

**2026**

# **FELONY BAIL SCHEDULE**

Eff. January 1, 2026



**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES**

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<https://www.lacourt.ca.gov/>

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# **I. LOS ANGELES COUNTY FELONY PRE-ARRAIGNMENT RELEASE PROTOCOL FOR LAW ENFORCEMENT**

## **A. Introduction**

The purpose of bail is to ensure an arrestee appears for all court appearances and reduce the risk to public or victim safety.<sup>1</sup> Article I, section 12 of the California Constitution entitles most arrestees (who are presumed innocent until proven guilty beyond a reasonable doubt) to release on bail while awaiting trial. In addition, the Constitution prohibits excessive bail and requires that judicial officers take into account the protection of the public, safety of the victim, seriousness of the offense charged, previous criminal record of the defendant, and the probability of the arrestee appearing at court appearances.<sup>2</sup> Consistent with the United States Supreme Court's decision in *Salerno*, the Superior Court of Los Angeles County (Court) seeks with this protocol to ensure that "in our society liberty is the norm, and detention prior to trial is the carefully limited exception."<sup>3</sup>

### **Applicability of Pre-Arraignment Release Protocol for Low-Level, Non-Violent Felonies and Misdemeanors**

For many less serious and low-risk level misdemeanor and felony offenses, the Pre-Arraignment Release Protocol (PARP) represents a shift from the practice of setting money bail, also known as a "financial condition" of release. Prior to the implementation of the PARP, arrestees who could afford to post money bail pursuant to operative bail schedules were released pre-arraignment, while those who could not afford to do so were detained, even if they posed little risk to the public or were likely to return to court. The California Supreme Court has held that conditioning release from custody solely on whether an arrestee can afford bail is unconstitutional. (*In re Humphrey* (2021) 11 Cal.5th 135, 143 (*Humphrey*)). Further, research<sup>4</sup> demonstrates that non-financial conditions of release that address both public and victim safety and the arrestee's individual circumstances are often sufficient and may be preferable to financial conditions for numerous reasons. In *Humphrey*, the Supreme Court instructed trial courts to impose the least restrictive conditions of release for defendants and to consider whether non-financial conditions of release may reasonably protect the public and the victim or reasonably assure the defendant's presence at trial.

Effective October 1, 2023, this Pre-Arraignment Release Protocol shall govern whether eligible arrestees in Los Angeles County are released from custody without conditions, released with non-financial conditions, or held in custody pending arraignment. Using the PARP, the Court sets release conditions based on an arrestee's risk to public or victim safety and the arrestee's likelihood of returning to court and reduces reliance on money bail as a condition of release prior to arraignment for individuals arrested for certain misdemeanor and non-violent, low-level felonies. Through the PARP, the Court assesses and releases from custody (with release conditions where appropriate) those arrestees who pose a minimal risk of flight or danger to public or victim safety. For arrestees charged with certain non-violent felony and misdemeanor offenses, the offenses will fall within one

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<sup>1</sup> Cal. Const., art. I, § 28, subd. (f)(3).

<sup>2</sup> *Id.*

<sup>3</sup> *United States v. Salerno* (1984) 481 U.S. 739, 755.

<sup>4</sup> Brooker, C. *Yakima County, Washington Pretrial Justice System Improvements: Pre- and Post-Implementation Analysis*. (2017); Carmichael, D. et al. *Liberty and Justice: Pretrial Practices in Texas*. (2017); Anderson, C. et al. *Evaluation of Pretrial Justice System Reforms that Use the Public Safety Assessment: Effects of New Jersey's Criminal Justice Reform*. (2019); Redcross, C. et al. *Evaluation of Pretrial Justice System Reforms that Use the Public Safety Assessment: Effects in Mecklenburg County, North Carolina*. (2019); Grant, G. *Report to the Governor and the Legislature: Jan. 1-Dec. 31, 2019*. (2020); Lowenkamp, C. et al. *Replication and Extension of the Lucas County PSA Project*. (2020).

of three categories – CR (Cite and Release); BR (Book and Release); and MR (Magistrate Review). The categories are described in more detail below and each eligible offense is assigned a category.

### *Zero-Dollar Bail Is Not Available for Serious or Violent Offenses Pre-Arraignment*

Zero-dollar bail is not available for serious or violent crimes.

The following arrestees are ineligible for pre-arraignment release on zero-dollar bail:

1. Individuals arrested for capital crimes when the facts are evident or the presumption great and all offenses listed in subsections (b) and (c) of Article I, section 12 of the California Constitution are ineligible for release on their own recognizance or sufficient sureties.<sup>5</sup>
2. Individuals arrested for any offense listed in Penal Code section 1270.1. Individuals arrested for offenses listed in Penal Code section 1270.1 are ineligible for release on their own recognizance or release on bail in an amount that is either more or less than the amount contained in the schedule of bail for the offense until a hearing is held in open court before the magistrate or judge. For these offenses the arrestees must post financial conditions of release as required by that statute or be held until arraignment within the time outlined in Penal Code section 825, or the time by which they may have a hearing in open court as required. Existing law requires a non-zero-dollar amount of bail to be set for these offenses. Financial conditions of release for those crimes or enhancements are listed within the protocol.
3. Individuals arrested for any offense where there is a sentencing enhancement, as defined in subdivision (e) of Penal Code section 1269b. For offenses with these enhancements, arrestees must post financial conditions of release (non-zero-dollar amount of bail) as required by that statute and listed within the protocol.

### *Definitions of CR, BR, and MR*

For those offenses designated as either CR or BR, eligible arrestees will be released on their own recognizance with a promise to appear at arraignment either at the time of arrest (CR) or after being booked at a police station or other facility (BR). Nothing in this protocol should be construed to alter the authority of law enforcement to cite-and-release or book-and-release as authorized by state law. These arrestees are not required to post cash bail, and the offenses for which they are booked are designated in the schedule as zero-dollar (\$0) bail offenses. However, arrestees booked for an offense designated as CR or BR who are currently on Felony Probation, Parole or Post Release Community Supervision (PRCS) will be referred to a magistrate for review. (Pen. Code, § 1319.5, subd. (b)(1).) In addition, arrestees for certain offenses who have 3 or more failures to appear in other recent criminal cases will be referred to a magistrate for review. (Pen. Code, § 1319.5, subd. (b)(2).) The Superior Court of Los Angeles County has magistrates available 7 days a week, 24 hours a day.

For those crimes designated as MR, arrestees will be referred to a magistrate for review. As set forth further below, magistrates will consider the available information to determine whether to release an arrestee on their own recognizance with no conditions, release them on their own recognizance with the least restrictive non-financial conditions, or defer consideration of release until arraignment under limited circumstances. All offenses in the MR category are designated as \$0 bail offenses.

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<sup>5</sup> Cal. Const., art. I, § 12.

Pre-arraignment bail amounts and designations in the PARP are not binding on judicial officers at arraignment, which typically occurs within 48 hours of arrest unless there is a holiday or a weekend when the court is otherwise closed. At arraignment, where both the prosecution and the defendant are represented by counsel, judicial officers have the full range of options available with respect to the defendant's bail and custody status. The arraignment court can consider, among other facts and issues raised, the prosecutor's charging document, the defendant's criminal history, and the facts of the case, and any information the prosecutor and the defense attorney may offer.

### Arrest Warrants – Bail Amounts

At and after the defendant's first appearance, the judicial officer before whom the defendant appears will determine release conditions, if any. (See section II (A) and (C).) A magistrate fixing financial conditions of release pursuant to Penal Code section 815a which requires that a magistrate fix the amount of bail which in their judgment is in accordance with the provisions of section 1275 will be reasonable and sufficient for the appearance of the defendant following their arrest, if the offense is bailable, may use this schedule at the time an arrest warrant is issued. The amount of bail is within the sound discretion of the magistrate. (See section II (B).)

## **B. How to Use the Pre-Arraignment Release Protocol**

The purpose of this protocol is to designate pre-arraignment release orders upon which a person arrested without a warrant may be assessed for release before their appearance in court. Arrestees booked on crimes listed in Penal Code section 1270.1 are not eligible for non-financial conditions of release pre-arraignment.

Prior to arraignment, the release protocol for each crime will be designated in the column titled “**Pre-Arraignment Release Protocol**.” Within that designated column, the following abbreviations will refer to the appropriate pre-arraignment protocol for arrestees booked for the referenced crime.

### **1. CITE AND RELEASE (CR)**

People arrested for crimes designated as **CR** are subject to \$0 bail and are not required to provide financial conditions of release unless a designated exception applies as stated in Item 6. Arrestees must promise to appear in court for arraignment.

### **2. BOOK AND RELEASE (BR)**

People arrested for crimes designated as **BR** are subject to \$0 bail and are not required to provide financial conditions of release unless a designated exception applies as stated in Item 6. Arrestees must promise to appear as required by Penal Code section 1318.

### **3. MAGISTRATE REVIEW (MR)**

People arrested for crimes designated as **MR** are subject to \$0 bail and are not required to provide financial conditions of release unless a designated exception applies as stated in Item 6. Arrestees must promise to appear in court for arraignment as required by Penal Code section 1318, they must be booked by a law enforcement agency (LEA), and their release conditions, if any, will be determined by a magistrate. Applying the factors set forth in Penal Code section 1275, and Article I, sections 12 and 28, the magistrate will consider known facts about the offense and the arrestee as well as a risk assessment report in deciding to (1) release the arrestee on their own recognizance; (2) release the arrestee upon \$0 money bail and non-financial conditions of release that are the least restrictive conditions reasonably related to the crime that are necessary to assure their appearance at court and the safety of the public and victim; or (3) defer until arraignment consideration of the arrestee's release, if the magistrate finds by clear and convincing evidence based on the available information

that "public or victim safety, or the arrestee's appearance in court, cannot be reasonably assured" if they are released with nonfinancial conditions (*In re Humphrey* (2021) 11 Cal.5th 135, 154) or the arrestee is otherwise statutorily ineligible for release prior to arraignment.

Once the least restrictive condition or combination of conditions is determined by the magistrate, the Court's Pre-Arraignment Support Unit will communicate the release conditions, if any, to the booking LEA. The LEA will communicate the condition(s) to the arrestee. If the arrestee accepts the conditions, the arrestee will be released. If not, further consideration of the arrestee's release will be deferred until arraignment.

Pre-arraignment orders pertaining to release and conditions are not binding upon the court at arraignment. The judicial officer presiding over the arraignment will determine the arrestee's suitability for all conditions of release, financial and non-financial, within the timing outlined in Penal Code section 825, and within the meaning of current statutory and case authority.

If no charges are filed by the prosecuting agency prior to arraignment, the arrestee will be released without conditions.

#### **4. FINANCIAL CONDITIONS OF RELEASE**

Pursuant to Penal Code sections 1270.1 and 1269b, subdivision (e), persons arrested for designated felonies or subject to listed enhancements must post financial conditions of release as required by those statutes or be held until arraignment within the time outlined in Penal Code section 825, or the time by which they may have a hearing in open court as required. Financial conditions of release for those crimes or enhancements are listed within the protocol.

#### **5. INELIGIBLE FOR RELEASE**

Arrestees charged with crimes described in California Constitution, article I, §§ 12, subdivisions (a)-(c) or 28(f)(3) or Penal Code section 1270.5 are not eligible for release prior to arraignment.

#### **6. EXCEPTIONS**

##### **a. ARRESTEE ON FELONY PROBATION, PAROLE, POST RELEASE COMMUNITY SUPERVISION (PRCS), or MULTIPLE FAILURES TO APPEAR AS DEFINED:**

If an arrestee is booked for an offense listed as CR or BR in the bail schedule and is on an active grant of felony probation, parole, or PRCS at the time of the offense, the arrestee shall be referred to a magistrate for review.

Alternatively, if an arrestee is booked for an offense listed as CR or BR in the bail schedule, and that crime is enumerated in Penal Code section 1319.5, subdivision (b)(2), and the arrestee has failed to appear in court as ordered, resulting in a warrant being issued, three or more times over the three years preceding the current arrest, the arrestee shall be referred to a magistrate for review.

LEA shall communicate to the Court's Pre-Arraignment Support Unit whether the arrestee is an exception from the release protocol due to these circumstances which would require magistrate review for the booked offense.

The magistrate will not take action on the post-conviction matter.

**b. ARRESTEE ACCUSED OF MULTIPLE OFFENSES OR ENHANCEMENTS:**

- i. If an arrestee is booked on two or more offenses with differing protocol designations (\$0 bail and CR, BR, or MR), pre-arraignment release protocol shall be determined by the strictest release protocol designated.
- ii. If an arrestee is booked on two or more offenses, one which designates release protocol and the other which designates a financial condition of release, pre-arraignment release shall be determined by the financial condition of release designated for each crime. No additional financial conditions may be added within the Felony Bail Computation Worksheet for crimes designated as \$0 bail and CR, BR, or MR. Because the arrestee is subject to financial conditions of release, the arrestee will not be referred to a magistrate for review.
- iii. If an arrestee is booked on an offense designated as \$0 bail and CR, BR, or MR and an enhancement requiring a financial condition of release, pre-arraignment release shall be determined by the financial condition of release designated by the applicable enhancement. No additional financial conditions may be added within the Felony Bail Computation Worksheet for the crimes designated as \$0 bail and CR, BR, or MR. Because the arrestee is subject to financial conditions of release, the arrestee will not be subject to magistrate review unless the arrestee is statutorily eligible for own recognizance release. LEA shall communicate to the Court's Pre-Arraignment Support Unit any enhancement sought within two hours of booking. The Pre-Arraignment Support Unit is available 24 hours per day and may be reached at (213) 633-6350.
- iv. If an arrestee is booked on multiple offenses or enhancements which all require financial conditions of release, the amount shall be determined by the Felony Bail Computation Worksheet unless the offenses are committed against separate victims or on separate dates, or 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, subdivisions (c) and (d)). In addition, amounts for enhancements and prior convictions shall each be added one time per person arrested, per defendant, or per case. Because the arrestee is subject to financial conditions of release, the arrestee will not be subject to magistrate review.

**7. REPRODUCTIVE RIGHTS**

In accordance with Penal Code section 1269b, subdivision (f)(2), bail shall be set at zero dollars (\$0) and the offense designated as CR for an individual who has been arrested in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of an abortion in this state, or an individual obtaining an abortion in this state, if the abortion is lawful under the laws of this state.

**8. UNLISTED FELONIES**

For all offenses charged as felonies under state statutes, for which there is no protocol provided in this schedule, including unlisted subdivisions, the bail shall be set at zero dollars (\$0) and the offense designated as BR. This section does not include crimes listed in Penal Code section 1270.1, subdivision (a). Crimes chargeable as either a felony or misdemeanor ("wobblers") under state statutes or municipal or agency ordinances are provided for in the Misdemeanor Bail Schedule.

## **9. BAIL DEVIATION**

Pursuant to Penal Code section 1269c and 1269b(c), bail deviation is available to process all bail increase and decrease requests for persons who have been arrested (other than pursuant to an arrest warrant) but not arraigned.

Law Enforcement requests to increase bail shall be made within two hours of booking. Such a request is available pursuant to Penal Code section 1269c:

- a. As to those individuals arrested without a warrant for a bailable felony offense or for the misdemeanor offense of violating a domestic violence restraining order, and;
- b. When a peace officer has reasonable cause to believe that the amount of bail set forth in the schedule of bail for that offense is insufficient to ensure the defendant's appearance or to ensure the protection of a victim, or family member of a victim, of domestic violence.

Under these circumstances, "the peace officer shall prepare a declaration under penalty of perjury setting forth the facts and circumstances in support of his or her belief and file it with a magistrate . . . requesting an order setting a higher bail." (Pen. Code, §1269c.)

### **For Crimes Requiring Money Bail**

**(Crimes designated with a financial condition of release in the bail schedule.)**

A request to increase the amount of money bail designated in the bail schedule shall be called in to the Court's Pre-Arraignment Support Unit within two hours of booking at (213) 633-6350. The Pre-Arraignment Support Unit is available 24 hours per day. LEA shall submit a signed, written declaration to the magistrate, SCLAC Crim 205, available on the Court's website.

Requests for a reduction of the money bail amount designated within the bail schedule are not available prior to arraignment for crimes listed within Penal Code section 1270.1, subdivision (a) pursuant to Penal Code section 1269c.

### **For Crimes Not Requiring a Financial Condition of Release**

**(Crimes designated as CR, BR, or MR within the bail schedule.)**

A request to elevate the designated protocol (e.g., CR/BR to MR) shall be called in to the Court's Pre-Arraignment Support Unit within two hours of booking at (213) 633-6350. The Pre-Arraignment Support Unit is available 24 hours per day.

LEA shall communicate to the Pre-Arraignment Support Unit its request that the bail protocol designation be increased within the meaning of this Bail Schedule.

A request for upward bail deviation of an offense designated in the bail schedule as CR or BR may cause the arrestee to be referred to a magistrate for review.

An attorney, friend, or family member of the arrestee may make an application to the magistrate for release on bail lower than that provided in the schedule of bail or on his or her own recognizance by calling the number above within two hours of booking. (Pen. Code, §1269c.)

A magistrate will consider all timely and lawful requests in their release decision.

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## Felony Bail Computation Worksheet

**1** Name of Arrestee: \_\_\_\_\_

**2** List all offenses: \_\_\_\_\_

|                                                                                                                                                                                                                                                                                     | AMOUNT                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| <b>Base Bail (see <i>Felony Bail Schedule</i> at pages 12-27)</b>                                                                                                                                                                                                                   |                                        |
| Of the offenses listed in 2, which carries the highest bail schedule amount?                                                                                                                                                                                                        |                                        |
| <b>3</b> List code and section number here: _____<br>List the bail schedule amount for that offense in 3a.                                                                                                                                                                          | <b>3a</b>                              |
| Is arrestee charged with two or more offenses? <i>If yes, move to 3b and 3c. If no, move to 4.</i>                                                                                                                                                                                  |                                        |
| <b>3b</b> Were additional offenses committed against separate victims OR were the offenses committed on separate dates? <i>If yes, list the sum of the bail schedule amount(s) for each additional offense committed against a separate victim and/or on a separate date in 3b.</i> | <b>3b</b>                              |
| <b>3c</b> Were additional separate sex acts committed on the same victim AND may each act be punished separately? <i>If yes, list the sum of the bail schedule amounts for each additional separate sex act in 3c.</i>                                                              | <b>3c</b>                              |
| <i>If no to 3b and 3c, base bail is <b>only</b> the bail amount for the offense listed in 3a.</i>                                                                                                                                                                                   |                                        |
| <b>Enhancements (see <i>Felony Bail Schedule</i> at pages 27-28)</b>                                                                                                                                                                                                                |                                        |
| <b>4</b> Was the offense committed for the benefit of a gang? <span style="float: right;">If yes, add \$40,000</span>                                                                                                                                                               | <b>4</b>                               |
| <b>5</b> Was a weapon involved? <i>If yes, add only the greatest of 5a-5d. If no weapon, move to 6.</i>                                                                                                                                                                             |                                        |
| <b>5a</b> Did the arrestee personally discharge a firearm, causing GBI or death? <span style="float: right;">If yes, add \$1,000,000</span>                                                                                                                                         | <b>5a</b>                              |
| <b>5b</b> Did the arrestee personally discharge a firearm, not causing GBI/death? <span style="float: right;">If yes, add \$200,000</span>                                                                                                                                          | <b>5b</b>                              |
| <b>5c</b> Did the offense involve possession, use, or discharge of a firearm? <span style="float: right;">If yes, add \$50,000</span>                                                                                                                                               | <b>5c</b>                              |
| <b>5d</b> Did the arrestee use a weapon other than a firearm? <span style="float: right;">If yes, add \$20,000</span>                                                                                                                                                               | <b>5d</b>                              |
| <b>6</b> Did the offense involve infliction of GBI? <span style="float: right;">If yes, add \$30,000</span>                                                                                                                                                                         | <b>6</b>                               |
| <b>7</b> Does the arrestee have any prior convictions? <i>If no prior convictions, move to 8.</i>                                                                                                                                                                                   |                                        |
| <b>7a</b> Does the arrestee have a prior conviction for a serious or violent felony or enumerated sex offense? <span style="float: right;">If yes, add \$50,000 per prior conviction</span>                                                                                         | <b>7a</b>                              |
| <b>7b</b> Is the arrestee charged with a serious or violent felony AND does the arrestee have two or more convictions for serious or violent felonies? <span style="float: right;">If yes, add \$1,000,000</span>                                                                   | <b>7b</b>                              |
| <b>7c</b> Has the arrestee served a prison term for a sexually violent offense during the past 5 years? <span style="float: right;">If yes, add \$10,000 per term</span>                                                                                                            | <b>7c</b>                              |
| <b>8</b> Are there any other enhancements to be added? <i>If no other enhancements, move to 9.</i>                                                                                                                                                                                  |                                        |
| <b>8a</b> Is the victim over 65, under 15, or disabled, AND is the crime enumerated in Penal Code sections 667.9-667.10? <span style="float: right;">If yes, add \$25,000</span>                                                                                                    | <b>8a</b>                              |
| <b>8b</b> <i>Add only once:</i> Are there other felony charges pending against the arrestee, or is the arrestee on parole, felony probation, or probation department supervision? <span style="float: right;">If yes, add \$25,000</span>                                           | <b>8b</b>                              |
| <b>8c</b> <i>If base bail is less than \$1,000,000 and neither 6 nor 8b apply:</i> Does the offense carry a possible term of life imprisonment? <span style="float: right;">If yes, add \$1,000,000</span>                                                                          | <b>8c</b>                              |
| <b>9</b> Add lines 3a through 8c.                                                                                                                                                                                                                                                   | <b>This is the Total Bail: 9</b> _____ |

