

## **LAKE COUNTY SUPERIOR COURT**

### **EMERGENCY COUNTYWIDE BAIL SCHEDULE**

**EMERGENCY BAIL SCHEDULE.** Pursuant to the provisions of Penal Code § 1269b, subdivision (c), the following schedule of bail for all felony offenses and for all misdemeanor offenses will be applied effective June 20, 2020, and continuing in effect until further Order of the court. This Emergency Countywide Bail Schedule sets bail for the release of persons arrested without a warrant on felony charges and on all misdemeanor charges.

**PURPOSE OF EMERGENCY BAIL SCHEDULE.** This bail schedule is imposed as a result of the state of the public health emergency presented by the COVID-19 pandemic as an interim measure to protect the health and safety of the public, court and law enforcement personnel and inmates from the spread of the virus while acting to protect public safety and assure appearances in court. This bail schedule is subject to change upon order of the court.

**SETTING OF BAIL.** Monetary bail amount for all felony and misdemeanor offenses will be set at zero dollars (\$-0-) except for those offenses which are specifically listed or identified in the Emergency Countywide Bail Schedule (Listed Offenses). Accordingly, unless the arrest is for or includes an offense which is listed or identified in the Emergency Countywide Bail Schedule (Listed Offenses), the person arrested shall be released from custody without imposition of monetary bail.

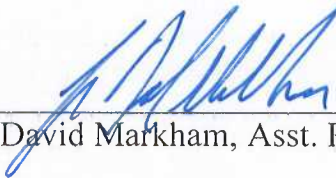
**LISTED OFFENSES.** The Countywide Emergency Bail Schedule identifies and lists each of the felony and misdemeanor offenses, the base amount of bail for the offense, along with listed and identified bail enhancements, for the setting of monetary bail. If a person is arrested on more than one felony charge or on a felony and misdemeanor charge, the bail for the most serious felony will apply. If there are felony charges for different dates, the bail amounts for the most serious charge for each date will be added together. If there are felony charges involving more than one victim, the bail amounts for the most serious felony charge for each victim are added together.

VIOLATIONS OF SUPERVISION. Bail for all violations of misdemeanor supervision shall be set at zero dollars (\$-0-) whether the arrest is with or without a warrant. The setting of bail for all alleged violations of felony probation, parole, post release community supervision or mandatory supervision shall be set based on the bail amount allowed for the underlying charge of conviction. Accordingly, if the conviction includes an offense specifically listed and identified in the Countywide Emergency Bail Schedule bail will be set in that amount. Otherwise, bail will be zero dollars (\$-0-).


Date Adopted: June 15, 2020



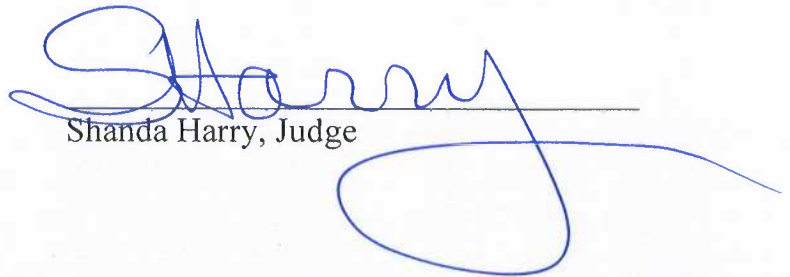
Michael Lunas, Presiding Judge



J. David Markham, Asst. Presiding Judge



Andrew Blum, Judge



Shanda Harry, Judge

## Listed Offenses

### FELONY OFFENSES:

### BASE BAIL

#### Health and Safety Code - Numerically by Section:

11353	Adult Inducing Controlled Substance Violation by Minor	\$75,000
11353.5	Adult CS Sale to a Minor at School/Playground/Church	\$50,000
11353.7	Adult CS Sale to a Minor in Public Park	\$50,000
11380(a)	Adult Use of Minor as Agent; Induce Minor	\$75,000

