point as you know we have our discussion agenda item, the purpose for this meeting. It is an action item. Item 19-085. I want to produce the presenters and then make some conceptual remarks before we hear the presentation. Of course we had a presentation from Trent a picture of the Pretrial Reform and Operations Workgroup as well as Ms. Shelley Curran, Judicial Council, Criminal Justice Services Office. Mr. David Yamasaki, are you on the line as well?

>> Yes, I am.

>> Before we hear the presentation, I wanted to speak to a little bit of why we are here. When I first publicly called for a review of California's pretrial detention system during my 2016 State of the Judiciary address, it was because I was questioning whether the current system effectively served its purpose or otherwise unfairly penalized the poor. So our first workgroup on pretrial detention reform was founded and they determined, at the conclusion of that report with many recommendations, that the current system was unsafe and unfair in their report. In January of this year, Governor Newsom included in his 2019-20 budget proposal eight two-year court Pretrial Pilot Programs with \$75 million for council to launch and evaluate pretrial projects in local trial courts. That same month by happenstance I appointed our second workgroup on this issue, the Pretrial Reform and Operations Workgroup, the workgroup today, to impart develop recommendations for selection criteria, the application process, and funding allocations for our court pretrial pilot programs. And now as part of the Budget Act of 2019-20, the legislature in fact allocated a \$75 million to the council to fund the implementation operation and evaluation of these programs. I want to point out that this is once again another example of action by all three branches of California state government to address an issue of procedural fairness and equal access to justice for all of California. We do have, as you know, two representatives from the legislature on the council. We have Assembly member Bloom and Senator Jackson. And over

many years we have received regular briefings from the governor's administration, his Department of Finance, we've heard from his directors and also the chief economist about the future of California. We also meet regularly with Governor Newsom and his administration. Also with the leaders of the legislature in the Senate pro Tem Tony Atkins and the Assembly Speaker Anthony Rendon and many other legislators but our staff at the JC regularly provide information and data that comes from the trial courts and the Courts of Appeal, responses to their questions and they also seek input on our proposals and we provide that. All of these efforts over time I think have fostered a very positive working relationship amongst our three branches of government. It also has included more informed policies, proposals, and I believe it's improved access to justice for all of us and we are all on the same page in the same direction. I also want to acknowledge the efforts today of the 12 person PROW group chaired by Justice Slough. They were to make recommendations and hear more in detail today but I do want to give my deep thanks to their chair, councilmember Justice Marsha Slough, Court of Appeal, Fourth Appellate District, Division Two, Riverside. Council member Judge Marla Anderson, Monterey Superior Court, on the judge, council member Judge Todd Baci, also Justice Tom DeSantis, Court of Appeal, Fifth Appellate District, Fresno, Judge Judy dosage, Judge Jackson Lucky, Riverside Superior Court, Judge Serena Maria, Los Angeles Superior Court, Los Angeles Superior Court, Judge Winifred Young Smith, Alameda Superior Court, Court Executive Officer Alex Calvo, Santa Cruz Superior Court. Executive Officer Sherry Carter, Los Angeles Superior Court, and on the line Court Executive Officer David Yamasaki, Orange Superior Court. And also my deep, great thanks to the staff and the workgroup led by Ms. Chin from the Judicial Council Criminal Justice Services Office. We go way back to where we first heard this concept in New Mexico yourself, Martha, me, Amy and we figured out that we could try this for California. Deep thanks for your expertise and guidance along the way and indicate that we have done all that we can to bring a diverse group to study this. So, with that, please take it away, Justice Slough.

>> Thank you, Chief, and first I want to say thank you to you, Chief, thank you for your willingness to convene a special sitting of Judicial Council today and thank you members who are here in person and those on the phone to consider the recommendations that we will be making to you today. I think it's appropriate this is a single item Judicial Council meeting because I believe it to represent a critical step forward, a positive step forward as it relates to criminal justice reform for our state and for the people of California and I think that it will be a beacon across the country, so thank you, Chief, for convening the special session. I too wish to acknowledge the good membership that has been on our workgroup. I'm just going to call it PROW. It will be easier for me than running through the whole name. As I will call special attention to all of those that you named, Chief. You convened a very diverse group. You convened a group of people from up and down and across the state, from large courts, medium and small courts with various experiences and various perspective and I can speak, I think, for all of us to say the meetings we have held to date have been a great exchange of ideas, of openness, of discussion and of dialogue and I think it brings us to a really good point today. So, thank you. I also wish to reference the fact that you convened us in January of this year, 2019, again, as you referenced, to check on and look at the progress of reforms in our California system as it relates to pretrial detention and release decisions. Also, and daily zzz's liaison member to our group is



