

SUPERIOR COURT STATE OF CALIFORNIA

COUNTY OF SONOMA



CRIMINAL BAIL SCHEDULE

Adopted January 2, 2012 pursuant to
Penal Code sections 1269b.(c) and 1269b.(d)

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HOW TO USE THIS BAIL SCHEDULE

The following schedule is the presumptive bail for many but not all the statutory crimes for the State of California. A judicial officer may review the schedule for an individual case and exercise discretion in setting bail either above or below the presumptive amount. In doing so, the judicial officer shall consider the factors in Penal Code section 1275 such as the protection of the public, the seriousness of the charged crimes, the previous criminal record of the defendant and the probability the defendant will appear in court. Public safety is the primary consideration. Penal Code section 1275(a).

Questions concerning the application of this bail schedule to any particular arrestee may be made to the Supervising Judge of the Criminal Division or his or her designee during the work week. After work hours, the ON CALL DUTY judge is available through the Sonoma County Sheriff=s Office Dispatch via the ON CALL DUTY cell phone number.

For crimes not found on the schedule, the presumptive bail for felonies is \$10,000 and for misdemeanors it is \$1,000.

Arrests for More Than One Crime

Arresting agencies and detention facilities are directed to follow the below guidelines when booking persons for more than one crime and/or warrants.

1. When a defendant is booked for or charged with two or more offenses, bail shall be the amount computed under this schedule for the charge having the highest bail, including applicable amounts for enhancements and prior convictions.
2. When a person is booked on two or more crimes that are listed as Violent felonies in Penal Code Section 667.5(c), the bail amounts shall be stacked

and added together. Amounts for enhancements and prior convictions shall be added one time per defendant or case.

3. When a person is booked on a crime or crimes and has outstanding warrants, the warrant amounts shall be stacked in addition to the schedule bail amounts for the new crime or crimes.
4. When a person is booked on two or more crimes, whether the crimes are misdemeanors or felonies, bail will be added together and stacked if:
 - a. The crimes are committed against separate victims or on separate dates, or;
 - b. Where separate sex acts are committed on the same victim and each may be punished separately.

Bail on all Felony Violations of Probation and all cases of Formal Supervised Misdemeanor Probation, shall be “NO BAIL”.

Bail Schedule on Misdemeanor Violation of Probation as follows:

(See attached schedule list)

Bail Amounts on Arraignment in Court

At first appearances and arraignments in court, the judicial officer may exercise discretion to lower or raise bail based on the actual charges filed by the District Attorney, enhancements and prior convictions alleged and prior strikes filed.

Health and Safety Code Section * - Indicates Felony Wobbler	Sentence Ranges	Offense	Presumptive Bail	Misdemeanor VOP
12401 *	16 - 2 - 3	Felony Explosives Violations	10,000 (Misdemeanor 2,500)	
12702 *	16 - 2 - 3	Furnishing Fireworks to Minors	10,000 (Misdemeanor 2,500)	
116750(a)	16 - 2 - 3	Tampering with Public Water System	10,000	
120291(a) *	3 - 5 - 8	Willfully Infecting Another with HIV by Engaging in Unprotected Sex	50,000 (Misdemeanor 25,000)	
Vehicle Code Section * - Indicates Felony Wobbler	Sentence Ranges	Offense	Presumptive Bail	Misdemeanor VOP
2800.1 (a misdemeanor)	Up To Six Months	Evade Peace Officer	5,000	\$5,000
2800.2(a) *	16 - 2 - 3	Attempting to Evade Peace Officer While Driving Recklessly	30,000 (Misdemeanor 15,000)	\$5,000
2800.3	3 - 4 - 5	Willful Flight Causing Death or Great Bodily Injury	100,000	
2800.4	16-2-3	Evading a peace officer while driving in a direction opposite to direction traffic is moving	30,000	
4463	16 - 2 - 3	Ownership Certificate, License Forgery	10,000	
10851(a)	16 - 2 - 3	Driving Car Without Consent of Owner	10,000 (Misdemeanor 2,500)	
10851(e)	2 - 3 - 4	Vehicle Theft with Felony Prior Conviction	20,000	
14601 (a misdemeanor)	Six Months - 1 Year with Prior	Driving While Privilege Suspended	5,000	\$2,500
14601.1(a) (a misdemeanor)		Driving While Privilege Suspended	2,500	
14601.2 (a misdemeanor)	Six Months - 1 Year with Prior	Driving While Privilege Suspended	5,000	\$20,000
20001(b)(1)	16 - 2 - 3	Hit and Run Driving	10,000 (Misdemeanor 5,000)	\$2,500
20001(b)(2)	2 - 3 - 4	Hit and Run Driving Causing Death or Serious Injury	30,000 (Misdemeanor 15,000)	\$5,000

