# INHYDO A BAIL REVIEW HEARINGS



## **BAIL REVIEW HEARINGS...**

# ...make all the difference for your clients. Bail review hearings can:

- reunite people with their families and communities
- help connect people with services they need
- drastically alter people's case outcomes often times, leading to dismissal or acquittal

#### ...are winnable

 70% of UCLA law students' bail hearings resulted in a reduction of bail or the client's release without any money bail being set

#### ...don't take a lot of extra time

• You can raise the issue of bail at hearings already on calendar, including preliminary hearings and at an arraignment on the complaint and arraignment on the information

#### ...save people thousands of dollars

So far, bail review hearings have saved our clients \$407,000 – and counting – in bail!

#### ...prove to judges that clients released O.R. come back to court

Of all the clients UCLA law students have worked with on bail hearings, 100% of those released with future court dates returned to court

# WHAT IS THE LEGAL BASIS FOR YOUR BAIL HEARING?

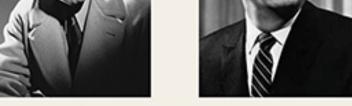
**In re Humphrey** held that defendants are entitled to have bail set in an amount they can afford to pay.

## But what if the judge says *Humphrey* is only persuasive, not binding? Cite other laws!

In some cases, including serious and violent felonies, California law requires the court to consider ability to post bond at a bail hearing § 1270.1(c). Failure to consider ability to pay violates equal protection and the California Constitution, and may also violate Due Process. In re Young (1973) 32 Cal. App. 3d 68, 75; cf. Bearden v. Georgia, 461 U.S. 660 (1983).

## THREE HUMPHREYS YOU SHOULD KNOW ABOUT







**Humphrey Bogart** 

**Hubert Humphrey** 

Kenneth Humphrey

#### 3 SIMPLE STEPS TO HELP SECURE YOUR CLIENT'S FREEDOM:



**TALK TO YOUR CLIENT** 



**GATHER EVIDENCE** 



**FILE MOTION** 

You can find a helpful PDF that includes a sample bail motion, and a bail hearing preparation checklist at: