

No More Pre-Trial Bail in Calif., Just Jail or No Jail

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California bailed on bail.

Actually, it's not that simple. After a 40-yr. campaign to end cash bail in the state, Gov. Jerry Brown signed a bill that gives judges discretion to release defendants pending trial w/o bail.

But reports make it sound like there's a get-out-jail free card in Calif. Actually, that's basically true.

Pre-Trial Detention

The new law goes into effect next Oct., but the writing has been on prison walls for yrs. It got real this yr. as more courts started ruling that the [cash bail system is unconstitutional](#).

Yrs. earlier, even the Dept. of Justice saw it. **The govt. said pre-trial bail was unconstitutional b/c poor people couldn't afford it & stayed in jail** even while legally innocent.

The new law places their fate in the hands of judges, who will have broad discretion to decide who is dangerous or a flight risk. Defendants will be measured "low," "medium," or "high risk," but each court will set its own procedures.

Suspects accused of violent felonies or sex crimes don't stand a chance of getting out before trial. Most alleged misdemeanants, however, will go home w/ money in their pocket.

Bygone Bailbonds

What the bill really does is kill the bail industry. Someday, people will tell stories about how it was in the old days.

The bailbondsmen are not going down w/o a fight, however. David Quintana, a lobbyist for the industry, said they are already planning to block the new law.

"You don't eliminate an industry & expect those people to go down quietly," he said. "Every single weapon in our arsenal will be fired."

The good news is they won't have to pay bail if they get arrested w/ those weapons -- maybe.