retired Judge Richard Cousins who worked with the Placer Superior Court. He is a liaison to our group with the Criminal Law Advisory Committee and his contribution and participation also has been very informative and helpful to the group as a whole. So what I would like to do today is tell you that we will look back just a little bit, a little bit about the history you referenced that brought us to the issue of pretrial detention and release reform. Then I want to talk to you a little bit more about our work that we've been doing to date, what our charge is, what our focus today will be, and, ultimately, go through and in greater detail the recommendations that we will be making to you. The Chief charged our group with basically four items to address. We were to, as I stated, review the progress of reforms within the state. We were to develop recommendations for funding allocation for the court pilot projects, should they be included in the final budget. As you all know they were included in the governor's proposed budget back in January and, indeed, they remained in the final budget that was signed. We were also tasked with beginning the process of looking at risk assessment tools and also to develop a plan for judicial branch education. So, the focus of today council meeting is that second element and that is to make the recommendations for the funding allocation for the pilot project which is a two your project. And I will promise you we will be back to inform you on the other work that is already, also, ongoing in addition to this. We will be back in the future to talk about the other items. I also wish to mention the fact, point out again the fact that you referenced, Chief, that originally you established the Pretrial Detention Reform Workgroup back in 2016. They had a full year of study of the issue of decision-making and release decision-making and bail reform. They had over 40 experts in the field, and talked to them. Again, that was a very diverse group of judges and CEOs who participated in that and, again, it was a year-long dive into the deep end of the issue. I can tell you that I've spoken what I think almost everyone who participated in that group and I will say that they came from really opposite ends of the spectrum on the issue. And in my discussion with each and every one of them, to a person, without exception, they all concluded that the current system is not safe and the current system is not fair. We could be doing a better job if we had more information on each person that comes before us. That was their ultimate conclusion. So, now we are charged with operationalizing this. We know that. We know that to be the truth. So how do we move forward and put this into our superior courts? Well, we will do it through the selection of the pilot courts, which will be your task today to review our recommendations. We will also accomplish that task by providing technical assistance, training and education to the trial courts that are submitted but also to trial courts who are already moving forward and we wish some direction as well. We will also be working as it relates to data collection, data evaluating, evaluating that data and reporting out the data to you as a body but also to our sister branches, the governor, executive branch and the legislative branch. And also we will be working toward enhancements in our information technology within the courts so they can gather that data efficiently and exchange that data with one another and the Judicial Council and our justice partners. Again, the key phrase to our group is operations. I'm going to ask Shelly to walk through the language of the budget bill in just a moment but before I get to that piece, and kind of in response to some of the public comments that we did here today and I respect their perspective and appreciate the fact that they've come to share their perspective with us today, I do just want to say the following. The budget bill language itself required partnership with probation. The only exception within the budget bill language was the Santa Clara Superior

Court and they have local government agency that runs their pretrial agency for that county. We as a group discussed this issue. Our PROW workgroup discussed it at length and I can say that we are supportive of courts partnering with probation to carry out this work because individual liberty and public safety are at stake. And we believe as a group that it is a government function, it is a core court function and a government function, with accountability to the people and the state of California. The probation departments throughout our state have had many years of experience of working with people come up both pretrial and postconviction. And they have close ties with the court. I think you were here as we go through the recommendation to you and go through the process that we took, one of the things that was very critical for our assessment was the collaborative nature within each individual court. How do they work with their justice system partners? And, clearly, the courts throughout the state have good, strong relationships with their probation partners. So with that stated, Shelley, would you mind running us through the budget bill?

>> Good morning, Chief Justice and members of the committee. As has been mentioned several times now the budget included \$75 million for courts to partner with probation to provide pretrial services, prearrestment services. Included in that budget bill language there were very explicit goals that the legislature and the Department of Finance proposed and ultimately adopted. The first has to do with expanding risk assessment tools that make their factors come awaits and studies publicly available. This was something that was very important to legislative members there have been significant discussion around risk assessment tools and they really wanted to ensure that information about those tools, the weights that were included on those tools was included as part of the tools that needed to be adopted so that was something that was very important to the legislature. Additionally, the legislature wanted to ensure that there was an assessment of any potential disparate impact that could result from these projects to better understand the causes of that disparate impact and also to come up with potential recommendations to address some of those concerns. Again, that is something that was explicitly included as part of the budget bill.

>> I don't mean to interrupt and apologize. You're on slide 2. I'm interrupting you. I'm sorry. I also want to add that it was part of the budget bill and it was very obviously important but it was that piece, it was also important to our workgroup as well. So, I just wanted to make sure that was clear. Sorry.

