

**DEL NORTE COUNTY
2017 BAIL SCHEDULE**

- 1) The purpose of this bail schedule is to fix an amount upon which a person who is arrested without warrant may be released from custody prior to appearance in court. At and after a defendant's first appearance, pursuant to Penal Code section 1296b(b), the amount of bail, if any is allowed, shall lie with the sound discretion of the judge before whom the defendant appeared, and may be greater or less than the amount set forth in this schedule, subject to the provisions of Penal Code section 1275. This schedule may also be used by a judge in fixing bail pursuant to Penal Code section 815a at the time an arrest warrant is issued, the amount of which lies with the sound discretion of the magistrate.

- 2) Bail for an offense pursuant to this schedule shall be the sum of the amount specifically listed for the offense, and the amounts listed for all applicable enhancements and prior convictions. If an offense is not specifically listed in this schedule, bail should be set according to the following schedule based on the maximum state or county prison term applicable to the offense:

AGGRAVATED TERM 3 YEARS	25,000
AGGRAVATED TERM 4 YEARS.....	30,000
AGGRAVATED TERM 5 YEARS.....	35,000
AGGRAVATED TERM 6 YEARS.....	50,000
AGGRAVATED TERM 7 YEARS.....	70,000
AGGRAVATED TERM 8 YEARS.....	75,000
AGGRAVATED TERM 9 YEARS.....	75,000
AGGRAVATED TERM 10 YEARS.....	100,000
AGGRAVATED TERM 11 YEARS.....	100,000
AGGRAVATED TERM 12 YEARS.....	150,000
AGGRAVATED TERM 13 YEARS.....	150,000
AGGRAVATED TERM 14 YEARS.....	200,000
AGGRAVATED TERM 15 YEARS.....	200,000
AGGRAVATED TERM 16 YEARS.....	250,000
ALL LIFE SENTENCES.....	1,000,000

FOR ALL MISDEMEANOR OFFENSES FOR WHICH NO PRESUMPTIVE BAIL AMOUNT IS SPECIFIED IN THIS SCHEDULE, THE PRESUMPTIVE BAIL SHALL BE: \$5,000

- 3) 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, plus applicable amounts for enhancements and prior convictions except:
 - a) Where the offenses 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 (including circumstances enumerated in Penal Code section 667.6(c) and (d)).

In the case of these exceptions listed in (a) and (b), the bail for such offenses will be aggregated.

- 4) Requests for deviation from the scheduled bail amount shall be addressed to an on-call judge.
- 5) Penal Code section 1554.3 provides: “After a person has been brought back to this state by extradition proceedings, the person shall be committed to a county jail with bail set in the amount of one hundred thousand dollars (\$100,000) in addition to the amount of bail appearing on the warrant. A 48-hour noticed bail hearing, excluding weekends and holidays, is required to deviate from this prescribed bail amount. Nothing in this section is intended to preclude the application of subdivision (e) of section 1270.1 to enhance the bail amount for the felony charge appearing on the warrant.”
- 6) Penal Code section 1270.1 prohibits the release of an arrestee on bail in an amount OTHER THAN THAT SET FORTH IN THIS BAIL SCHEDULE prior to a hearing in *open court* for:
 - a) Violent felonies as described in P.C. section 667.5(c), but not 460(a)(residential burglary);
 - b) Serious felonies as described in P.C. section 1192.7(c) (including those listed in P.C. section 1192.8);
 - c) Violations of P.C. sections 136.1(c), 243(e)(1), 262, 273.5, 422 (as a felony), and 646.9; and
 - d) Violation of P.C. section 273.6 if the detained person made threats to kill or harm, has engaged in violence against, or has gone to the residence or workplace of, the protected party.
- 7) Arrestees shall not be released on bail or on his or her own recognizance if arrested on a warrant that expressly orders that the defendant not be released on OR.

This Bail Schedule is effective January 1, 2017.

