

RÉSUMÉ DIGEST

SB 87

2025 Regular Session

Barrow

Present law provides that the officer authorized to accept bail must advertise to the public his intent to apply and use, pursuant to present law, deposits of money, checks, bonds, or money orders that remain unclaimed, for at least one year, following final disposition of the associated case. Present law further provides that the clerk of court will also send a notice by certified mail to the last known address of each defendant.

Proposed law would have defined the term "cash depositor" and provided that the clerk of court must also send a certified mail notice to a cash depositor if his service information has been received by the clerk of court.

Proposed law would have otherwise retained present law.

Present law provides for notices pertaining to a defendant's required appearance and lists certain persons to whom the clerk of court must send notices.

Proposed law would have added a cash depositor to the list of persons to whom the clerk of court must send notice pertaining to a defendant's required appearance and otherwise would have retained present law.

Would have become effective August 1, 2025.

(Proposed to amend C.Cr.P. Arts. 326(B), 330(A), (B), (C), (D)(intro para), and (E); proposed to add C.Cr.P. Art. 326(F))

VETO MESSAGE:

"I am writing to inform you that I have vetoed Senate Bill 87 of the 2025 Regular Legislative Session. It is no secret that George Soros, Kamala Harris, and the rest of the radical left has declared war on the concept of pre-trial bail advocating instead for letting criminals back out onto our streets and in our communities to commit further crimes with no oversight or accountability. One of the most popular tools in their arsenal is the use of "bail funds", funded and supported by George Soros and similar radicals, that put up cash money deposits for bail for criminals they've often never met and with whom they have no connection.

Bail is a fundamental concept within our criminal justice system, and the sole purpose of bail is to ensure that the defendant, if released, will acknowledge and comply with the orders of the Court, including showing up for all scheduled court appearances up to and including the trial on those criminal charges. Of course, the incentives to ensure the defendant complies with these obligations are also strong for the defendant's family members and for bail bondsman who have both legal and financial responsibilities to the Court when posting bail on a defendant's behalf. However, these radical left wing "bail funds" have no connection to the defendant, no legal obligations or responsibilities to the Court or the community, and a stated goal of abolishing the bail system as we know it.

Senate Bill 87 seeks to encourage and protect these "bail funds" despite the fact that these "bail funds" have no intention of protecting the citizens of Louisiana or encouraging public safety and accountability in our criminal justice system. The supporters of Senate Bill 87 argued that it is not fair that these unaccountable "bail funds" do not get court required notices of arrest warrants for a defendant's failure to appear in Court or for bail forfeiture hearings related to these failures. But, why should the State of Louisiana prioritize and require notice to these "bail funds" of these events when they have no connection or real incentive to ensure that the defendant actually shows up and complies with the Court's directives in the first place? We should not, and we cannot allow or encourage these radical left wing organizations to continue to sow chaos in our communities and throughout our criminal justice system through measures such as Senate Bill 87. As I have made clear throughout my time in office, we should be focused on strengthening our communities, steadfastly protecting public safety, and ensuring truth and transparency in our criminal justice system. I look forward to working with the Legislature in the coming years to put in place much needed oversight and stricter rules governing the disruptive activities of these radical left wing "bail funds".

For these reasons, I have determined that Senate Bill 87 will not become law."