

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

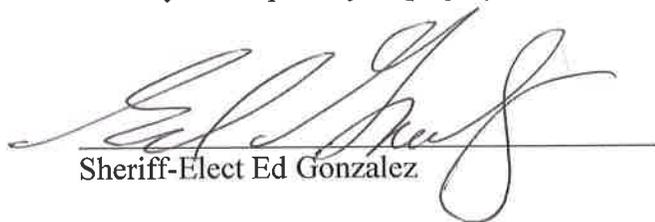
MARANDA LYNN O'DONNELL, et al.)	
)	
Plaintiffs,)	
)	
v.)	
)	Case Nos. 16-cv-01414, 16-cv-01436
HARRIS COUNTY, TEXAS, et al.)	(Consolidated Class Action)
)	The Honorable Lee H. Rosenthal
)	U.S. District Judge
Defendants.)	
)	
)	

DECLARATION OF SHERIFF-ELECT ED GONZALEZ
IN SUPPORT OF PLAINTIFFS' MOTION TO STAY A RULING ON
SHERIFF HICKMAN'S MOTION TO DISMISS

1. My name is Ed Gonzalez, and I am the Sheriff-Elect for Harris County. I am a life-long Houston resident. I have served as a Houston police officer and a member of the Houston City Council.
2. I defeated incumbent Sheriff Ron Hickman, a defendant in the above-captioned lawsuit, in the November 8, 2016, election for Harris County Sheriff and will assume office on January 1, 2017.
3. As the official charged with running the Harris County jail in a lawful manner, the Sheriff of Harris County should play an important role in reforming any unjust or unconstitutional aspects of the County's current system of money bail. The County's widespread detention of arrestees because they are too poor to pay arbitrary amounts of money is a waste of public resources and actually undermines public safety. These policies and practices also create unnecessary health and safety risks for both our inmates and our guards and other jail personnel.
4. Though I respect Sheriff Hickman, I respectfully disagree with his and his lawyers' position that the Sheriff should not even be a party to this case. I believe that the current operation of the money bail system, including the Sheriff's active participation in that system, violates the United States Constitution. I believe that the Sheriff *should* be a party to the current lawsuit, and I look forward to participating in the lawsuit in my official capacity once I am sworn into office on January 1, 2017.

5. A person's access to money should not be a determining factor in whether he or she is jailed or released after arrest and pending trial. There is no public safety justification for basing the law enforcement decision of detention or release on money. Individuals should not be held in our Harris County jail just because they cannot pay an amount of money set according to an arbitrary schedule. In my view, this practice violates the U.S. Constitution.
6. Reforming Harris County's post-arrest system will be an urgent priority of mine as soon as I assume office. I owe that to all our citizens, including our jail inmates, our deputies, the taxpayers of Harris County, and to the Constitution I must swear to uphold.
7. As a defendant in this case, I would instruct my lawyers to withdraw the Sheriff's motion to dismiss. I will work with my lawyers, the Plaintiffs' lawyers, and any other willing local officials to resolve the lawsuit in a way that ensures that Harris County has a constitutional post-arrest system. A reformed system should fully addresses public safety concerns but also protects the dignity and civil rights of every individual — rich or poor — who comes into contact with the jail and my deputies. Our current money bail system does not achieve these goals.

I certify under penalty of perjury that the foregoing is true and correct.


Sheriff-Elect Ed Gonzalez

11-22-16
Date


Notary Public in and for the State of Texas