>> No problem. Additionally included in the budget bill language is increasing the safe and efficient prearrestment and pretrial release of people booked into jails and that, again, is by expanding OR and monitored release. That requirement is explicitly included in the legislation. And then finally, implementing monitoring practices that will include the least restrictive interventions necessary to enhance public safety and return to court. The legislature was thoughtful and ensuring that practices were put into place that would result in people being released pretrial, who are safe to be released and therefore increasing monitoring as necessary in order to enhance releases without risking public safety. The pilot requirements itself was something that the PROW group developed. The first thing they came out and said is they, again,

explicitly, that they should operate under existing law. Under this pretrial pilot program bail will still be available for individuals who are detained. That has not been changed at all. Another thing that was really important to PROW members is demonstration that there is effective collaboration among local justice system partners. This is something that has come up and other grant proposals that we have worked on before and also is evident in different, various public policy changes, criminal justice public policy changes that have occurred in California over the last several years in places where the partners are working effectively together, it's better outcomes and it's easier to make these changes and so that was something really important that PROW wanted to include. And then finally, demonstration in the application process to the scope of the program and meeting all the program goals. The goals I've gone into, but in terms of the scope itself, they wanted to ensure that these assessments were happening before arraignment. They wanted to ensure that everyone who is booked into jail, he was eligible for release, is assessed and that information is getting to the judge. There are many programs in place in California right now but they vary so they may be restrictive in the number of people who are actually eligible for pretrial assessment based on crime or they may have that assessment occur after arraignment. It was important to PROW and also included in the budget bill language that it be for everyone who was booked into jail and then also to ensure that it happens prior to arraignment. Funding itself and again this is something that's been included in the budget bill. What is it the courts can use these funds for. First is self-evident and we've been speaking about it and that's contracts with probation to provide risk assessment information to the court and to provide appropriate levels of monitoring to ensure public safety. The second thing that costs can be used for are costs associated with judicial officer release prior to arraignment. So, that may include necessary equipment for remote access in order to make these decisions or it could be used to fund subordinate judicial officer is to make some of these decisions prior to arraignment. Additionally, there will be a lot of requirements as it relates to technology. There is a lot of information that will have to move very quickly among local justice system partners. Funds included too as part of the pilot programs can go to fund the exchange of information at the local level. Another piece that was included in there is sharing information and data with the council that is necessary to evaluate the program. The evaluation of the program itself is something that is included, really, explicitly in the budget bill language to ensure that if these dollars are being used to make sure that the pilots are meeting the outcomes and to measure the outcomes. So, again, included in the budget bill language are things like the number of assessed individuals by age and race and risk levels. People who are released based on risk levels. The failure to appear rates, and the re-arrest rates that are included so the council will be collecting a lot of that data and analyzing that data in order to measure these outcomes in order to ensure that the dollars are being used to meet these stated goals included. Additionally court data reminder systems. This is one of the systems that works. We get reminders for haircuts and restaurants or the dentist and, so, it's one of the things we know that works in the pretrial arena is court date reminders. That is something that also the funds can be used for. Included in the, pardon, in the budget bill language are dollars to the Judicial Council to do the work that we are responsible for doing and I just want to highlight some of the things, the ways those dollars are going to be used. Some of it has to do with case management system enhancements. And again, that goes to sharing information quickly among local justice system partners so these decisions can be made quickly. The next

has to do with risk assessment tool integration and validation. The risk assessment integration is making sure that we are partnering with providers of risk assessment tools. The carts are courts are so that information can be integrated into the system so judges can get that information quickly and also there's a validation component required as part of the legislation to look at the tools and to measure whether or not they are being validated. There will be legal work and research work, programmer so that will be part of this also and then training and technical assistance to the courts and other local justice system partners that is necessary in order to achieve the goals of the program itself. When it came to the pilot court considerations, the things that PROW was thinking about when they move forward with this work currently operating some former pretrial program are actively engaged in moving toward a pretrial release program. That goes to the issue of these dollars being available for the next couple of years and so they wanted to ensure that even if there are some instances injustice and I will get into this, some courts are recommended for funding that don't have a system in place but those courts did have, have been moving forward in order to ensure they can get the program up and running in a timely manner. The next thing is seeking diversity. These points were included in the budget bill language. And that is making sure that there is a diversity in terms of court size. Making sure that it's large courts and medium courts and small and medium courts and small courts to ensure that all courts have a shot to do that. Geographic locations. Looking at urban areas and rural areas. North, south, coastal, inland. Case management systems and a benefit of the case management systems is being able to take lessons learned and technology enhancements and being able to use those going forward. And, so, if we are working with one case management system and we've built a system that we will be able to readily turn around and do that for other courts that are using that same case management system so that something. And the last piece is risk assessment tools. Ensuring that there is a diverse amount of risk assessment tools, again, so we can measure what is working in California. What tools are effective? In terms of using the risk assessment tools. That was the last thing that was included as one of the criteria.

