



Judicial Council of California

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San Francisco, CA
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Meeting Minutes

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Judicial Council

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Thursday, November 16, 2017

12:45 PM

Sacramento

CLOSED SESSION (RULE 10.6(B))—PLANNING, PERSONNEL, AND DISCUSSION PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE

Chief Justice Tani G. Cantil-Sakauye, chair of the Judicial Council, called the closed session to order at 12:45 p.m.

OPEN SESSION (RULE 10.6(A)) — MEETING AGENDA

Attendance

Council Members

- Present:** 26 - Chief Justice Tani G. Cantil-Sakauye, Justice Harry E. Hull Jr., Justice James M. Humes, Justice Douglas P. Miller, Justice Marsha G. Slough, Presiding Judge Patricia M. Lucas, Presiding Judge C. Todd Bottke, Assistant Presiding Judge Gary Nadler, Judge Stacy Boulware Eurie, Judge Kyle S. Brodie, Judge Samuel K. Feng, Judge Scott M. Gordon, Judge Harold W. Hopp, Judge Stuart M. Rice, Judge David M. Rubin, Judge Kenneth K. So, Senator Hannah-Beth Jackson, Commissioner Shama Hakim Mesiwala, Mr. Jake Chatters, Ms. Kimberly Flener, Mr. Michael M. Roddy, Ms. Andrea K. Wallin-Rohmann, Ms. Rachel W. Hill, Ms. Audra Ibarra, Mr. Patrick M. Kelly, and Ms. Gretchen Nelson
- Absent:** 5 - Justice Ming W. Chin, Assistant Presiding Judge Kevin C. Brazile, Judge Marla O. Anderson, Judge Dalila Corral Lyons, and Assembly Member Richard Bloom

Others Present

Mr. Glenn Bacler, Mr. Donté Bhia, Ms. Stanicia Boatner, Ms. K. Brianey Boatner, Mr. Nick Brow, Mr. Daniel Felizzatto, Ms. Adlemy Garcia, Mr. Sean Hoffman, Mr. Chase Hopkins, Ms. Jennifer Lentz Snyder, Ms. Pam Reynolds, Mr. Curt Soderlund, Ms. Carolyn Veal-Hunter, Ms. Zoe Willmott, and Ms. Ja Zhue Ull

Call to Order

Chief Justice Tani G. Cantil-Sakauye, chair of the Judicial Council, called the open session to order at 2:45 p.m. in Veranda Rooms A, B, and C on the fourth floor of the Sacramento office of the Judicial Council of California.

Opening Remarks

The Chief Justice opened the first day of the two-day session by providing remarks related to an issue that has been a concern to her, which is money bail. She voiced her concern about its disproportionately negative impact on the poor and Californians from certain ethnic backgrounds. The Chief Justice appointed the Pretrial Detention Reform Workgroup in October 2016 to study pretrial detention practices and to provide recommendations for potential reforms. The workgroup's charge was to seek input from criminal justice stakeholders, advocacy organizations, and bail industry representatives, and to report back to her by December 2017. The workgroup accomplished this charge and delivered the report and recommendations to her ahead of time in mid-October. The workgroup consisted of 12 members with a variety of backgrounds. The Chief added that the dedicated group spent a year studying the current bail system from every angle, hearing from more than 40 groups. The Chief acknowledged the authors of the comprehensive report, a report she noted that has never been done before in California, and expressed her gratitude to the Judicial Council staff who also assisted the workgroup.

The Chief Justice reported that after much study and discussion, the workgroup reached a unanimous conclusion: that California's pretrial system compromises victim and public safety and that the current system of money bail should be replaced with one based on an accused's risk to the public. The recommendations would also expand the information and tools available to judges while ensuring that judges keep and retain their final authority over who is released or detained before trial. The Chief Justice added that the recommendations will serve as a much-needed framework as Governor Brown and the Legislature are consulted to create a solution that protects the public and ensures court appearances while promoting fair and equal access to justice for all Californians. Lastly, the Chief Justice confirmed her support for the workgroup's conclusions that a pretrial system that relies on the financial resources of the accused is inherently unsafe and unjust.

Public Comment

Ms. Mica Doctoroff, Ms. Robin Lipetzky, Ms. Krista Niemczyk, Mr. Stephen Wagstaffe, and Ms. Tiffany Whiten presented comments on Discussion Agenda Item 17-185--Pretrial Detention Reform Workgroup: Recommendations.

DISCUSSION AGENDA

[17-185](#)

Pretrial Detention Reform Workgroup: Recommendations (No Action Required)

Summary: The Chief Justice appointed the Pretrial Detention Reform (PDR) Workgroup in October 2016 to look at ways that courts may identify ways to make better release decisions that will treat people fairly, protect the public, and ensure court

appearances. The workgroup presented its report to the Chief Justice on October 16, 2017. At the Chief Justice's request, the Workgroup will present their process, findings, and recommendations to the Judicial Council.

No action required for this discussion agenda item at this time.

Retirement of Judicial Council Chief of Staff

The Chief Justice acknowledged the retirement of Ms. Jody Patel, the Judicial Council's Chief of Staff, who had dedicated over 40 years of public service to California's executive and judicial branches. The Chief presented a Judicial Council resolution to Ms. Patel symbolic of the branch's gratitude. Ms. Patel oversaw many changes and difficult projects, such as the Phoenix Financial System, Open Meetings, the Resource Allocation Study, Workload Allocation Funding Methodology, Court Innovations Grant Program, and the Future of California's Court System. The Chief added that Ms. Patel served an invaluable role and made a tremendous contribution to those projects and others, especially to the latest--the Commission on the Future of California's Court System--as she has seen so much of the court system and knows where the branch needs to go in the future.

Administrative Director Martin Hoshino also thanked Ms. Patel for her accomplishments and contributions in public service. He recognized her as a true American female pioneer of Indian descent, who had achieved high levels of accomplishment in government service over a 40-year career. Many Judicial Council members also expressed their gratitude to Ms. Patel for her years of service.

Ms. Patel accepted the Judicial Council's resolution and thanked the many people who have come into her life and influenced her. She expressed her deepest appreciation to the Judicial Council staff, recognizing their resiliency and dedication, as well as colleagues she has worked with and who helped her tremendously throughout her career and today are some of her closest friends. Ms. Patel also acknowledged past council members, judges, justices, court executive officers, and staff. She added that she has had the honor to have had great leadership and has been blessed to work with some of the best in the court system. Lastly, Ms. Patel also recognized the support from her family and friends.

Adjournment

With the meeting's business completed, the Chief Justice adjourned the meeting at approximately 4:20 p.m.