

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MONTEREY



CRIMINAL BAIL SCHEDULE

Adopted March 7, 2007, pursuant to
Penal Code sections 1269b(c) and 1269b(d)

Corrected August 24, 2011

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Information on the Bail Schedule

The following schedule is the presumptive bail to be set when an individual is placed in custody for a criminal offense in Monterey County. A judicial officer may set bail at an amount different than the bail schedule in any individual case. 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.

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

For crimes, enhancements or aggravating factors not listed on the schedule, the presumptive bail for each is \$10,000 for felonies and \$3500 for misdemeanors.

Bail Stacking - Arrests for More Than One Crime

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

1. When a person is booked on two or more crimes, the bail shall be set at the crime with the highest bail amount.
2. When a person is booked on two or more crimes that are either "serious felonies" as defined in Penal Code Section 1192.7(c) and 1192.8 or "violent felonies" as defined in Penal Code Section 667.5(c), the bail amounts shall be stacked and added together.
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.

Bail Stacking –Enhancements, Aggravating Factors, & Special Allegations

ENHANCEMENT (ENH): An *Enhancement* is a fact related to a specific charge. In order to determine the correct bail amount for the charged offense, first determine the bail amount for the charged offense and each enhancement for that offense. Then "stack" (add) the bail amount for the charged offense plus each related enhancement. The totaled amount constitutes the proper bail for that charge.

AGGRAVATING FACTOR (AGGF): An *Aggravating Factor*, like an enhancement, is also a fact related to a specific charge. Aggravating factors are to be treated the same as enhancements when calculating bail.

SPECIAL ALLEGATION (SA): A *Special Allegation* is a fact related to the defendant rather than a particular charge. In order to calculate the proper bail amount for special allegations, simply "stack" (add) the bail amount of each special allegation.

Computing Bail:

In order to compute bail for an individual case, follow these steps:

1. **Compute Bail for Each Charge:** Determine the bail for each charge ("stacking" related ENHs and AGGFs.)

- a. Note whether the charge, (or any related ENH or AGGF) is **Violent or Serious**.
2. **Compute Bail for All Special Allegations:** Determine and total the bail for all Special Allegations.
3. **If No Violent or Serious Crimes or Enhancements:** If none of the charged offenses (or their ENHs or AGGFs) is a serious or violent felony,
 - a. Simply select the highest bail among the charged offenses (including their related ENHs plus AGGFs),
 - b. “Stack” (add) to this figure the total bail for all **special allegations**.
 - c. This combined total is the proper bail amount for the case.
4. **If One or More Violent or Serious Crimes or Enhancements:** If any charged offense (or its related ENH or AGGF) is a serious or violent felony,
 - a. “Stack” (add) the bail amounts for each **Violent or Serious** charge (including its related ENHs plus AGGFs)
 - b. “Stack” (add) to this figure the total bail for all **special allegations**.
 - c. This combined total is the proper bail amount for the case.

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.

Jail OR Policy Adopted July 14, 2004

The policy approved by the judges on July 14, 2004, regarding the release by the Sheriff of individuals on their own recognizance remains in full force and effect. (See *Appendix A.*)

Prisoners Released OR with Out-of-County Holds

Whenever the Court orders an individual to be released on his or her own recognizance and the individual has an out-of-county hold, the Sheriff will comply with Directive Order No. 02-05. (See *Appendix B.*)

MONTEREY COUNTY BAIL SCHEDULE
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<i>Penal Code</i>	<i>Enh*</i> <i>*</i>	<i>Offense Description</i>	<i>Presumptive Bail</i>
32 *		Accessory after the Fact to a Felony	10,000 (5,000)
37(a) *		Treason Against State	500,000
67		Bribery of State Executive Officer	25,000
67.5(b)		Bribery of State Official or Employee (if Theft or Thing Given or Offered Would Be Grand Theft)	25,000
68(a)		State Official Asking for or Receiving a Bribe	25,000
69 *		Resisting or Deterring Executive Officer in Performance of His Duty	10,000 (5,000)
71(1) *		Threat to Injure School or Public Employees	10,000 (5,000)
72 *		False Claim to Public Board or Officer w/intent to Defraud	10,000
76(a)(1)		Threatening Life or Threatening Serious Bodily Harm to Government Official	10,000
92, 93		Bribery, Offering, Accepting by Judges, Jurors, Referees	20,000
95 *		Influencing Juror/Referee/Umpire	10,000
95.1 *		Threatening Juror Following Verdict	25,000 (15,000)
96 *		Misconduct of Jurors/Referees/Umpires	10,000
107 *		Escape of Felon Prisoner from Training School/County Hospital	50,000 (25,000)
109		Assisting Escape of Inmate from Training School/Reformatory, etc.	50,000
113		False Documents – Selling, Distributing, Manufacturing to Conceal True Citizenship	20,000
114		Using False Documents to Conceal True Citizenship	20,000
115(a)		Offering Forged/False Documents for Filing	10,000
118		Perjury	10,000
118a		Perjury by False Document	10,000
118.1 *		Peace Officer Filing a False Report	10,000 (5,000)
127		Subornation of Perjury	20,000
128		Perjury Resulting in Execution of Innocent Person	500,000
136.1(a) *		Maliciously Dissuade Witness or Victim from Testimony	20,000 (10,000)
136.1(b) *		Dissuade Witness to or Victim of Crime from Making Report	20,000 (10,000)
136.1(c)		Threatening force or Violence on a Witness to Prevent Testimony	20,000
136.1(d)		Attempt to Prevent Testimony	20,000
136.5 *		Possess Deadly Weapon with Intent to Dissuade Witness from Testimony	20,000 (10,000)
137(a)		Inducing False Testimony by Bribing Witness	20,000
137(b)		Inducing False Testimony Through Use of Force or Threat	20,000
138		Witness Soliciting or Receiving Bribe	20,000
139 *		Threatening Witness to or Victim of Crime	20,000 (10,000)
140 *		Use of Force or Threat of Force or Violence to Witness or Victim Because of Assistance in Prosecution	20,000 (10,000)

* Felony/Misdemeanor /“Wobbler” – The misdemeanor presumptive bail amount is reflected in parenthesis. Upon fresh arrest, the presumptive bail to be applied is the felony amount.

**Enhancement (ENH) or Aggravating Factor (AGGF) or Special Allegation (SPAL) or Alternate Sentencing Provision (ALT.SENT.PROV.)

Serious & Violent Felonies are indicated as:

Serious

Violent

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Penal Code	Enh* *	Offense Description	Presumptive Bail
141(b)		Peace Officer Filing False Evidence	30,000
142 *		Officer Refusing to Receive or Make Arrest	10,000 (5,000)
146a(b) *		Impersonating an Officer of the Law	10,000 (5,000)
146e(b)		Disclosure of Address/Phone Number of Peace Office or Family Member Resulting in Bodily Injury to These Persons	10,000
148(a) [Misdo]		Resisting or Obstructing Peace Officer, EMT	(5,000)
148(b) *		Taking of Weapon (Baton, Mace, etc.) While Resisting Arrest	20,000 (7,500)
148(c)		Removal of Officer's Firearm While Resisting Arrest	20,000
148(d) *		Removal of Officer's Firearm with Intent to Permanently Deprive	20,000 (7,500)
148.1(a) *		False Bomb Report to Official	20,000 (7,500)
148.1(b) *		False Bomb Report to On-Duty Peace Officer	20,000 (7,500)
148.1(c)		False Bomb Report to any Other Person	20,000
148.1(d) *		Sending/Mailing a Facsimile Bomb to Any Person; Malicious Possession of Facsimile Bomb with Intent to Commit Another to Fear for His or Her Safety	20,000 (7,500)
148.3(b)		False Report of Emergency Resulting in Death/GBI	25,000
148.4(b)		Tamper w/Fire Alarm Resulting in Death/GBI	25,000
148.10(a) *		Resisting Officer and Causing Death or Serious Bodily Injury	20,000 (7,500)
149 *		Assault by Police	10,000 (5,000)
151(a)(2)		Advocating Injury/Death of Peace Officer Resulting in Injury/Death	25,000
165		Bribery of Councilman, Supervisor, etc.	20,000
166 [Misdo]		Violation of Court/Protective Order	(5,000)
166(c)(4) *		Violation of Court/Protective Order (2 nd Conviction w/in 7 Years)	10,000 (7,500)
166(d)(1) *		Purchase or Receipt of Firearm in Violation of Protective Order	25,000 (10,000)
171b *		Bringing Firearm, Knife, or Deadly Weapon into State or Local Public Building	15,000 (7,500)
181		Involuntary Servitude or Sale of Person	20,000
182 *		Conspiracy	Same as Substantive Offense
182.5 *		Criminal Street Gang Conspiracy (see underlying felony)	25,000 (7,500)
186.10(a)		Money Laundering	20,000
186.10(c)(1)(A)	ENH	\$50,000 < Transaction < \$150,000	25,000
186.10(c)(1)(B)	ENH	\$150,000 < Transaction < \$1 Million	50,000
186.10(c)(1)(C)	ENH	\$1 Million < Transaction < \$2.5 Million	100,000
186.10(c)(1)(D)	ENH	Transaction > \$2.5 Million	250,000
186.11(a)(2)	ENH	Taking > \$500,000	100,000
186.11(a)(3)	ENH	\$50,000 < Taking < \$500,000	50,000
186.22(a) *		Participation in Criminal Street Gang Activity	20,000 (10,000)
186.22(b)(1)	ENH	Committing Felony While Violating Provisions Against Participating in Criminal Street Gang	15,000
186.22(b)(1)(B)	ENH	Committing Serious Felony, as Defined in PC§1192.7(c), While Violating Provisions Against Participating in Criminal Street Gang	30,000

