

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SISKIYOU

IN THE MATTER OF UNIFORM FELONY

AND MISDEMEANOR BAIL SCHEDULE

FOR SISKIYOU COUNTY FOR 2014

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Pursuant to Penal Code Section 1269b(c), and by majority vote of the Superior Court Judges of Siskiyou County,

IT IS HEREWITH ORDERED that the attached uniform bail schedule be, and the same hereby is, in effect for felony and misdemeanor matters in Siskiyou County commencing January 1, 2014.

Dated: January 30, 2014

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JUDGE OF THE SUPERIOR COURT

Copies to:

Jon Lopey, Siskiyou County Sheriff  
Todd Heie, Siskiyou County Chief Probation Officer  
J. Kirk Andrus, Siskiyou County District Attorney  
Lael Kayfetz, Siskiyou County Public Defender  
Hon. Laura Masunaga, Judge  
Hon. William J. Davis, Judge  
Hon. Karen L. Dixon, Judge  
Hon. Donald R. Langford, Judge  
Hon. JoAnn M. Bicego, Commissioner

**UNIFORM  
MISDEMEANOR BAIL SCHEDULE  
SISKIYOU COUNTY**

The County hereby adopts the uniform bail and penalty schedule promulgated by the Judicial Council of California pursuant to California Rule of Court 4.102 for all misdemeanors and infractions except as modified below.

**MISDEMEANORS**

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**PENAL CODE SECTIONS**

All sections of the penal code shall have a bail of \$1,000.00 (ONE THOUSAND DOLLARS) with the following exceptions:

|           |   |             |
|-----------|---|-------------|
| 136.1(1)  | Dissuading a Witness or Victim from Testifying  | \$ 5,000.00 |
| 242       | Battery   | \$ 3,000.00 |
| 243(b)    | Battery on a Peace Officer, Firefighter, Etc.<br>Engaged in the Performance of his/her Duties | \$ 5,000.00 |
| 243(e)    | Battery on a Spouse or Co-Habitant  | \$ 5,000.00 |
| 243.25    | Battery Against Elder or Dependent Adult  | \$ 5,000.00 |
| 273a(b)   | Abusing or Endangering Health of Children   | \$ 5,000.00 |
| 273.5     | Willful Infliction of Corporal Injury   | \$ 5,000.00 |
| 417(a)(1) | Brandishing Deadly Weapon (other than firearm)  | \$ 3,000.00 |
| 417(a)(2) | Brandishing a Firearm   | \$ 5,000.00 |
| 417(b)    | Brandishing a firearm (Day Care facility)   | \$ 5,000.00 |
| 417(b)(c) | Brandishing a Firearm in the Presence of a Peace Officer                                      | \$ 5,000.00 |
| 647.6     | Annoying or Molesting Children  | \$ 5,000.00 |
| 647(f)    | Drunk in Public   | \$ 500.00   |

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**BUSINESS AND PROFESSIONS CODE SECTIONS**

|       |                                  |             |
|-------|----------------------------------|-------------|
| 4149  | Possession of Hypodermic Syringe | \$ 1,500.00 |
| 25662 | Minor in Possession of Alcohol   | \$ 500.00   |

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## **HEALTH AND SAFETY CODE SECTIONS**

All sections of the Health and Safety Code shall have a bail set of \$1,000.00 (ONE THOUSAND DOLLARS) with the following exceptions:

|          |   |             |
|----------|---|-------------|
| 11364    | Possession of Paraphernalia                   | \$ 1,500.00 |
| 11550(a) | Under the Influence of a Controlled Substance | \$ 3,000.00 |
| 11377(a) | Possession of a Controlled Substance          | \$ 3,000.00 |

## **VEHICLE CODE SECTIONS**

|                       |   |                            |
|-----------------------|---|----------------------------|
| 14601(a) &<br>14601.1 | Driving w/a Suspended License (non-alcohol related)<br>For one or more prior conviction w/in five years     | \$ 1,500.00<br>\$ 2,000.00 |
| 14601.2 &<br>14601.5  | Driving w/a suspended License (alcohol related)   | \$ 2,000.00                |
| 23152(a)-(d)          | Driving Under the Influence of Alcohol/Drugs etc.<br>For one or more priors conviction w/in seven (7) years | \$ 5,000.00<br>\$ 7,500.00 |
| 2800                  | Obedience to Traffic Officer  | \$ 1,500.00                |
| 23103/23103.5         | Reckless Driving (involving Alcohol)  | \$ 1,500.00                |
| 23103                 | Reckless Driving  | \$ 1,000.00                |
| 23109(a)&(b)          | Speed Contest   | \$ 1,500.00                |
| 23109(c)              | Exhibition of Speed   | \$ 500.00                  |

Unless otherwise specified in this bail schedule, any penal provision (of any code) which can be charged as either a felony or misdemeanor, and which is charge as a misdemeanor, shall have a bail set of three thousand dollars (\$3,000.00).

