

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION SUPPORTING 3DaysCount™ – A NATIONWIDE EFFORT TO MAKE COMMUNITIES SAFER AND ENSURE BETTER OUTCOMES FOR ALL BY APPLYING COMMON SENSE SOLUTIONS TO WIDESPREAD PRETRIAL JUSTICE CHALLENGES

WHEREAS, nearly 12 million people are booked into United States jails each year, mostly for nonviolent misdemeanors; and

WHEREAS, more than 60 percent of people in jail are not convicted – detained before trial largely because they are too poor to post even small money bond amounts – costing local governments a nationwide aggregate of nearly \$14 billion annually in incarceration expenses; and

WHEREAS, pretrial detention is deeply disruptive to people's lives and can have serious consequences, from interrupted education and medical treatment to lost jobs, housing, and even custody of children; and

WHEREAS, the money bail system places a disproportionate and unfair burden on people of color, who, on average, face higher bail amounts even as they have fewer resources as a result of chronic, systemic exclusion from economic opportunity; and

WHEREAS, research shows that when people who are most likely to appear in court and stay out of trouble are detained for even three days, they become more likely to be arrested for new criminal activity during the pretrial period compared to similar individuals released within just 24 hours; and

WHEREAS, the money bail system allows nearly half of those least likely to succeed on pretrial release to quickly buy their release from jail with little to no meaningful support or supervision, without regard for the needs of victims, witnesses, and the broader community; and

WHEREAS, the goals of 3DaysCount™ are to help states reduce unnecessary arrests by expanding the use of citations or summons, replace money bail with non-financial, least restrictive conditions, restrict detention to the small number of people for whom no condition or combination of conditions can reasonably assure appearance in court and public safety, and reduce disparity within the pretrial justice system; and

WHEREAS, Orange County has already implemented many of the recommendations of the Pretrial Justice Institute including internalizing the Pretrial Release program in the Criminal Justice Resource Department, using an evidence-based pretrial risk assessment tool, ensuring the presence of defense counsel at first appearances, increasing opportunities for pre-arrest diversion, employing mental health professionals to work directly with individuals incarcerated at our jail to assess and refer to treatment in the community and continuing to collect data and measure performance on our efforts;

NOW, THEREFORE BE IT RESOLVED, that the Orange County Board of Commissioners hereby endorses the goals of 3DaysCount™; and

BE IT FURTHER RESOLVED, that Orange County Board of Commissioners strongly urges our state-level stakeholders and government leaders to apply to join the Pretrial Justice Institute's 3DaysCount™ initiative.

This the 17th day of April 2018.



A handwritten signature in black ink, appearing to read "Mark Dorosin".

Mark Dorosin, Chair
Orange County Board of Commissioners