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186.22(b)(1)(C)	ENH	Committing Violent Felony, as Defined in PC§667.5(c), While Violating Provisions Against Participating in Criminal Street Gang	50,000
186.22(b)(2)	AGGF	186.22(a) Committed within 1000 Feet of School	25,000
186.22(b)(4)	ENH	Gang Enhancement for Specified Crimes [213, 215, 246 or 12022.55 (15 year minimum); 519, 136.1 (7 year minimum)]	200,000
186.22(d) *	ALT. SENT. PROV.	Commission of Wobbler in Association with Criminal Street Gang Provides alternate sentencing treatment of charged offense	10,000 (5,000)
186.26(a)		Soliciting or Recruiting Person to Participate in Criminal Street Gang	15,000
186.26(b)		Use of Threats of Physical Violence on Two or More Occasions w/in 30 Day Period to Coerce, Induce, or Solicit Another Person to Participate in Criminal Street Gang	25,000
186.26(c)		Use of Physical Violence to Coerce, Induce or Solicit Another Person to Participate in Criminal Street Gang or to Prevent Person from Leaving Gang	30,000
186.26(d)	ENH	Soliciting, Recruiting, Coercing, or Threatening Minor to Participate in Criminal Street Gang Activity in Violation of PC§186.26(a), (b), or (c)	25,000
186.28(a) *		Supplying or Selling of Firearm for Use in Commission of Felony by Criminal Street Gang Member	20,000 (10,000)
186.33(b)(1)	ENH	Failure to Register by Defendant Subsequently Convicted of Gang-Related Crime	10,000
187		Murder - w/Special Circumstance All Other Murders	No Bail 1,000,000
191.5(a)		Gross Vehicular Manslaughter while Intoxicated	100,000
191.5(d)		Gross Vehicular Manslaughter while Intoxicated with Prior Convictions	500,000
192(a)		Manslaughter - Voluntary	100,000
192(b)		Manslaughter - Involuntary	50,000
192(c)(1) *		Manslaughter - Driving Vehicle w/Gross Negligence	50,000 (25,000)
192(c)(2) [Misdo]		Manslaughter	(10,000)
192(c)(3) *		Vehicular Manslaughter (DUI w/o Gross Negligence)	25,000 (10,000)
203		Mayhem	60,000
205		Aggravated Mayhem (Life)	500,000
206		Torture	500,000
207(a)		Kidnapping	100,000
207(b)		Kidnapping Victim under 14	250,000
207(c)		Kidnapping (Take out of State)	200,000
209(a)		Kidnapping for Ransom or Extortion	500,000
209(b)		Kidnapping for Robbery (Life)	500,000
209.5(a)		Kidnapping During a Car jacking	750,000
210.5		False Imprisonment to Evade Arrest	60,000
211		Robbery 2nd Degree	35,000
212.5(a)		Robbery 1st Degree	75,000
213(a)(1)(A)		Robbery of Inhabited Dwelling in Concert with 2 or More Persons	70,000

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215(a)		Car jacking	75,000
217.1(a)		Assault on Government Official	20,000
217.1(b)		Attempted Murder of Government Official	500,000
218		Derailing or Wrecking of a Train	500,000
219		Trainwrecking (Life)	500,000
219.1		Intentional Throwing of Rocks or Missiles at Common Carrier With Bodily Injury	40,000
219.2 *		Throwing Missile or Shooting at Train or Other Conveyance	10,000 (5,000)
220		Assault with Intent to Commit Mayhem, Rape, Sodomy, Oral Copulation, or Any Violation of PC Sections 264.1, 288 or 289	Same as Substantive Crime
222		Administering Drugs to Aid Felony	20,000
236 *		False Imprisonment	15,000 (7,500)
236.1(a) or (b)		False Imprisonment – Human Trafficking	50,000
236.1(c)		False Imprisonment – Human Trafficking – Under 18	75,000
237(a)		False Imprisonment by Violence/Menace/Fraud/Deceit	20,000
237(b)		False Imprisonment of Elder or Dependent Adult by Violence/Menace/Fraud/Deceit	20,000
241(a) [Misdo]		Assault on a Peace Officer	(5,000)
241(b) [Misdo]		Assault on a Peace Officer	(5,000)
241.1 *		Assault upon Custodial Officer	10,000 (5,000)
243(c)(1) *		Battery upon Peace Officer or Fireman	10,000 (7,500)
243(c)(2) *		Battery upon Peace Officer or Fireman with Serious Bodily Injury	25,000 (10,000)
243(d) *		Battery with Great Bodily Injury	35,000 (15,000)
243(e)(1) [Misdo]		Battery Against Spouse/Cohabitant	(5,000)
243.1		Battery upon Custodial Officer	10,000
243.4(a) *		Sexual Battery	20,000 (7,500)
243.4(b)		Sexual Battery	20,000
243.4(c)		Sexual Battery	20,000
243.(d)(1)		Sexual Battery	20,000
243.4(e)(1) [Misdo]		Sexual Battery	(7,500)
244		Assault with Chemicals	20,000
244.5(b) *		Assault with Stun Gun or Taser	20,000 (7,500)
244.5(c) *		Assault with Stun Gun or Taser on Police/Fireman	25,000 (7,500)
245(a)(1) *		Assault w/Deadly Weapon or Force Likely to Produce Great Bodily Injury	20,000 (10,000)
245(a)(2) *		Assault with a Firearm	30,000 (10,000)
245(a)(3)		Assault with Machine Gun or Assault Weapon	125,000
245(b)		Assault with Semi-Auto Weapon	70,000
245(c)		Assault w/Deadly Weapon or Force Likely to Produce GBI upon a Peace Officer or Fireman	50,000
245(d)(1)		Assault with a Firearm upon a Peace Officer or Fireman	60,000

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245(d)(2)		Assault with a Semi-Auto Rifle upon a Peace Officer or Fireman	75,000
245(d)(3)		Assault w/Machine Gun or Assault Weapon on Peace Officer/Firefighter	125,000
245.2		Assault w/Deadly Weapon upon Transportation Worker or Passenger	25,000
245.3		Assault w/Deadly Weapon upon Custodial Officer	50,000
245.5(a) *		Assault w/Deadly Weapon upon School Employee	25,000 (10,000)
245.5(b) *		Assault w/Firearm upon School Employee	50,000 (10,000)
245.5(c) *		Assault w/Taser or Stun Gun upon School Employee	25,000 (10,000)
246 *		Shooting at Inhabited Dwelling, Building, Occupied Motor Vehicle	50,000 (15,000)
246.3 *		Discharge of Firearm in Grossly Negligent Manner	15,000 (7,500)
247(a) and 247(b) *		Discharging Firearm at <i>Unoccupied</i> Aircraft or <i>Uninhabited</i> Building, Dwelling or Vehicle	15,000 (7,500)
261(a)(1)		Rape of Incompetent Victim	100,000
261(a)(2)		Rape of Victim by Force, Violence, Duress, Menace, or Fear of Bodily Injury	100,000
261(a)(3)		Rape of Victim Overcome by Intoxicant	100,000
261(a)(4)		Rape of Victim Unconscious of Act	100,000
261(a)(5)		Rape by Victim's Belief That Rapist Is Spouse	100,000
261(a)(6)		Rape Accomplished Through Threat of Future Retaliation	100,000
261(a)(7)		Rape Accomplished by Threat of Use of Authority of Public Official to Incarcerate, Arrest or Deport Victim	100,000
261.5(c)		Unlawful Sexual Intercourse with Minor More than 3 Years Younger than Defendant	15,000
261.5(d)		Unlawful Sexual Intercourse with Minor under 16 by Defendant over 21	20,000
262(a)(1)		Rape of Spouse by Force, Violence, Duress, Menace, or Fear of Bodily Injury	100,000
262(a)(2)		Rape of Spouse Overcome by Intoxicant	100,000
262(a)(3)		Rape of Spouse Unconscious of Act	100,000
262(a)(4)		Rape of Spouse Accomplished Through Threat of Future Retaliation	100,000
262(a)(5)		Rape of Spouse Accomplished by Threat of Use of Authority of Public Official to Incarcerate, Arrest, or Deport Victim	100,000
264.1		Rape in Concert with Force & Violence	125,000
266h		Pimping	50,000
266i		Pandering	50,000
266j		Transport Minor under Age 16 for Lewd & Lascivious Act/Cause Minor to Perform Act	75,000
267 *		Abduction of Minor for Prostitution	40,000 (10,000)
269		Aggravated Sexual Assault Against a Child	250,000
271 *		Child Abandonment (Under Age 14)	15,000 (7,500)
272(a)(1) [Misdo]		Contributing to Delinquency of Minor	(3,500)
273a(a)		Abusing or Endangering Health of Child	25,000

