

# City of Hesperia

## STAFF REPORT



**DATE:** May 19, 2020  
**TO:** Mayor and Council Members  
**FROM:** Nils Bentsen, City Manager  
**BY:** Melinda Sayre, Director of Government Services/City Clerk  
**SUBJECT:** Resolution in Support of Sheriff-Coroner John McMahon

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### RECOMMENDED ACTION

It is recommended that the City Council adopt Resolution No. 2020-33 supporting San Bernardino County Sheriff-Coroner John McMahon in opposition to the Emergency Bail Schedule approved by the California Judicial Council that places the community at risk.

### BACKGROUND

At the April 21, 2020 City Council Meeting Mayor Pro Tem Gregg requested that a resolution of support for Sheriff-Coroner John McMahon in his opposition to the Emergency Bail Schedule be agendized for consideration.

The Coronavirus Disease (COVID-19) Pandemic presents an enormous public health concern largely due to how quickly the virus can spread between people and the severity of symptoms.

In response to the pandemic, the State of California declared a state of emergency and on March 19, 2020, California Governor Gavin Newsom issued a stay-at-home order for all Californians, in an effort to reduce the spread of COVID-19.

On April 6, 2020, the California Judicial Council approved a statewide Emergency Bail Schedule in an effort to reduce the jail population. The statewide Emergency Bail Schedule sets the bail for all misdemeanor and felony offenses at \$0, with the exception of serious felony offenses. The Emergency Bail Schedule allows for the release of inmates currently in custody and any new arrests.

### ISSUES/ANALYSIS

On April 17, 2020, Sheriff McMahon publicly opposed the passage of the Emergency Bail Schedule, citing the potential to dramatically increase crime within communities while decreasing the safety and wellbeing of law abiding citizens. According to Sheriff McMahon, the current number of those incarcerated is below average allowing for any inmates with COVID-19 to be isolated and quarantined from those not exhibiting symptoms. Furthermore, Sheriff McMahon declared that the mandate could encourage criminals to commit crimes because there would be delays and possible dismissal of any consequences for their crime.

**ALTERNATIVE(S)**

1. Provide alternative direction to staff.

**ATTACHMENTS**

1. Resolution No. 2020-33