>> Thank you, Shelley. We learned about what brought us here back in 2016-2017. We've learned about the work of PROW and now we get to the actual application process. Developing the recommendations, I will understate and say it was no easy task. We talked about it. At some of our meetings as we were developing the application process of, do you think we will even get people who actually apply? And we kind of took a poll. How many do you think will apply? Maybe 10. Good. Because the budget language wasn't minimum of 10. Maybe 12. I don't think any of us envisioned that 35 courts would submit a notice of intent to participate in the pretrial program. So, that was a pretty sobering day when we saw 35 courts indicating that they would be intending on applying. Ultimately, we had 31 courts that completed the entire application process. They four that did not complete the application process, it was not out of disinterest or feeling they did not think they could do it as it relates to the program itself but more related to other circumstances engaged in their court. For example, one of them was in fact is an intricately by fires last year and though they really wanted to participate, when they really looked data, they felt like the timing wasn't good. Ultimately it boiled down to 31 applications that we evaluated. The total amount of money requested in those 31 applications was just shy of \$170 million. Again, we have \$75 million. It's a big task to figure out which paths we should go on and which

recommendations should we be making to you. Those came from a broad diversity of programs as Shelley stated, of various sizes across the state. Programs that already are kind of up and running but want to run better and some courts that have no program going at all. We had applications from large, small, medium, medium-small courts across the gambit. We were really pleased with the response rate to the application process and I, quite frankly, think that bodes well for our branch's continued commitment to the work in this arena. I will show you our timeline. It's been a little bit of a rushed summer. We sent out, the group together, PROW worked on what we wanted to make sure the applications addressed so the applications were actually finalized and sent out to the courts on May 20 with the notice of intent to be returned to us on June 7. And then the final deadline for the completed application was July 2. And it was no small task for the courts to complete those applications. It was a quick, deep dive for them and we were impressed with their ability to respond as promptly and as fully as they did. The committee, which I will talk about in a little bit more detail in a moment, convened what we called a scoring subcommittee of members of our group. We met on July 11 to go over all 31 applications and then on July 30, we had a webinar of our entire working group and the subcommittee presented the recommendations to that group and voted on the recommendations and then that brings us to today and our time we are spending with you today. Kind of an interesting part and I really think a really critical part of our application process was what we called justice partner interviews. We invited, of course, the trial courts, but we wanted their justice partner to join them. Probation was a mandatory partner to join them in the interview process. But we invited them to bring anybody else within their county that they wanted to bring with them to be interviewed via Skype. As you can see, the three photographs on the right side of that slide demonstrate three different courts who came with their justice partners. Of course everybody had probation at the table, the court at the table but we also had the sheriff's department and district attorneys and public defenders we had board of supervisors attending some of the meetings and we had members from the local universities that also wanted to join in participate in the interview process to demonstrate their interest in moving forward. We conducted the 31 interviews. It was a 45 minute Skype interview. And when I say we, I mean myself and Shelley participated, as did Heather, who is the director of information technology for the Judicial Council. We conducted the interviews together. And we also had with us Deirdre Benedict, Eve, and Suzanne who observed the process for consistency throughout each and every interview. We provided each of the courts with five questions, the same five questions that we asked to respond to during the interview. I just want to say personally that I really found the interview process very helpful. It was informative and it was really telling. It was extremely valuable. They were actually conducted before the applications were all submitted which I think really added a real human dynamic to the application process as opposed to just reading a cold, online application. It also gave us the opportunity to take a peek behind the curtain, if you will, into a court and into, to kind of get a better vision, if you will, of their commitment to pretrial reform within their trial court and also to determine their level of investment. Not only with their court leadership but also throughout their court as a whole. The judges as a whole. We wanted to know, where they engaged? Where they active or were they more of a silent partner? That was very critical part, we thought, of our process. During the pretrial interview process, we did note an issue that arose. It became clear that some of the courts are planning pilot projects that would

have the prearrest ORV lease determination be made by a nonjudicial officer under certain guidelines. We drafted a memo which is actually exhibit E of your materials to the PJs and the CEOs of all the courts clarifying that the applicant court, to the applicant courts that Judicial Council is prohibited from funding pilot projects that incorporated prearrest release decisions by nonjudicial officers. The release, if they had already submitted an application that was going to go down that path, we give them an opportunity to file an amendment and we also told them don't not apply if the trip pet but please explain how you will work around that as an issue. And we also did receive an amendment to one of the applications. I think, again, that was an advantage of having the interview process. After the interview process, PROW test staff to move forward with a review and I'm going to turn it over to Shelley and let her describe for you what they did.