A court is permitted to deviate from the uniform bail schedule if, in its discretion, sufficient basis exists for that deviation, but must state the reasons for the deviation on the records and in the minutes of the court.

### **BAIL LIMITS:**

A bail limit for cases with multiple misdemeanor charges will be the highest bail amount for any one misdemeanor offense.

**UNIFORM FELONY BAIL SCHEDULE  
COUNTY OF SISKIYOU  
STATE OF CALIFORNIA**

APPENDIX A. "Rules of Application" shall apply to all  
Felonies, unless a different rule or a different rule  
of a different bail amount is expressly stated.

**PENAL CODE FELONY SECTIONS**

|             |   |             |
|-------------|---|-------------|
| 31          | Principals  | RULE 3      |
| 32          | Accessories   | RULE 3      |
| 76          | Threatening Life/Bodily Injury to<br>Government Official or Judge | \$100,000   |
| 92          | Bribing Judicial Officer or Juror                                 | \$100,000   |
| 93          | Judicial Officer or Juror Accepting Bribe                         | \$100,000   |
| 95.1        | Threat to Juror   | \$ 50,000   |
| 136.1(c)    | Prevent Testimony w/Threat of Violence or Force                   | \$ 50,000   |
| 137(a)/(b)  | Inducing False Testimony by Bribing<br>or Use of Force or Threat  | \$ 50,000   |
| 147         | Assault or Battery by Police                                      | \$ 25,000   |
| 165         | Giving or Offering Bribe to Official                              | \$ 25,000   |
| 182         | Conspiracy  | RULE 3      |
| 186.22      | Street Gang Activity  | \$ 25,000   |
| 187 Murder: |   |             |
|             | Capital Murder  | Rule 4      |
|             | Non-Capital First Degree Murder                                   | \$1 Million |
|             | Other Non-Capital Murder  | \$500,000   |
| 191.5       | Gross Vehicular Manslaughter While Intoxicated                    | \$100,000   |
| 192(a)      | Manslaughter (voluntary)  | \$100,000   |
| 192(b)      | Manslaughter (involuntary)  | \$ 25,000   |

**UNIFORM FELONY BAIL SCHEDULE** (continued)

|                    |  |                        |
|--------------------|--|------------------------|
| 192(c)(1)/192.5(a) | Vehicular/Vessel Manslaughter<br>w/Gross Negligence                          | \$ 35,000              |
| 192(c)(3)          | DUI Vehicular Manslaughter w/Gross Negligence                                | \$ 35,000              |
| 203                | Mayhem   | \$ 50,000              |
| 205                | Aggravated Mayhem  | \$100,000              |
| 207                | Kidnapping   | \$100,000              |
| 207(b)             | Kidnapping Victim under 14   | \$500,000              |
| 208                | Kidnapping for Rape  | \$500,000              |
| 209                | Kidnap for Extortion/Robbery, ETC  | \$500,000              |
| 211/212.5(a)/(b)   | Robbery – First Degree   | \$100,000              |
| 211/212.5(c)       | Robbery – Second Degree  | \$ 50,000              |
| 215                | Carjacking   | \$100,000              |
| 217.1              | Attempt on President or Government Official                                  | \$500,000              |
| 218                | Derailing/Wrecking Train   | \$500,000              |
| 219                | Wreck Train/Fire Bridge Causing Death  | RULE 4                 |
| 220                | Assault with Certain Specific Intent   | RULE 3                 |
| 241.1              | Assault on Custodial Officer   | \$ 25,000              |
| 243                | Battery upon Peace Officer or Fireman<br>w/Serious Bodily Injury             | \$ 25,000<br>\$ 50,000 |
| 243.1              | Battery Against Custodial Officer  | \$ 25,000              |
| 244                | Assault w/Caustic Chemicals  | \$ 25,000              |
| 245(a)(1)          | Assault with Deadly Weapon or Force<br>Likely to Produce Great Bodily Injury | \$ 25,000              |
| 245(a)(2)          | Assault w/a Firearm  | \$100,000              |
| 245(a)(3)          | Assault w/Machine Gun or Assault Weapon                                      | \$100,000              |
| 245(b)             | Assault w/Semi-Automatic Firearm   | \$100,000              |

