20-04 - Pre-Arraignment Release Protocol (PARP)

Los Angeles County Sheriff's Department
NEWSLETTER
Field Operations Support Services

PRE-ARRAIGNMENT RELEASE PROTOCOL (PARP)

On October 1, 2023, the Superior Court of California, County of Los Angeles (Court) implemented a new Pre-Arraignment Release Protocol (PARP) for all new arrests in Los Angeles County.

PARP is a five-category program as outlined below:

1. **Cite and Release (CR)** – For many non-violent, non-serious offenses, arrestees will be cited and released at the location of the arrest with a promise to appear in court. This authority is not new, and law enforcement has been citing and releasing individuals for most alleged offenses based on their internal policies for many years. For offenses designated as CR in the schedule, law enforcement will have the authority to cite and release an individual in the field or to book them into a law enforcement facility before their release. This is a decision that is left to the law enforcement officer. Unless there is an exception or enhancement, individuals booked into jail for an offense designated as CR will be released from jail on $0 bail with a signed promise to appear in court.
2. **Book and Release (BR) –** For many non-violent, non-serious offenses, law enforcement will choose to book arrestees into a law enforcement facility. Unless there is an exception or enhancement, individuals booked into jail for an offense designated as BR will be released on $0 bail with a signed promise to appear in court.
3. **Magistrate Review (MR) –** For certain non-violent, non-serious offenses that pose a greater risk to the public (i.e., violence against children or seniors, crimes involving firearms, sexual battery), for non-violent, non-serious felonies committed by a person on Post-Release Community Supervision or parole, or for CR/BR offenses where there is an exception or enhancement, arrestees will be referred to a magistrate to make an individualized determination of appropriate non-financial conditions of release sufficient to ensure the arrestee's appearance in court and to minimize the likelihood of the arrestee committing new crimes pending trial. These individuals may be released from jail on $0 bail plus non-financial conditions of release, if any, as determined by the magistrate and with which the arrestee must agree. Until and unless the magistrate determines the non-financial conditions of release, the individual is not entitled to be released on $0 bail. The magistrate may also defer release consideration until arraignment if the magistrate finds by clear and convincing evidence based on the available information that "public or victim safety, or the arrestee's appearance in court, cannot be reasonably assured" by releasing the person with nonfinancial conditions at that time. Magistrates are available seven days a week, 24 hours a day.
4. **Money Bail** – A person arrested for an offense involving domestic violence, or nearly all serious or violent felonies, is not eligible for non-financial conditions of release prior to arraignment pursuant to

state law. Persons arrested for these offenses remain eligible for release only on money bail amounts prior to arraignment. The amounts for the monetary bail are set forth in the bail schedules and vary based on the alleged offense.

5. **Not Eligible for Release** – For capital offenses or certain felonies designated in the California Constitution and Penal Code section 1270.1, individuals are not eligible for release and may be detained in jail prior to trial by the arresting agency prior to arraignment.

Along with the new PARP, magistrates will be utilizing a Pretrial Risk Evaluation Program (PREP) to review each of these cases. See below:

PREP

1. PREP is the computer program developed by the Los Angeles Superior Court.
2. The program is used by the magistrates to review the arrest and criminal history, among other things, of each new qualifying booking.
3. Law enforcement can access PREP to determine the status of an MR case and to access a conditional release ordered by a magistrate.

Conditional Release Form

1. An arrestee ordered released with conditions by a magistrate must agree to the conditions and sign the conditional release form.
2. Then LEA will print the form, obtain the arrestee's signature, provide a copy to the arrestee and submit a signed copy to the prosecutor.
3. The LEA will also prepare a promise to appear in addition to the conditional release.

Requests for Bail Enhancement

To ensure law enforcement can seek a bail enhancement within the four-hour period after booking, Pretrial Services will be available 24/7. Please contact Pretrial Services at [REDACTED TEXT] as soon as possible after booking so the request can be relayed to a Duty Magistrate Judge as quickly as possible. If you are not able to reach Pretrial Services, contact the Probation Pre-release Center at [REDACTED TEXT] and present the information to the Duty Probation Officer who will coordinate the request with Pretrial services. If the bail enhancement is approved, the arrestee will be reviewed by a magistrate and processed as a Magistrate Review (MR) offense.

Contact Information at Time of Release

A new citation form has been implemented by the Judicial Council that requests telephone and email information from the arrestee. This information is collected in the same location as the arrestee signature and promise to appear. The court has developed a court hearing reminder system that will send text and/or email reminders to defendants of all upcoming court dates.

To gather the defendants' contact information, the court would like the deputy or booking agent to complete the new telephone section or the email sections on the release screens in LACRIS (at a station) or AJIS RL13 (in custody) at the time of release. A new citation has been designed to include a contact telephone number or email. A copy of the citation, after contact information has been entered into LACRIS or AJIS, is to be

forwarded to the prosecutor with all other charging and booking documents and information.

The new citation will be available 01/01/24. A copy of the new citation and a guide on how to fill it out is attached. This new citation meets requirements of Assembly Bill 2773 which requires police officers to state the reason for a traffic stop and to document it on a citation or report resulting from the stop.

Attachments

Citation Guide

References

Superior Court of California, County of Los Angeles

If you have any questions, please call or email Field Operations Support Services at [REDACTED TEXT]