>> Thank you. As Justice Slough said, once the applications came in, staff including Criminal Justice Services and Information Technology sat down and went through all the applications to ensure that all of the pieces of the application were included. After that, we did a meeting where we brought together staff with different subject matter expertise. We brought attorneys, program people, IT folks, together, to talk about what it is we would be looking for in the applications. We wanted to ensure that those different areas of expertise were reflected in the information we provided to the subcommittee. We developed a narrative summary of all the applications. We included a budget analysis also and also a separate technology review so we would understand where the courts were in terms of technology and what their plans were. We also included our analysis of strengths and weaknesses that we put forward to the members and we provided notes and comments from justice system partner interviews as Justice Slough describe. We had staff sitting in the room during those interviews and so the notes they had , observe the things they had taken were also included in that analysis that we provided to the subcommittee. And we all sat down together and we went through each one of the applications and, again, that provided a very good opportunity for people on the technology side to weigh in with their thoughts and then to get the attorneys and the administration people to also give us their thoughts to make sure we had a broad variety of people taking a look at these applications in order to get the information that was necessary to the subcommittee. Then after we did that we took all of that information, assembled it and provided that information to the trained to subcommittee and that included copies of the applications themselves along with the various summaries we worked on.

>> Thank you. So, edit May 2019 trained to meeting we discussed the fact that we believed it important to have a small subcommittee evaluate all the applications first and that subcommittee should be made up of, consist of people whose courts would not be applying because some of our members, their courts would be applying. So, on the natural, it turned out and it was to thank Justice DeSantos who participated as an appellate court justice. Obviously, his court would not be applying and also retired Judge Richard Cousins, not affiliated with the Superior Court anymore, would not have that same issue of working with a court that would be applying, and then of course I participated in that subcommittee as well. On July 11, as Shelley's data, we have all of those materials pick the picture on the left shows -- you can see Judge Cousins in the middle. I assure you we did not catch him in a nap. It could be he was praying. I'm not sure. You

will have to circle back and ask him about that post that he had. Actually I think he was just reading, as we all were. So, we met again on July 11. We reviewed every single application together. We read the summaries that staff was so helpful in providing to us. We look at the high-level budget overview. We considered each application, as I said, on its merit and then we broke it down into court size and looked at large courts, medium, medium-small and small courts. We spent the day reviewing all of this information and we ultimately came to a consensus as it relates to our recommendations and in doing so we also had the benefit of having a map on the wall and that is really what we are looking at in the picture, is the map up on the wall, making sure that we are touching points on all of the things in the budget bill that were required. That is diversity within the state. Case management systems, risk assessment tools, etc. So, we completed that process and then we had our full PROW meeting to make the recommendations via a webinar. So, there you are on our process so far. I want to take just a short break before I actually get into the sensitive recommendations with you today. And I know we have David Yamasaki, the CEO for Orange County on the phone and a very valuable member to our PROW working group and just ask David, do you have any comments as it relates to, not to the recommendations themselves but as it relates to our process or anything of that nature?

>> I do. Justice Slough, can you hear me okay?

>> Yes.

>> Okay. Thank you very much, Madam Chief Justice, members of the council. Good morning and thank you for allowing me the opportunity to address you by telephone this morning. I provide my comments this morning and two capacities. One is as the executive officer for the Superior Court for the County of Orange and also as a member of PROW. First, as you are aware or will learn Orange was one of the 31 applications submitted for consideration. Notwithstanding the fact that we had operated a pretrial early release program using one of the validated instruments since 2016 and we were not among the applications that were recommended to move forward. This news was a little disappointing for us, however, as we were able to learn, some of the details behind this decision, it was very apparent that our submission has strengths but also challenges that we believe supported our rating and the subsequent exclusion of our court and county from participating in this program. As a member of PROW, I, along with all members, as you have heard, were informed in great detail of the evaluations performed by the subcommittee that was assembled to evaluate all of the submissions. It was very evident that all the applications were painstakingly reviewed, considered and rated thoroughly and most importantly fairly. The speed in which all of this was accomplished is not a reflection of the limited depth of their review, rather, the level of their knowledge on this subject matter and the quality of their focused evaluation efforts. Lastly, as an early applicant in this process, our projected timeline under the best of circumstances it would have placed our expanded program in operation in the middle to late spring of 2020. And given the small window of time to implement and report findings, I encourage the council to approve the recommendations of PROW as expeditiously as possible to allow the participating courts to get their programs on the ground. And in closing, it was a privilege participating in the work of PROW thus far. I look forward to seeing the outcome of

your vision, Chief, and vision supported by the executive and legislative branches. Thank you very much for providing your time today.

>> Thank you for participating with the workgroup and for joining us today.

>> [ Captioners transitioning ]

>> Entity for the opportunity for a very good leader. I appreciate the work that everyone has done thus far

>> Let me just stop for a moment. I know that we have to get to the meat of the matter. But, I just want to open it up to any judicial council member, Martin, anyone. If you have any questions about where we are up to this [ MUSIC ]? Point --

>> David has just spoken. I want to ask about technology. It seems to me that one of the real benefits of technology is getting information to the judge that has to make the decision. My question is, what emphasis was placed on picking the trial court that had advanced systems in the technology area? And I have a bit of concern that Orange County was eliminated when it has been at the forefront of getting technology information to the judges. That is my only question. Was it considered because if a trial court that is in this program does not have the technology how are we going to get it to the court we have not been particularly good at getting it to trial courts that do not have it.