**UNIFORM FELONY BAIL SCHEDULE** (continued)

|           |   |                        |
|-----------|---|------------------------|
| 245(d)(1) | Assault w/Firearm on a Peace Officer/Fire Fighter   | \$100,000              |
| 245(d)(2) | Assault w/Semi-Automatic Firearm on a Peace Officer<br>Fire fighter                         | \$100,000              |
| 245(d)(3) | Assault w/a Machine Gun or Assault Weapon on a<br>Peace Officer/Fire Fighter                | \$250,000              |
| 246       | Discharge Firearm at Inhabited Dwelling, Vehicle<br>or Aircraft                             | \$250,000              |
| 261       | Rape  | \$100,000              |
| 261.5(c)  | Unlawful Sexual Intercourse   | \$ 10,000              |
| 261.5(d)  | Unlawful Sexual Intercourse (defendant over 21<br>child under 16)                           | \$ 20,000              |
| 262       | Spousal Rape  | \$ 50,000              |
| 264.1     | Rape in Concert w/force and violence  | \$250,000              |
| 266h      | Pimping<br>If under 16  | \$ 25,000<br>\$ 50,000 |
| 266i      | Pandering<br>If under 16  | \$ 25,000<br>\$ 50,000 |
| 273a(a)   | Willful Cruelty to child  | \$ 25,000              |
| 273ab     | Assault resulting in Death of Child under 8   | \$500,000              |
| 273d(a)   | Inflicting Corporal Injury upon a Child   | \$ 50,000              |
| 273.5     | Inflicting Corporal Injury upon a Spouse or Cohabitant                                      | \$ 50,000              |
| 278       | Child Stealing  | \$ 50,000              |
| 285       | Incest  | \$ 50,000              |
| 286(b)(1) | Sodomy-victim under 18  | \$ 50,000              |
| 286(b)(2) | Sodomy-victim under 16 and defendant over 21  | \$ 75,000              |
| 286(c)(1) | Sodomy-victim under 14 and defendant more than<br>10 years older than victim                | \$100,000              |
| 286(c)(2) | Sodomy-defendant compelled another by force,<br>duress force, duress or great bodily injury | \$100,000              |

**UNIFORM FELONY BAIL SCHEDULE** (continued)

|                |  |           |
|----------------|--|-----------|
| 286(d)         | Sodomy (in concert w/force and violence)                                 | \$200,000 |
| 286(e)         | Sodomy (S.P. or C.J.)  | \$ 50,000 |
| 286(f)         | Sodomy (victim unconscious of nature of act)                             | \$ 75,000 |
| 286(g)         | Sodomy-Victim Disabled   | \$ 75,000 |
| 286(h)         | Sodomy-Victim Disabled both defendant<br>& victim Confined               | \$ 50,000 |
| 286(k)         | Sodomy-Authority of Public Official                                      | \$150,000 |
| 288(a)         | Lewd Act w/Child under 14  | \$ 75,000 |
| 288(b)(1)      | Lewd Act w/child under 14 w/force  | \$100,000 |
| 288(b)(2)      | Lewd Act w/dependent adult by Caretaker w/force                          | \$100,000 |
| 288(c)(1)      | Lewd Act w/child under 16 and defendant is<br>10 years older             | \$ 50,000 |
| 288(c)(2)      | Lewd Act w/dependent adult by Caretaker                                  | \$ 50,000 |
| 288a(b)(1)     | Oral Copulation - If victim under 18                                     | \$ 50,000 |
| 288a(b)(2)     | If victim under 16 and defendant over 21                                 | \$ 50,000 |
| 288a(c)(1)     | If victim under 14 and defendant more than<br>10 years older than victim | \$ 75,000 |
| 288a(c)(2)/(3) | Oral Copulation – Force etc.   | \$100,000 |
| 288a(d)        | If in concert w/force and violence                                       | \$200,000 |
| 288a(e)        | If committed in S.P. or C.J.   | \$ 50,000 |
| 288a(f)        | If victim unconscious of nature of act                                   | \$ 75,000 |
| 288a(g)        | Oral Copulation – Victim Disabled  | \$ 75,000 |
| 288a(h)        | Oral Copulation – Victim Disabled both<br>defendant & victim confined    | \$ 50,000 |
| 288a(i)        | Oral Copulation – Victim Unconscious                                     | \$ 75,000 |
| 288a(k)        | Oral Copulation – Authority of Public Official                           | \$150,000 |