2017
PRESUMPTIVE BAIL SCHEDULE
(FELONIES & SELECTED MISDEMEANORS)

PENAL CODE

PENAL CODE §	OFFENSE	BAIL
32	Accessory	½ of the Bail for the underlying offense
67, 67.5	Bribery Of Executive Officer	\$20,000
68	Public Officer, Employee Accepting Bribe	\$20,000
69	Resisting An Executive Officer	\$30,000
92-93	Bribery-Offering/Accepting By Judicial Officer	\$100,000
118	Perjury	\$15,000
127	Subornation Of Perjury	\$15,000
136.1	Dissuading A Witness	\$25,000
149	Assault By Officer Under Color Of Authority	\$20,000
165	Bribery Of Councilman, Supervisor, Etc.	\$20,000
182	Conspiracy-Felonies	Bail Same As Sub. Offense
187-189	Murder-First Degree	NO BAIL
187-189	Murder-Second Degree	\$500,000
664/187	Attempted Murder	\$250,000
191.5	Gross Vehicular Manslaughter While Intoxicated	\$200,000
192(a)	Voluntary Manslaughter	\$200,000
192(b)	Involuntary Manslaughter	\$100,000
192©(1)	Vehicular Manslaughter/Gross Negligence	\$200,000
192©(2) or 192©(3)	Vehicular Manslaughter	\$100,000 plus \$100,000 for each additional victim
203	Mayhem	\$75,000
207	Kidnapping	\$100,000
209(a)	Kidnapping For Ransom Or Extortion	\$500,000
209(b)	Kidnapping For Robbery	\$500,000
211(a)	Robbery- 1 st Degree	\$100,000
211(b)	Robbery- 2 nd Degree	\$35,000
213	Attempted Robbery	\$25,000
215	Car Jacking	\$100,000
217.1(a)	Assault On Government Officer	\$25,000
217.1(b)	Attempt To Kill Government Officer	\$500,000
219	Train Wrecking	\$500,000

PENAL CODE §	OFFENSE	BAIL
219.1	Hurling Missiles at Common Carrier	\$5,000 (No injury) \$50,000 (With injury)
219.2	Hurling Missiles At Boat Or Vehicle Carrying Passengers Of Freight	\$10,000
220	Assault With Intent – Rape, Sodomy, Mayhem, Robbery	Same as Substantive offense
241 or 241.1	Assault On Peace Officer	\$20,000
243(c)	Battery On Peace Officer, etc.	\$35,000
243(d)	Battery On Peace Officer With Injury	\$50,000
243(e)(1)	Domestic Violence without Injury	\$25,000
243.1	Battery On Custodial Officer	\$20,000
243.3	Assault On Transportation Worker	\$10,000
244	Assault With Chemicals	\$75,000
244(b)	Assault With Electric Device On Police	\$20,000
245(a)(1)	Assault With A Deadly Weapon	\$50,000
245(a)(4)	Assault With Force Likely	\$25,000
245(a)(2), (3)	Assault With Any Firearm	\$75,000
245(b)	Assault With Semiautomatic Weapon	\$100,000
245(c)	Assault With Deadly Weapon Or Force Likely To Produce Great Bodily Injury Upon A Peace Officer Or Fireman	\$50,000
245(d)(1)	Assault With A Firearm Upon A Peace Officer Or Fireman	\$150,000
245(d)(2), (3)	With A Semiautomatic Rifle Or Specified Firearm	\$150,000
245.3	Assault With A Deadly Weapon On Custodial Officer With Serious Bodily Injury	\$50,000
246	Shooting At Inhabited Building Or Vehicle	\$50,000
247	Shooting At Unoccupied Aircraft Or Vehicle	\$15,000
261	Rape Without Force Or Violence	\$100,000
261	Forcible Rape	\$250,000
261.5	Unlawful Sexual Intercourse Misdemeanor Felony	\$10,000 \$25,000
262	Spousal Rape	\$100,000
264.1	Rape In Concert With Force Or Violence	\$250,000
266(h)	Pimping, Pandering	\$10,000
266(l)	If Minor	\$50,000
270	Failure To Support	\$5,000
273(a)(1)	Mistreating Child-Likely To GBI Or Death	\$25,000
273(d)	Child Beating	\$25,000
273.5	Spousal Or Cohabitant Beating	