>> This is a good way to get it to them, I agree. But, will it jeopardize the program?

>> That is excellent, Justice Chin, I thank you for asking it. I cannot say that I anticipated you asking that question but I suspected you might focus us in on technology. I will say it was a critical piece. We have had Heather Pettit with us who is the director, what would you call that? Counterpart, thank you, Information Technology for Judicial Council with us at every meeting in the process of what we have learned about how pretrial detention decisions can be operationalized within the trial court. And her crew was extremely engaged in the trial court application. Making sure that we listed the data points that were going to be required of the courts and probation and finding out can you reach those can you provide those data points? Her and her crew will be working extensively in a very expedited fashion directly on the ground with all of the trial courts that are selected, to ensure that they can indeed gather, exchange and share data with the trial work and justice partners, and importantly and equally importantly, share the data with all of us. So we can look at it as we progress through the program as well. Absolutely, Justice Chin, the technology piece was a huge component to us moving forward and we appreciate the extra effort that Heather and Rob and others have added to this evaluative process. I want to comment on your statement about orange that I agree with you, they have been a leader in technology over the years. And the other thing that they are excellent at is sharing their resources and knowledge and sharing their expertise and with leaders like they have within that work in their field and in the technology division as well as with David Yamasaki I know that



even though they are not a selective court they will be at the table eating as well. Thank you for that.

>> Thank you, Chief. First of all, what outstanding work over a short period of time. Launching the branch, my question is, in the event and based on our experience in the innovation grant, the size of the shop, in the attempt that a court after submitting and being accepted decided it cannot move forward for some reason, I did not see -- is there a built-in process for distributing that money to a court that was not accepted in the first round or distribute the money to courts that may need more money as they go forward?

>> Let me cycle the question back to you and say that depends on you guys. One of our recommendations is that you give us the authority, one of our ultimate recommendations will be and ask that you do give us that authority because there will be something that you have experience that crops up in a court that makes it where they cannot go forward. So, we will be asking for that authority to do that.

>> No other hands raised. Did you want to go over the recommendations?

>> I would like to, Chief, thank you.

>> So, it is my pleasure at this stage to present the 16 applicants that the Pretrial Reform and Operations Workgroup recommends to you to participate in the pretrial program. The full slate of the recommendations are found as attachment A of your materials. But, I want to spend a few minutes and I will get through it in an expedited fashion to walk through with the recommendations. Let's look at the large courts. The large court category that we recommend receives funding that would be the Superior Court of Alameda, Los Angeles, and Sacramento. The large courts in and of themselves is when we added up all of their asks, it totaled \$106 million in requests from the large courts alone. You can tell it was a difficult process. We did want to select large courts from diverse areas and we also wanted to select large courts that were at different stages during their pretrial program. Alameda, as it relates to them, they are working on reviving and expanding a preexisting pretrial program. They demonstrated very strong justice system partner collaboration read a very committed incoming presiding justice and a very dynamic chief probation officer who has a known track record for success. They recognized and addressed the challenges they have had with other pretrial programs and efforts and they view this as an opportunity for them to move forward in a positive way. As it relates to Los Angeles, again, they will be enhancing and greatly expanding a pretrial program. They had a very innovative application which combined both a static and dynamic risk assessment, and a static is a risk assessment where you do not actually interview the individual. At a different stage of the process they will do a dynamic risk assessment which includes an actual interview of the individual. We thought that it would be a benefit to have the largest court in the state to participate in this process. The third large category is Sacramento. They will be implementing a new pretrial program with their probation department. A new program for large county. They had a very committed group who participated in the application and interview process and their commitment is demonstrated by the fact that their county has already contributed \$1.2 million to