**UNIFORM FELONY BAIL SCHEDULE** (continued)

|            |   |             |
|------------|---|-------------|
| 288.5      | Continuous Sexual Abuse of Child                                  | \$100,000   |
| 288.7      | Sex Offenses with Child 10 or Younger                             | \$1 million |
| 289(a)     | Sexual Penetration – Force, etc.                                  | \$100,000   |
| 289(b)/(c) | Sexual Penetration – Victim Disabled                              | \$ 50,000   |
| 289(d)     | Sexual Penetration – Victim Unconscious                           | \$ 50,000   |
| 289(g)     | Sexual Penetration – Authority of Public Official                 | \$150,000   |
| 289(h)     | Sexual Penetration – Victim under 18                              | \$ 25,000   |
| 289(i)     | Sexual Penetration – Victim under 16,<br>Defendant over 21        | \$ 25,000   |
| 289(j)     | Sexual Penetration – Victim under 14,<br>Defendant 10 years older | \$ 75,000   |
| 368        | Elder/Dependent Adult Abuse                                       | \$ 25,000   |
| 422        | Criminal Threats  | \$ 25,000   |
| 422.7      | Hate Crime  | \$ 50,000   |
| 424        | Embezzlement of Public Funds                                      | \$ 50,000   |
| 451(a)     | Arson Causing Great Bodily Injury                                 | \$250,000   |
| 451(b)     | Arson, Inhabited Structure  | \$250,000   |
| 451(c)     | Arson, Structure or Forest Land                                   | \$100,000   |
| 451(d)     | Arson, other property   | \$ 50,000   |
| 453(a)     | Explosives, Flammable Matter, Possession                          | \$ 50,000   |
| 453(b)     | Firebomb, Possession, Manufacture, Disposal                       | \$ 50,000   |
| 454        | Arson during State of Emergency                                   | \$150,000   |
| 459        | Burglary<br>Residential   | \$ 50,000   |
|            | All Others  | \$ 15,000   |
| 463        | Burglary during State of Emergency                                | \$100,000   |
| 464        | Burglary w/Explosives   | \$ 50,000   |

**UNIFORM FELONY BAIL SCHEDULE** (continued)

|              |  |           |
|--------------|--|-----------|
| 487          | Grand Theft (or amount of theft, whichever is higher)  | \$ 15,000 |
| 496          | Receiving Stolen Property if Value more than \$400<br>(or amount received, whichever is higher)            | \$ 15,000 |
| 497          | Stolen Property, Bringing into state<br>(or amount stolen, whichever is higher)                            | \$ 15,000 |
| 502          | Computer Fraud<br>or (amount stolen, whichever is higher)  | \$ 15,000 |
| 504          | Embezzlement, Misappropriation by Public Officers<br>(or amount stolen, whichever is higher)               | \$ 50,000 |
| 504a         | Embezzlement, Disposal of Personal Property Under<br>Lease or Lien (or amount stolen, whichever is higher) | \$ 15,000 |
| 504b         | Embezzlement of Proceeds of Sale of Secured Property<br>(or amount stolen, whichever is higher)            | \$ 15,000 |
| 505          | Embezzlement by Bailee (or amount stolen,<br>which ever is higher)   | \$ 15,000 |
| 506          | Embezzlement, Misappropriation by Trustee,<br>Contractor (or amount stolen, whichever is higher)           | \$ 15,000 |
| 514          | Embezzlement or Defalcation of Public Funds<br>(or amount stolen, whichever is higher)                     | \$ 15,000 |
| 518, 519     | Extortion, Not Amounting to Robbery  | \$ 35,000 |
| 522          | Extortion, Obtaining Signature by Threats  | \$ 50,000 |
| 523          | Extortion, Threatening Letters   | \$ 35,000 |
| 529          | False Personation of Another   | \$ 15,000 |
| 532          | False Pretenses  | \$ 15,000 |
| 548          | Defrauding Insurer (or amount taken, whichever<br>is greater)  | \$ 25,000 |
| 594.3        | Church Vandalism   | \$ 25,000 |
| 646.9(b)/(c) | Stalking   | \$ 50,000 |
| 653f         | Solicitation to Commit Felony  | RULE 3    |
| 664          | Attempts   | RULE 3    |

