



Superior Court of California, County of Monterey

2014 Bail Schedule
Interim Corrections and Modifications by Presiding Judge

Last Update - February 4, 2015

ORDER

Effective Wednesday, February 4, 2015, pursuant to the authority of Section VIII of the 2014 Bail Schedule, the 2014 Bail Schedule is amended to include the interim changes and additions set out below. The Bail Schedule as amended can be accessed on the Court's website at <http://www.monterey.courts.ca.gov/FeeSchedule.aspx>.

February 4, 2015

Signed Order on File

Presiding Judge Marla O. Anderson

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RE: February 2015 Amendments to the bail schedule - Prop 47 and 1170(h) Updates

1. The 1170(h) Quick Reference Guide (Appendix B) is updated to reflect all changes through enactment of Prop 47. The text of the bail schedule has been amended to reflect these changes.
2. **Grand theft sections deleted from bail schedule:** The following sections are deleted from the bail schedule. Bail will be in the default amounts of \$10,000 for felony cases and \$3,500 for misdemeanor cases for these deleted sections.

487(b)(1)*	H		16-2-3	Grand Theft (Domestic Fowls or Farm Crops > \$250)	7,500 (5,000)	
487(b)(2)*	H		16-2-3	Grand Theft (Shellfish or other Aquacultural Products From Commercial or Research Operation > \$250)	10,000 (5,000)	
487g*	P		16-2-3	Theft of animal for sale, research, commercial use or slaughter	10,000 (5,000)	

3. **“Grand theft” and 496 sections amended to Alternative Penalty Enhancement crimes in bail schedule:** The following sections in the bail schedule are amended to reflect that they are now misdemeanors under Prop 47 and bail must be set at the misdemeanor amount unless an exception applies altering the potential punishment to felony status. The bail schedule now identifies the specific Alternative Penalty Enhancements for each of these crimes. In some instances the misdemeanor bail has been established or modified as reflected below.

487(c)**	H		16-2-3	<p><u>Grand Theft from Person [As misdo it is punishable up to 6 months per § 490.1.]</u></p> <p>[NOTE: This is an APE Crime. Bail must be set at the misdo amount unless 1. The value of the item obtained > \$950, or 2. Defendant has a prior Super Strike or 3. Defendant is required to register per PC § 290. Upon fresh arrest, if an APE applies, bail must be set at the felony amount.]</p> <p>[APE = 1. Value > \$950 or 2. Prior super strike or 3. Mandatory 290 registrant.] The felony is a wobbler.]</p>	10,000** (7,500 10,000)	[Felony bail only if any APE applies]
487(d)(1)**	H		16-2-3	<p><u>Grand Theft of Auto or Listed Farm Animal [As misdo it is punishable up to 6 months per § 490.1.]</u></p> <p>[NOTE: This is an APE Crime. Bail must be set at the misdo amount unless 1. The value of the item obtained > \$950, or 2. Defendant has a prior Super Strike or 3. Defendant is required to register per PC § 290. Upon fresh arrest, if an APE applies, bail must be set at the felony amount.]</p> <p>[APE = 1. Value > \$950 or 2. Prior super strike or 3. Mandatory 290 registrant.] The felony is a wobbler.]</p>	10,000** (10,000)	[Felony bail only if any APE applies]

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487(d)(2)**	P		16-2-3	<p><u>Grand Theft of Firearm</u> [As misdo it is punishable up to 6 months per § 490.1.]-As a felony it is a STRIKE: S- 26 and therefore prison eligible.</p> <p>[NOTE: This is an APE Crime. Bail must be set at the misdo amount unless 1. The value of the item obtained > \$950, or 2. Defendant has a prior Super Strike or 3. Defendant is required to register per PC § 290. Upon fresh arrest, if an APE applies, bail must be set at the felony amount.]</p> <p>[APE = 1. Value > \$950 or 2. Prior super strike or 3. Mandatory 290 registrant. The felony is a 6-month wobbler EXCEPT when gun value is > \$950 in which case crime is straight felony unaffected by Prop 47.]</p> <p>NOTE: This is a straight felony if the value of the gun is > \$950 as Prop 47 then has no effect.</p>	<p>20,000** (10,000)</p> <p>[<i>Felony bail only if any APE applies</i>]</p>
496(a)**			16-2-3	<p><u>Receiving Stolen Property</u> [As misdo it is punishable up to 1 year per § 496(a)]</p> <p>[NOTE: This is an APE Crime. Bail must be set at the misdo amount unless 1. The value of the item obtained > \$950, or 2. Defendant has a prior Super Strike or 3. Defendant is required to register per PC § 290. Upon fresh arrest, if an APE applies, bail must be set at the felony amount.]</p> <p>[APE = 1. Value > \$950 or 2. Prior super strike or 3. Mandatory 290 registrant.] The felony is a 1-year wobbler.]</p>	<p>10,000** (5,000)</p> <p>[<i>Felony bail only if any APE applies</i>]</p>

4. **Petty Theft with Prior:** Pursuant to § 666, the following sections on the bail schedule are amended. Note that 666 is only a crime if the defendant has a particular criminal background. If so, then the crime is a 1-year wobbler which is state-prison eligible.

