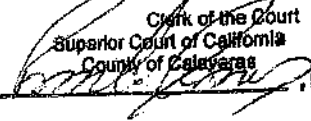


FILED

General Order No. 13-03

MAY - 3 2013

Clerk of the Court
Superior Court of California
County of Calaveras
By  Deputy

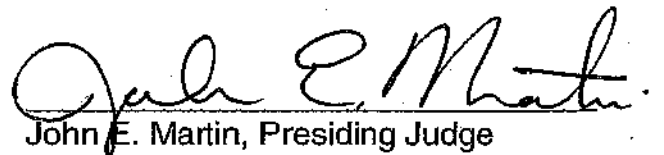
**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS**

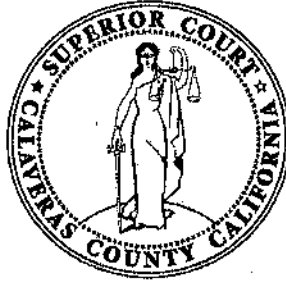
UNIFORM FELONY AND MISDEMEANOR BAIL SCHEDULE

Pursuant to the provisions of §1269b of the California Penal Code and Rule 4.102 of the California Rules of Court, the following uniform, countywide schedule of a bail for all bailable felony and misdemeanor offenses is hereby adopted by the judges of the Superior Court of the County of Calaveras. This schedule sets the bail for the release of prisoners arrested (without a warrant) on felony and misdemeanor charges for the alleged commission of any bailable offense.

This schedule is effective January 1, 2013.

This bail schedule is to be applied to all offenses notwithstanding Superior Court of California, County of Calaveras Case No. CV17482.


John E. Martin, Presiding Judge



2013

**UNIFORM BAIL SCHEDULE
(Felony and Misdemeanor)**

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS**

TO: CALAVERAS COUNTY BAIL SCHEDULE HOLDERS
LAW ENFORCEMENT AGENCIES

SUBJECT: 2013 UNIFORM BAIL SCHEDULE
(FELONY AND MISDEMEANOR)

1. Calaveras County Bail Schedule Holders

Pursuant to Penal Code section 1269b, this bail schedule was approved by the judges of the Superior Court of California, County of Calaveras.

2. Law Enforcement Agencies

Prevailing legislation **places the burden on law enforcement agencies** to notify the magistrate if the scheduled bail is not adequate for the crime.

It is recommended that each agency make their personnel cognizant of Penal Code section 1270.1, as certain provisions may apply if bail modification occurs.

Also, paraphrased below is Penal Code section 1269c:

1269c PC. Orders setting bail in excess of, or less than, schedule amount. If a defendant is arrested without a warrant for a bailable felony offense or for the misdemeanor offense of violating a domestic violence restraining order, and a peace officer has reasonable cause to believe that the amount of bail set forth in the schedule is insufficient to assure the defendant's appearance or to assure the protection of a victim, or family member of a victim, of domestic violence, the peace officer shall prepare a declaration under penalty of perjury setting forth the facts and circumstances in support of a higher bail.

For further information contact the Calaveras County District Attorney 754-6330 or through Sheriff's dispatch.

**CALAVERAS COUNTY UNIFORM BAIL SCHEDULE
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2013 FELONY BAIL SCHEDULE

A. Application of Felony Bail Schedule:

1. Felony Bail Schedule shall be applicable throughout Calaveras County and is applicable to all arrests without a warrant for bailable felony offenses.

B. Persons not entitled to be released on bail are those charged with:

1. Capital crimes (i.e. murder with special circumstance), when the facts are evident or the presumption great. Penal Code section 1270.5 & California Constitution, Article 1, section 12(a);
2. Felony offenses involving acts of violence on another person when the facts are evident or the presumption great and the court finds based upon clear and convincing evidence that there is a substantial likelihood the person's release would result in great bodily harm to others; or
3. Felony offenses when the facts are evident or the presumption great and the court finds based upon clear and convincing evidence that the person has threatened another with great bodily harm and that there is a substantial likelihood that the person would carry out the threat if released. California Constitution, Article 1, section 12(c).

