

# SB10 Reporting Requirements

**Judicial Council, Courts and Pretrial Services**

# 1320.23(a) PC Warrants

*Indicate on the face of the warrant if the defendant should be:*

- *booked and released*
- *detained for an initial review*
- *detained pending arraignment*
- *or detained pending a hearing on the violation of supervision.*

## 1320.24(b) PC Court Reporting

*Courts shall submit data twice a year to the Judicial Council. Data will include, but not be limited to, the number of incidences in which individuals are:*

*Assessed using a validated risk assessment tool, and the risk level of those individuals.*



*Released on OR or Supervised OR pursuant to:*

*1320.10(b) PC - Low Risk*

*1320.10 (c) PC – Medium Risk*

*1320.13 (after prearrest review, disaggregated by risk level)*



*Detained at:*

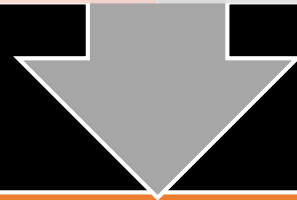
*Arrest, by risk level*

*Pretrial Detention Hearing, by risk level*

*Released pretrial on own recognizance or on supervised own recognizance release who:*

*Fail to appear at a required court appearance.*

*Have charges filed for a new crime.*



*Considered for release or detention at a preventive detention hearing.*

*Courts may require the entity providing pretrial assessment services to report the data to the Judicial Council, where appropriate.*

# Filings and Forms

- *Pretrial Risk Assessment filed – Risk Level: Low Risk*
- *Pretrial Risk Assessment filed – Risk Level: Medium Risk*
- *Pretrial Risk Assessment filed – Risk Level: High Risk*

- *Release on Own Recognizance pursuant to PC 1320.10(b) – Low Risk*
- *Release on Own Recognizance pursuant to PC 1320.10(c) – Medium Risk*
- *Release on Own Recognizance pursuant to PC 1320.13 – Low Risk (APR)*
- *Release on Own Recognizance pursuant to PC 1320.13 – Medium Risk (APR)*

*Motion for Preventive Detention filed (PC 1320.18)*

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graph TD; A["Motion for Preventive Detention filed (PC 1320.18)"] --> B["Motion to Reopen Preventive Detention Hearing (PC 1320.21(a))"]; B --> C["Reporter's Transcript of Preventive Detention Hearing filed (PC 1320.20(d)(2))"]; C --> D["Request for Warrant for violation of condition(s) of Pretrial Release"];
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*Motion to Reopen Preventive Detention Hearing (PC 1320.21(a))*

*Reporter's Transcript of Preventive Detention Hearing filed (PC 1320.20(d)(2))*

*Request for Warrant for violation of condition(s) of Pretrial Release*



# Hearing Types

*Pre-Arraignment Review Hearing*

*Preventive Detention Hearing (PC  
1320.19)*

# Minute Orders

The court finds the person appropriate for prearrest release

The court orders defendant detained pending preventive detention hearing.  
Reasons for Detention stated for the record are as follows:

\_\_\_\_\_ (PC 1320.18(d))

The court finds there is not a sufficient basis for detaining the defendant

The court finds there is a substantial likelihood that no condition or combination of conditions of pretrial supervision will reasonably assure public safety or the appearance of the person as required.

- *The court orders modification of the conditions of release as follows: \**
- *Defendant personally waives right to continuous preventive detention hearing (PC 1320.19(c))*
- *Victim appeared and addressed the court.*
- *Victim not present*
- *Victim comments submitted and made part of the record (PC 1320.19(g))*

- *Detained at arraignment*
  - *Detained at pretrial detention hearing*
  - *Release after FTA while on pretrial O/R*
  - *Released after new charged filed while on pretrial O/R*
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- *Bench warrant ordered for FTA after Pre-Trial Release pursuant to PC 1320 (all three)*

## *Minimum conditions of own recognizance release agreement:*

- (1) A promise to appear at all times and places, as ordered by the court.
- (2) A promise not to depart this state without the permission of the court.
- (3) Agreement to waive extradition if the person fails to appear as required and is apprehended outside of the State of California.
- (4) Acknowledgment that he or she has been informed of the consequences and penalties applicable to violation of these conditions of release.
- (5) Agreement to obey all laws and orders of the court.

## 1320.24(d) PC Annual Report to JC

- (1) Whether the court conducts prearrest reviews pursuant to Section 1320.13.*
- (2) The estimated amount of time required for making release and detention decisions at arraignment and preventive detention hearings.*
- (3) The validated risk assessment tool used by Pretrial Assessment Services.*

## 1320.7(k) PC

*The assessment tools shall be demonstrated by scientific research to be accurate and reliable in assessing the risk ...and minimize bias.*