**UNIFORM FELONY BAIL SCHEDULE** (continued)

|  |  |                      |
|--|--|----------------------|
| 1551.1   | Fugitive (arrest w/out warrant)  | \$ 50,000            |
| 1552.1   | Fugitive (see code)  | NO BAIL              |
| 4500   | Felony Assault by Life Term Prisoner   | RULE 4               |
| 4501   | Assault w/Deadly Weapon by Prison Inmate   | \$ 25,000            |
| 4503   | Holding of Hostages by Prison Inmate   | \$100,000            |
| 4530   | Escape, Attempted Escape from Prison   | NO BAIL              |
| 4532(a)(1)   | Escape/Attempted Escape by Misdemeanant,<br>Inebriate, or Work Furlough - Non-Force<br>Sentenced Prisoner<br>Un-sentenced Prisoner** | NO BAIL<br>\$100,000 |
| 4532(a)(2)   | Escape/Attempted Escape by Misdemeanant,<br>Inebriate, or Work Furlough – Force<br>Sentenced Prisoner<br>Un-sentenced Prisoner**     | NO BAIL<br>\$250,000 |
| 4532(b)(1)   | Escape/Attempted Escape by Felon from Jail,<br>Industrial Camp, etc.-Non Force<br>Sentenced Prisoner<br>Un-sentenced Prisoner**      | NO BAIL<br>\$100,000 |
| 4532(b)(2)   | Escape/Attempted Escape by Felon from Jail,<br>Industrial Camp, etc.-Force<br>Sentenced Prisoner<br>Un-sentenced Prisoner**          | NO BAIL<br>\$250,000 |
| <b>**Additional bail to be added to the bail for the original charge for which the defendant was incarcerated.</b> |  |                      |
| 4574   | Smuggling Weapon into Jail or Prison   | \$ 50,000            |
| 16590  | Possession of sawed-off shotgun and Other<br>Deadly Weapons  | \$ 20,000            |
| 29800-29875  | Felon in Possession of Firearm   | \$ 20,000            |
| 29900-29905  | Designated Felons in Possession of Firearm   | \$ 30,000            |
| 25800  | Armed Criminal Action  | \$ 25,000            |
| 25400  | Concealed Firearm on Person or Vehicle – Felony  | \$ 20,000            |
| 25850-26025  | Loaded Firearm in Public - Felony  | \$ 20,000            |

**UNIFORM FELONY BAIL SCHEDULE** (continued)

|          |   |           |
|----------|---|-----------|
| 26100    | Personally Shooting from Motor Vehicle  | \$250,000 |
| 18710    | Possession of a Prohibited Destructive Device                                 | \$ 25,000 |
| 18725    | Carrying or Placing Explosive on Common Carrier                               | \$500,000 |
| 18715    | Possession of Destructive Devices or Explosives in Public Places              | \$500,000 |
| 18740    | Possession of Exploding or Destructive Device or Explosive w/intent to Injure | \$500,000 |
| 18730    | Sale or Transportation of Prohibited Destructive Device                       | \$ 25,000 |
| 18745    | Explosion of Destructive Device w/Intent to Murder                            | RULE 4    |
| 18750    | Explosion of Destructive Device Causing Great Bodily Injury                   | \$500,000 |
| 18720    | Possession of Materials w/Intent to Make Destructive Device or Explosive      | \$100,000 |
| 30305(a) | Prohibited Person in Possession of Ammunition                                 | \$ 20,000 |

**HEALTH & SAFETY CODE FELONY SECTIONS**

|         |  |             |
|---------|--|-------------|
| 11351   | Possession or Purchase for Sale of Certain Specific or Classified Controlled Substances: |             |
|         | Up to 2oz. of substance involved   | \$25,000    |
|         | Over 2 oz. of substance involved   | \$50,000    |
|         | Over 6 oz. of substance involved   | \$75,000    |
|         | Over 1 lb. of substance involved   | \$100,000   |
|         | Over 3 lbs. of substance involved  | \$500,000   |
|         | Over 10 lbs. of substance involved   | \$1 million |
|         | Over 25 lbs. of substance involved   | \$2 million |
|         | Over 100 lbs. of substance involved  | \$5 million |
| 11351.5 | Possession or Purchase for sale of Cocaine Base:   |             |
|         | Up to 2oz. of substance involved   | \$25,000    |
|         | Over 2 oz. of substance involved   | \$50,000    |
|         | Over 6 oz. of substance involved   | \$75,000    |
|         | Over 1 lb. of substance involved   | \$100,000   |
|         | Over 3 lbs. of substance involved  | \$500,000   |
|         | Over 10 lbs. of substance involved   | \$1 million |
|         | Over 25 lbs. of substance involved   | \$2 million |
|         | Over 100 lbs. of substance involved  | \$5 million |