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Penal Code	Enh* *	Offense Description	Presumptive Bail
273a(b) [Misdo]		Abusing or Endangering Health of Child	(7,500)
273ab		Assault on Child with Force Likely to Produce Great Bodily Injury Resulting in Death	500,000
273d(a) *		Child Beating	30,000 (10,000)
273d(b)	ENH	Prior Conviction of Inflicting Traumatic Injury on Child with Current Conviction of Same Offense	100,000
273.4	ENH	Felony Conviction of PC§273a(a) Involving Female Genital Mutilation	25,000
273.5 (a) *		Corporal Injury of Spouse, Former Spouse, Cohabitant, or Former Cohabitant, or Mother or Father of His or Her Child	20,000 (7,500)
273.5(e)(1)*		Inflict Traumatic Injury on Spouse with Prior Conviction of Felony Domestic Violence Crime.	50,000 (25,000)
273.5(e)(2)*		Inflict Traumatic Injury on Spouse with Prior Conviction of Misdemeanor Domestic Violence Crime	40,000 (20,000)
273.6(a) *		Protective Order Violation Pursuant to Family Code and Code of Civil Procedure	15,000 (7,500)
273.6(d) *		Protective Order Violation with Prior Conviction w/in 7 Years	30,000 (15,000)
273.6(e) *		Protective Order Violation with Prior Conviction and Same Victim & Physical Injury	40,000 (20,000)
273.65(d)*		Violation of Protective Order with Prior Domestic Violence Conviction.	15,000 (7,500)
273.65(e)*		Violation of Protective Order with Prior Domestic Violence (Resulting in Injury) Conviction	30,000 (10,000)
278 *		Child Stealing	20,000 (10,000)
278.5(a) *		Child Stealing in Violation of Custody Order	20,000 (10,000)
280(b) *		Child Concealment Outside of State	40,000 (10,000)
285		Incest	50,000
286		Sodomy	
286(b)(1)		If Victim under 18	75,000
286(b)(2)		If Victim under 16 & Defendant over 21	75,000
286(c)(1)		If Victim under 14 & Def. More than 10 Years Older than Victim	100,000
286(c)(2)		Sodomy by Force or Fear	100,000
286(c)(3)		Sodomy by Threat to Retaliate Against Victim or Victim's Family	100,000
286(d)		If in Concert with Force & Violence	125,000
286(e) *		If Committed in Prison or Jail	100,000 (25,000)
286(f)		If Victim Unconscious of Nature of Act	100,000
286(g)		Victim Incompetent	100,000
286(h) *		Victim Incompetent, Both Confined for Mental Disorder	100,000 (20,000)
286(i)		Of Victim Overcome by Intoxicant	100,000
286(j)		By Victim's Belief That Accused Is Spouse	100,000
286(k)		By Threat to Use Authority of Public Official	100,000
288(a)		Lewd Act with Child under 14 Years	100,000
288(b)(1)		Lewd Act with Child under 14 Years w/Force	100,000

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Penal Code	Enh* *	Offense Description	Presumptive Bail
288(b)(2)		Lewd and Lascivious Act by Caretaker w/Dependent Adult by Force, Violence, etc.	100,000
288(c)(1) *		Lewd and Lascivious Act w/Child 14 or 15, Def. at Least 10 Yrs. Older	50,000 (10,000)
288(c)(2) *		Lewd and Lascivious Act by Caretaker w/Dependent Adult	50,000 (10,000)
288.2(a) *		Distribution or Exhibition of Lewd Material to Minor	50,000 (10,000)
288.2(a) *		Second or Subsequent Conviction of Child Molest	50,000 (10,000)
288.2(b) *		Distribution or Exhibition of Lewd Material to Minor by Electronic Mail/Internet	50,000 (10,000)
288.2(b) *		Second or Subsequent Conviction of Section	50,000 (10,000)
288.5		Continuous Sexual Abuse of Child	125,000
		<i>Oral Copulation</i>	
288a(b)(1) *		If Victim under 18	50,000 (10,000)
288a(b)(2)		If Victim under 16 & Def. Over 21	15,000
288a(c)(1)		If Victim under 14 & Def. More than 10 Years Older than Victim	100,000
288a(c)(2)		If Defendant Compelled Another to Participate by Force, Duress or Threats of GBI	100,000
288a(c)(3)		By Threat of Retaliation	100,000
288a(d)		If in Concert with Force and Violence	125,000
288a(e) *		If Committed in S.P. or C.J.	100,000 (20,000)
288a(f)		If Victim Unconscious of Nature of Act	100,000
288a(g)		If Victim Incompetent	100,000
288a(h) *		If Victim Incompetent, Both Confined for Mental Disorder	100,000 (20,000)
288a(i)		If Victim Overcome by Intoxicant	100,000
288a(j)		By Victim's Belief That Accused is Spouse	100,000
288a(k)		By Threat to Use Authority of Public Official	100,000
288.5(a)		Continuous Sexual Abuse of Child Under Age of 14	125,000
289(a)(1)		Penetration by Foreign Object	100,000
289(a)(2)		Sexual Penetration w/Foreign or Unknown Object by Threat of Retaliation	100,000
289(b)		Sexual Penetration w/Foreign or Unknown Object, Victim Incompetent	100,000
289(c) *		Sexual Penetration w/Foreign or Unknown Object, Victim Incompetent, Both Confined for Mental Disorder	100,000 (20,000)
289(d)		Sexual Penetration w/Foreign or Unknown Object, Victim Unconscious	100,000
289(e)		Sexual Penetration w/Foreign or Unknown Object, Victim Overcome by Intoxicant	100,000
289(f)		Sexual Penetration w/Foreign or Unknown Object, by Victim's Belief That Accused Is Spouse	100,000
289(g)		Sexual Penetration w/Foreign or Unknown Object, by Threat to Use Authority of Public Official	100,000
289(h) *		Sexual Penetration w/Foreign or Unknown Object, Victim under 18	100,000 (20,000)
289(i)		Sexual Penetration w/Foreign or Unknown Object, Victim under 16, Def over 21	100,000

**MONTEREY COUNTY BAIL SCHEDULE
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Penal Code	Enh* *	Offense Description	Presumptive Bail
289(j)		Sexual Penetration w/Foreign or Unknown Object, Victim under 14, Def 10 Years Older	100,000
289.5(d)	ENH	Commission of Designated Felony Sex Offense Committed after Fleeing to California to Avoid Prosecution for Sex Offense in Another State	25,000
289.6(a)(1)		Employee of Public Health Facility Engaging in Sexual Activity with Inmate with Prior Conviction	100,000 (20,000)
289.6(a)(2) *		Employee of Public Detention Facility Engaging in Sexual Activity (as defined in PC §289.6(d)(1)-(4)) with Inmate	100,000 (20,000)
289.6(a)(2) *		Employee of Public Detention Facility Engaging in Sexual Activity (as defined in PC §289.6(d)(1)-(5)) with Inmate with Prior Conviction	100,000 (20,000)
289.6(a)(3) *		Employee of Youth and Adult Correctional Agency Engaging in Sexual Activity (as defined in PC §289.6(d)(1)-(4)) with Inmate	100,000 (20,000)
289.6(a)(3) *		Employee of Youth and Adult Correctional Agency Engaging in Sexual Activity (as defined in PC §289.6(d)(1)-(5)) with Inmate with Prior Conviction	100,000 (20,000)
290(g)(2)		Failure to Register by Person Convicted of Felony Sex Offense or Juvenile Adjudication with Prior Conviction	15,000
290(g)(3)		Failure to Register by Designated Mentally Disordered Sex Offender with Prior Conviction	30,000
290(g)(3)		Failure to Register by Designated Mentally Disordered Sex Offender Including Person Who Had Petition Sustained In Juvenile Adjudication for Sex Offense but Found NGI with Prior Conviction	15,000
290(g)(5)		Failure to Register by Sexually Violent Predator	30,000
290.45(e)(1)	ENH	Use of DOJ 290 Information to Commit Felony	25,000
298.2		Tampering with DNA Samples	25,000
311.1(a) *		Sale or Distribution of Obscene Material Depicting Minors	15,000 (5,000)
311.2(d) *		Sale or Distribution of Obscene Material Depicting Minor under 17 to Minor under 18	15,000 (5,000)
311.3		Sexual Exploitation of Minor under 18 with Prior Conviction	30,000
311.4(b)		Involving Minor under 18 in Obscene Film or Performance	30,000
311.4(c)		Involving Minor under Age 18 in Posing or Modeling Involving Sexual Conduct	15,000
311.9(a)		Violation of PC §311.2(a), (c), (d), or §311.5 with Prior Conviction of PC§313.1	30,000
311.9(b)		Violation of PC§311.4 with Prior Conviction of PC§311.3 or §311.4	15,000
311.10 *		Advertising Obscene Material Depicting Minor under 18	30,000 (5,000)
311.11(b)		Possession of Matter Depicting Sexual Conduct of Child under 18 with Prior Conviction	30,000
314 [Misdo]		Indecent Exposure	(5,000)
314(1)		Indecent Exposure w/Prior Conviction of PC 288 or 314(1)	15,000
337a *		Bookmaking	5,000
347(a)(1)		Willful Contamination of Food/Drink/Medicine, etc.	30,000
347(a)(2)	ENH	Using Poison or Harmful Substance That May Cause Death or Does Cause Great Bodily Injury	30,000
347(b) *		Falsely Reporting Contamination of Food/Drink/Medicine, etc.	10,000

