

# California's broken bail system punishes the poor



BY ROB BONTA  
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When Melodie Henderson was 21, she made a mistake and committed a crime. She served her sentence, but before she could get her life back on track, Henderson had to pay her debt to the bail bondsman.

After being arrested, she had a choice – pay the bail bondsman and go in to debt, or sit for days in jail until her court date and risk her job, apartment, car and family. It wasn't a real choice.

Henderson spent years trying to pay back the bail bondsman. She postponed school, borrowed tens of thousands of dollars from her grandparents, got dangerously behind on other bills and severely damaged her credit. She suffered from depression. And she's considered one of the lucky ones because she was able to secure the money and her freedom.

Last month, I invited experts, advocates and community leaders from around the state to hear stories like hers and bring to light the severe shortcomings of California's broken bail system. On Dec. 5, the first day of the new legislative session, I plan to introduce a comprehensive bail reform bill.

Bail is intended to prevent court absences and protect the public, but the system is disproportionately locking up poor people, regardless of guilt. More than 60 percent of California's jail population – about 46,000 people – have not been convicted of a crime. Most aren't being held because they are dangerous or a flight risk; they simply can't afford bail.

California's bail system punishes people for being poor. If you can't afford bail, you will sit in jail, even if you were arrested for a traffic ticket. If you have the money to pay bail, you can get out of jail, no matter how likely you are to flee or commit another crime.

The ability to pay bail is an indicator of wealth. That's all it is. That's not justice.

What's more, this unjust system wastes millions in taxpayer dollars. Californians pay more than \$100 a day to keep someone in jail – more than \$4.5 million per day statewide. That's money the state could be investing in improving our schools, keeping our kids healthy, creating new job opportunities and supporting small businesses.

Bail reform is an issue of racial, social and economic justice. It's not a question of whether the system needs fixing; it's a question of how.

People across our state and nation see the cracks in this broken system and are calling for reform. California has historically led on the most significant issues of our time. Bail reform is one of those issues.

We need a better system, one that values justice and public safety over wealth. I hope you will join me in my work to transform California's bail system through smart, fair and comprehensive reforms.

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