\_\_\_\_\_  
Name of Person Completing Form

\_\_\_\_\_  
Badge/ID #

If Law Enforcement, Do You  
Oppose O/R Release? ☐ Yes ☐ No

If deviation from Felony Bail Schedule is sought, please attach request and supporting documentation.

# PENAL CODE

| PEN. CODE § | OFFENSE                                                                                         | SERIOUS<br>OR<br>VIOLENT | CITATION                  | PRE-ARRAIGNMENT<br>RELEASE PROTOCOL |
|-------------|-------------------------------------------------------------------------------------------------|--------------------------|---------------------------|-------------------------------------|
| 32          | Accessories                                                                                     |                          |                           | BR                                  |
| 67          | Bribery of State Executive Officer                                                              |                          |                           | CR                                  |
| 67.5        | Bribery of Public Officer or Employee (If theft or thing given or offered would be grand theft) |                          |                           | CR                                  |
| 68          | Bribe, Soliciting by Public Officer or Employee                                                 |                          |                           | BR                                  |
| 69          | Resisting Arrest/Threatening Executive Officer                                                  |                          |                           | MR                                  |
| 76          | Threats to the Life of an Official or Judge                                                     |                          |                           | MR                                  |
| 92, 93      | Bribe, Offering, Accepting by Judge, Juror, Referee                                             |                          |                           | BR                                  |
| 113         | Manufacturing or Selling False Citizenship or Resident Alien Documents                          |                          |                           | CR                                  |
| 114         | Using False Documents to Conceal True Citizenship                                               |                          |                           | CR                                  |
| 115         | Offering Forged/False Documents for Filing                                                      |                          |                           | CR                                  |
| 115.1       | Campaign Violations                                                                             |                          |                           | CR                                  |
| 118         | Perjury                                                                                         |                          |                           | CR                                  |
| 127         | Subornation of Perjury                                                                          |                          |                           | CR                                  |
| 136.1(a)(b) | Dissuading a Witness from Testifying                                                            | S                        | 1192.7(c)(37)             | \$100,000                           |
| 136.1(c)    | Preventing, Dissuading Witness from Attendance, Testifying                                      | S                        | 1192.7(c)(37)             | \$100,000                           |
| 137(a),(b)  | Influencing Testimony                                                                           |                          |                           | BR                                  |
| 141(b)      | Filing of False Evidence by Police                                                              |                          |                           | BR                                  |
| 141(c)      | Filing of False Evidence by Prosecuting Attorney                                                |                          |                           | BR                                  |
| 146a(b)     | Impersonating an Officer                                                                        |                          |                           | MR                                  |
| 148(b)      | Taking a Weapon from a Peace Officer                                                            |                          |                           | MR                                  |
| 148(c)      | Taking a Firearm from a Peace Officer                                                           |                          |                           | MR                                  |
| 149         | Assault by Officer Under Color of Authority                                                     |                          |                           | MR                                  |
| 165         | Bribery of Councilman, Supervisor, etc.                                                         |                          |                           | BR                                  |
| 182         | Conspiracy                                                                                      |                          |                           | Same as substantive offense         |
| 186.22(a)   | Active Participation in Criminal Street Gang                                                    | S                        | 1192.7(c)(28)             | \$30,000                            |
| 187         | Murder – with special circumstance                                                              | S, V                     | 1192.7(c)(1), 667.5(c)(1) | INELIGIBLE FOR RELEASE              |
|             | All other murders                                                                               | S, V                     | 1192.7(c)(1), 667.5(c)(1) | \$2,000,000                         |

| PEN. CODE §      | OFFENSE                                                                                                                                                                                                                  | SERIOUS OR VIOLENT | CITATION                       | PRE-ARRAIGNMENT RELEASE PROTOCOL |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------------------|----------------------------------|
| <b>191.5</b>     | <b>VEHICULAR MANSLAUGHTER</b>                                                                                                                                                                                            |                    |                                |                                  |
| <b>191.5(a)</b>  | DUI with gross negligence                                                                                                                                                                                                | S                  | 1192.8                         | \$100,000                        |
| <b>191.5(b)</b>  | DUI without gross negligence                                                                                                                                                                                             | S                  | 1192.8                         | \$50,000                         |
| <b>192(a)</b>    | Manslaughter – Voluntary                                                                                                                                                                                                 | S, V               | 1192.7(c)(1),<br>667.5(c)(1)   | \$100,000                        |
| <b>192(b)</b>    | Manslaughter – Involuntary                                                                                                                                                                                               |                    |                                | \$25,000                         |
| <b>192(c)(1)</b> | Vehicular Manslaughter – Driving vehicle with gross negligence                                                                                                                                                           | S                  | 1192.8                         | \$50,000                         |
| <b>192(c)(3)</b> | Vehicular Manslaughter – Accident caused for financial gain                                                                                                                                                              | S                  | 1192.8                         | \$100,000                        |
| <b>192.5</b>     | <b>VEHICULAR MANSLAUGHTER – OPERATING A VESSEL</b>                                                                                                                                                                       |                    |                                |                                  |
| <b>192.5(a)</b>  | DUI with gross negligence                                                                                                                                                                                                | S                  | 1192.8                         | \$100,000                        |
| <b>192.5(b)</b>  | DUI without gross negligence                                                                                                                                                                                             | S                  | 1192.8                         | \$50,000                         |
| <b>192.5(c)</b>  | With gross negligence                                                                                                                                                                                                    | S                  | 1192.8                         | \$50,000                         |
| <b>203</b>       | Mayhem                                                                                                                                                                                                                   | S, V               | 1192.7(c)(2),<br>667.5(c)(2)   | \$100,000                        |
| <b>205</b>       | Aggravated Mayhem (Life)                                                                                                                                                                                                 | S, V               | 1192.7(c)(2),<br>667.5(c)(2)   | \$1,000,000                      |
| <b>207</b>       | Kidnapping                                                                                                                                                                                                               | S, V               | 1192.7(c)(20),<br>667.5(c)(14) | \$100,000                        |
|                  | Kidnapping child under age 14 to deprive custody (P.C. 667.85)                                                                                                                                                           | S, V               | 1192.7(c)(20),<br>667.5(c)(14) | \$150,000                        |
|                  | Kidnapping for purpose of felony sexual offense (P.C. 667.8(a) and (b))                                                                                                                                                  | S, V               | 1192.7(c)(20),<br>667.5(c)(14) | \$1,000,000                      |
| <b>209</b>       | <b>Kidnapping for Ransom, Robbery, Sex Offense, Etc. (Life)</b><br>Including kidnapping child under age 14 to deprive custody (P.C. 667.85), and kidnapping for purpose of felony sexual offense (P.C. 667.8(a) and (b)) | S, V               | 1192.7(c)(20),<br>667.5(c)(14) | \$1,000,000                      |
| <b>209.5</b>     | Kidnapping During a Carjacking (Life)                                                                                                                                                                                    | S, V               | 1192.7(c)(20),<br>667.5(c)(14) | \$1,000,000                      |
| <b>210.5</b>     | False Imprisonment – Kidnapping to Evade Arrest                                                                                                                                                                          |                    |                                | MR                               |
| <b>211</b>       | <b>ROBBERY</b>                                                                                                                                                                                                           |                    |                                |                                  |
|                  | First Degree                                                                                                                                                                                                             | S, V               | 1192.7(c)(19),<br>667.5(c)(9)  | \$100,000                        |
|                  | Second Degree                                                                                                                                                                                                            | S, V               | 1192.7(c)(19),<br>667.5(c)(9)  | \$50,000                         |
| <b>215</b>       | Carjacking                                                                                                                                                                                                               | S, V               | 1192.7(c)(27),<br>667.5(c)(17) | \$100,000                        |
| <b>219</b>       | Trainwrecking (Life)                                                                                                                                                                                                     | S, V               | 1192.7(c)(7),<br>667.5(c)(7)   | \$1,000,000                      |

| PEN. CODE §   | OFFENSE                                                                                                                          | SERIOUS OR VIOLENT | CITATION                    | PRE-ARRAIGNMENT RELEASE PROTOCOL |
|---------------|----------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------|----------------------------------|
| 220(a)        | Assault with Intent to Commit Mayhem, Rape, Sodomy, Oral Copulation, or Any Violation of P.C. 264.1, 288, or 289                 | S, V               | 1192.7(c)(29), 667.5(c)(15) | Same as substantive offense      |
| 220(b)        | Assault with Intent to Commit Specified Sex Offenses While in the Commission of First Degree Burglary                            | S, V               | 1192.7(c)(29), 667.5(c)(15) | \$1,000,000                      |
| 222           | Administering Drugs to Aid Felony                                                                                                |                    |                             | MR                               |
| 236           | False Imprisonment                                                                                                               |                    |                             | BR                               |
| 236.1(a), (b) | <b>Human Trafficking</b>                                                                                                         |                    |                             | MR                               |
| 236.1(c)      | If victim is under the age of 18 and defendant was victim                                                                        |                    |                             | MR                               |
| 236.1(c)      | If victim is under the age of 18 and defendant was not victim                                                                    | S                  | 1192.7(c)(42)               | \$150,000                        |
| 237(b)        | False Imprisonment – Elder or Dependent Person                                                                                   |                    |                             | MR                               |
| 241.1         | Assault – Upon Custodial Officer                                                                                                 |                    |                             | BR                               |
| 243           | <b>Battery</b>                                                                                                                   |                    |                             |                                  |
| 243(c)        | Upon peace officer, etc., with injury                                                                                            |                    |                             | MR                               |
| 243(d)        | Battery – With serious bodily injury                                                                                             | S                  | 1192.7(c)(8)                | \$50,000                         |
| 243.1         | Battery – Upon custodial officer in performance of duties:<br>if the arrestee is in custody<br><br>If arrestee is not in custody |                    |                             | BR<br><br>MR                     |
| 243.4         | Sexual Battery                                                                                                                   |                    |                             | MR                               |
| 244           | Assault with Chemicals                                                                                                           | S                  | 1192.7(c)(30)               | \$50,000                         |
| 244.5(b), (c) | Use of Stun Gun or Taser on Any Person                                                                                           |                    |                             | MR                               |
| 245(a)(1)     | Assault with Deadly Weapon, Other Than a Firearm                                                                                 | S                  | 1192.7(c)(31)               | \$30,000                         |
| 245(a)(2)     | Assault with a Firearm                                                                                                           | S                  | 1192.7(c)(31)               | \$30,000                         |
| 245(a)(4)     | Assault with Force Likely to Produce G.B.I.                                                                                      |                    |                             | MR                               |
| 245(b)        | Assault with a Semiautomatic Firearm                                                                                             | S                  | 1192.7(c)(31)               | \$75,000                         |
| 245(c)        | Assault with Deadly Weapon Other Than a Firearm or Force Likely to Produce G.B.I. Upon a Peace Officer or Firefighter            | S                  | 1192.7(c)(11), (31)         | \$50,000                         |
| 245(d)(1)     | Assault with A Firearm Upon A Peace Officer Or Firefighter                                                                       | S                  | 1192.7(c)(11), (31)         | \$100,000                        |
| 245(d)(2)     | Assault with a Semiautomatic Firearm Upon a Peace Officer or Firefighter                                                         | S                  | 1192.7(c)(11), (31)         | \$200,000                        |
| 246           | Shooting at Inhabited Dwelling, Building, Occupied Motor Vehicle                                                                 | S                  | 1192.7(c)(33)               | \$250,000                        |
| 246.3(a)      | Discharge of Firearm – Gross Negligence                                                                                          | S                  | 1192.7(c)(8)                | \$35,000                         |