#### Penal Code - Numerically by Section:

37	Treason	\$1,000,000
69	Obstructing or Resisting Officer	\$15,000
128	Perjury Causing Execution of Innocent Person	\$1,000,000
136.1	Intimidation of Witnesses/Victims	\$20,000
186.22	Participation in Criminal Street Gang	\$15,000
187	Murder	\$1,000,000
187/190.2	Murder / All Special Circumstances	No Bail
187	Attempted Murder	\$200,000
187	Attempted Murder: w/ Premeditation	\$1,000,000
187	Attempted Murder: Police Officer	\$1,000,000
217.1(b)	Attempted Murder: Public Official	\$1,000,000
191.5	Vehicle Manslaughter w/ Intox/ Gross Negligence/Prior	\$1,000,000
192(a)	Voluntary Manslaughter	\$300,000
192(c)(1)	Vehicular Manslaughter w/o Drugs or Alcohol, w/Gross Neg.	\$150,000
192(c)(3)	Vehicular Manslaughter w/Collision for Financial Gain	\$250,000
192.5(a)	Vessel Manslaughter, w/Drugs or Alcohol, w/Gross Neg.	\$250,000
192.5(b)	Vessel Manslaughter, w/Drugs or Alcohol, w/o Gross Neg.	\$100,000
192.5(c)	Vessel Manslaughter, w/o Drugs or Alcohol, w/Gross Neg.	\$150,000

203	Mayhem	\$500,000
205	Aggravated Mayhem	\$1,000,000
206	Torture	\$1,000,000
207	Kidnapping	\$300,000
207(b)	Kidnapping Victim under 14	\$500,000
209(a)	Kidnapping for Ransom or Extortion	\$1,000,000
209(b)	Kidnapping for Robbery	\$1,000,000
209.5	Kidnapping During Carjacking	\$1,000,000
210.5	False Imprisonment – Kidnap to Evade Arrest	\$1,000,000
211/212.5(a)	Robbery: First Degree	\$150,000
211/212.5(b)	Robbery of Person Using Automated Teller Machine	\$150,000
211/212.5(c)	Robbery Second Degree	\$100,000
213(a)(1)(A)	Robbery of Inhabited Dwelling: Concert w/two or more Persons	\$250,000
213(b)	Attempted Robbery Second Degree	\$50,000
215	Carjacking	\$150,000
218/219	Trainwrecking	\$1,000,000
220(a)	Assault / Intent to Commit Mayhem/Specified Sex Offense	\$50,000
220(b)	Assault/ 1 <sup>st</sup> degree Burglary and Sex Offense	\$1,000,000
236.1(a)/(b)	Human Trafficking	\$50,000
236.1 (c)(2)	Human Trafficking: Victim Under 18/ sex act/ Force	\$1,000,000
243(c)	Battery: Specified Officers/Others w/ injury	\$20,000
243.1	Battery against Custodial Officer	\$15,000
243.4	Sexual Battery	\$20,000
244	Assault with Caustic Chemicals	\$30,000
245(a)(1)	ADW not a firearm or w/Force Likely to Cause GBI	\$25,000
245(a)(2)	Assault with a Firearm	\$50,000
245(a)(3)	Assault with Machine Gun or Assault Weapon	\$200,000
245(b)	Assault with Semiautomatic Firearm	\$100,000

245(c)	ADW w/o Firearm on Peace Officer	\$50,000
245(d)(1)	Assault w/Firearm on Peace Officer	\$100,000
245(d)(2)	Assault w/Semiautomatic Firearm on Peace Officer	\$150,000
245(d)(3)	Assault w/Machinegun/Assault Weapon on Peace Officer	\$250,000
245.2	ADW on Public Vehicle Operator	\$50,000
245.3	ADW on Custodial Officer	\$50,000
245.5(a)	ADW w/o Firearm on School Employee	\$50,000
245.5(b)	ADW w/ Firearm on School Employee	\$100,000
245.5(c)	ADW w/Stun Gun or Taser on School Employee	\$35,000
246	Discharge Firearm at Inhabited Dwelling/Vehicle/Aircraft	\$100,000
261	Rape	\$100,000
262	Spousal Rape	\$100,000
264.1	Rape/ Spousal Rape/ Sexual Penetration in Concert	\$200,000
266(a)	Procurement/ Force or Fraud F/ Prostitution	\$15,000
266c	Inducing Consent to Sexual Act by False Representation	\$20,000
266h(b)	Pimping/ Minor	\$30,000
266i(b)	Pandering/ Minor	\$30,000
266j	Procurement of Child Under 16 for Lewd/Lascivious Act	\$50,000
267	Abduction of Child for Purpose of Prostitution	\$50,000
269	Aggravated Sexual Assault on Child Under 14	\$1,000,000
273a(a)	Child Endangerment w/ GBI likely	\$75,000
273ab	Child Endangerment: Assault/ Child Under 8/ GBI/ Death-Coma	\$1,000,000
273d(a)	Infliction of Corporal Injury w/ Traumatic Condition	\$75,000
273.5(a)	Domestic Violence/ Corporal Injury	\$25,000
278	Child Abduction	\$35,000
285	Incest	\$15,000
286(c)	Sodomy / force, violence, duress, threat of GBI	\$50,000
286(d)	Sodomy in Concert/ force, violence, duress, threat of GBI	\$100,000