C. For all offenses and enhancements for which no presumptive bail is specified in this schedule, the presumptive bail shall be set as follows:

<u>Maximum Confinement Time</u>	<u>Bail Amount</u>
Less than 90 days	500
Greater than 90 days to 6 months	2,500
Greater than 6 months to 1 year	5,000
Greater than 1 year to 18 months	7,500
Greater than 18 months to 2 years	10,000
Top term 3 years	15,000
Top term 4 years	20,000
Top term 5 years	25,000
Top term 6 years	30,000
Top term 7 years	35,000
Top term 8 years	40,000
Top term 9 years	50,000
Top term 10 years	60,000
Top term 11 years	70,000
Top term 12 years	80,000
Top term 13 years	90,000
Top term 14 years	100,000
Top term 15 years	110,000
Top term 16 years	120,000
All life sentences	1,000,000
One Strike Prior	Double Base Bail

D. Penal Code section 1270.1 prohibits the release of an arrestee on bail in an amount OTHER THAN THAT SET FORTH ON THE BAIL SCHEDULE prior to a hearing *in open court* for:

1. Violent felonies as described in Penal Code section 667.5(c), but not 460(a);
2. Serious felonies as described in Penal Code section 1192.7(c) (including those listed in Penal Code section 1192.8); and
3. Violations of Penal Code sections 136.1(c), 243(e)(1), 262, 273.5, 273.6, 422 (as a felony), and 646.9.
4. Mandates that persons who are returned to the state by extradition shall be committed to the county jail with a bail set at the amount of the warrant plus \$100,000 Penal Code §§ 1554.3.

E. Bail Amount for Multiple Offenses - The bail amount for a case with multiple charges will be determined as follows:

1. Felony only, the highest bail amount for any one felony offense, plus enhancements, plus bail equal to $\frac{1}{4}$ of the bail for all other felony offenses except as provided in paragraph 2 below. (e.g., A person charged with three violations of Vehicle Code § 10851 would have a bail of \$15,000 plus \$3,750 plus \$3,750 for a total bail of \$22,500.)

2. Bail for the following listed offenses will be the full amount for each felony listed plus bail equal to $\frac{1}{4}$ of the bail for all other felony offenses.

Penal Code §§ 136.1; 137; 139(b); 192; 207 where separate victims; 261; 262; 264.1; 286(c) (d) or (k) paragraph(2) or (3); 288(b); 288.5a(d) or (k) paragraph (2) or (3); and 289(a) or (g).

3. No amounts will be added to bail for alternate offenses. (e.g., Penal Code §459 and §496 where property is taken from the burglary.)
4. Felony with misdemeanor or infraction violations. The bail amount as set forth above will apply. Misdemeanor and infraction bails will not be considered.

F. Holds for Out-of-County Charges - The Felony Bail Schedule will apply to holds placed for out-of-county charges when no amount has been previously established or shown on a warrant.

G. Violation of Probation – The bail amount shall be determined as follows:

1. Arrest without a warrant shall have NO BAIL, if offense is for violating the terms of felony probation.
2. Bail will be set at \$5,000.00 if offense is for violating the terms of misdemeanor probation.

H. All references to a code section shall include all subsections thereof unless a specific bail is set forth for a particular subsection.

- I. Revisions/Additions to the Felony Bail Schedule
 The following procedure is established to make interim changes to the bail schedule:
1. The Judges shall meet to approve interim changes.
 2. When the changes have been approved, a revised page for the bail schedule will be distributed to all agencies holding authorized copies.

SENTENCE ENHANCING ALLEGATIONS, OFFENSES NOT SPECIFIED

The following bail amounts are to be added to the bail listed for the underlying offense unless the below-listed items are already elements of the underlying offense.