|         |  |             |
|---------|--|-------------|
| 11352   | Illegal Transportation, Sale, Furnishing of Certain Specific or Classified Controlled Substances:                                      |             |
|         | Up to 2oz. of substance involved   | \$25,000    |
|         | Over 2 oz. of substance involved   | \$50,000    |
|         | Over 6 oz. of substance involved   | \$75,000    |
|         | Over 1 lb. of substance involved   | \$100,000   |
|         | Over 3 lbs. of substance involved  | \$500,000   |
|         | Over 10 lbs. of substance involved   | \$1 million |
|         | Over 25 lbs. of substance involved   | \$2 million |
|         | Over 100 lbs. of substance involved  | \$5 million |
| 11353   | Person 18 years or over Using Minor in Sale, Transportation or Giving to a Minor Certain Specific or Classified Controlled Substances: |             |
|         | Up to 6oz. of substance involved   | \$50,000    |
|         | Over 6 oz. of substance involved   | \$75,000    |
|         | Over 1 lb. of substance involved   | \$100,000   |
|         | Over 3 lbs. of substance involved  | \$500,000   |
|         | Over 10 lbs. of substance involved   | \$1 million |
|         | Over 25 lbs. of substance involved   | \$2 million |
|         | Over 100 lbs. of substance involved  | \$5 million |
| 11353.5 | Adult Preparing to Sell to Minor Drugs or Narcotics:   |             |
|         | Up to 6oz. of substance involved   | \$50,000    |
|         | Over 6 oz. of substance involved   | \$75,000    |
|         | Over 1 lb. of substance involved   | \$100,000   |
|         | Over 3 lbs. of substance involved  | \$500,000   |
|         | Over 10 lbs. of substance involved   | \$1 million |
|         | Over 25 lbs. of substance involved   | \$2 million |
|         | Over 100 lbs. of substance involved  | \$5 million |
| 11354   | Person Under 18 years Using Minor in Sale, Transportation or Giving to a Minor Certain Specific or Classified Substances:              |             |
|         | Up to 2 oz. of substance involved  | \$25,000    |
|         | Over 2 oz. of substance involved   | \$50,000    |
|         | Over 6 oz. of substance involved   | \$75,000    |
|         | Over 1 lb. of substance involved   | \$100,000   |
|         | Over 3 lbs. of substance involved  | \$500,000   |
|         | Over 10 lbs. of substance involved   | \$1 million |
|         | Over 25 lbs. of substance involved   | \$2 million |
|         | Over 100 lbs. of substance involved  | \$5 million |
| 11358   | Marijuana: Cultivate, process  |             |
|         | Up to 10 lbs.  | \$ 10,000   |
|         | Over 10 lbs.   | \$ 25,000   |
|         | Over 25 lbs.   | \$ 50,000   |

|            |  |           |
|------------|--|-----------|
| 11359      | Marijuana, Possession for Sale:  |           |
|            | Up to 1 lb.  | \$ 10,000 |
|            | 1 to 5 lbs.  | \$ 25,000 |
|            | 5 to 10 lbs.   | \$ 50,000 |
|            | Over 10 lbs.   | \$ 75,000 |
| 11360      | Marijuana: Transportation, Sale, furnishing  |           |
|            | Up to 1 lb.  | \$ 10,000 |
|            | 1 to 5 lbs.  | \$ 25,000 |
|            | 5 to 10 lbs.   | \$ 50,000 |
|            | Over 10 lbs.   | \$ 75,000 |
| 11361      | Marijuana: Person 18 years or Over Using<br>Minor in Sale, Transportation, giving to Minor:            |           |
|            | Up to 5 lbs.   | \$ 25,000 |
|            | Over 5 lbs.  | \$ 50,000 |
|            | Over 10 lbs.   | \$ 75,000 |
| 11363      | Peyote: cultivating, Processing  | \$ 25,000 |
| 11366      | Maintaining Place for selling, Giving, Using of<br>Certain Specific or Classified controlled Substance | \$ 25,000 |
| 11366.5(b) | Allowing Location to be Fortified for Sale   | \$ 25,000 |
| 11366.6    | Using Fortified Location for Sale  | \$ 25,000 |
| 11368      | Narcotic drug: forging, altering prescription  | \$ 10,000 |
| 11370.1    | Possession of drugs while armed w/firearm  | \$ 25,000 |
| 11377      | Possession of controlled substance   | \$ 10,000 |
| 11378      | Possession of Controlled Substances for Sale   |           |
|            | - If 1,000 pills or less   | \$ 10,000 |
|            | - Over 1,000 pills   | \$ 25,000 |
|            | - Up to 1 oz. of substance involved  | \$ 10,000 |
|            | - Over 1 oz. of substance involved   | \$ 25,000 |
|            | - Over 1 lb. of substance involved   | \$ 50,000 |
|            | - Over 3 lbs. of substance involved  | \$100,000 |
|            | - Over 10 lbs. of substance involved   | \$250,000 |
|            | - Over 25 lbs. of substance involved   | \$500,000 |