**MONTEREY COUNTY BAIL SCHEDULE
2007**

Penal Code	Enh* *	Offense Description	Presumptive Bail
367f *		Sale of Human Organs for Transplantation	30,000 (5,000)
367g		Unauthorized Use or Implantation of Sperm, Ova, or Embryos in Assisted Reproduction Technology	30,000
368(b)(1) *		Willful Causing of Pain to or Suffering of Dependent Adult	30,000 (10,000)
368(b)(2)	ENH	Elder or Dependent Adult Abuse Resulting in Great Bodily Injury	50,000
368(b)(3)	ENH	Elder or Dependent Adult Abuse Resulting in Death	100,000
368(c) [Misdo]		Elder Abuse - Physical	(5,000)
368(d) *		Theft or Embezzlement over \$400 of Dependent Adult	15,000 (7,500)
368(e) *		Theft or Embezzlement over \$400 by Caretaker of Dependent Adult	20,000 (7,500)
374.2(d) *		Malicious Discharge of Harmful Materials into Public Sewer with Prior Conviction	10,000 (5,000)
374.8 *		Unauthorized Deposit of Hazardous Substances	10,000 (5,000)
375(d)		Release Harmful Substance in Public Place Which May Result in Serious Illness or Permanent Injury	15,000
399(a)		Allowing Vicious Animals at Large Resulting in Death	50,000
399.5(a) *		Failure of Owner to Exercise Ordinary Care with Dog that Bites Person	20,000 (7,500)
401		Aid/Abet Suicide	10,000
403 [Misdo]		Disturbing an Assembly	(3,500)
404 [Misdo]		Riot	(5,000)
404.6 [Misdo]		Incitement to Riot	(5,000)
406 [Misdo]		Rout	(3,500)
404.6(c) *		Inciting Riot in State Prison or County Jail Resulting in Serious Bodily Injury	20,000 (10,000)
405b		Lynching	30,000
417(a)(1) [Misdo]		Brandishing Weapons Not a Firearm	(5,000)
417(a)(2) [Misdo]		Brandishing a Firearm	(7,500)
417(c) *		Draw/Exhibit Firearm in a Threatening Manner in Presence of Police	15,000 (7,500)
417.3		Draw/Exhibit Firearm to Person in Motor Vehicle	15,000
417.6 *		Inflict Serious Bodily Injury During Violation of §417, §417.1, or §417.8	15,000 (10,000)
417.8		Draw/Exhibit Deadly Weapon with Intent to Resist Arrest	25,000
422 *		Terrorist Threats of G.B.I. or Death	15,000 (5,000)
422.7		Hate Crime	25,000
422.75(a)	ENH	Committing Felony / Attempting Felony that is Hate Crime	50,000
422.75(b)	ENH	Acting in Concert with Another/Aiding or Abetting Felony Hate Crime	50,000
422.75(c)	AGGF	Hate Crime with Personal Use of Firearm	50,000
422.75(d)	ENH	Prior Conviction of Felony Hate Crime with Current Conviction of Felony Hate Crime	50,000
424		Embezzlement or Falsification of Accounts by Public Officers	20,000
451(a)		Arson Causing G.B.I.	70,000
451(b)		Arson, Inhabited Structure	60,000

**MONTEREY COUNTY BAIL SCHEDULE
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<i>Penal Code</i>	<i>Enh* *</i>	<i>Offense Description</i>	<i>Presumptive Bail</i>
451(c)		Arson, Structure or Forest Land	40,000
451(d)		Arson, Other Property	15,000
451.1	ENH	Conviction of Arson under PC§451 and Designated Circumstance (PC§451.1(a)(1)-(5)) Found True	50,000
451.5		Aggravated Arson	500,000
452(a) *		Recklessly Causing Fire with G.B.I.	40,000 (15,000)
452(b) *		Recklessly Causing Fire, Inhabited Structure	30,000 (15,000)
452(c) *		Recklessly Causing Fire, Structure or Forest Land	10,000 (5,000)
452.1	ENH	Felony Conviction of Unlawfully Causing of Fire under PC§452 and Designated Circumstance (PC§452.1(a)(1)-(4)) Found True	75,000
453(a) *		Explosives, Flammable Matter, Possession	15,000 (7,500)
454(a)		Arson During State of Emergency	50,000
455		Attempted Arson	25,000
459 1st (Residential)		Burglary - Residential or Other 1st Degree Burglary	40,000
459 2 nd (other) *		Burglary - All Others	10,000 (5,000)
463(a) *		Burglary Second Degree During Emergency Resulting from Earthquake, Flood, Fire, Riot, or Other Natural or Manmade Disaster	10,000 (7,500)
463(b) *		Grand Theft, Except Grand Theft of Firearm, During Emergency Resulting from Earthquake, Flood, Fire, Riot, or Other Natural or Unnatural Disaster	10,000 (7,500)
464		Burglary with Explosives	50,000
470 *		Forgery, Intent; Documents of Value; Counterfeiting Seal; Uttering; Falsification of Records	10,000 (5,000)
470a		Forgery or Counterfeiting Driver's License or I.D. Card	10,000
470b *		Displaying or Possessing Forged Driver's License or I.D. Card w/Intent to Accomplish a Forgery	10,000 (5,000)
471 *		Forgery, False Entries in Records Returns	10,000 (5,000)
472 *		Forgery or Counterfeiting or Seals; Possession and Concealment	10,000 (5,000)
474 *		Sending False/Forged Message by Phone/Telegraph w/Fraud Intent	10,000 (5,000)
475(a) *; 475(b) *; 475(c) *		Forged Bills or Notes, Possession or Receipt	10,000 (5,000)
476 *		Fictitious Checks, Making, Uttering	10,000 (5,000)
476a *		Checks N.S.F.	10,000 (5,000)
478, 479, & 480		Counterfeiting of Coin	15,000
483.5(d) *		Manufacture, Sale, or Transport of Deceptive Identification Document for Fraudulent Use	10,000 (5,000)
484b *		Theft, Diversion of Money Received for Services, Labor Material, etc. - If Amount Diverted Exceeds \$1,000	10,000 (5,000)
484c		Embezzlement of Funds for Construction	10,000
484e(d) *		Possession of Access Card Information with the Intent to Defraud	10,000 (5,000)
484f(a) *		Forgery of Access Card	10,000 (5,000)
484f(b) *		Forgery of Signature on Access Card	10,000 (5,000)

MONTEREY COUNTY BAIL SCHEDULE
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<i>Penal Code</i>	<i>Enh*</i> <i>*</i>	<i>Offense Description</i>	<i>Presumptive Bail</i>
484g *		Credit Card Obtained in Violation of PC 484(e) or Forged Card; Used for Obtaining Anything of Value (If Value of Goods, etc., Received Exceeds \$400 in Consecutive 6 Month Period)	10,000 (5,000)
484h(a) *		Credit Card, Fraudulent - Merchant Furnishing Goods w/Knowledge (If Payment Received Exceeds \$400 in Consecutive 6 Month Period)	10,000 (5,000)
484h(b) *		Credit Card Issuer - Merchant Fraudulently Receiving Payment (If Payment Received for Goods etc., Not Furnished Goods Exceeds \$400 in Consecutive 6 Month Period)	10,000 (5,000)
484i(b) *		Credit Card Equipment, Possession w/o Consent of Issuer	15,000 (7,500)
487(a) *		Grand Theft (over \$400)	10,000 (5,000)
487(b)(1) *		Grand Theft (fruit, vegetables)	7,500 (5,000)
487(c) *		Grand Theft from Person	10,000 (7,500)
487(d)(1)		Grand Theft Auto	10,000
487(d)(2)		Grand Theft Firearm	10,000
496(a) *		Receiving Stolen Property If Value More than \$400	10,000 (5,000)
496(d) *		Receiving Stolen Vehicle, Trailer, or Vessel	10,000 (5,000)
497 *		Stolen Property, Bringing into State	10,000 (5,000)
499(a) * / 499(b) *		Joyriding with One Prior Conviction of PC 487(d) or VC 10851	5,000 (3,500)
499c *		Theft of Trade Secrets	10,000 (5,000)
499d *		Theft of Aircraft	10,000 (5,000)
502(d)(1) *		Malicious Alteration/Destruction of Computer Program/Data	10,000 (5,000)
502.7(g)		Theft of Telephone or Telegraph Services with Prior Conviction Within 5 Years	10,000
502.8(c)		Possession or Use of Illegal Telecommunications Equipment with Intent to Avoid Charge for Service with Prior Conviction	10,000
502.8(d) *		Possession of Illegal Telecommunications Equipment with Intent to Sell and Avoid Charge for Service	10,000 (5,000)
503 *		Embezzlement	10,000 (5,000)
504 *		Embezzlement, Misappropriation by Public Officers	20,000 (10,000)
504a *		Embezzlement, Disposal of Personal Property under Lease	10,000 (5,000)
504b *		Embezzlement of Proceeds of Sale of Secured Property	10,000 (5,000)
505 *		Embezzlement by Carrier	10,000 (5,000)
506 *		Embezzlement, Misappropriation by Trustee, Contractor	10,000 (5,000)
514		Embezzlement of Public Funds	20,000
518; 520		Extortion	20,000
522		Extortion, Obtaining Signature by Threats	25,000
523		Extortion, Threatening Letters	25,000
529 *		False Personation of Another	10,000 (7,500)
529.5 [Misdo]		Manufacturing, Selling or Offering for Sale False Govt. Issued I.D.	(7500)
530 *		Receiving Money/Property in Assumed Character	10,000 (5,000)
530.5 *		Using Personal Identifying Information of Another to Obtain Credit, Goods, Services, or Medical Information	10,000 (5,000)
532(a) *		Obtaining Money/Credit by False Pretenses	10,000 (5,000)