	Misdemeanor Felony	\$25,000 \$40,000
PENAL CODE §	OFFENSE	BAIL
273.6	Violation Of Restraining Order	\$40,000
278	Child Stealing	\$50,000
285	Incest	\$50,000
286	Sodomy	\$50,000
286(b)(1)	Victim Under 18	\$50,000
286(b)(2)	Victim Under 16	\$75,000
286(c)	Victim Under 14, Or Forcible	\$100,000
286(d)	In Concert – Forcible	\$150,000
286(e)	While Incarcerated	\$25,000
286(f)	While Victim Not Conscious Of Nature Of Act	\$50,000
288	Lewd Act – Victim Under 14	\$100,000
288a(b)(1)	Victim Under 18	\$50,000
288a(b)(2)	Victim Under 16	\$75,000
288a(c)	Victim Under 14, Or Forcible	\$100,000
288a(d)	In Concert With Force, Etc.	\$100,000
288a(e)	Oral Copulation While Incarcerated	\$10,000
288a(f)	Victim Unconscious Of Nature Of Act	\$50,000
288a(g)	Lewd Act – Victim Mentally Ill	\$50,000
289	Rape By Foreign Object	\$50,000
290	Failure To Register	
	Misdemeanor Felony	\$25,000 \$50,000
314.1	Indecent Exposure With Prior	\$40,000
337a	Bookmaking	\$10,000
368	Elder Abuse	\$50,000
422	Criminal Threat	
	Misdemeanor Felony	\$15,000 \$35,000
424	Embezzlement, Public Officer By Falsifying Accounts	\$50,000
451(a)	Arson With GBI	\$250,000
451(b)	Arson-Inhabited Structure Of Property	\$200,000
451(c)	Arson-Structure On Forest Land	\$25,000
451(d)	Arson-Personal Property	\$15,000
452(a)	Recklessly Causing A Fire w/Injury	\$25,000
452(b)	Inhabited Structure	\$25,000
452(c)	Structure On Forest Land	\$10,000
453(a)	Possession Of Explosive Or Flammable Matter	\$25,000
453(b)	Firebomb, Possession, Manufacture Or Disposal	\$25,000

454	Arson During State Of Emergency	\$150,000
PENAL CODE §	OFFENSE	BAIL
455	Arson, Attempt	\$25,000
459/459.5	Shoplifting	
	Misdemeanor	\$5,000
	Felony w/specified priors	\$25,000
459/460(1)	Burglary 1 st Degree	\$75,000
459/460(2)	Burglary 2 nd Degree (Non-Residential)	\$50,000
464(3)	Burglary with Explosives	\$50,000
470, 470a, 470b, 471, 472	Forged Checks And Possession Of False Id	Greater of \$5,000 Or twice amount of any forged checks
473	Forgery Of Checks (\$950.00 Or Less)	\$10,000 or twice the amount of the checks
	Forgery Of Checks (More Than \$950.00)	\$20,000 or twice the amount of the checks
475	Forged Bills And Notes	Greater of \$10,000 Or twice amount of bills/notes
476	Fictitious Check	Greater of \$10,000 Or twice amount of Checks
476a	NSF Check	Greater of \$5,000 Or twice amount of Checks
484b	Theft-Diversion Of Money Received For Services, Labor Material Over \$1,000.00	Greater of \$10,000 Or twice amount of Theft
484e	Theft-Embezzlement, Forgery	Greater of \$10,000 Or twice amount of theft
484f	Credit Cards	Greater of \$10,000 Or twice amount of theft
484g	Use Of Credit Card Obtained Per 484e Or Forged Card – Value Over \$200.00	\$5,000
487	Grand Theft	Greater of \$5,000 Or twice Amount of Theft
	Misdemeanor	Greater of \$10,000 Or twice Amount of Theft
	Felony	
496	Receiving Stolen Property	Greater of \$10,000 Or twice Value of Property
497	Bringing Stolen Property Into State	Greater of \$10,000 Or twice Value of Property
504, 504a, 504b	Embezzlement-Misappropriation By Public Officer	Greater of \$50,000 Or twice amount of theft
505	Embezzlement By Bailee	Greater of \$10,000 Or twice Value of Property
506	Embezzlement By Trustee-Contractor	Greater of \$10,000 Or twice Value of Property
514	Embezzlement-Public Funds	Greater of \$25,000 Or twice Value of Property
518, 519, 521,	Extortion	\$25,000

