

Memorandum

TO: ALL DEPARTMENT PERSONNEL **FROM:** Anthony Mata
Chief of Police

SUBJECT: INFORMED BAIL SETTING **DATE:** February 2, 2024
PILOT PROGRAM UPDATE

APPROVED

Memo #2024-003

BACKGROUND

On September 25, 2023, the Department issued memorandum 2023-025 regarding the Informed Bail Setting Pilot Program. From October 1, 2023, to December 31, 2023, all second watch patrol officers were ordered to use the revised *Affidavit re Probable Cause and Bail Setting* and new *Law Enforcement Risk / Mitigation Factor Worksheet* when booking individuals into Santa Clara County Jail.

ANALYSIS

The revised *Affidavit re Probable Cause and Bail Setting* and new *Law Enforcement Risk / Mitigation Factor Worksheet* are currently under review by the Department and the Santa Clara County District Attorney's Office. Edits are being made to align with best practices in bail setting.

ORDER

Effective immediately, all Department members shall stop using the revised *Affidavit re Probable Cause and Bail Setting* and *Law Enforcement Risk / Mitigation Factor Worksheet* when booking individuals into Santa Clara County Jail and revert to using the previous version of the *Affidavit re Probable Cause and Bail Setting* form.

When final versions of the *Affidavit re Probable Cause and Bail Setting* and *Law Enforcement Risk / Mitigation Factor Worksheet* are completed, a Department memorandum will be issued that will direct their use and provide information on the forthcoming training on how to use them.



Anthony Mata
Chief of Police

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