MONTEREY COUNTY BAIL SCHEDULE
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Penal Code	Enh* *	Offense Description	Presumptive Bail
532a(4) *		Making False Financial Statement	10,000 (5,000)
534		Spouse Selling Land/Property by False Pretense	10,000
537(a)(2) *		Defrauding Innkeeper of More than 400	5,000 (3,500)
537e(a)(3) *		Purchase/Possess/Sell Integrated Circuit with Removed/Altered ID/Serial No. More than \$400	5,000 (3,500)
538.5 *		Fraudulent Use of Wire, Radio, or TV Transmissions	7,500 (5,000)
548(a)		Defrauding Insurer	15,000
549 *		Soliciting Fraudulent Insurance Claims	10,000 (5,000)
550(c)(1)		Filing Fraudulent or Multiple Insurance Claims	10,000
550(g)	ENH	GBI In Accident Per Person for Purpose of False Insurance Claim	20,000
551(d) *		Offering Consideration for Referrals to Auto Repair Dealer or Contractor with Prior Conviction	7,500 (5,000)
593(a)(b)	ENH	Spiking Tree Causing GBI	20,000
594(b)(1) *		Vandalism of \$400 or More	7,500 (3,500)
594.3(a) *		Church Vandalism or Cemetery	10,000 (5,000)
594.3(b)		Vandalism of Place of Worship or Cemetery Committed for Purpose of Deterring Free Exercise of Religious Beliefs	10,000
594.35 *		Vandalism of Mortuary; Disturbing or Obstructing Funeral Service	10,000 (5,000)
594.4(a) *		Defacing, Damaging, or Contaminating Property with Noxious or Caustic Chemical or Substance	10,000 (5,000)
594.7 *		Vandalism – Two Prior Convictions for P.C. 594	15,000 or amount of damage alleged, whichever is greater.
597(a) *		Cruelty to Animals	10,000 (5,000)
600(a) *		Inflicting Serious Injury on Police Horse or Dog	10,000 (5,000)
601(a)(1) *		Trespass Consisting of Credible Threat to Cause Serious Bodily Injury and Unlawful Entry onto Property Within 30 Days of the Threat	10,000 (5,000)
625b(b) *		Tampering with Aircraft	10,000 (5,000)
625c		Tampering with Transit Vehicle with Intent to Cause GBI	25,000
626.9(b)		Bring/Possess Firearm in School/College Grounds	25,000
626.9(d) *		Discharging or Attempted Discharge of Firearm with Reckless Disregard of Safety of Others on or Within 1,000 Feet of School Grounds	50,000 (15,000)
626.9(h)		Bring/Possess Loaded Firearm on Public or Private College Grounds	25,000
626.10(a) *		Bring/Possess Weapon (not Firearm) on Public School Grounds	10,000 (7,500)
626.10(b) *		Bring/Possess Weapon (not Firearm) on Public/Private School Grounds	10,000 (7,500)
626.95 *		Possessing Firearm on Grounds of Playground or Youth Center	15,000 (10,000)
631(a) *		Wiretapping	15,000 (7,500)
632(a) *		Eavesdropping or Recording Confidential Communication	15,000 (7,500)
632.5(a) *		Unlawful Interception of Cellular Radio Telephone Communication	15,000 (7,500)
632.6(a) *		Unlawful Interception of Cordless Telephone Communication	15,000 (7,500)
632.7(a) *		Unlawful Interception of and Recordation of Cellular Radio or Cordless Telephone Communication	15,000 (7,500)

MONTEREY COUNTY BAIL SCHEDULE
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<i>Penal Code</i>	<i>Enh*</i> <i>*</i>	<i>Offense Description</i>	<i>Presumptive Bail</i>
636(a)		Electronic Eavesdropping on Privileged Conversation	10,000
636(b) *		Non-Electronic Eavesdropping on Privileged Conversation	10,000 (7,500)
646.9(a) *		Stalking	15,000 (7,500)
646.9(b)		Stalking in Violation of Temporary Restraining Order	30,000
646.9(c) *		Stalking with Prior Conviction for Stalking Same Victim Within 7 Years	50,000 (15,000)
647.6(b) *		Child Molestation after Entering Inhabited Dwelling Without Consent	15,000 (10,000)
647.6(c)(1)		Child Molestation - 2 nd Conviction	40,000
647.6(c)(2)		Child Molestation - Prior Conviction Was 288 PC or 311.4 Involving Minor under Age of 14	50,000
653f(a) *		Solicit Specific Criminal Acts	20,000 (10,000)
653f(b)		Solicit Murder	100,000
653f(c)		Solicit Sexual Acts	50,000
653j(a)		Solicitation of Minor to Commit Certain Felonies	50,000
664/ (Crime)		Attempt to Commit Crime - Generally	½ Bail for Substantive Offense
664/ (Violent Felony)		Attempt to Commit Violent Felony	Same as Substantive Offense
664/ (Serious Felony)		Attempt to Commit Serious Felony	Same as Substantive Offense
664/187		Attempted Murder	500,000
664/211/212.5(c)		Attempted Second Degree Robbery	25,000
666 *		Petty Theft with Prior Conviction for Theft on Which Time Was Served	10,000 (5,000)
666.5 *	ENH	Vehicle Theft with Grand Theft Vehicle Prior	10,000
667(a)(1)	SPAL	Prior Conviction of Serious Felony with Current Conviction of Serious Felony	50,000
667.5(a)	SPAL	Prior Prison Term for Violent Felony with Current Conviction of Violent Felony	30,000
667.5(b)	SPAL	Prior Prison Term for Felony with Current Conviction of Felony	10,000
667.51(a)	SPAL	Prior Conviction of Sex Offense with Current Conviction of PC§288 (Lewd Acts with Child)	50,000
667.51(d)	SPAL	Lewd Acts on Child w/ 2 or more Priors	500,000
667.6(a)	SPAL	Prior Conviction of Serious Sex Offense with Current Conviction of Serious Sex Offense	50,000
667.6(b)	SPAL	Two or More Prior Prison Terms for Serious Sex Offense with Current Conviction of Serious Sex Offense	100,000
667.61	SPAL	Aggravated Sex Offense(s)	250,000
667.7	SPAL	Habitual Offender Who Inflicts GBI	500,000
667.71	SPAL	Habitual Sexual Offender	500,000
667.75	SPAL	Habitual Drug Dealing With Minors	500,000
667.8(a)	ENH	Kidnapping Victim for Purpose of Committing Sex Offense	100,000
667.8(b)	ENH	Kidnapping Child-Victim for Purpose of Committing Sex Offense	150,000
667.85	ENH	Kidnapping to Permanently Deprive Parent of Custody of Child	50,000

**MONTEREY COUNTY BAIL SCHEDULE
2007**

Penal Code	Enh* *	Offense Description	Presumptive Bail
667.9(a)	ENH	Committing Certain Offenses Against Disabled, Elderly, or Child Victim	20,000
667.9(b)	ENH	Prior Conviction of Certain Offenses Committed Against Disabled, Elderly, or Child Victim with Current Conviction of Those Offenses	20,000
667.10	ENH	Prior Conviction of PC§289 with Current Conviction of Same Offense Committed Against Disabled, Elderly, or Child Victim	20,000
667.15(a)	ENH	Showing Child Pornography to Minor Prior to or During Commission of Lewd Act on the Minor in Violation of PC§288	20,000
667.15(b)	ENH	Showing Child Pornography to Minor Prior to or During Commission of Sexual Conduct with That Minor in Violation of PC§288.5	25,000
674(a)	ENH	Sexual abuse of minor by daycare provider	25,000
674(b)	ENH	Commission of (a) while acting in concert with another	35,000
836.6(c) *		Escape after Being Lawfully Arrested or Remanded to Custody Causing Serious Bodily Injury to Police Officer	50,000 (20,000)
1170.12(c)(1)	SPAL	Prior Strike Conviction	50,000
1170.12(c)(2)	SPAL	2 Prior Strike Convictions	100,000
1170.7	AGGF	Robbery for purpose of obtaining controlled substance	20,000
1170.71	AGGF	Use of pornography to induce minor to engage in lewd or lascivious acts	20,000
1170.72	AGGF	Controlled substance offenses involving minor younger than 11	50,000
1170.73	AGGF	Excessive quantity of controlled substance	50,000
1170.74	AGGF	Drug offense involving crystal meth.	50,000
1170.76	AGGF	Commission of sex offense on relative or member of household	20,000
1170.78	AGGF	Arson committed in retaliation against owner or occupant of property	35,000
1170.8(a)	AGGF	Robbery or ADW committed against victim while victim is in house of worship	35,000
1170.8(b)	AGGF	Burning religious symbol in connection with PC 451 or 453	35,000
1170.81	AGGF	Attempted life term crime against peace officer	100,000
1170.82	AGGF	Providing controlled substance to pregnant woman	20,000
1170.84	AGGF	Tying, binding or confining victim in connection with commission of serious felony	50,000
1170.85(a)	AGGF	Felony assault or battery against informant	50,000
1170.85(b)	AGGF	Where victim is vulnerable due to age or disability	75,000
1170.86	AGGF	Commission of felony within safe school zone	25,000
1170.89	AGGF	Commission of certain firearm offenses with knowledge that firearm was stolen	25,000
1203.2(a)		Probation Violation – Felony	No Bail
1320(b) *		Willful Failure to Appear Felony Hearing, When Released on OR	20,000 (7,500)
1320.5 *		Willful Failure to Appear Felony Hearing, When Released on Bail	20,000 (7,500)
1370.5(a) *		Escape from Mental Health Facility	50,000 (10,000)
1551		Fugitive From Justice - Interstate	Same as Out-of-State Warrant, or No Bail
4131.5 *		Battery on Non-Inmate by County Jail Prisoner	15,000 (7,500)
4133 *		Escape from Industrial Farm	50,000 (10,000)
4501		Assault with Deadly Weapon by Prison Inmate	40,000
4501.5		Battery on Non-Inmate by Prison Inmate	25,000