523		
PENAL CODE §	OFFENSE	BAIL
529, 532	False Impersonation or Pretenses	Greater of \$10,000 Or twice the amount Stolen
548	Defrauding Insurer	Greater of \$10,000 Or twice Amount Stolen
594, 594.3	Vandalism Misdemeanor Felony	\$5,000 \$30,000
646.9(a-c)	Stalking	\$100,000
647.6	Annoying or Molesting Child Under 18	\$25,000
653f(b)	Solicit Murder	\$1,000,000
653f(c)	Solicit Rape, etc.	\$100,000
664	Attempts	½ Target Offense
664/187	Attempted Murder	\$250,000
666(a)	Petty Theft With Prior Specified Offense	\$25,000
1320	Failure to Appear on Signed Agreement to Appear Misdemeanor Felony	\$10,000 \$25,000
1552.1	Fugitive From Another State	\$25,000
4501	Assault With A Deadly Weapon Prison Inmate	\$100,000
4501.1	Battery On Non-Inmate By Prison Inmate	\$100,000
4502	Possession Of Weapon By Prison Inmate	\$75,000
4503	Holding Hostage By Prison Inmate	\$200,000
4530	Escape From Prison Or Attempt With Force Or Violence Without Violence	\$50,000 \$25,000
4532(a)	Escape From Jail, Etc., By Misdemeanant With Force Or Violence	\$50,000
4532(b)	Escape From Jail, Etc., By Felon With Force Or Violence	NO BAIL
4574	Smuggling Weapon Into Jail Or Prison	\$50,000
18715	Possession Of Destructive Devices Or Explosives In Public	\$500,000
18720	Possession Of Materials With Intent To Make Destructive Device Or Explosive	\$150,000
18725	Carrying Or Placing Explosive On Common Carrier	\$500,000
18740	Possession Of Exploding Or Destructive Device Or Explosive With Intent To Injure	\$500,000
18745	Exploding Destructive Device Or Explosive With Intent To Murder	\$500,000
18750	Unlawful Explosion Causing Bodily Injury	\$500,000

19200(a)	Mfg. Deadly Weapon: Certain Metal Hand grenades	\$50,000
PENAL CODE §	OFFENSE	BAIL
20310	Mfg. Deadly Weapon: Air Gauge Knife	\$50,000
20410	Mfg. Deadly Weapon: Belt Buckle Knife	\$50,000
20510	Mfg. Deadly Weapon: Cane Sword	\$50,000
20610	Mfg. Deadly Weapon: Lipstick Case Knife	\$50,000
20710	Mfg. Deadly Weapon: Shobi-Zue	\$50,000
20910	Mfg. Deadly Weapon: Writing Pen Knife	\$50,000
21110	Mfg. Deadly Weapon: Ballistic Knife	\$50,000
21310	Mfg. Deadly Weapon: Dirk/Dagger	\$50,000
21810	Mfg. Deadly Weapon: Metal Knuckles	\$50,000
22010	Mfg. Deadly Weapon: Nunchaku	\$50,000
22210	Mfg. Billy, Blackjack, Sandbag, Slingshot	\$50,000
22410	Mfg. Deadly Weapon: Shuriken	\$50,000
24310	Mfg. Weapon: Camouflaging Firearm Container	\$50,000
24410	Mfg. Deadly Weapon: Cane Gun	\$50,000
24510	Mfg. Weapon: Firearm Not Recognized As Firearm	\$50,000
24610	Mfg. Deadly Weapon: Undetectable Firearm	\$50,000
24710	Mfg. Deadly Weapon: Wallet Gun	\$50,000
25400(a)	Concealed Weapon On Person Or In Vehicle Without License With Prior Felony Convictions Or Prior Violation Of Deadly Weapons Act	\$25,000
25400(c)	Concealed Weapon On Person With Prior Conviction Of Crimes Against Person, Property, Or Involving Drugs	\$50,000
25800	Carrying Firearm With Intent To Commit Felony	\$50,000
25850	Carrying Loaded Firearm In Vehicle Or On Person	\$25,000
26100(c)	Personally Shooting From Motor Vehicle	\$250,000
29800	Concealable Firearms, Ownership Or Possession By Felon, Addict	\$100,000
30210	Mfg. Weapon W/Exploding Agent Or Flechette	\$50,000
31500	Mfg. Deadly Weapon: Unconventional Pistol	\$50,000
32900	Mfg. Deadly Weapon: Multi-burst Trigger Activator	\$50,000
33215	Mfg. Deadly Weapon: Short Barreled Rifle/Shotgun	\$50,000
33600	Mfg. Deadly Weapon: Zip Gun	\$50,000