the county to move forward in pretrial reform. The medium courts that we recommend that you fund include the superior courts of San Joaquin, San Mateo, Santa Barbara, Sonoma, Tulare, and Ventura. Starting with San Joaquin, they will be maintaining an existing pretrial program. This is one -- they have been around for a few years. They are known as leaders in the state as it relates to pretrial, they invite other courts and other courts have gone to them already to see what they are doing and have over the past few years. One of the things that was unique about their application that I do not know that we have ever seen, nor will we ever see it again, they did not want any money. They asked for no money in their application. That is because they have a good robust program up and running. But, they also felt like it had room for improvement and they could learn from what we are doing and they felt that the data exchange piece was really important. And we would recommend that if they should find it necessary to contribute some small dollar amount, particularly for the data exchange, that we would be able to help them with that as well. And they also want to continue to be leaders within our state. San Mateo, they will enhance and greatly expand a current pretrial program. Again, they have excellent justice system partner buy-in. Really demonstrated great judicial leadership and a full support amongst their bench in their application, they had a very clear description of their program and the commitments to the goals of pretrial reform. Santa Barbara, they want to enhance the current program. Again, it worked with great collaboration. They will be transitioning an existing program over to their probation department. They had already brought in outside technical assistance to help them in this process which we thought demonstrated a commitment to the need for pretrial reform, generally. Sonoma County, again, strong judicial leadership and vocal collaboration with a program that was designed to meet the goals of increasing the safe release of individuals while also protecting public safety. Again, they are enhancing that program and demonstrated clear judicial leadership and had significant outreach to all of their justice partners and had already established what they called an interagency working group throughout their county, working on the issue of pretrial reform and finally, as it relates to this medium-size court, Ventura. We recommend them because they will expand the program. They have previously had an effective pretrial program for years and they have strong relationships already in place with their partners. Let's go to the medium and small courts. As it relates to them, we recommend the Superior Court of Kings County, of Napa, and of Nevada, who will be working in consortium with their sister county, Sierra. They submitted as a consortium of 2 courts. Kings County again had good collaboration amongst the local justice system partners. It was the smallest court of this grouping. It will provide, we believe, important geographic and cultural diversity in the program. Napa had a very strong proposal and excellent track record as it relates to prior grants and projects. Outstanding judicial buy-in and leadership, and an outstanding probation department that is obviously and clearly supported by their bench. The consortium of Nevada and Sierra courts, again, that is the only application submitted as an official consortium, which obviously speaks to local collaboration, not only in their county but with one another. They clearly support the goals and, frankly, even with them working in consortium, it is a rather small funding request. As it relates to the small courts, we recommend that the superior court of Calaveras County, of Modoc County, Tuolumne County, and Yuba County be approved. These courts in these small group categories demonstrated strong local collaboration and an ability to reach decisions quickly and amicably. Justice Chin, to cycle back to you, one of our questions during

the interview process was talking about, how do you exchange data now you mark the answer is we take the paper and walk it over to probation. That works, and it works well. We want to continue to improve that process with more technology advances for them and all courts in the state. PROW is pleased with the interest we did receive from the small courts. The smaller courts, the rural courts present their own unique set of challenges from a different angle but they likewise equally present a unique opportunity that they are similarly situated. We believe that there will be benefit in treating these courts kind of as a group and we will reach out to them and talk about how we can leverage economies of scale and working with them, particularly in their technology improvements. If the recommendation is approved, that will be one of the first steps, reaching out to those small courts and see if they are willing to work as a group read Shelley?

>> Thank you. So, as Justice Slough mentioned, as the committee was looking at the applications there was a map on the wall and they were moving Post-Its around to see where the courts were. It goes back to the requirements of the budget the language in terms of different types of diversity. So, this first map that we show is the recommended applicants by court size. So, with the larger courts being the pink color, medium being yellow, a bit redder for the small-medium and then the darker color for the small courts. It shows the geographic diversity in terms of where they are, and then also the diversity in terms of court size. The next map that I'm going to put up shows risk assessment tools. It shows the major tools that we are using, one of the courts has not yet determined which tool they will use, that is something that they are considering right now. The other courts are going to be using the PSA which is the public safety tool, that is the Arnold Foundation. And that is the Virginia tool, and then an Ohio tool, again, all of those tools meet the requirements in the budget bill language as it relates to making information publicly available. So, those are the tools that are going to be used. And then, lastly, this is the map that we are putting up in terms of the court case management system. Again, going back to making sure that we are heading different court case management systems so the lessons that we learn in one court can be translated to other courts going forward with various reforms.

>> Thank you. So, with that we have 4 specific recommendations for you. I would like to just articulate them for you so that it is very clear what we are asking. Number one, we ask that you approve awards of approximately \$68 million to 16 superior courts for the period of August 1, 2019 through June 30, 2021 from the Pretrial Pilot Program as stated in attachment A. We ask also that you authorize PROW to approve awards to applicant courts that are not included in this initial allocation should funds become available. The third recommendation is that you authorize PROW to make funds available to all interested California trial courts for training, planning, and technical assistant allocation related to the goals of the pilot program. Again, should those funds become available. And finally, our fourth recommendation is that you authorize judicial Council staff to work with the courts that are awarded, enabling modification or reallocation of budget as necessary. Transfer budgeted amounts from one fiscal year to another, or to transfer unspent funds between courts, depending on the courts progress in meeting the scope and goals of the project. Those are the recommendations, that is our process. You know our history, and that is the end of our presentation to you and council read

>> Thank you. I will entertain a motion to approve the recommendation but, as a point of clarification

>> Thank you, chief. I want to make it clear to the members that in the recommendation we were asking at least, into points to have discretionary authority and continue the work in the matter of should funds become available, but when you say funds become available, you are referring to in the box of \$75 million?

>> That is correct.

>> Thank you.

>> Mr. Kelly?

>> Can I make a motion?