	OFFENSE	BAIL
	Personal use of firearm	\$150,000
	Personal use of weapon other than firearm	150,000
	Personally armed with firearm	35,000
	Personally armed with weapon other than firearm	35,000
	Infliction of great bodily injury	45,000
	All misdemeanors not listed if maximum sentence 90 days	500
	All misdemeanors not listed if maximum sentence is greater than 90 days to 6 months	2,500
	All misdemeanors not listed greater than 6 months to 1 year	5,000
	All felony enhancements not listed 1 year 2 years Each additional year	10,000 20,000 10,000
	Prior prison term under PC§667.5 A. Violent prior prison term and violent present offense per §667.5(a) B. All others	45,000 15,000
	New felony offense committed while defendant on prison parole felony probation	35,000 35,000
	New felony offense committed while felony charges pending against defendant	35,000
	Attempts: Unless otherwise specified, bail shall be one-half of the bail set for the completed crime.	
	Violation of Probation, PC§1203.2 If felony	No Bail

	If misdemeanor	5,000
	Second Strike	2-times bail for underlying offenses
	Third Strike	\$1,000,000

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS
FELONY BAIL SCHEDULE**

BUSINESS AND PROFESSIONS CODE

BUSINESS AND PROFESSIONS CODE	OFFENSE	BAIL
4140	Possession of hypodermic needle	5,000
4390	Dangerous drugs – forged prescription Possession of fraudulently obtained drugs	10,000
25608	Possession of alcohol on school grounds	5,000
25662	Minor in possession of alcohol	1,000
25658(a)(b)(d)	Sale of alcohol to minor/Minor consuming on on-sale premises	1,000
25658(c)	Sale of alcohol to minor/Minor consuming on on-sale premises causing great bodily injury or death	5,000

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS
FELONY BAIL SCHEDULE**

PENAL CODE

PENAL CODE SECTION	OFFENSE	BAIL
32	Accessory	15,000
67	Bribery of executive	25,000
68	Public officer, employee accepting bribe	25,000
92/93	Bribery – offering/accepting by judicial officer	45,000
114	Using false documents to conceal true citizenship	50,000
127	Subornation of perjury	15,000
149	Assault by officer under color of authority	15,000

PENAL CODE SECTION	OFFENSE	BAIL
165	Bribery of councilman, supervisor, etc	25,000
182	Conspiracy	Same as substantive offense
187	Murder - with special circumstance	No bail
	All other murders	1,000,000
191.5(a)	Vehicular homicide (DUI with gross negligence)	150,000
191.5(b)	Vehicular homicide (DUI without gross negligence)	150,000
192(a)	Manslaughter - voluntary	100,000
192(b)	Manslaughter - involuntary	25,000
192(c)	Manslaughter - driving vehicle with gross negligence	45,000
192(c)(3)	Vehicular homicide (DUI without gross negligence)	25,000
192(c)(4)	Vehicular homicide (accident caused for financial gain)	150,000
203	Mayhem	65,000
205	Aggravated mayhem (life)	1,000,000
207	Kidnapping	100,000
207(b)	Kidnapping victim under 14 years of age	250,000
209(a)	Kidnapping for ransom or extortion (life)	1,000,000
209(b)	Kidnapping for robbery (life)	1,000,000
209.5	Kidnapping during a carjacking (life)	1,000,000
210.5	False imprisonment - kidnap to evade arrest	150,000
211	Robbery - in concert	150,000
212.5(a)(b)	First Degree	100,000
212.5(c)	Second Degree	45,000
213	Attempted robbery	15,000
215	Carjacking	150,000
217.1(a)	Assault on government officer	25,000
217.1(b)	Attempt to kill government officer	1,000,000
219	Train wrecking (life)	1,000,000
219.1	Hurling missiles at common carrier	45,000
219.2	Hurling missiles at boat or vehicle carrying passengers or freight	15,000