| PEN. CODE §         | OFFENSE                                                                           | SERIOUS OR VIOLENT | CITATION                    | PRE-ARRAIGNMENT RELEASE PROTOCOL |
|---------------------|-----------------------------------------------------------------------------------|--------------------|-----------------------------|----------------------------------|
| <b>261</b>          | <b>Rape</b>                                                                       | S, V               | 1192.7(c)(3), 667.5(c)(3)   | \$100,000                        |
|                     | If victim is under 18                                                             | S, V               | 1192.7(c)(3), 667.5(c)(3)   | \$200,000                        |
|                     | If victim is under 14                                                             | S, V               | 1192.7(c)(3), 667.5(c)(3)   | \$250,000                        |
| <b>261.5(c)</b>     | Unlawful Sexual Intercourse with Person Under 18                                  |                    |                             | MR                               |
| <b>261.5(d)</b>     | If defendant is over 21 and minor under 16                                        |                    |                             | MR                               |
| <b>264.1</b>        | <b>Rape in Concert with Another by Force or Violence</b>                          | S, V               | 1192.7(c)(34), 667.5(c)(18) | \$100,000                        |
|                     | If victim is under 18                                                             | S, V               | 1192.7(c)(34), 667.5(c)(18) | \$200,000                        |
|                     | If victim is under 14                                                             | S, V               | 1192.7(c)(34), 667.5(c)(18) | \$250,000                        |
| <b>266h(a)</b>      | <b>Pimping</b>                                                                    |                    |                             | MR                               |
| <b>266h(b)(1)</b>   | If other person is a minor age 16 or older                                        |                    |                             | MR                               |
| <b>266h(b)(2)</b>   | If other person is a minor under age 16                                           |                    |                             | MR                               |
| <b>266i</b>         | <b>Pandering</b>                                                                  |                    |                             | BR                               |
|                     | If other person is a minor                                                        |                    |                             | MR                               |
| <b>269</b>          | Aggravated Sexual Assault of a Child Under 14 Years                               | S                  | 1192.7(c)(3), (4), (5)      | \$250,000                        |
| <b>273a(a)</b>      | Willful Harm or Injury to Child Likely to Produce G.B.I. or Death                 |                    |                             | MR                               |
| <b>273d(a)</b>      | Corporal Punishment or Injury of Child                                            |                    |                             | MR                               |
| <b>273.5</b>        | <b>Corporal Injury to Specified Persons</b>                                       |                    | 1270.1(a)(2)                | \$50,000                         |
|                     | With prior conviction under P.C. 273.5(f)                                         |                    | 1270.1(a)(2)                | \$100,000                        |
| <b>273.6</b>        | Violation of a Protective Order                                                   |                    | 1270.1(a)(4)                | \$50,000                         |
| <b>278</b>          | <b>Child Stealing</b>                                                             |                    |                             | MR                               |
|                     | By use of the internet                                                            |                    |                             | MR                               |
| <b>285</b>          | Incest                                                                            |                    |                             | MR                               |
| <b>286</b>          | <b>SODOMY</b>                                                                     |                    |                             |                                  |
| <b>286(b)(1)</b>    | If victim is under age 18                                                         |                    |                             | MR                               |
| <b>286(b)(2)</b>    | If victim is under age 16 and defendant is over age 21                            |                    |                             | MR                               |
| <b>286(c)(1)</b>    | If victim is under age 14 and defendant more than 10 years older than victim      | S, V               | 1192.7(c)(4), 667.5(c)(4)   | \$100,000                        |
| <b>286(c)(2)(A)</b> | If defendant compelled another by force, duress or threats of great bodily injury | S, V               | 1192.7(c)(4), 667.5(c)(4)   | \$100,000                        |
| <b>286(c)(2)(B)</b> | If victim is under age 14 with force or duress                                    | S, V               | 1192.7(c)(4),               | \$100,000                        |

| PEN. CODE §           | OFFENSE                                                                           | SERIOUS OR VIOLENT | CITATION                     | PRE-ARRAIGNMENT RELEASE PROTOCOL |
|-----------------------|-----------------------------------------------------------------------------------|--------------------|------------------------------|----------------------------------|
|                       |                                                                                   |                    | 667.5(c)(4)                  |                                  |
| <b>286(c)(2)(C)</b>   | If victim is a minor age 14 or older with force or duress                         | S, V               | 1192.7(c)(4),<br>667.5(c)(4) | \$100,000                        |
| <b>286(d)(1)</b>      | If in concert with force or fear                                                  | S, V               | 1192.7(c)(4),<br>667.5(c)(4) | \$250,000                        |
| <b>286(d)(2)</b>      | If in concert with force or fear upon a victim under age 14                       | S, V               | 1192.7(c)(4),<br>667.5(c)(4) | \$250,000                        |
| <b>286(d)(3)</b>      | If in concert with force or fear upon a minor victim age 14 or over               | S, V               | 1192.7(c)(4),<br>667.5(c)(4) | \$250,000                        |
| <b>286(e)</b>         | If committed in state prison or jail                                              |                    |                              | MR                               |
| <b>286(f) and (g)</b> | If victim unconscious of nature of act/incapable of consent                       |                    |                              | MR                               |
| <b>287</b>            | <b>ORAL COPULATION</b>                                                            |                    |                              |                                  |
| <b>287(b)(1)</b>      | If victim is under age 18                                                         |                    |                              | MR                               |
| <b>287(b)(2)</b>      | If victim is under age 16 and defendant is over age 21                            |                    |                              | MR                               |
| <b>287(c)(1)</b>      | If victim is under age 14 and defendant more than 10 years older than victim      | S, V               | 1192.7(c)(5),<br>667.5(c)(5) | \$100,000                        |
| <b>287(c)(2)(A)</b>   | If defendant compelled another by force, duress or threats of great bodily injury | S, V               | 1192.7(c)(5),<br>667.5(c)(5) | \$100,000                        |
| <b>287(c)(2)(B)</b>   | If victim is under age 14 with force or duress                                    | S, V               | 1192.7(c)(5),<br>667.5(c)(5) | \$100,000                        |
| <b>287(c)(2)(C)</b>   | If the victim is a minor age 14 or older with force or duress                     | S, V               | 1192.7(c)(5),<br>667.5(c)(5) | \$100,000                        |
| <b>287(d)(1)</b>      | If in concert with force or fear                                                  | S, V               | 1192.7(c)(5),<br>667.5(c)(5) | \$250,000                        |
| <b>287(d)(2)</b>      | If in concert with force or fear upon a victim under age 14                       | S, V               | 1192.7(c)(5),<br>667.5(c)(5) | \$250,000                        |
| <b>287(d)(3)</b>      | If in concert with force or fear upon a minor victim age 14 or over               | S, V               | 1192.7(c)(5),<br>667.5(c)(5) | \$250,000                        |
| <b>287(e)</b>         | If committed in state prison or jail and arrestee is in custody                   |                    |                              | BR                               |
|                       | If arrestee is out of custody                                                     |                    |                              | MR                               |
| <b>287(f) and (g)</b> | If victim unconscious of nature of act/incapable of consent                       |                    |                              | MR                               |
| <b>288</b>            | <b>LEWD ACTS</b>                                                                  |                    |                              |                                  |
| <b>288(a)</b>         | If victim is under age 14                                                         | S, V               | 1192.7(c)(6)                 | \$100,000                        |
| <b>288(b)(1)</b>      | If victim is under age 14 with force                                              | S, V               | 1192.7(c)(6)                 | \$100,000                        |
| <b>288(b)(2)</b>      | By caretaker upon a dependent person with force                                   | V                  | 667.5(c)(6)                  | \$100,000                        |
| <b>288(i)</b>         | If victim is under age 14 with bodily harm                                        |                    |                              | \$1,000,000                      |

