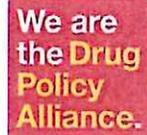


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June 6, 2016

VIA EMAIL

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Hughes Justice Complex
Comments on Bail Judge Subcommittee Report
P.O. Box 037
Trenton, New Jersey 08625-0037
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Re: Comments on Bail Judge Subcommittee Report

Dear Judge Grant,

On behalf of the Drug Policy Alliance (DPA), we submit the following letter in support of the February 2016 Report of the Bail Judge Subcommittee of the Conference of Criminal Presiding Judges. As you are aware, DPA was a vocal supporter of the comprehensive bail reform law enacted in 2014 (*The Bail Reform Law*). Although the effective implementation of *The Bail Reform Law* could ultimately eliminate the use of monetary bail, we acknowledge the significant deficiencies in the current bail bond system that necessitate immediate revision to the system for the limited number of cases in which monetary bail may apply.

As the State of New Jersey Commission of Investigation wrote in its report, and this Subcommittee noted, the bail bond system in New Jersey is “highly prone to subversion by unscrupulous and improper practices that make a mockery of the public trust.”¹ Additionally, relying on a monetary bail system is both constitutionally problematic and a poor protector of the public safety. In such a system, those too poor to pay remain in jail regardless of their risk level, while potentially dangerous arrestees with financial means are able to easily secure their freedom. A monetary bail system also threatens the procedural, legal and fundamental rights owed to a person accused of a crime, such as the presumption of innocence and protection against excessive bail.

Because *The Bail Reform Law* did not completely eliminate the use of monetary bail, we recognize that there needs to be a better system in place in the event that a monetary bail is set under the new law. For these reasons, we agree with the Subcommittee’s recommendations to place additional safeguards against the unscrupulous and improper practices of the bail bond system in New Jersey. We commend the Judiciary for taking a leadership role in moving New Jersey towards a fairer and more just pretrial justice system.

Respectfully submitted,


Roseanne Scotti
State Director, New Jersey

¹ State of New Jersey Commission of Investigation, *Inside Out, Questionable and Abusive Practices in New Jersey's Bail-Bond Industry* (May 2014) at 1.