PENAL CODE SECTION	OFFENSE	BAIL
220(a)	Assault with intent to commit mayhem, rape, sodomy, oral copulation, or any violation of Penal Code section 264.1, 288 or 289	75,000
220(b)	Assault with intent to commit sexual offense, or any violation of Penal Code sections 264.1, 288 or 289 during the commission of 1 st degree burglary (life)	1,000,000
236	False imprisonment	15,000
237(b)	False imprisonment - elder or dependent person	35,000
241/241.1	Assault on peace officer	25,000
243	Battery	See felonies below
	243(c) upon peace officer, etc. with injury	40,000
	243(d) with serious bodily injury	25,000
243.1	Battery on custodial officer	40,000
243.3	Assault on transportation officer	20,000
243.4	Sexual battery	25,000
245(a)(1)	Assault with deadly weapon or force likely to produce G.B.I	40,000
245(a)(2)	Assault with a firearm	50,000
245(c)	Assault with deadly weapon other than a firearm or force likely to produce G.B.I. upon a peace officer or firefighter	65,000
245(d)(1)	Assault with a firearm upon a peace officer or firefighter	75,000
245(d)(2)	Assault with a semiautomatic upon a peace officer or firefighter	100,000
246	Shooting at inhabited dwelling, building, occupied motor vehicle	100,000
246.3	Discharge of firearm - gross negligence	25,000
261	Rape	100,000
261.5(b)	Unlawful sexual intercourse with person under 18 years of age	20,000
261.5(c)	Unlawful sexual intercourse with person under 18 years of age Victim more than 3 years younger	20,000
261.5(d)	Unlawful sexual intercourse over 21 victim under 16 years of age	25,000
262	Spousal rape	100,000
264.1	Rape in concert with force & violence	150,000
266h	Pimping	45,000
266h(b)(1)	Pimping for prostitute minor over 16 years of age	50,000
266h(b)(2)	Pimping for prostitute under 16 years of age	75,000
266i	Pandering	45,000

PENAL CODE SECTION	OFFENSE	BAIL
270	Failure to support	15,000
273a(a)	Willful harm or injury to child likely to produce G.B.I.	75,000
273d(a)	Corporal punishment or injury of child	75,000
273.5	Corporal injury of spouse, cohabitant former spouse or cohabitant or mother or father of his or her child	50,000
	With prior conviction under 273.5(e)	65,000
274-276	Abortion	30,000
278	Child stealing	25,000
281-282	Bigamy	20,000
285	Incest	25,000
286	Sodomy	See felonies below
286(b)(1)	If victim under 18 years of age	40,000
286(b)(2)	If victim under 16 and defendant over 21 years of age	40,000
286(c)	If victim under 14 and defendant more than 10 years older than victim or defendant compelled another by force, duress or threats of great bodily injury	100,000
286(d)	If in concert with force and violence	150,000
286(e)	If committed in state prison or jail	40,000
286(f) & (g)	If victim unconscious or nature of act/incapable of consent	100,000
288(a)	Lewd act with child under 14 years of age	100,000
288(b)(1) & (2)	Lewd act with child under 14 years with force	100,000
288a	Oral copulation	See felonies below
288a(b)(1)	If victim under 18 years of age	40,000
288a(b)(2)	If victim under 16 and defendant over 21 years of age	40,000
288a(c)	If victim under 14 and defendant more than 10 years older than victim or defendant compelled another to participate by force, duress or threats of G.B.I.	100,000
288a(d)	If in concert with force and violence	100,000
288a(e)	If committed in state prison or jail	40,000
288a(f) & (g)	If victim unconscious of nature of act/incapable of consent	100,000
288.3(a)	Contacting, communicating with a minor with intent to commit the offenses specified in sections 207, 209, 261, 264.1, 273a, 286, 288a, 288.2, 289, 311.1, 311.2, 311.4 or 311.11 involving the minor	½ of Completed Crime
289	Penetration by foreign object	100,000