| PEN. CODE §     | OFFENSE                                                                                                                             | SERIOUS<br>OR<br>VIOLENT | CITATION                       | PRE-ARRAIGNMENT<br>RELEASE PROTOCOL |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------|-------------------------------------|
| 288.2           | Distribution of Child Pornography                                                                                                   |                          |                                | BR                                  |
|                 | With Prior                                                                                                                          |                          |                                | MR                                  |
| 288.3(a)        | Contact Minor with Intent to Commit Sexual Offense                                                                                  |                          |                                | MR                                  |
| 288.3(c)        | With Prior                                                                                                                          |                          |                                | MR                                  |
| 288.4(a)(2)     | Arrange Meeting with Minor for Purpose of Exposing or Procuring Sexual Exposure with Prior                                          |                          |                                | MR                                  |
| 288.4(b)        | Attend an Arranged Meeting with Minor for Purpose of Exposing or Procuring Sexual Exposure or Engaging In Lewd Act                  |                          |                                | MR                                  |
| 288.5           | Continuous Sexual Abuse of a Child                                                                                                  | S, V                     | 1192.7(c)(35),<br>667.5(c)(16) | \$350,000                           |
| 288.7           | Engage in Specified Sex Acts with Minor Under 10                                                                                    | S                        | 1192.7(c)(6)                   | \$250,000                           |
| 289             | Sexual Penetration                                                                                                                  | S, V                     | 1192.7(c)(25),<br>667.5(c)(11) | \$100,000                           |
| 289(a)(1)(B)    | If victim is under age 14 with force or duress                                                                                      | S, V                     | 1192.7(c)(25),<br>667.5(c)(11) | \$100,000                           |
| 289(a)(1)(C)    | If victim is a minor age 14 or older with force or duress                                                                           | S, V                     | 1192.7(c)(25),<br>667.5(c)(11) | \$100,000                           |
| 289.6(a)(2)-(3) | Engage in Specified Sex Acts with Person Confined in Public or Private Detention Facility                                           |                          |                                | BR                                  |
| 290-290.024     | Failure of Convicted Sex Offender to Register                                                                                       |                          |                                | MR                                  |
| 290.46(j)(2)    | Use Information Disclosed on Sex Offender Internet Web Site to Commit a Felony                                                      |                          |                                | BR                                  |
| 311.2           | Bring or Distribute Obscene Matter Within State                                                                                     |                          |                                | BR                                  |
| 311.4           | Use of Minor In Bringing or Distributing Obscene Matter Within State                                                                |                          |                                | MR                                  |
| 311.11(a)(1)    | Possession or Control of Child Pornography                                                                                          |                          |                                | BR                                  |
| 311.11(a)(2)    | Possession or Control of Digitally-Altered or Artificial-Intelligence-Generated Obscene Matter Depicting What Appears to be a Minor |                          |                                | BR                                  |
| 311.11(b)       | With Prior                                                                                                                          |                          |                                | MR                                  |
| 311.11(c)       | More than 600 images (with at least 10 images involving prepubescent minor) or images portraying sexual sadism or masochism         |                          |                                | MR                                  |
| 314(1)          | Indecent Exposure                                                                                                                   |                          |                                | MR                                  |

| PEN. CODE § | OFFENSE                                                                                                                                                                                                                                                                                 | SERIOUS<br>OR<br>VIOLENT | CITATION      | PRE-ARREST<br>RELEASE PROTOCOL |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------|--------------------------------|
| 337a        | Bookmaking<br>Second Offense<br>Third Offense                                                                                                                                                                                                                                           |                          |               | CR<br>BR<br>BR                 |
| 368(b)(1)   | Elder Abuse                                                                                                                                                                                                                                                                             |                          |               | MR                             |
| 368(b)(3)   | Elder Abuse Causing Death                                                                                                                                                                                                                                                               |                          |               | MR                             |
| 368(d)(1)   | Elder Abuse, Theft/Embezzlement                                                                                                                                                                                                                                                         |                          |               | MR                             |
| 405a        | Taking Person from Lawful Custody of a<br>Peace Officer By Means of a Riot                                                                                                                                                                                                              |                          |               | MR                             |
| 422         | Criminal Threats                                                                                                                                                                                                                                                                        | S                        | 1192.7(c)(38) | \$50,000                       |
| 422.3       | Threat to Commit Crime Resulting in Death or<br>GBI at Daycare, School, Workplace, House of<br>Worship, or Medical Facility                                                                                                                                                             |                          |               | MR                             |
| 422.6       | Interference with Civil Rights                                                                                                                                                                                                                                                          |                          |               | MR                             |
| 423.2(a)    | Second or Subsequent Violation<br>By Force, Threat of Force or Physical<br>Obstruction That Is a Crime of Violence,<br>Attempt to or Intentionally Injure, Intimidate or<br>Interfere With a Reproductive Health Services<br>Client, Provider or Assistant                              |                          |               | MR                             |
| 423.2(b)    | Second or Subsequent Violation<br>By Force, Threat of Force, or Physical<br>Obstruction That Is a Crime of Violence,<br>Attempt to or Intentionally Injure, Intimidate or<br>Interfere With a Person's Lawful Exercise of<br>Religious Freedom at Place of Religious<br>Worship         |                          |               | MR                             |
| 423.2(c)    | Second or Subsequent Violation<br>By Nonviolent Physical Obstruction, Attempt<br>to or Intentionally Injure, Intimidate or Interfere<br>With a Reproductive Health Services Client,<br>Provider or Assistant, or Intimidate Persons/<br>Entities From Becoming or Remaining the<br>Same |                          |               | BR                             |
| 423.2(d)    | Second or Subsequent Violation<br>By Nonviolent Physical Obstruction, Attempt<br>to or Intentionally Injure Person's Lawful<br>Exercise of Religious Freedom at Place of<br>Religious Worship                                                                                           |                          |               | BR                             |
| 423.2(e)    | Intentionally Damage/ Destroy Property of a<br>Reproductive Services Client, Provider,<br>Assistant or Facility                                                                                                                                                                         |                          |               | MR                             |
| 423.2(f)    | Intentionally Damage/ Destroy the Property of<br>a Place of Religious Worship                                                                                                                                                                                                           |                          |               | MR                             |