287(c)	Oral Copulation/ force, violence, duress, threat of GBI	\$100,000
287(d)	Oral Copulation in Concert/ force, violence, threat of GBI	\$100,000
288	Lewd and Lascivious Act w/Child Under 14	\$75,000
288(a);(i)	Lewd and Lascivious Act/ Child under 14/ Bodily Injury	\$1,000,000
288.2	Distribute/ Exhibit Lewd Material to Minor	\$25,000
288.3	Contact with Minor w/Intent to Commit Lewd Act	\$25,000
288.4	Arrange Meet w/Minor for Purpose of Engaging in Lewd Act	\$20,000
288.5	Continuous Sexual Abuse of Child	\$200,000
288.7	Sexual Intercourse/ Sodomy w/Child Under 10	\$1,000,000
289	Sexual Penetration w/Foreign Object	\$50,000
311.1	Sale/Distribution of Obscene Matter Involving Minor	\$50,000
311.2	Production of Obscene Matter Involving Minor	\$50,000
311.3	Sexual Exploitation of Child	\$50,000
311.4	Use of Minor in Sale/Distribution of Obscene Material	\$50,000
311.10	Distribution of Obscene Material Depicting Minor(s)	\$50,000
311.11	Possession of Child Pornography	\$30,000
314(1)	Indecent Exposure	\$15,000
368(b)(1)	Elder/Dependent Adult Abuse w/ GBI likely	\$20,000
422	Criminal Threats	\$15,000
451(a)	Arson w/GBI	\$250,000
451(b)	Arson of Inhabited Structure/ Residence Property	\$100,000
451(c)	Arson of Structure or Forest Land	\$50,000
451(d)	Arson of Property	\$15,000
451.5	Aggravated Arson	\$1,000,000
459	Burglary	\$15,000
460(a)	Burglary: First Degree	\$50,000
463	Looting During Emergency	\$15,000
487(d)(2)	Grand Theft of Firearm	\$15,000

520	Extortion: w/ Felony violation PC, 186.22	\$20,000
646.9	Stalking	\$15,000
646.9	Stalking/ Violation of Court Order	\$20,000
646.9	Stalking/ Prior Felony DV Conviction	\$25,000
647.6(b)	Annoy or Molest a Child/ Inhabited Dwelling w/ Prior	\$30,000
647.6(c)	Annoy or Molest Child/ Prior Conviction/ Victim Under 16	\$30,000
653f(c)	Soliciting Another to Commit Sex Act by Force	\$20,000
1320(b)	FTA: Released on OR on Felony	\$20,000
1320.5	FTA: Released on Bail on Felony	\$20,000
4500	ADW/ By Life Prisoner	\$1,000,000
4501	Aggravated Assault by Prison Inmate	\$100,000
4503	Hostage by Person Confined to State Prison	\$35,000
4530 / 4532	Escape/Attempted Escape from Jail by Force/Violence	\$50,000
4536	Escape By Sex Offender from Mental Health Facility	\$15,000
11418	Possession/Use of Weapon of Mass Destruction	\$500,000
11418	Use of Weapon of Mass Destruction/ Injury or Death	\$1,000,000
18745	Explosion of Destructive Device w/ Intent To Murder	\$1,000,000
18750	Explosion of Destructive Device Causing Injury	\$250,000
18755	Explosion of Destructive Device Causing Death/Mayhem/GBI	\$1,000,000
25400(c)(1)	Possession of Concealed Firearm by Convicted Felon	\$50,000
26100(c)	Discharge Firearm from Vehicle at Person	\$250,000
29800	Felon in Possession of Firearm	\$25,000

