

# Madera County Emergency Bail Schedule

## Introduction

Acknowledging the ongoing threat to public safety resulting from the COVID-19 pandemic and recognizing that this threat is amplified in environments where maintaining appropriate social distancing is difficult to maintain, such as in custodial environments, the Madera County Superior Court adopts this Emergency Bail Schedule.

This Emergency Bail Schedule is adopted to protect the health and safety of the administration, correctional officers and support staff of the Madera County Department of Corrections, law enforcement personnel, arrestees, inmates and their families.

## Application

This emergency bail schedule shall be effective immediately upon the repeal of the Statewide Emergency Bail Schedule established by Emergency Rule 4 of the California Rules of Court and must be applied to every accused person arrested and in pretrial custody and to every accused person held in pretrial custody.

Except as specifically provided for herein, the 2020 Madera County Bail Schedule is suspended pending further order of this court and, notwithstanding any other statute or rule, this Emergency Bail Schedule is hereby adopted by order of the presiding judge.

## Setting of Bail and Exceptions

- (a) Bail for all infraction, misdemeanor and felony offenses must be set at \$0,<sup>1</sup> with the exception of the offenses listed below:

## Penal Code

Code Section	Offense Description	Bail Amount
69	Felony attempt to deter/prevent executive officer from performing duty by threat or violence	\$25,000
136.1(c)	Dissuading witness from reporting/testifying/appearing by force or threat of force, to further conspiracy, prior conviction for same or for pecuniary gain	\$100,000
166(c)(1)	Willful violation of a protective order	\$25,000
243(e)(1)	Misdemeanor domestic battery	\$10,000

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<sup>1</sup> A bail amount of \$0 means that the accused is to be released from custody without the posting of a bond. It specifically does not mean that the accused is to be held in custody with no bail. The purpose of setting bail at \$0 is to authorize the citation and release of arrestees.

<b>Code Section</b>	<b>Offense Description</b>	<b>Bail Amount</b>
245(a)(4)	Assault with force likely to produce great bodily injury	\$30,000
262	Spousal rape	\$100,000
273.5	Corporal injury resulting in traumatic condition to person in qualifying relationship	\$30,000 (fel.) \$20,000 (misd.)
273.6	Violation of a protective order if the accused made threats to kill/harm; has engaged in violence against, or has gone to residence or workplace of protected party	\$10,000
290(c)	Commission of any offense listed in Penal Code section 290(c)	Refer to Madera County Bail Schedule
422	Felony criminal threats	\$30,000
463	Looting	\$50,000
646.9	Stalking	\$150,000
667.5(c)	Commission of any offense listed in Penal Code section 667.5(c)	Refer to 2020 Madera County Bail Schedule
1192.7(c)	Commission of any offense listed in Penal Code section 1192.7(c)	Refer to 2020 Madera County Bail Schedule
29800	Ownership/possession/control of a firearm by felon, addict, person twice convicted of brandishing firearm	\$35,000

### Vehicle Code

<b>Code Section</b>	<b>Offense Description</b>	<b>Bail Amount</b>
2800.2	Felony fleeing or attempting to elude a pursuing peace officer in willful or wanton disregard for safety of persons or property	\$50,000
23152(a),(b)(c),(f)	Driving while under the influence of alcohol or a controlled substance (no prior conviction)	\$10,000
23152(a),(b)(c),(f)	Driving while under the influence of alcohol or a controlled substance (one prior conviction)	\$25,000
23152(a),(b)(c),(f)	Driving while under the influence of alcohol or a controlled substance (two prior convictions)	\$30,000
23152(a),(b)(c),(f)	Driving while under the influence of alcohol or a controlled substance (three or more prior convictions)	\$40,000
23152(d),(e)	Driving commercial vehicle or vehicle for hire with 0.04 percent or more of alcohol in driver's blood (no prior conviction)	\$30,000

<b>Code Section</b>	<b>Offense Description</b>	<b>Bail Amount</b>
23152(d), (e)	Driving commercial vehicle or vehicle for hire with 0.04 percent or more of alcohol in driver's blood (one or more prior conviction)	\$50,000
23153(a), (b),(f),(g)	Driving under the influence causing bodily injury (no prior conviction)	\$30,000
23153(a), (b),(f),(g)	Driving under the influence causing bodily injury (one prior conviction)	\$50,000
23153(a), (b),(f),(g)	Driving under the influence causing bodily injury (two prior convictions)	\$75,000
23153(a), (b),(f),(g)	Driving under the influence causing bodily injury (three or more prior convictions)	\$100,000
23153(d), (e)	Driving commercial vehicle or vehicle for hire while under the influence causing bodily injury (no prior conviction)	\$50,000
23153(d), (e)	Driving commercial vehicle or vehicle for hire while under the influence causing bodily injury (one or more prior conviction)	\$75,000

- (b) Bail for misdemeanor probation violations will be set at \$0.
- (c) Bail for all violations of felony probation, parole, mandatory supervision, post-release community supervision and parole in which the underlying conviction was for one of the exception offenses listed in subdivision (a), above, will be set at the amount indicated in that subdivision, including any enhancements.
- (d) Persons arrested for a misdemeanor or felony offense alleged to have been committed when the person had been previously released on his or her own recognizance, or \$0 bail pursuant to this Emergency Bail Schedule or the Statewide Bail Schedule, repealed on June 20, 2020, shall be set in the amount specified in the 2020 Madera County Bail Schedule.

#### **Denial of Bail**

Nothing in this Emergency Bail Schedule restricts the ability of the court to set or deny bail as authorized by Article I, section 12 or 28(f)(3) of the California Constitution.

#### **Reduction of Bail**

Nothing in this Emergency Bail Schedule restricts the authority of the court to reduce the amount of bail set forth herein.

## Enhancements

The 2020 Madera County Bail Schedule shall remain in effect for all count-specific conduct enhancements and any status enhancements.

Dated: June 19, 2020

A handwritten signature in blue ink, appearing to read "Dale D.", written over a horizontal line.

Presiding Judge of the Superior Court