

# KEY FINDINGS: "PRESUMED GUILTY – THE PRETRIAL INCARCERATION CRISIS IN LOS ANGELES COUNTY"

This page summarizes the critical insights from the "Presumed Guilty" report by UCLA School of Law's Pretrial Justice Clinic and Court Watch LA, highlighting pretrial practices observed in October 2023 at the Airport Courthouse and Clara Shortridge Foltz Criminal Justice Center (CCB).

## KEY FINDINGS

### High Use of Cash Bail

- 68% of cases observed had cash bail set.
- Median Bail Amount: \$100,000.
- Only 21% of individuals were released on their own recognizance (OR).

### Failure to Consider Ability to Pay

- Judges conducted an ability to pay analysis in just 23% of the cases.
- This practice contravenes the California Supreme Court's *In re Humphrey* decision.
- Prolonged pretrial detention led to significant personal and economic hardships, including job loss, housing instability, and familial separation.

### Disparities in Bail Decisions

- Black and Latine individuals comprised three-quarters of the cases observed.
- Latine individuals had the lowest rates of OR release and the highest rates of cash bail set.
- Individuals with public defenders were less likely to be released on OR compared to those with private attorneys.

### Additional Pretrial Release Conditions

Only 24% of released individuals were released without additional pretrial conditions.

### Courtroom Environment

- Observations indicated a hostile and dehumanizing atmosphere.
- Judges often addressed individuals by numbers, not names.
- Bailiffs displayed discriminatory behavior, treating people of color more rudely.



"Largely Unchanged: California's Bail System After *In re Humphrey*," a joint report by UCLA and Berkeley Schools of Law reveal that there is "no evidence that *Humphrey* resulted in a net decrease of the pretrial jail population in California, a decrease in median bail amounts, or a decrease in the average length of pretrial detention."

## CALL TO ACTION

1. **Training Programs:** Implement comprehensive training for judges on ability to pay analyses and implicit bias.
2. **Accountability Measures:** Enforce adherence to legal standards and hold judges who repeatedly fail to do so accountable through disciplinary actions.
3. **Oversight and Accountability:** Ensure regular oversight and hold judges accountable for their decisions.

These steps are crucial for fostering a fairer pretrial system and addressing the systemic biases that currently undermine justice in Los Angeles County. Access the full report at [CourtWatchLA.org/2024-Report](https://CourtWatchLA.org/2024-Report)