HEALTH & SAFETY CODE

HEALTH & SAFETY CODE §	OFFENSE	BAIL
11152	Controlled Substance-Writing Prescription	\$5,000
11153	Controlled Substance-Dispensing Prescription	\$5,000
11350, 11351.5	Controlled Substance-Possession Heroin, Cocaine, Etc. Misdemeanor Felony	\$5,000 \$20,000
11351, 11351.5, 11352	Controlled Substance :Possession For Sale Or Transportation (Heroin, Cocaine) If over 2 oz. of substance is involved If over 1 lb. of substance is involved If over 3 lbs. of substance is involved If over 10 lbs. of substance is involved If over 25 lbs. of substance is involved If 100 lbs. or more substance is involved	\$35,000 \$50,000 \$100,000 \$500,000 \$1,000,000 \$2,000,000 \$5,000,000
11353, 11354	Controlled Substance-Person 18 Or Over Using Minor In Sale, Transport, Etc. Up to 1 lb. of substance is involved If over 1lb. of substance is involved If over 3 lbs. of substance is involved If over 10 lbs. of substance is involved If over 25 lbs. of substance is involved If 100 lbs. or more substance is involved	\$75,000 \$100,000 \$500,000 \$1,000,000 \$2,000,000 \$5,000,000
11354	Controlled Substance-Person Under 18 Using Another Minor For Sale, Transport	\$25,000
11355	Sale Or Furnishing Substance Falsely Presented As Controlled Substance	\$10,000
11357(a), (c)	Marijuana: Possession Concentrated Cannabis Misdemeanor Felony	\$2,500 \$20,000
11358	Cultivation-Processing Less Than 50 Plants 50 Plants or More More Than 200 Plants	\$10,000 \$35,000 \$100,000
11359, 11360	Transportation or Possession of Marijuana For Sale Over 5 lbs.	\$25,000 \$75,000
11361	Person Over 18 Using Minor In Sale, Transport, Furnishing	\$50,000
11363	Peyote, Cultivation, Processing	\$25,000
11366	Maintaining Place For Selling Or Giving	\$30,000

HEALTH & SAFETY CODE §	OFFENSE	BAIL
11366.5(a)-(b)	Allowing Location To Be Fortified For Sale	\$50,000
11366.6	Using Fortified Location For Sale	\$50,000
11368	Narcotic Drug-Forging Or Altering Misdemeanor Felony	\$5,000 \$25,000
11377	Possession Of Controlled Substance- Methamphetamines, PCP, Etc. Misdemeanor Felony	\$5,000 \$20,000
11378.5, 11379.5	Sale or Possession For Sale-PCP If 1 qt. or less liquid or 2 oz. powder If over 1 qt. of liquid or 2 oz. powder If over 1 gallon liquid or 8 oz. powder If over 3 gallons liquid or 1.5 lbs. powder If over 5 gallons liquid or 2.5 lbs. powder If over 20 gallons liquid or 10 lbs. powder If over 25 gallons liquid or 12.5 lbs. powder If over 200 gallons liquid or 100 lbs. powder	\$50,000 \$75,000 \$100,000 \$250,000 \$500,000 \$1,000,00 \$2,000,000 \$5,000,000
11378 11379	Possession or Transportation For Sale Meth/Amphetamines	Same as HS 11351
11379.6(a)	Manufacture Of Controlled Substance	\$500,000
11379.6(b)	Offer To Manufacture	\$50,000
11379.8	Conviction: 11379.6 PCP, Methamphetamine	\$500,000
11380	Person Over 18 Using Minor As Agent Or Furnishing Minor With Controlled Substance	\$50,000
11380.5	Person Over 18 Using Minor As Agent-Sale Or Transportation, PCP	\$50,000
11382	Sale Or Furnishing Substance Falsely Presented As Controlled Substance	\$10,000
11383(a)	Possession-Precursors Of Methamphetamine With Intent To Manufacture	\$35,000
11383(b)	Possession-Precursors Of PCP With Intent To Manufacture	\$35,000
11590	Failure To Register	\$10,000

