



OFFICE OF THE
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ORANGE COUNTY, CALIFORNIA

TODD SPITZER

FOR IMMEDIATE RELEASE

PRESS RELEASE

Date: April 14, 2020

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**District Attorney Todd Spitzer: Judicial Council Emergency Order
for \$0 Bail Puts Dangerous Criminals Back on Our Streets,
Endangers the Safety of our Communities**
*Order fails to take into account prior criminal history,
making violent felons eligible for release*

Santa Ana, Calif: - Orange County District Attorney Todd Spitzer issued the following statement regarding the Judicial Council's adoption of zero bail:

The recent emergency orders issued by the California Chief Justice in the wake of the global pandemic puts criminals back on our streets and endangers the safety of our communities.

The Judicial Council's decision to enact zero bail for most misdemeanors and numerous felonies allows dangerous criminals, including human traffickers, drivers who kill someone in a hit and run, and abusers of children and the elderly, to be released back into our neighborhoods.

Law enforcement must have the ability to enforce the law and protect society from the very criminals who prey on the vulnerable. This shortsighted order handcuffs law enforcement, fails to take into account criminal history, and completely ignores the rights of victims afforded to them by the California constitution.

At a time when law-abiding residents are being ordered to stay-at-home to stop the spread of a deadly virus, this order allows criminals to be arrested and released back into our neighborhoods with the mere promise that they will return for their court date months from now.

This order takes into account only to the current criminal offense, allowing convicted felons to argue for immediate release from custody despite their prior criminal history. Not even violations of probation – which is a direct order of a court - would prohibit an inmate from being released.

This order, which extends 90 days beyond the date California reopens for business, protects the criminals who have repeatedly victimized the law-abiding public while failing to safeguard the innocent.

A global pandemic must not be allowed to erode the rule of law.

Under the emergency order, nearly 300 inmates in the Orange County Jail awaiting trial may be eligible to go before a judge to have their bail reduced to zero and be released from custody.

Recent state laws have transformed local county jails into state prisons, housing dangerous and violent criminals who must not be allowed to use this global health crisis as a get out of jail free card.

My priority is the safety of our communities – and that includes the jails.

The Orange County District Attorney's Office is proactively participating in reviewing cases where an inmate's valid health condition is a concern. But we have - and will continue to - consult with inmate medical and jail staff responsible for inmate safety in making those determinations.

Proactive steps by Orange County Sheriff Don Barnes and a natural reduction in new arrests as a result of the state's stay-at-home order has reduced the Orange County Jail population by nearly one-third in recent weeks.

The Orange County District Attorney's Office has been vigorously opposing the release of dangerous and violent offenders, including a high-ranking member of the Mexican Mafia who petitioned to be released to his home on GPS monitoring despite being charged with attempted murder and conspiracy to commit murder, and the owner of a Santa Ana charter school who went on the run for nearly a decade after embezzling \$3.2 million from the school.

Just this morning one of my prosecutors successfully fought the release of a sexual assault defendant who was on OCDA's Most Wanted list for 12 years after he fled to England right before his trial. My office fought for five years to have him extradited back to the United States.

His argument for release: asthma.

It is utterly ridiculous that we are expending countless resources to litigate these cases where there is a clear and present public danger by releasing these criminals.

Thankfully, the Orange County Superior Court has listened to reason and agreed with the vast majority of the objections my office has made to release these people from custody.

I will not allow the current state of affairs to be manipulated to allow the unnecessary release of violent and dangerous criminals into our neighborhoods.

This is a local issue. It needs to be handled locally.

In a world of uncertainty, there is one thing that is certain.

The men and women of the Orange County District Attorney's Office are doing everything we can to keep Orange County safe.

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