**MONTEREY COUNTY BAIL SCHEDULE
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<i>Penal Code</i>	<i>Enh*</i> <i>*</i>	<i>Offense Description</i>	<i>Presumptive Bail</i>
4502(a)		Prisoner Possessing Deadly Weapon	25,000
4503		Holding of Hostages by Prison Inmate	200,000
4530(a)		Escape, Attempted Escape from Prison with Force or Violence	100,000
4530(b)		Escape, Attempted Escape from Prison Without Force or Violence	100,000
4532(a) *		Escape, Attempted Escape by Person on Work Furlough from Jail, Industrial Farm, Etc.	50,000 (25,000)
4532(b) *		Escape, Attempted Escape by Felon from Jail, Industrial Farm, Etc.	50,000 (25,000)
4532(d) *		Failure of Misdemeanant to Return to Jail Subsequent to Temporary Release	50,000 (25,000)
4532(d) *		Failure of Felon to Return to Jail Subsequent to Temporary Release	50,000 (25,000)
4573		Smuggling Drugs/Drug Device/Alcohol into Prison / Jail	25,000
4573.5		Bringing Drugs/Paraphernalia into Prison/Jail	15,000
4573.6		Possessing Controlled Substances/Drug Device Where Prisoners Are Kept	25,000
4573.8		Possessing Drugs/Drug Device/Alcohol Where Prisoners Are Kept	15,000
4573.9		Sale of Controlled Substances to Prisoner	40,000
4574(a)		Bring/Send Firearms/Deadly Weapons/Explosives into Prison	50,000
4574(b)		Smuggling Tear Gas into Prison or Jail	50,000
4600(a)		Destruction of Prison or Jail, Damage Exceeds \$400	10,000
11411(b) *		Placing or Displaying Nazi Swastika on Property of Another on 2 or More Occasions for Purpose of Terrorizing the Property Owner	15,000 (7,500)
11411(c) *		Cross-Burning on Private Property of Another or School Property for Purpose of Terrorizing Property Owner, Student, or School Employee	15,000 (7,500)
11412		Religious Terrorism	20,000
11413(a)		Use of Explosives in Terrorism of Specified Places	50,000
11418(a)(1)		Possession, Production, or Transfer of Weapons of Mass Destruction	125,000
11418(a)(2)		Possession, Production, or Transfer of Weapons of Mass Destruction with Prior Conviction of Certain Offenses	250,000
11418(b)(1)		Use of Weapon of Mass Destruction that May Cause Widespread , Disabling Illness or Injury to Humans	500,000
11418(b)(2)		Use of Weapon of Mass Destruction that May Cause Widespread , Disabling Illness or Injury to Humans Which in Fact Causes Death	500,000
11418(b)(3)		Use of Weapon of Mass Destruction to Damage and Disrupt Water or Food Supply	250,000
11418(b)(4)		Use of Weapon of Mass Destruction to Cause Substantial Loss in the Value of Stock Animals or Crops	250,000
11418(c)		Use of Weapon of Mass Destruction to Damage Public Natural Resources	100,000
11418(d)		Use of Recombinant Technology to Create New Pathogens for Destructive Purposes	250,000
11418.5(a) *		Threat of Use of Weapon of Mass Destruction Resulting in Isolation, Quarantine, or Decontamination	100,000(30,000)
11419		Possession of Restricted Biological Agents	500,000
12020(a)(1)		Dangerous Weapons, Manufacture, Sale, Possession; Carrying Explosive	20,000
12020(a)(2) *		Manufactures, Imports, Sells Large Capacity Ammunition	20,000 (10,000)

**MONTEREY COUNTY BAIL SCHEDULE
2007**

<i>Penal Code</i>	<i>Enh*</i> *	<i>Offense Description</i>	<i>Presumptive Bail</i>
12020(a)(3) *		Concealed Explosive or Ammunition	20,000 (10,000)
12020(a)(4) *		Concealed Dirk or Dagger	10,000 (5,000)
12021(a)(1)		Concealable Firearms, Ownership or Possession by Felon, Addict	20,000
12021(g) *		Purchasing/Receiving Firearm When Subject to Domestic Violence Restraining Order	30,000 (15,000)
12021.1		Possession of Firearms by Felon Convicted of Violent Crimes	20,000
12021.5(a)	ENH	Carrying Firearm While Committing Street Gang Crime	25,000
12021.5(b)	ENH	Carrying Firearm Together with Detachable Magazine While Committing Street Gang Crime	25,000
12022(a)(1)	ENH	Being Armed with a Firearm	15,000
12022(a)(2)	ENH	Being Armed with an Assault Weapon or Machine Gun	50,000
12022(b)(1)	ENH	Personally Using Deadly Weapon	15,000
12022(b)(2)	ENH	Personally Using Deadly Weapon in the Commission of Car jacking, or Personally Using Deadly Weapon in the Commission of Attempted Car jacking	25,000
12022(c)	ENH	Being Personally Armed with a Firearm While Committing Drug Offenses	50,000
12022(d)	ENH	Being a Principal, Knowing Another Principal Is Personally Armed with a Firearm, While Committing Drug Offenses	30,000
12022.1(b)	ENH	Committing Felony Offenses While Released on Bail or Own Recognizance	20,000
12022.2(a)	ENH	Being Armed with a Firearm and Possessing Metal-Piercing Ammunition	100,000
12022.2(b)	ENH	Wearing Bulletproof Body Vest in the Commission of Violent Felony	30,000
12022.3(a)	ENH	Using Firearm or Deadly Weapon in Commission of Violent Felony	100,000
12022.3(b)	ENH	Being Armed with a Firearm or Deadly Weapon in Commission of Sex Offense	50,000
12022.4	ENH	Supplying Firearm for Commission of Felony	20,000
12022.5(a)	ENH	Personally Using Firearm	100,000
12022.5(b)	ENH	Personally Using Assault Weapon or Machine Gun	100,000
12022.53(b)	ENH	Personally Using Firearm While Committing Felony Designated in PC§12022.53(a)	100,000
12022.53(c)	ENH	Discharging Firearm While Committing Felony Designated in PC§12022.53(a)	150,000
12022.53(d)	ENH	Discharging Firearm Causing GBI or Death While Committing Designated Felony	250,000
12022.55	ENH	Discharging Firearm from Vehicle Causing Great Bodily Injury or Death	150,000
12022.6(a)(1)	ENH	Taking of or Damage to Property over \$50,000	15,000
12022.6(a)(2)	ENH	Taking of or Damage to Property over \$150,000	20,000
12022.6(a)(3)	ENH	Taking of or Damage to Property over \$1,000,000	30,000
12022.6(a)(4)	ENH	Taking of or Damage to Property over \$2,500,000	50,000
12022.7(a)	ENH	Personally Inflicting GBI	30,000
12022.7(b)	ENH	Personally Inflicting GBI Resulting in Comatose Brain Injury or Permanent Paralysis of Victim	50,000
12022.7(c)	ENH	Personally Inflicting GBI on Victim 70 Years of Age or Older	50,000
12022.7(d)	ENH	Personally Inflicting GBI on Child under 5 Years of Age	50,000

**MONTEREY COUNTY BAIL SCHEDULE
2007**

Penal Code	Enh* *	Offense Description	Presumptive Bail
12022.7(e)	ENH	Personally Inflicting GBI During Commission of Domestic Violence Offense	50,000
12022.75	ENH	Administering Controlled Substance Against Victim's Will	30,000
12022.8	ENH	Inflicting GBI in Commission of Sex Offense	50,000
12022.85	ENH	Committing Sex Offense Knowing Defendant Carries Aids Virus	30,000
12022.9	ENH	Personally Inflicting Injury Causing Termination of Pregnancy	50,000
12022.95	ENH	Willful Cruelty to Child Resulting in Death	50,000
12025(a)(1) *		Concealed Weapon on Person or in Vehicle w/o License with Prior Felony Conviction or Prior Violation of Deadly Weapons Act	15,000 (7,500)
12025(b)		Concealed Weapon on Person with Prior Conviction of Crimes Against Person, Property, or Involving Drugs	15,000
12031(a)(1)(A)		Carrying Loaded Firearm on Person or in Vehicle with Prior Felony Conviction	15,000
12031(a)(1)(B)		Carrying Loaded Firearm on Person or in Vehicle When Firearm is Stolen and Defendant Knew or Has Reasonable Cause to Believe that it Was Stolen	15,000
12031(a)(1)(C)		Carrying Loaded Firearm on Person or in Vehicle and Defendant is an Active Participant in Criminal Street Gang	15,000
12031(a)(1)(E) *		Carrying Loaded Firearm on Person or in Vehicle with Prior Conviction of a Narcotics Offense or an Offense Against Person or Property	25,000 (10,000)
12031(a)(1)(F) *		Carrying Loaded Firearm on Person or in Vehicle and Defendant Not Registered Owner	15,000 (7,500)
12034(b) *		Permitting Another to Discharge Firearm from Motor Vehicle	15,000 (7,500)
12034(c)		Personally Shooting from Motor Vehicle	50,000
12034(d) *		Discharging Firearm from Motor Vehicle	15,000 (7,500)
12051(c)		False Application for License to Carry a Concealed Weapon	15,000
12072(g)(3)(f)(4)	ENH	Unlawful Firearm Transaction in Violation of PC§12072(a)(2) or (b) and Firearm Used in Subsequent Commission of a Felony for Which a Conviction Is Obtained and Sentence Imposed	20,000
12090		Altering or Effacing Identifying Marks on Firearm	15,000
12220(a)		Possession or Transport of Machine Gun	25,000
12220(b)		Conversion, Sale, or Manufacture of Machine Gun	60,000
12280(a)(1)		Manufacture, Transport, or Sale of Assault Weapon	60,000
12280(a)(2)	ENH	Selling or Giving Assault Weapon to a Minor	50,000
12280(b) *		Possession of Assault Weapon	20,000 (10,000)
12303 *		Possession of Destructive Device	20,000 (10,000)
12303.1(a)		Carrying or Placing Explosive on Common Carrier	40,000
12303.2		Possession of Destructive Devices or Explosives in Public Places	50,000
12303.3		Possession of Exploding or Destructive Device or Explosive w/Intent to Injure	75,000
12303.6		Sale or Transportation of Destructive Device	30,000
12308		Explosion of Destructive device with Intent to Murder	500,000
12309		Unlawful Explosion Causing Bodily Injury	100,000
12310		Unlawful Explosion Causing Death, Mayhem, or GBI	500,000