VEHICLE CODE

VEHICLE CODE §	OFFENSE	BAIL
14601.2	Driving on Suspended License for DUI with 1 or more priors	\$10,000 \$25,000
2800.2	Attempting To Evade Peace Officer While Driving Recklessly	\$75,000
2800.3	Willful Flight Causing Death	\$200,000
4463	Forgery Of Ownership Certificate	\$10,000
10851	Auto Theft	\$50,000
20001	Hit And Run; Personal Injury	\$75,000
23152(a) or (b) 23175	Driving Under The Influence With 1 or 2 Priors Driving Under The Influence With Three Priors	\$7,500 \$25,000 \$75,000
23153	Driving Under The Influence With Bodily Injury	\$75,000

BUSINESS AND PROFESSIONS CODE

BUSINESS & PROFESSIONS CODE §	OFFENSE	BAIL
4234	Dangerous Drugs, Minor As Agent	\$25,000
4390	Dangerous Drugs, Forgery Or Prescription, Possession Secured By Forged Prescription	\$10,000

WELFARE & INSTITUTIONS CODE

WELFARE & INSTITUTIONS CODE §	OFFENSE	BAIL
11054	Perjury-Affirmation Of Eligibility	\$15,000
11483	Welfare Fraud	Greater of \$10,000 Or twice Amount Stolen
10980	Welfare Fraud	Greater of \$10,000 Or twice Amount Stolen

INCREMENTS FOR SENTENCING ENHANCEMENT ALLEGATIONS AND OTHER EXTRAORDINARY FACTS

Penal Code	ENHANCEMENT ALLEGATIONS	BAIL
12022(a)	Personally Armed With Firearm	\$50,000
12022(b)	Personal Use Of Firearm	\$50,000
12022(d)	Principal Armed With Weapon Other Than Firearm	\$100,000
12022.1(b)	New Felony Offense Committed While Felony Charges Pending Against Defendant	\$25,000
12022.1(e)	New Felony Offense Committed While Defendant On Prison Parole	\$25,000
12022.1(f)	New Felony Offense Committed While Defendant On Felony Probation	\$25,000
12022.2	And With Armor Piercing Ammunition	\$50,000
12022.3(a), (b)	Use Firearm Sex Case	\$50,000
12022.4	Furnishing Or Offering Firearm To Another During A Commission Of A Felony	\$50,000
12022.5(a)	Personal Use Of Firearm	\$50,000
12022.5(b)	Discharging Firearm At Occupied Vehicle	\$100,000
12022.55	Discharging Firearm From Vehicle	\$50,000
12022.6(a), (b)	Taking, Damaging Or Destroying Property During Commission Of A Felony \$25,000.00 Or More \$100,000.00 Or More	\$75,000 \$100,000
12022.7	Infliction Of Great Bodily Injury	\$50,000
12022.75	Administer Drug Against Victim's Will	\$50,000
12022.8	GBI In Connection With Certain Sex Offense	\$75,000
12022.9	GBI Causing Termination Of Pregnancy	\$100,000
667*	SERIOUS OR VIOLENT PRIORS Valid Prior Conviction under P.C. sections 667.5 or 1192.7 and current charge not punishable by death or life without parole	
	One serious or violent prior conviction (Strike) 677(a)(1), 1170.12(c)(1)	\$50,000
	One prior serious or violent prior conviction (Second Strike) 667(e)(1), 1170.12(c)(1)	\$150,000
	Two or more serious or violent prior convictions (Third Strike) 667(e)(2), 1170.12(c)(2)	\$500,000
667.8	Kidnapping For Purpose Of Sex Offense	\$100,000
667.85	Kidnapping Of Child Under 14 With Intent To Permanently Deprive Parent Of Custody	\$100,000
1203.09	Violent Felonies Against Aged	\$50,000

Health & Safety	ENHANCEMENT ALLEGATIONS	BAIL
HS 11370.2	Prior Felony Drug Dealing Convictions When Charge Relates To Drug Dealing	\$50,000

NOTE: Enhancement amounts are to be added to the bail listed for the underlying offense unless the enhancement is for an element of the underlying offense.