<i>Vehicle Code Section</i> * - Indicates Felony Wobbler	<i>Sentence Ranges</i>	<i>Offense</i>	<i>Presumptive Bail</i>	<i>Misdemeanor VOP</i>
20001(c) Enhancement Provision	5 years	Fleeing the Scene after Committing Vehicular Manslaughter under PC§191.5, 192(c)(1), 192(c)(3), 192.5(a), or 192.5(c)	50,000	
20002	Up To Six Months	Hit and Run with Property Damaged	5,000	
23103 (a misdemeanor)	Up to 90 Days	Reckless Driving	3,000	
23104 (a misdemeanor)	Up To Six Months	Reckless Driving Causing Bodily Injury	5,000	
23104 *	16 - 2 - 3	Reckless Driving Causing Great Bodily Injury with Prior Conviction	30,000 (Misdemeanor 15,000)	\$5,000
23105	16 - 2 - 3	Reckless Driving Causing Specific Bodily Injury	30,000	
23109(a) (a misdemeanor)	Up To 90 Days	Speed Contest	2,500	
23109.1	16 - 2 - 3	Engaging in Speed Contest Causing Bodily Injury	30,000	
23110a	16 - 2 - 3	Throwing Substance at Vehicle Capable of Causing Serious Bodily Injury	5,000	
23110b	16 - 2 - 3	Throwing Substance at Vehicle Capable of Causing Serious Bodily Injury	30,000	
23152(a)(b) (misdemeanor)		Driving while under the influence of alcohol/drugs or a blood alcohol concentration of 0.08 or above	5,000	\$25,000
23152(a)(b) (misdemeanor)		Driving while under the influence of alcohol/drugs or a blood alcohol concentration of 0.08 or above w/1 prior within 10 years	10,000	\$25,000
23152(a)(b) (misdemeanor)		Driving while under the influence of alcohol/drugs or a blood alcohol concentration of 0.08 or above w/2 priors within 10 years	20,000	\$25,000
23550	16 - 2 - 3	DUI of Alcohol/drugs with 3 Priors	30,000	

<i>Vehicle Code Section</i> * - Indicates Felony Wobbler	<i>Sentence Ranges</i>	<i>Offense</i>	<i>Presumptive Bail</i>	<i>Misdemeanor VOP</i>
23550.5	2 - 3 - 4	DUI of Alcohol/Drugs with Prior Felony Conviction of DUI or Vehicular Manslaughter	50,000	
23554 (23153)	16 - 2 - 3	DUI of Alcohol/Drugs Causing Bodily Injury - 1 st Offense	30,000	
23558 Enhancement Provision	1 - 2 - 3	Driving under the influence and Causing Bodily Injury or Death to Multiple Victims	50,000	
23560	2 - 3 - 4	DUI of Alcohol/Drugs Causing Bodily Injury - 2 nd Offense	50,000	
23566(a)	2 - 3 - 4	DUI of Alcohol/Drugs Causing Bodily Injury with 2 Priors	100,000	
23566(b)	2 - 3 - 4	DUI of Alcohol/Drugs Causing Great Bodily Injury with 2 Priors	150,000	
23566(c) Enhancement Provision	3 years	Violation of VC§23153 with GBI Within 7 Years of Four or More Violations of VC§23103 (as specified in §23103.5), §23152, or §23153	50,000	

OFFENSES NOT SPECIFIED

FOR ALL OFFENSES AND VIOLATIONS OF MISDEMEANOR PROBATION FOR WHICH NO PRESUMPTIVE BAIL IS SPECIFIED IN THIS SCHEDULE, THE PRESUMPTIVE BAIL SHALL BE:

MISDEMEANORS: 1,000

FOR ALL FELONY OFFENSES AND ENHANCEMENTS FOR WHICH NO BAIL IS SPECIFIED IN THIS SCHEDULE, THE PRESUMPTIVE BAIL SHALL BE SET ACCORDING TO THE UPPER TERM AVAILABLE FROM THE TRIAD FOR THE OFFENSE. IF THERE IS NO TRIAD THEN FROM THE TERM AVAILABLE.

3 YEARS OR LESS	10,000	LIFE TERM	1,000,000
4 YEARS	20,000	LWOP	2,500,000
5 YEARS	30,000		
6 YEARS	40,000		
7 YEARS	50,000		
8 YEARS	60,000		
9 YEARS	70,000		
10 YEARS	100,000		
OVER 10 YEARS	125,000		