**MONTEREY COUNTY BAIL SCHEDULE
2007**

<i>Penal Code</i>	<i>Enh*</i>	<i>Offense Description</i>	<i>Presumptive Bail</i>
12312		Possession of Materials with Intent to Make Destructive Device or Explosive	50,000
12316(b)(1) *		Possession of Ammunition or Reloaded Ammunition by Felon or Mental Patient	20,000 (10,000)
12370(a)		Unauthorized Possession of Body Armor by Person Convicted of Violent Felony	25,000
12403.7(a) *		Using Tear Gas Other than in Self-defense	10,000 (5,000)
12403.7(g)		Using Tear Gas Against Peace Officer	25,000
12520		Possession of Firearm Silencer	25,000
14166 *		Money Laundering	20,000 (10,000)

<i>Business & Professions</i>	<i>Enh</i>	<i>Offense</i>	<i>Presumptive Bail</i>
729 *		Sexual Exploitation by Physician, Psychotherapist, or Alcohol and Drug Abuse Counselor Involving Two or More Victims	20,000 (10,000)
1282.3(b)(1) *		Improper Collection, Storage, or Labeling of Biological Specimen with Willful or Wanton Disregard for Safety	10,000 (7,500)
1282.3(b)(2)		Improper Collection, Storage, or Labeling of Biological Specimen with Willful or Wanton Disregard for Safety with Prior Conviction	40,000
2052 *		Practice Medicine Without License/Certificate	10,000 (7,500)
4324(a) *		Forgery of Prescription	10,000 (7,500)
7027.3 *		Fraudulent Use of Contractor's License Number	10,000 (7,500)
25603		Bring Alcohol into Prison/Jail, Etc.	15,000

<i>Fish & Game</i>	<i>Enh</i>	<i>Offense</i>	<i>Presumptive Bail</i>
3009		Failure to Render Aid after Shooting Person While Hunting	10,000
12001		Hunting with Revoked/Suspended License	10,000
12004(b) *		Illegal Hunting, Possession, or Sale of Specified Fish with Prior Conviction	15,000 (7,500)

<i>Harbors & Navigation</i>		<i>Offense</i>	<i>Presumptive Bail</i>
668(g) *		Operating Vessel under the Influence and Causing Bodily Injury	15,000 (7,500)

<i>Health & Safety</i>	<i>Enh</i>	<i>Offense</i>	<i>Presumptive Bail</i>
1522.01	ENH	Use of 290 Registration Information to Commit a Felony	25,000
11104(a)		Transfer of Substance with Knowledge of Intent to Manufacture Controlled Substance	20,000
11106(a) *		Transferring Controlled Substance Without Permit	20,000 (7,500)
11153(a) *		Issuing Prescription to Addict/Habitual User of Controlled Substance	20,000 (7,500)
11162.5(a) *		Counterfeiting Prescription Blank	10,000 (7,500)
11350(a)		Illegal Possession of Certain Specific or Classified Controlled Substances	10,000
11351		Possession or Purchase for Sale of Certain Specific or Classified Controlled Substances	20,000
11351.5		Possession or Purchase for Sale of Cocaine Base	30,000

**MONTEREY COUNTY BAIL SCHEDULE
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11352(a)		Illegal Transportation, Sale, Furnishing of Certain Specific or Classified Controlled Substances	30,000
11352(b)		Transportation for Sale Between Noncontiguous Counties	100,000
11353		Person 18 Years or over Using Minor in Sale, Transportation, or Giving to a Minor Certain Specific or Classified Controlled Substances	70,000
11353.1(a)(1)	ENH	Using Minor for Drug Transactions Involving Heroin or Cocaine on Grounds of Church, Playground, Etc.	25,000
11353.1(a)(2)	ENH	Using Minor for Drug Transactions Involving Heroin or Cocaine on or near School Grounds	25,000
11353.1(a)(3)	ENH	Using Minor at Least Four Years Younger than Defendant for Drug Transactions	25,000
11353.4(a)	ENH	Prior Conviction of Using Minor for Drug Transactions Involving Cocaine Base Resulting in Prison Sentence with Current Conviction of Same Offense	25,000
11353.4(b)	ENH	Prior Conviction of Using Minor for Drug Transactions Involving Cocaine Base with Current Conviction of Using Minor 14 Years of Age or Younger for Drug Transactions Involving Cocaine Base	25,000
11353.5		Sale by Adult to Minor of Controlled Substance at School, Public Playground, Church, Synagogue, or Child Day Care Center	70,000
11353.6(b)	ENH	Selling Drugs to Minor on or near School Grounds	50,000
11353.6(c)	ENH	Selling Drugs to Minor at Least Four Years Younger than Defendant on or near School Grounds	50,000
11355 *		Sale or Furnishing Substance Falsely Represented as Controlled Substance, with Respect to Certain Specific or Classified Controlled Substances	10,000 (7,500)
11356.5(a)(1)	ENH	Volume of Transaction > \$500,000	100,000
11356.5(a)(2)	ENH	Volume of Transaction > \$2 Million	200,000
11356.5(a)(3)	ENH	Volume of Transaction > \$5 Million	500,000
11357(a) *		Possession of Concentrated Cannabis	10,000 (5,000)
11357(b)		Possession of Marijuana	100
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 in Sale, Transportation, Giving to Minor	50,000
11363 *		Peyote: Cultivating, Processing	10,000 (5,000)
11366 *		Maintaining Place for Selling, Giving, Using of Certain Specific or Classified Controlled Substance	10,000 (5,000)
11366.5(b)		Allowing Location to Be Used for Use or Sale of Drugs	15,000
11366.6		Using Fortified Location for Sale	30,000
11368 *		Narcotic Drug: Forging, Altering Prescription	10,000 (7,500)
11370.1		Possession of Controlled Substance While in Possession of Loaded Firearm	25,000
11370.2	ENH	Prior Conviction of Drug Offense with Current Conviction of Drug Offense	30,000
11370.4(a)		Violations with heroin, cocaine, cocaine base, PCP or Methamphetamine by weight	
11370.4(a)(1)	ENH	Amount > 1 kg	25,000
11370.4(a)(2)	ENH	Amount > 4 kgs	35,000

**MONTEREY COUNTY BAIL SCHEDULE
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11370.4(a)(3)	ENH	Amount > 10 kgs	50,000
11370.4(a)(4)	ENH	Amount > 20 kgs	75,000
11370.4(a)(5)	ENH	Amount > 40 kgs	100,000
11370.4(a)(6)	ENH	Amount > 80 kgs	200,000
11370.4(b)		Violations with heroin, cocaine, cocaine base, PCP or Methamphetamine by volume	
11370.4(b)(1)	ENH	Amount > 30 liters	50,000
11370.4(b)(2)	ENH	Amount > 100 liters	75,000
11370.4(b)(3)	ENH	Amount > 200 liters	100,000
11370.4(b)(4)	ENH	Amount > 400 liters	200,000
11370.6 *		Possession of Funds over \$100,000 to Purchase Controlled Substance	100,000 (25,000)
11371 *		Violate/Solicit Minor to Violate Controlled Substance Prescription Laws	15,000 (7,500)
11371.1 *		Violate/Solicit Minor to Violate Controlled Substance Laws	15,000 (7,500)
11374.5 *		Unlawful Disposal of Hazardous Substance Used in Manufacturing Controlled Substance	50,000 (25,000)
11375 *		Possession for Sale of Designated Controlled Substance	15,000 (7,500)
11377 *		Possession of Controlled Substances	10,000 (7,500)
11378		Possession of Controlled Substances for Sale	20,000
11378.5		Possession or Purchase for Sale of PCP	30,000
11379(a)		Sale of Controlled Substances	40,000
11379(b)		Sale of Controlled Substances	70,000
11379.5(a), (b)		Sale of PCP	50,000
11379.6(a)		Manufacture Controlled Substance	100,000
11379.6(b)	AGGF	Minor Residing	50,000
11379.7(a)	ENH	Manufacturing or Possessing Precursors of Methamphetamine or PCP with Intent to Manufacture in Structure Where Minor under 16 Years of Age Present	20,000
11379.7(b)	ENH	Manufacturing or Possessing Precursors of Methamphetamine or PCP with Intent to Manufacture and Causing GBI to Minor under 16 Years of Age	50,000
11379.8	ENH	Violating Drug Offenses Involving Large Quantities	100,000
11379.9(a)	ENH	Manufacturing or Possessing Precursors of Methamphetamine or PCP with Intent to Manufacture and Causing Death or GBI	100,000
11380		Soliciting Minor Re: Controlled Substances	70,000
11380.1(a)(1)	ENH	Using Minor for Drug Transactions Involving PCP, Methamphetamine or LSD on Grounds of Church, Playground, Etc.	25,000
11380.1(a)(2)	ENH	Using Minor for Drug Transactions Involving PCP, Methamphetamine, or LSD on or near School Grounds	20,000
11380.1(a)(3)	ENH	Using Minor at Least 4 Years Younger than Defendant for Drug Transactions	25,000
11382 *		Selling or Furnishing Substance Falsely Represented to Be Controlled Substance	10,000 (7,500)
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(c)		Possession of Materials with Intent to Manufacture Methamphetamine	50,000