|            |   |             |
|------------|---|-------------|
| 11378.5    | Possession or purchase for Sale of PCP                              |             |
|            | - Up to 1oz. liquid or 1 gram powder                                | \$ 25,000   |
|            | - Over 1 oz. Liquid or 1 gram powder                                | \$ 50,000   |
|            | - Over 6 oz. Liquid or 6 grams powder                               | \$ 75,000   |
|            | - Over 1 quart liquid or 2 oz. powder                               | \$100,000   |
|            | - Over 1 gallon liquid or 8 oz. powder                              | \$250,000   |
|            | - Over 5 gallons liquid or 2 ½ lbs. powder                          | \$500,000   |
|            | - Over 20 gallons liquid or 10 lbs. Powder                          | \$1 million |
|            | - Over 25 gallons liquid or 12 ½ lbs. powder                        | \$2 million |
|            | - Over 200 gallons liquid or 100 lbs powder                         | \$5 million |
| 11379      | Sale of Controlled Substances                                       |             |
|            | - If 2 oz. or less of substance                                     | \$ 25,000   |
|            | - Over 2 oz. of substance involved                                  | \$ 50,000   |
|            | - Over 1 lb. of substance involved                                  | \$100,000   |
|            | - Over 10 lbs. of substance involved                                | \$250,000   |
|            | - Over 125 lbs. of substance involved                               | \$500,000   |
| 11379.5    | Sale of PCP   |             |
|            | - If 1 oz. or less liquid or 1 gram powder                          | \$ 25,000   |
|            | - Over 1 oz. Liquid or 1 gram powder                                | \$ 50,000   |
|            | - Over 6 oz. Liquid or 6 grams powder                               | \$ 75,000   |
|            | - Over 1 quart liquid or 2 oz. powder                               | \$100,000   |
|            | - Over 1 gallon liquid or 8 oz. powder                              | \$250,000   |
|            | - Over 5 gallons liquid or 2 ½ lbs powder                           | \$500,000   |
|            | - Over 20 gallons liquid or 10 lbs. powder                          | \$1 million |
|            | - Over 25 gallons liquid or 12 ½ lbs powder                         | \$2 million |
|            | - Over 200 gallons liquid or 100 lbs powder                         | \$5 million |
| 11379.6(a) | Manufacture of Controlled Substance                                 | \$500,000   |
| 11379.6(b) | Offer to Manufacture  | \$ 25,000   |
| 11379.8    | Additional quantity: 11379.6 Controlled Substances                  |             |
|            | - Over 1 lb. or 3 gallons   | \$750,000   |
|            | - Over 3 lbs. or 10 gallons   | \$1 million |
|            | - Over 10 lbs. or 25 gallons  | \$2 million |
| 11380      | Soliciting Minor RE: Controlled Substances                          |             |
|            | - Under 2,000 pills   | \$ 10,000   |
|            | - 2,001 - 5,000 pills   | \$ 25,000   |
|            | - 5,001 or more pills   | \$ 50,000   |
| 11383(a)   | Possession of Precursors w/Intent to Manufacture<br>Methamphetamine | \$ 25,000   |
| 11383(b)   | Possession of Precursors w/Intent to Manufacture PCP                | \$ 50,000   |

**VEHICLE CODE FELONY SECTIONS**

|               |                                     |           |
|---------------|-------------------------------------|-----------|
| 23153         | Felony DUI w/injury                 | \$ 50,000 |
| 23180         | Felony DUI w/death                  | \$100,000 |
| 23550/23550.5 | DUI w/three priors/prior felony DUI | \$ 50,000 |

**UNIFORM FELONY BAIL SCHEDULE  
COUNTY OF SISKIYOU**

**APPENDIX A**

**RULES OF APPLICATION**

**RULE #1:**

Pursuant to Penal Code Section 1269b, the Felony Bail Schedule shall be applicable throughout Siskiyou County, and is applicable to all arrests without a warrant for felony offenses. The amount of bail shall be the presumptive amount set forth in this Felony Bail Schedule, unless a different amount or procedure is set forth in this Appendix A, in which event, the rules of application in this Appendix A shall control.