PENAL CODE SECTION	OFFENSE	BAIL
290	Failure to register if underlying crime misdemeanor 290.018(a) if underlying crime felony 290.018(b)	15,000 5,000 15,000
290.1(a)	Penetration by foreign object	100,000
311.11(a)	Possession of image depicting sexual conduct of a minor	15,000
311.11(b)	Possession of image depicting sexual conduct of a minor with a prior	45,000
314.1	Indecent exposure	15,000
337a	Bookmaking	15,000
368(b)(1)	Elder abuse	50,000
405b	Lynching	35,000
417(b)	Brandishing a firearm at daycare	25,000
417(c)	Brandishing a firearm in officer's presence	35,000
422	Criminal threats	50,000
422.7	Hate crime – felony	25,000
424	Embezzlement, public officer by falsifying accounts	35,000
451(a)	Arson causing G.B.I.	250,000
451(b)	Arson, inhabited structure	250,000
451(c)	Arson, structure or forest land	100,000
451(d)	Arson, personal property	15,000
452(a)	Recklessly causing fire with G.B.I.	50,000
452(b)	Inhabited structure	25,000
452(c)	Structure on forest land	15,000
454	Arson during state of emergency	100,000
455	Arson, attempt	15,000
459	Burglary	See felonies below
460(a)	Residential	45,000
460(b)	Second Degree	15,000
464	Burglary with explosives	55,000
470, 470a, 470b, 471, 472	Forgery and possession of false ID	15,000
475	Forged bills and notes – possession	15,000
475a	Forged check, money order or warrant - possession	15,000

PENAL CODE SECTION	OFFENSE	BAIL
476	Fictitious checks	15,000
476a	NSF checks	15,000
484(b)	Theft – diversion of money received for services, labor, material over \$1,000	15,000
484(e)(4)	Theft – embezzlement, forgery	15,000
484(f)	Credit cards	15,000
484(g)	Use of credit card obtained per 484(e) or forged card, value over \$400	15,000
487	Grand theft of a firearm or money/labor/property over \$400	15,000
496	Receiving stolen property	15,000
497	Bringing stolen property into the state	15,000
504, 504a, 504b, 505, 506, 514	Embezzlement	15,000
518, 519, 521, 522, 523	Extortion	25,000
524	Extortion – attempt	15,000
532	False pretenses	15,000
548	Defrauding insurer	35,000
646.9(a)	Stalking	15,000
646.9(b)	Stalking / with temporary restraining order	20,000
646.9(c)	Stalking / with designated prior	25,000
647.6(c)(1)	Child molestation with specified prior	15,000
653f(b)	Solicit murder	150,000
653f(c)	Solicit rape, etc.	35,000
664(a)	Attempt where completed crime punishable by state prison except for attempted murder	½ of substantive offense
664/187	Attempted murder	500,000
	Willful & premeditated	1,000,000
666	Petty theft with prior conviction for petty theft on which time was served	15,000
1551.1	Fugitive (arrest without warrant)	20,000