**Vehicle Code - Numerically by Section:**

2800.2	Evading Peace Officer w/ Willful/Wanton Disregard	\$ 35,000
2800.3	Evading Peace Officer w/Death or Serious Bodily Injury	\$100,000
2800.4	Evading Peace Officer by Flight in opposite direction of traffic	\$35,000

23152/23550.5	DUI w/Three or More Priors	\$50,000
23153 a/b	DUI w/Injury	\$30,000
23153 a/b	DUI w/Injury and Prior DUI Offense	\$50,000

**Other Felony Offenses**—By description of specific conduct involved with the commission of the charged offense and/or the specific harm resulting from the commission of the charged offense. The applicable bail is the amount of bail for the underlying Listed Offenses as set forth in this Emergency Bail Schedule. The other Listed Offenses are as follows:

- Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice. [PC 667.5(c)(8); 1192.7(c)(8)].
- Any felony in which defendant personally uses a firearm. [PC 667.5(c)(8); 667.5(c)(22); 1192.7(c)(8)].
- Any felony in which the defendant personally used a dangerous or deadly weapon. [PC 1192.7(c)(23); 1192.7(c)(40)].
- Any attempt to commit a felony Listed Offense other than an assault. [PC 664; 1192.7(c)(22); 1192.7(c)(39)].
- Any conspiracy to commit a felony Listed Offense. [PC 182; 1192.7(c)(42)].

### **Schedule of Bail Enhancing Factors**

#### **Penal Code Bail Enhancing Factors – Numerically by Section:**

<u>Section</u>	<u>Offense</u>	<u>Bail</u>
667(e)(1)(C)/ 1170.12(c)(2)(C)	Strike Prior (applies once)	\$100,000
667.5(b)	Prior Prison Term	\$10,000
667.61	One Strike Sex Offense	\$500,000
12022(c)	Personally Armed w/Firearm	\$50,000
12022.1	Felony commission while out of custody on Felony	\$50,000
12022.5	Use of Firearm/Assault Weapon/Machine Gun	\$50,000
12022.53(b)	Personal Use of Firearm While Committing a Felony	\$100,000
12022.53(c)	Discharges Firearm in Commission of Felony	\$250,000
12022.53(d)	Discharges Firearm Causing Death or GBI	\$1,000,000



Any enhancement with a life sentence (including 3 <sup>rd</sup> Strike)	\$1,000,000
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### **Health and Safety Code Bail Enhancing Factors**

<u>Section</u>	<u>Offense</u>	<u>Bail</u>
11370.2	Prior Commercial Controlled Substance Offense	\$45,000
	All Other Health and Safety Code Enhancing Factors	\$25,000

### **MISDEMEANOR OFFENSES:**

#### **Penal Code - Numerically by Section:**

<u>Section</u>	<u>Offense</u>	<u>Bail</u>
136.1	Intimidation of Witness/Victim	\$10,000
166(c)(1)	Contempt of Court/Violation of Protective Order	\$10,000
243(b)	Battery on Specified Officer/Others	\$5,000
243(c)	Battery on Specified Officer/Others w/Injury	\$10,000
243(e)(1)	Domestic Battery	\$10,000
243.1	Battery against Custodial Officer	\$10,000
243.4	Sexual Battery	\$10,000
272	Contributing To Delinquency of Minor/ Commit Lewd Act	\$10,000
273.5(a)	Domestic Violence	\$10,000
273.6	Violate Protective Order/ Violence/Threats/ At Residence Or Workplace of Protected Party	\$10,000
314(2)	Indecent Exposure	\$10,000
647(f)	Public Intoxication	\$1,000

**Health and Safety Code:**

<u>Section</u>	<u>Offense</u>	<u>Bail</u>
11550(a)	Use or Under Influence of Controlled Substance	\$5,000

**Vehicle Code - Numerically by Section:**

<u>Section</u>	<u>Offense</u>	<u>Bail</u>
23152	DUI	\$5,000
23152	DUI with 1 prior	\$15,000
23152	DUI with 2 priors	\$30,000

**This Countywide Emergency Bail Schedule will be effective June 20, 2020, and remain in effect until amended or repealed by further order of the court.**