



CRIME VICTIMS UNITED
The Voice for Victims and Public Safety

March 17, 2021

Senator Robert M. Hertzberg
California State Senate
State Capitol Building
Sacramento, CA 95814

RE: Senate Bill 262 (Hertzberg) – Opposition

Dear Senator Hertzberg,

Crime Victims United has a mission to support and strengthen public safety, promote balance in the criminal justice system and protect the rights of victims.

We oppose SB 262 because it will not enhance the goal of ensuring that individuals appear in court, thus not giving the victims of crime the best guarantee that justice will be served. SB 262 will cause a majority of people to be released with “Zero Bail” no matter their criminal history or their failure to appear record.

While SB 262, does call for some crimes to bail, there may not be an industry to perform these duties should SB 262 become law.

Setting bail at zero is an unconstitutional violation of Separation of Powers:


The California Constitution requires bail amounts to be set by the courts, not the legislature:

“Excessive bail may not be required. In fixing the amount of bail, the court shall take into consideration the seriousness of the offense charged, the previous criminal record of the defendant, and the probability of his or her appearing at the trial or hearing of the case.

A person may be released on his or her own recognizance in the court’s discretion.” ([Cal.Const. Art. I, §12](#), emphasis added).

Taking away the local control of judges to assess each case and determine if bail should be set, is critical to the local judiciary of each county taking into consideration of their balance of bail and goal of making sure that people appear in court.

And finally, and most importantly SB 262 is in direct conflict with Marsy’s law.


Harriet Salarno
Chair / Founder


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President