PENAL CODE SECTION	OFFENSE	BAIL
1552.1	Fugitive from another state Bail to be same as the out-of-state warrant. If no amount is listed, use the closest California comparable. If no comparable then use amount shown	Warrant amount or Comparable state charge or 20,000
4501	Assault with a deadly weapon – prison inmate	45,000
4501.5	Battery on non-inmate by prison inmate	45,000
4502	Possession of weapon by prison inmate	15,000
4503	Holding hostage by prison inmate	55,000
4530	Escape, attempted escape from prison without force or violence with force or violence	15,000 45,000
4532(a)	Escape, attempted escape by misdemeanor, inebriate, or person on work furlough from jail, industrial farm, etc. (a)(1) without force (a)(2) with force	15,000 45,000
4532(b)	Escape, attempted escape by felon from jail, industrial farm, etc. (b)(1) without force (b)(2) with force	15,000 45,000
4573	Bringing controlled substance into jail	25,000
4573.5	Bringing alcohol, controlled substances, etc. into prison	15,000
4573.6	Possession of controlled substances in jail	25,000
4573.8	Possession of paraphernalia in jail	15,000
4574	Smuggling weapon into jail or prison	50,000
11418	Possession, etc. weapons of mass destruction (except (b)(1))	500,000
11418(b)(1)	Employ weapon of mass destruction-cause of death (life)	1,000,000
11419	Weapons of mass destruction and biological agents	500,000
12020	Dangerous weapons, manufacture, sale, possession; carrying explosive or concealed dirk or dagger	15,000
12021	Concealable firearms, ownership or possession by felon, addict	15,000
12025(b)(1)	Concealed weapon on person or in vehicle without license with prior felony conviction or prior violation of deadly weapons act	15,000
12025(b)(5)	Concealed weapon on person with prior conviction of crimes against person, property, or involving drugs	15,000
12031	Possession of a loaded firearm	15,000

PENAL CODE SECTION	OFFENSE	BAIL
12034(c)	Personally shooting from motor vehicle	250,000
12303.1	Carrying or placing explosive on common carrier	500,000
12303.2	Possession of destructive devices or explosives in public places	500,000
12303.3	Possession of exploding or destructive device or explosive with intent to injure	1,000,000
12303.6	Sale or transport of destructive device	250,000
12308	Exploding destructive device or explosive with intent to murder (life)	1,000,000
12309	Unlawful explosion causing bodily injury	500,000
12312	Possession of materials with intent to make destructive device or explosive	50,000
12320	Possession etc. of armor-piercing ammunition	25,000
12370	Felon with body armor	35,000

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS
FELONY BAIL SCHEDULE**

VEHICLE CODE

VEHICLE CODE SECTION	OFFENSE	BAIL
4463	Forgery of ownership certificate	15,000
2800.2	Attempting to evade peace officer while driving recklessly	15,000
2800.3(a)	Willful flight causing GBI./death	100,000
10801	Owning or operating a chop shop	20,000
10851(a)	Driving car without consent	15,000
10851(b),(e)	Driving car without consent Specified vehicles, 666.5 prior	20,000
20001	Hit and run: personal injury / death	35,000
23152	Driving under the influence of alcohol or drugs If a felony per Vehicle Code section 23550 or 23550.5	35,000
23153	Driving under the influence of alcohol or drugs: bodily injury	35,000

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS
FELONY BAIL SCHEDULE**

HEALTH AND SAFETY CODE

HEALTH & SAFETY CODE	OFFENSE	BAIL
11152	Controlled substance – Writing prescription	15,000
11153	Controlled substance – Dispensing prescription	15,000
11350	Illegal possession of certain specific or classified controlled substances	15,000
11351	Possession or purchase for sale of certain specific or classified controlled substances	20,000
	If more than the following add to base bail:	
	1 kg.	15,000
	4 kg.	25,000
	10 kg.	60,000
	20 kg.	110,000
	40 kg.	800,000
	80 kg.	950,000
11351.5	Possession or purchase for sale of cocaine base	30,000
11352	Illegal transportation, sale, furnishing of certain specific or classified controlled substances	25,000
	If more than the following add to base bail:	
	1 kg.	25,000
	4 kg.	25,000
	10 kg.	60,000
	20 kg.	110,000
	40 kg.	800,000
	80 kg.	950,000
11353	Person 18 years or over using minor in sale, transportation, or giving to a minor certain specific or classified controlled substances	50,000
11353.5	Adult preparing to sell to minor drugs or narcotics	50,000
11354	Controlled substance – Person under 18 using minor for sale, transport	50,000
11355	Sal or furnishing substance falsely presented as controlled substance	20,000