**MONTEREY COUNTY BAIL SCHEDULE
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11390 *		Cultivating Mushrooms for Controlled Substance	10,000 (5,000)
11391 *		Sale or Transportation of Mushrooms for Controlled Substance	10,000 (7,500)
11550(e) *		Under Influence of Controlled Substance While in Possession of Loaded Firearm	20,000 (7,500)
11550(f)		Second or Subsequent Conviction of §11550(e)	20,000
12305 *		Unlawful Possession of Explosive	15,000 (7,500)
12702 *		Furnishing Fireworks to Minors	10,000 (5,000)
116750(a)		Tampering with Public Water System	20,000
120291(a) *		Willfully Infecting Another with HIV by Engaging in Unprotected Sex	50,000 (20,000)
25189.5(e)		Unauthorized Waste Disposal Causing GBI	50,000
Vehicle Code	Enh	Offense	Presumptive Bail
2800.1 [Misdo]		Evade Peace Officer	(5,000)
2800.2(a) *		Attempting to Evade Peace Officer While Driving Recklessly	30,000 (15,000)
2800.3(a) *		Willful Flight Causing Serious Bodily Injury	100,000 (25,000)
2800.3(b)		Willful Flight Causing Death	200,000
4463		Ownership Certificate, License Forgery	10,000
10851(a) *		Driving Car Without Consent of Owner	10,000 (5,000)
10851(e)		Vehicle Theft with Felony Prior Conviction	20,000
14601(a)		Driving While Privilege Suspended	(1,000) [+ 1,000 Per Each Charged Prior Conviction]
14601.1(a)		Driving While Privilege Suspended	(1,000) [+ 1,000 Per Each Charged Prior Conviction]
14601.2		Driving While Privilege Suspended	(5,000) [+ 5,000 Per Each Charged Prior Conviction]
14601.5		Driving While Privilege Suspended	(5,000) [+ 5,000 Per Each Charged Prior Conviction]
23103 [Misdo]		Reckless Driving	(3,500)
20001(b)(1) *		Hit and Run Driving	10,000 (5,000)
20001(b)(2) *		Hit and Run Driving Causing Death or Serious Injury	30,000 (15,000)
20001(c)	ENH	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
23104(a) [Misdo]		Reckless Driving Causing Bodily Injury	(5,000)
23104(b) *		Reckless Driving Causing Great Bodily Injury with Prior Conviction	30,000 (15,000)
23109(a) [Misdo]		Speed Contest	(5,000)
23110a [Misdo]		Throwing Substance at Vehicle	7,500
23110b		Throwing Substance at Vehicle Capable of Causing Serious Bodily Injury	20,000
23152(a) [Misdo]		Driving while under the influence of alcohol/drugs	(5,000) [+ 5,000 Per Each Charged Prior Conviction]
23152(b) [Misdo]		Driving with .08 or More BA	(5,000) [+ 5,000 Per Each Charged Prior Conviction]
23222(b) [Misdo]		Marijuana in Vehicle	(100)
23550		DUI of Alcohol/drugs with 3 Priors	30,000

**MONTEREY COUNTY BAIL SCHEDULE
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23550.5		DUI of Alcohol/Drugs with Prior Felony Conviction of DUI or Vehicular Manslaughter	50,000
23554 (23153)		DUI of Alcohol/Drugs Causing Bodily Injury - 1st Offense	30,000
23558	ENH	Driving under the Influence and Causing Bodily Injury or Death to Multiple Victims	50,000
23560		DUI of Alcohol/Drugs Causing Bodily Injury - 2 nd Offense	50,000
23566(a)		DUI of Alcohol/Drugs Causing Bodily Injury with 2 Priors	75,000
23566(b)		DUI of Alcohol/Drugs Causing Great Bodily Injury with 2 Priors or More	100,000
23566(c)	ENH	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
Welfare & Institutions	Enh	Offense	Presumptive Bail
10980		Welfare fraud involving use of electronic transfer	10,000
10980(h)(1)(A)	ENH	Amount > \$50,000	20,000
10980(h)(1)(B)	ENH	Amount > \$150,000	50,000
10980(h)(1)(C)	ENH	Amount > \$1 million	75,000
10980(h)(1)(D)	ENH	Amount > \$2.5 million	100,000
14107(a)		Fraudulent welfare claim	10,000
14107(d)	ENH	Fraudulent Welfare Claim Causing GBI or Serious Bodily Harm	25,000

Jail Own Recognizance (O.R.) Policy

(As Approved by Judges - July 14, 2004)

- A. Inmates that meet the following requirements shall be released on their own recognizance after booking.
1. Able to understand the condition of the OR release agreement and agree to sign the agreement to appear in court.
 2. Provide formal identification (i.e. California ID card, Driver's License or Matricula Consular card) or if jail employees are able to establish identification through a prior booking photograph, personal recognition or positive identification from the DOJ fingerprint identification printout.
 3. Able to provide a residence address in the State of California.
- B. All misdemeanor fresh and misdemeanor warrant arrests shall be OR'd except for the following:
1. Penal Code charges: 166(c)(1)¹ or 166(c)(2)¹, 243(e)(1), 273.5, 273.6¹, 646.9, and 647.6.
 2. Persons arrested for charges 23152(a) and 23152(b) with one or more priors.
- C. The following felony fresh arrests shall be considered for release on their own recognizance:
1. 470, 475, 476, 496A, and 594 of the Penal Code.
 2. To be released on OR with felony charges the inmates must have a residence address within Monterey County and meet the identification guideline above.
 3. No felony warrant arrests shall be OR'd.
- D. Intoxicated inmates shall remain in custody until sober unless there is a responsible adult to whom the inmate can be released.
- E. Probation Violations:
1. Misdemeanors: Bail/OR determinations for individuals arrested for violating probation shall be based on the same criteria used for misdemeanors generally.
 2. Felonies: Individuals arrested for violation of felony probation shall be held on a "No Bail" status unless a bail amount has been set by warrant or other court order.
- F. Criminal History Check (CJIS): The booking person shall complete a criminal history check using the involved person display to determine if the inmate may be released on OR.
- Violent Felons: Suspects who have previously been convicted of a violent felony within the past three years shall not be released OR. Violent felony crimes include charges involving weapons, great bodily harm or sexual assault.
- G. Multiple or "NO OR" Warrants: No subject shall be released OR when arrested on three or more warrants. No inmate shall be released OR when the warrant states "NO OR."
- H. Dangerous & Non-Dangerous Defendants: Notwithstanding the above, whenever the booking officer or other jail staff has information suggesting the defendant presents a danger to the community, before releasing the defendant on his/her OR, a supervisor shall contact the on-duty judge for consideration of OR release unless the supervisor determines not to OR the subject. Furthermore, whenever a jail supervisor identifies an individual as worthy of OR release based on an evaluation of the circumstances of the offense for which the prisoner has been booked, his criminal history including FTA's, as well as any danger he might pose to the community, the supervisor may contact the on-duty judge for consideration of OR release.

¹ Unless and until a protocol is developed pursuant to the provisions of PC 853.6(a) (*Added 3-7-07 RDS*)

Presiding Judge Directive Order No. 02-05

FILED
MAY 27, 2005
PRESIDING JUDGE
DIRECTIVE ORDER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF MONTEREY

In the Matter of)
)
CONTINUED DETENTION OF JAIL)
INMATES WHO HAVE OUT-OF-)
COUNTY HOLDS)
_____)

ORDER DIRECTING CONTINUED
DETENTION OF JAIL INMATES WHO HAVE
OUT-OF-COUNTY HOLDS – PROCEDURE

Pursuant to Penal Code section 1318 and 1320, a defendant ordered released from jail on his or her own recognizance is not to be so released if the Sheriff determines that the defendant has an out-of-county hold based on an outstanding warrant, an immigration hold, a parole hold, a military hold, a 1551 out-of-state extradition hold, a U.S. Marshal's Office hold, or any other such hold, unless the release was ordered by the Court specifically notwithstanding said hold.

Whenever the Sheriff determines that an inmate with an out-of-county hold has been ordered released on his or her own recognizance, and the order for OR release does not address any existing out-of-county hold, the Sheriff will immediately make reasonable efforts to contact the judge who ordered the OR release to determine what action the Court wishes to take. If the judge indicates that, in view of the hold, the matter needs to be re-evaluated, the Court will arrange to have the matter placed back on calendar within a reasonable time, and shall cause counsel for the parties to be so notified.

If the case has been assigned for all purposes to a different judge following the OR release, any hearing re-evaluating the OR release shall be heard before the judge assigned for all purposes. This directive is made in accordance with the consensus of all judges attending the last regularly scheduled judges' meeting and it was subjected to electronic review prior to publication. It is further made in accord with the principles set out in People v. Alberto (2002) 102 Cal.App.4th 421.

If, after the exercise of reasonable diligence, the Sheriff is unable to contact the judge ordering the OR release, the Sheriff shall contact the Presiding Judge, or his or her designee, to determine what action to take. In any event, the matter should be calendared expeditiously for re-evaluation.

Dated: MAY 27 2005

--- Signed Order on File ---

Stephen A. Sillman
Presiding Judge of the Superior Court

cc: Court – All Judges & Commissioners; Lisa Galdos, Court Executive Officer; Dan Ropp, Assistant Court Executive Officer; Minnie Monarque, Deputy Court Executive Officer; Rosalinda Chavez, Deputy Court Executive Officer

MCSC – Chief Liebersbach, Captain McLaughlin, Commander Hunton, Commander Budd, Commander Barrera, Commander Winant