666*	HP	APE		<p><u>Petty Theft with 3 or more Prior Convictions for Theft-Related Crimes on Which Time Was Served where person is required to register per § 290, has a prior Super Strike conviction, or has any prior conviction for elder financial abuse pursuant to subdivision (d) or (e) of § 368</u></p>	<p>10,000 (5,000)</p>
666(a)*	HP	APE		<p><u>Petty Theft with Prior Conviction for Theft on Which Time Was Served where person is required to register per § 290, has a prior Super Strike conviction, or has any prior conviction for elder financial abuse pursuant to subdivision (d) or (e) of § 368</u></p>	<p>10,000 (5,000)</p>
666(a)/484(a)*	HP	APE		<p><u>Petty Theft with Prior Conviction for Theft on Which Time Was Served where person is required to register per § 290, has a prior Super Strike conviction, or has any prior conviction for elder financial abuse pursuant to subdivision (d) or (e) of § 368</u></p>	<p>10,000 (5,000)</p>

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666(b)*	PP	APE		<u>Petty Theft by 290 Registrant or With Prior Strike Petty Theft with Prior Conviction for Theft-Related Crime on Which Time Was Served where person is required to register per § 290, has a prior Super Strike conviction, or has any prior conviction for elder financial abuse pursuant to subdivision (d) or (e) of § 368</u>	10,000 (5,000)	
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5. **Forgery and Non-Sufficient Check Crimes:** The following sections are deleted from the bail schedule and the default felony / misdo bail amounts shall apply.

470*	H		16-2-3	Forgery, Intent; Documents of Value; Counterfeiting Seal; Uttering; Falsification of Records	10,000 (5,000)	
470(a)*	H		16-2-3	Forgery, Intent; Documents of Value; Counterfeiting Seal; Uttering; Falsification of Records	10,000 (5,000)	
470(b)*	H		16-2-3	Forgery, Intent; Documents of Value; Counterfeiting Seal; Uttering; Falsification of Records	10,000 (5,000)	
470(c)*	H		16-2-3	Forgery, Intent; Documents of Value; Counterfeiting Seal; Uttering; Falsification of Records	10,000 (5,000)	
470(d)*	H		16-2-3	Forgery, Intent; Documents of Value; Counterfeiting Seal; Uttering; Falsification of Records	10,000 (5,000)	
471*	H		16-2-3	Forgery, False Entries in Records Returns	10,000 (5,000)	
472*	H		16-2-3	Forgery or Counterfeiting or Seals; Possession and Concealment	10,000 (5,000)	
473*	H		16-2-3	Forgery - Punishment	10,000 (5,000)	
474*	H		16-2-3	Sending False/Forged Message by Phone/Telegraph w/Fraud Intent	10,000 (5,000)	
475*	H		16-2-3	Forged Bills or Notes, Possession or Receipt	10,000 (5,000)	
475(a)*	H		16-2-3	Forged Bills or Notes, Possession or Receipt	10,000 (5,000)	
475(b)*	H		16-2-3	Forged Bills or Notes, Possession or Receipt	10,000 (5,000)	
475(c)*	H		16-2-3	Forged Bills or Notes, Possession or Receipt	10,000 (5,000)	
476*	H		16-2-3	Fictitious Checks, Making, Uttering	10,000 (5,000)	
476a*	H		16-2-3	Checks N.S.F.- Value > \$450 or, prior 470, 475, or 476 conviction.	10,000 (5,000)	
476a(a)*	H		16-2-3	Checks N.S.F.- Value > \$450 or, prior 470, 475, or 476 conviction.	10,000 (5,000)	
476a(b)*	H		16-2-3	Checks N.S.F. (Punishment)	10,000 (5,000)	

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6. **Drug Charges Amended:** The bail schedule provisions for the for 11350, 11357(a) and 11377 are amended to reflect the mandate of Prop 47 that each charge is a misdemeanor unless an Alternative Penalty Enhancement applies

11350(a)**	H		16-2-3	<p><u>Illegal Possession of Certain Specific or Classified Controlled Substances [As misdo it is punishable up to 1 year per § 11350(a).]</u></p> <p><u>[NOTE: This is an APE Crime. Bail must be set at the misdo amount unless 1. Defendant has a prior Super Strike or 2. Defendant is required to register per PC § 290. Upon fresh arrest, if an APE applies, bail must be set at the felony amount.]</u></p> <p><u>[APE = 1. Prior super strike or 2. Mandatory 290 registrant.] The felony is not a wobblor.]</u></p>	10,000** (5,000)	
11357(a)**	H		16-2-3	<p><u>Possession of Concentrated Cannabis [As misdo it is punishable up to 1 year per § 11357(a).]</u></p> <p><u>[NOTE: This is an APE Crime. Bail must be set at the misdo amount unless 1. Defendant has a prior Super Strike or 2. Defendant is required to register per PC § 290. Upon fresh arrest, if an APE applies, bail must be set at the felony amount.]</u></p> <p><u>[APE = 1. Prior super strike or 2. Mandatory 290 registrant.] The felony is a 1-year wobblor.]</u></p>	10,000** (5,000) [Felony bail only if any APE applies]	
11377**	H		16-2-3	<p><u>Possession of Controlled Substances [As misdo it is punishable up to 1 year per § 11377(a).]</u></p> <p><u>[NOTE: This is an APE Crime. Bail must be set at the misdo amount unless 1. Defendant has a prior Super Strike or 2. Defendant is required to register per PC § 290. Upon fresh arrest, if an APE applies, bail must be set at the felony amount.]</u></p> <p><u>[APE = 1. Prior super strike or 2. Mandatory 290 registrant.] The felony is a 1-year wobblor.]</u></p>	10,000** (5,000) [Felony bail only if any APE applies]	