HEALTH & SAFETY CODE	OFFENSE	BAIL
11357(a)	Concentrated cannabis	15,000
11358	Marijuana: cultivate, process	20,000
11359	Marijuana, possession for sale	20,000
11360(a)	Marijuana: transportation, sale, furnishing	25,000
11361	Marijuana: person 18 years or over using minor under 14 years of age in sale, transportation, giving to minor	50,000
11377	Possession of controlled substances	15,000
11378	Possession of controlled substances for sale	20,000
	If more than the following add to base bail	
	1 kg. or 30 liters	25,000
	4 kg. or 100 liters	25,000
	10 kg. or 200 liters	60,000
	20 kg. or 400 liters	800,000
11378.5	Possession or purchase for sale of PCP	25,000
	If more than the following add:	50,000
	If over 1 gallon liquid or 8 oz. powder	60,000
	1 kg. or 30 liters	25,000
	4 kg. or 100 liters	25,000
	10 kg. or 200 liters	60,000
	20 kg. or 400 liters	800,000
11379	Sale of controlled substances	25,000
	If more than the following add:	
	1 kg. or 30 liters	25,000
	4 kg. or 100 liters	25,000
	10 kg. or 200 liters	160,000
	20 kg. or 400 liters	800,000
11379.5	Sale of PCP	35,000
	If more than the following add:	
	1 kg. or 30 liters	25,000

HEALTH & SAFETY CODE	OFFENSE	BAIL
	4 kg. or 100 liters	25,000
	10 kg. or 200 liters	160,000
	20 kg. or 400 liters	800,000
11379.6(a)	Manufacture of any controlled substance	75,000
11379.7	Violation of (or attempt) Penal Code section 11379.6 or 11383 add to the base bail:	See felonies below
	When child under 16 present	30,000
	When child under 16 suffers G.B.I.	75,000
11379.8	Violation of section 11379.6 add to the base bail:	See felonies below
	If over 1 lb. or 3 gallons	25,000
	If over 3 lbs. or 10 gallons	60,000
	If over 10 lbs. or 25 gallons	160,000
	If over 44 lbs. or 105 gallons	800,000
11380	Soliciting minor re controlled substances	50,000
11380.5	Person over 18 using minor as agent – sale or transport PCP	50,000
11382	Sale of furnishing substance falsely presented as controlled substance	20,000
11383(a)	Possession of precursors with intent to manufacture methamphetamine	50,000
11383(b)	Possession of precursors with intent to manufacture PCP	50,000
11383.7	Possession – precursors of methamphetamine with intent to sale	35,000
11390	Cultivation, etc. with intent to produce psilocybin	20,000

2013 MISDEMEANOR / INFRACTION BAIL SCHEDULE

A. Determining Misdemeanor Bail

1. Bail shall be determined by first using the amount set forth in this schedule (Penal Code section 1269b(c)). If maximum penalty 90 days or less \$500. Greater than 90 days to 6 months \$2,500. Greater than 6 months to 1 year \$5,000.
2. If the violation is not specifically set forth in this schedule, then bail shall be the amount set forth in the most current publication of the Judicial Council Uniform Bail and Penalty Schedule (Rule 4.102, California Rules of Court).

B. Determining Infraction Bail

1. Bail shall be determined by first using the most current publication of the Judicial Council Uniform Bail and Penalty Schedule as hereby adopted and incorporated by reference as modified by the Calaveras Superior Court.
2. If bail plus penalty assessment cannot be set under the provisions of number 1 above, then the bail shall be \$50 for all violations of statutes, regulations or ordinances, except that if the minimum fine for the offense is greater than or less than \$50 the bail shall be the amount of the minimum fine including penalty assessment.
3. For those infractions not set forth in the Judicial Council Bail Schedule as modified in which the statute reflects a minimum and maximum fine (e.g., "a fine of not less than XXX and not more than XXX"), the bail shall be at the minimum fine amount plus penalty assessment.
4. For those infractions not set forth in the Judicial Council Bail Schedule as modified in which the statute reflects a "fine of not to exceed XXX" and the amount is greater than \$50, then the bail shall be set at \$50 (e.g. "a fine not to exceed \$100"). The bail shall be set at \$50, as referenced under the provisions of number 2 above plus penalty assessment.
5. If the infraction penalty statute requires a sentence, *in addition* to a monetary fine, the infraction shall require a mandatory appearance to enable the judicial officer to impose the full sentence.
6. If a sentence reflects a fine or an alternative, (e.g. community service) the infraction penalty statute shall require a mandatory appearance to permit judicial discretion in the sentencing.

