

March 24, 2021

The Honorable Robert Hertzberg
State Capitol, Room 313
Sacramento, CA 95814

RE: SB 262 (Hertzberg) Bail
AAP-CA Position: SUPPORT

Dear Senator Hertzberg,

The American Academy of Pediatrics, California (AAP-CA) representing over 3,000 pediatrician members strongly supports SB 262, as amended on March 10, 2021. This bill would require bail to be set at \$0 for all offenses except serious or violent felonies, violations of specified protective orders, battery against a spouse, sex offenses, and driving under the influence.

People arrested for non-violent offenses and determined not to be a threat to public safety often remain locked up if they are unable to pay a non-refundable fee to a bail bondsman. Studies have shown that African-American and Hispanic defendants are more likely to be detained pending trial, less likely to make bail (which is assessed in higher amounts), and less likely to be granted release than similarly situated white defendants.

The detention of a loved one can cause long-term negative health consequences for children. Toxic stress caused by the absence of protective relationships, such as a parent-child relationship, damages children's emotional and physical health. During detention, parents can lose employment, housing, and medical coverage further endangering the children in their care.

Pretrial detention—in which the detained has not been proven guilty of a crime—should only be used when the harm caused by the detention is outweighed by the risk that the detainee will flee or cause harm. Yet it is all too common that those accused of a crime remain behind bars simply because they cannot afford bail.

AAP-CA strongly supports SB 262. Thank you for your public service and leadership on behalf of the health and wellbeing of children, youth, and families in California.

Sincerely,



Jacques Corriveau, MD FAAP
Chair, State Government Affairs Committee
American Academy of Pediatrics, California

cc: AAP Leadership