>> Yes, you may.

>> I move to approve the recommendations of the committee and thank them for their phenomenal work in a very short time.

>> Seconded.

>> Seconded by Judge Hopp. All in favor for approving the recommendations? If you care to abstain, you may do so after I make the general call for the vote. All in favor of the 4 recommendations? Any abstention?

>> I want to abstain from number 1 as it relates to Sacramento. Otherwise, I will vote for Sacramento.

>> This is Judge Lyons and I will abstain only from the recommendation as it relates to Los Angeles County, however not as to the other counties.

>> Thank you. Those are the abstentions. I will ask Martin to verify that we have the 2 abstentions for Sacramento and Los Angeles, nevertheless have a sufficient quorum to pass the recommendation.

>> There are sedition votes remaining on --

>> Thank you, Mr. Martin Hoshino.

>> I want to echo Pat Kelly's comment about the phenomenal work. The judiciary started this because we care about access to justice and fairness. In the first part of 2016, all we did was ask a question. And then we studied it ourselves, and we studied it ourselves because these are decisions that we make every day, as trial judges. So, we are familiar with the environment and the context. And when that report issued, by this branch there was further evidence that we care,

and a movement to educate ourselves and to be open and transparent and responsible and accountable to see how we could, as you say Justice Slough, operationalize what we believe is a more fair system. I also want to be clear that my deep thanks to Martin Hoshino and his staff, who were able to communicate to the branch's interest and our depth of study, and our commitment to going forward to the administration and to the Department of Finance and to legislators and people in the other two branches of government who had questions about that. Also want to correct myself and say in New Mexico it was Eve Hershcopf and that we were, that presentation simply in awe of what was happening nationally. Also want to make a point of thanking all 31 applicants through this. Knowing that we picked 68, but I think it is as Judge Anderson said in her remarks as part of PROW, this 31 application process reflects that the California judiciary of trial court cares. They really want and seek an effort of trying to ensure equal access and fairness. We are a self-governing body and to that extent, thank you for your deep and concentrated work on this matter to all of PROW.

>> Chief, may I ask for a point of privilege and make 3 final comments?

>> Yes.

>> I would be remiss if I did not thank all the members of PROW who participated. All of those who are and are not with us, thank you for your efforts, time, and commitment. And then I would be mad at myself if I left this room and did not say thank you, Shelley. You and your team with Deirdre, Yves, and I should not start naming them because I would not be able to name all of them, they have kept us on task and have organized our work and have focused us and we could not have done it without you in the direction, and your knowledge, and your experience. Most importantly, I thank you for your friendship. Also, I wish to thank Heather Pettit and her staff over at IT who have provided great support and will continue to provide great support through this. We are not done, PROW is not done. We will be back to talk about other things and we are not even done as it relates to the pilot program. Now, the heavy lifting falls on the shoulders of Shelley and her group and Heather and her crew. But, PROW will be actively engaged. We will be keeping an eye on the progress of the pilot program and we will be ensuring that we are moving towards publishing our goal and shedding light on the fundamental question, which is, is this going to be more fair and safe? My final comment if I may, Chief, I cannot help it, but I was raised to believe that when we know better we have to do better. And I think that all of us here were raised to believe the same thing. That is why we do the work that we do. The work of the first pretrial workgroup that you established, Chief, left us with a firm and abiding conviction and knowledge and awareness that the old system of release by a bail schedule was not an effective approach. We have that knowledge and now it is our duty to respond and to do better. As stated, the number of applications in the interest in the pilot program and the creative ideas that have been presented to address release decisions, I believe to be clear and substantial evidence of a paradigm shift within our branch. We, Chief, thanks to your leadership, know better and now we will move forward with a central focus that is of combined analysis, of fairness to the individual, and equally, safety to the public as a whole. We are on a precipice of doing better as a branch and like all major adjustments and change, it will not be born to

perfection. It will mature and it will grow along the way. So, if anyone out there is looking for perfection out of the gate, you will be disappointed. I have no doubt that there are people, there are naysayers that are looking and waiting for that very first release decision gone wrong. Just as today we hear almost daily of release decisions -- people who are out and posted bail and they pick up another crime while out on bail. We also know of people who are losing their jobs and losing their homes and sometimes losing their family simply because they cannot afford to pay bill. All this to say there are a couple stories to here already and they will continue and that will not change. But the great thing with your vote today is that it is the dawn of a new day. And a new day that will be more fair and will be safer, that we will be dealing with individual people and at bottom, that is what we are called to our courtrooms to do, and why we come into this room to work with Judicial Council on these important programs. So, thank you, Chief, for your leadership. Thank you , council members, for your confidence and vote and we will look forward to coming back and read to you as we progress. Thank you.

>> This concludes our August meeting. We will meet September 23 and 24. Do not come here, go to Sacramento. Thank you.

[ Event Concluded ]