C. Revisions/Additions to Misdemeanor/Infraction Schedule
The following procedure is established to make interim changes to the bail schedule:

1. The Judges shall meet to approve interim changes.
2. When the changes have been approved, a revised page for the bail schedule will be distributed to all agencies holding authorized copies.

D. Additions to Superior Court Case Management System
When it is necessary to add a new violation to the Superior Court case management system bail maintenance table, court staff will refer to Section A and B above.

E. Bail Amount for Multiple Misdemeanor Offenses
The highest bail amount for any one offense will apply.

F. Determining Bail on Warrants Processed by the **Court Clerk's Office**

1. Misdemeanor Minor Offenses
 - a. **Failure to appear misdemeanor minor offenses**, add violation of Vehicle Code section 40508(a) or Penal Code section 853.7; issue mandatory appearance warrant with bail amount set at \$2,500 (add license hold at Department of Motor Vehicles, if eligible.)
2. Mandatory Infractions
 - a. **Failure to appear mandatory infractions**, add violation of Vehicle Code section 40508(a) or Penal Code section 853.7; issue a mandatory appearance warrant with a bail amount set at \$1,500 (add license hold at Department of Motor Vehicles, if eligible.)

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS
MISDEMEANOR BAIL SCHEDULE**

UNLISTED PENAL CODE MISDEMEANOR - \$500.00

PENAL CODE VIOLATION	OFFENSE	BAIL
166	Contempt	\$10,000
243	Battery against peace officer	\$5,000
243(e)(1)	Battery against spouse; others	\$10,000
273.6	Violation of protective order, temporary restraining order, or injunction	\$15,000
273.65(a)	Violation of protective order related to children	\$15,000
368(b)(1)(c)	Abuse of elder/dependent adult w/injury	\$10,000
368(d)	Abuse of elder/dependent adult; theft/embezzlement	\$10,000
647(a)	Lewd conduct in public place	\$2,500
647(b)	Prostitution	\$1,000
	2 nd offense	\$2,500
	3 rd offense	\$5,000
653m	Annoying communications	\$2,500

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS
MISDEMEANOR BAIL SCHEDULE
HEALTH & SAFETY CODE**

UNLISTED HEALTH & SAFETY CODE MISDEMEANOR - \$500.00

H & S VIOLATION	OFFENSE	BAIL
11550	Narcotic addict	\$2,500
	2 nd & subsequent violations	\$10,000

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALAVERAS
MISDEMEANOR BAIL SCHEDULE**

**VEHICLE CODE
Unlisted Vehicle Code Misdemeanor - \$500.00**

VEHICLE CODE VIOLATION	OFFENSE	BAIL
14601.1	Suspended license	\$2,500
14601.2(a),(b)	Suspended license-DUI	\$5,000
14601.3	Habitual traffic offender	\$5,000
*23152(a),(b),(c), &(d)	DUI-1st offense	\$5,000
	DUI-2nd (within 10 yrs.)	\$10,000
	DUI-3rd (within 10 yrs.)	\$15,000
	DUI-4th (within 10 yrs.) (A felony, see page 13)	
	DUI-4th (within 10 years) Each additional prior	25,000 10,000
23153(a),(b),(d)	DUI with injury 1 st offense 2 nd offense (within 10 yrs)	\$20,000 \$35,000

* Bail shall NOT be doubled pursuant to VC 42009