**RULE #2:**

For all offenses and enhancements for which no presumptive bail is specified in this schedule, the presumptive bail shall be set according to top term confinement potential for the offense plus enhancement:

|                              |           |
|------------------------------|-----------|
| Top term 3 years             | \$ 20,000 |
| Top term 4 years             | \$ 25,000 |
| Top term 5 years             | \$ 30,000 |
| Top term 6 years             | \$ 35,000 |
| Top term 7 years             | \$ 40,000 |
| Top term 8 years             | \$ 45,000 |
| Top term 9 years             | \$ 50,000 |
| Top term 10 years            | \$ 55,000 |
| Top term 11 years            | \$ 65,000 |
| Top term 12 years            | \$ 70,000 |
| Top term 13 years            | \$ 75,000 |
| Top term 14 years            | \$ 80,000 |
| Top term 15 years            | \$ 90,000 |
| Top term 16 years            | \$100,000 |
| Life sentences, except PC187 | \$500,000 |

**RULE #3:**

The following felony offenses will have a bail amount equal to the substantive offense which was the object of the conspiracy, assault, solicitation, or attempt, or when the arrest is for being a principal or accessory:

Section 31 PC  
Section 32 PC  
Section 182 PC  
Section 220 PC  
Section 653f PC  
Section 664

**RULE #4:**

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

- (a) 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));
- (b) Felony offenses involving acts of violence on another person, or felony sexual assault offences, 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. (California Constitution, Article 1, Section 12(b)); or
- (c) 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)).
- (d) The primary responsibility for recognizing the existence of a case which may potentially fall into one of the above categories before the first court appearance is on the arresting agency. In this type of case, a magistrate should be contacted before accepting bail prior to the first court appearance.

**RULE #5:**

- (a) In addition to the presumptive amount of bail or the amount of bail otherwise set forth in these Rules of Application, there shall be an additional amount of required bail for any aggravating or enhancing factors which would increase the top term potential for the arrested person. The additional bail required by this rule shall be calculated in accordance with Rule 2.
- (b) In lieu of the presumptive amount of bail or the amount of bail otherwise set forth in these Rules of Application, the bail for any person charged with *Strike Priors* pursuant to Penal Code Sections 667(e) or 1170.12(c) shall be as follows:
  - (1) One Strike Prior: Double the amount of bail otherwise determined under these rules.
  - (2) Two or More Strike Priors (regardless of whether a potential life term) \$500,000
- (c) Bail for offenses involving larceny under the Penal Code (e.g. PC 487, 496, 504, etc.), is the amount as determined under this schedule, or the amount of damage to/loss of property, whichever is higher. This policy also applies to fraud type offenses of other Codes (e.g. Insurance Code, Revenue and Taxation Code, etc.).

**RULE #6:**

Bail Limit for Multiple Offenses – Bail for a case with multiple charges will be as follows:

- (a) Felony only: The highest bail amount for any one felony offense, plus enhancement, will apply.
- (b) Felony with misdemeanor or infraction violations. The highest bail amount for any one felony offense, plus enhancement, will apply. Misdemeanor and infraction bails will not be considered.

**RULE #7:**

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:

- (a) Violent felonies as described in Penal Code section 667.5(c), but not 460(a):
- (b) Serious felonies as described in Penal Code section 1192.7(c) (including those listed in Penal Code section 1192.8); and
- (c) Violations of Penal Code sections 136.1(c), 243(e)(1), 262, 273.5, 273.6, 422 (as a felony), and 646.9.

**RULE #8:**

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.

**RULE #9:**

Violation of Probation:

- (a) Arrest without a warrant shall have NO BAIL if offense is for violating the terms of felony probation.
- (b) BAIL will be set at \$5,000 if offense is for violating the terms of misdemeanor probation.

**RULE #10:**

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