| PEN. CODE § | OFFENSE                                                                                                                                                                                                                | SERIOUS<br>OR<br>VIOLENT | CITATION                       | PRE-ARRAIGNMENT<br>RELEASE PROTOCOL |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------|-------------------------------------|
| 423.2(g)    | Second or Subsequent Violation<br>Intentionally Record Reproductive Health Services Patient with Intent to Intimidate Person from Becoming or Remaining a Reproductive Health Services Patient, Provider, or Assistant |                          |                                | BR                                  |
| 423.2(h)    | Second or Subsequent Violation<br>Intentionally Disclose or Distribute Unlawful Recording with Intent to Intimidate Person from Becoming or Remaining a Reproductive Health Services Patient, Provider, or Assistant   |                          |                                | BR                                  |
| 424         | Embezzlement or Falsification of Accounts by Public Officers                                                                                                                                                           |                          |                                | BR                                  |
| 451(a)      | Arson Causing Great Bodily Injury                                                                                                                                                                                      | S, V                     | 1192.7(c)(14),<br>667.5(c)(10) | \$250,000                           |
| 451(b)      | Arson, Inhabited Structure                                                                                                                                                                                             | S, V                     | 1192.7(c)(14),<br>667.5(c)(10) | \$250,000                           |
| 451(c)      | Arson, Structure or Forest Land                                                                                                                                                                                        | S, V                     | 1192.7(c)(14),<br>667.5(c)(10) | \$75,000                            |
| 451(d)      | Arson, Other Property                                                                                                                                                                                                  | S, V                     | 1192.7(c)(14),<br>667.5(c)(10) | \$50,000                            |
| 451.5       | Aggravated Arson                                                                                                                                                                                                       | S                        | 1192.7(c)(14)                  | \$500,000                           |
| 452(a)      | Recklessly Causing Fire with Great Bodily Injury                                                                                                                                                                       | V                        | 667.5(c)(8)                    | \$35,000                            |
| 452(b)      | Recklessly Causing Fire, Inhabited Structure                                                                                                                                                                           | S                        | 1192.7(c)(14)                  | \$25,000                            |
| 452(c)      | Recklessly Causing Fire, Structure or Forest Land                                                                                                                                                                      | S                        | 1192.7(c)(14)                  | \$20,000                            |
| 453(a)      | Possession, Etc. of Explosives, Flammable Matter                                                                                                                                                                       | S                        | 1192.7(c)(14)                  | \$50,000                            |
| 454         | Arson During State of Emergency                                                                                                                                                                                        | S, V                     | 1192.7(c)(14),<br>667.5(c)(10) | \$350,000                           |
| 455         | Attempt or Preparation to Burn Any Structure or Property                                                                                                                                                               | S                        | 1192.7(c)(39)                  | \$75,000                            |
| 459         | <b>BURGLARY</b>                                                                                                                                                                                                        |                          |                                |                                     |
|             | Residential ( <i>A Non-1270.1(a)(1) crime</i> )                                                                                                                                                                        |                          |                                |                                     |
|             | First Degree with Person Present                                                                                                                                                                                       | V                        | 667.5(c)(21)                   | \$50,000                            |
|             | Inhabited Dwelling, no Person Present                                                                                                                                                                                  | S                        | 1192.7(c)(18)                  | MR                                  |
|             | All Others                                                                                                                                                                                                             |                          |                                | BR                                  |
| 463         | Looting                                                                                                                                                                                                                |                          |                                | MR                                  |
| 464         | Burglary With Explosives                                                                                                                                                                                               |                          |                                | MR                                  |
| 465         | Unlawful Entry of a Vehicle                                                                                                                                                                                            |                          |                                | BR                                  |
| 470         | Forgery                                                                                                                                                                                                                |                          |                                | BR                                  |

| PEN. CODE §           | OFFENSE                                                                                                                                                                                      | SERIOUS<br>OR<br>VIOLENT | CITATION      | PRE-ARRAIGNMENT<br>RELEASE PROTOCOL |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------|-------------------------------------|
| <b>470a</b>           | Forgery/Counterfeiting Driver's License or I.D. Card                                                                                                                                         |                          |               | BR                                  |
| <b>470b</b>           | Displaying or Possessing Forged Driver's License or I.D. Card With Intent to Accomplish a Forgery                                                                                            |                          |               | BR                                  |
| <b>471</b>            | Forgery, False Entries in Records or Returns                                                                                                                                                 |                          |               | CR                                  |
| <b>472</b>            | Forgery or Counterfeiting Any Public or Corporate Seal                                                                                                                                       |                          |               | CR                                  |
| <b>475</b>            | Forged Bills or Notes, Possession or Receipt                                                                                                                                                 |                          |               | CR                                  |
| <b>476</b>            | Fictitious Checks, Making, Uttering                                                                                                                                                          |                          |               | CR                                  |
| <b>476a</b>           | N.S.F. Checks                                                                                                                                                                                |                          |               | CR                                  |
| <b>477, 479, 480</b>  | Counterfeiting of Coin                                                                                                                                                                       |                          |               | CR                                  |
| <b>484b</b>           | Theft, Diversion of Money Received For Services, Labor, Material, Etc.<br>If Amount Diverted Exceeds \$2,350                                                                                 |                          |               | CR                                  |
| <b>484c</b>           | Embezzlement Of Funds for Construction                                                                                                                                                       |                          |               | CR                                  |
| <b>484e - 484i</b>    | Various Felonies Relating to Credit Cards                                                                                                                                                    |                          |               | BR                                  |
| <b>487(a) and (b)</b> | Grand Theft If Value Exceeds \$950, Or with Qualifying Prior Conviction(s) If Value Does Not Exceed \$950                                                                                    |                          |               | BR                                  |
| <b>487(c)</b>         | Grand Theft Person                                                                                                                                                                           |                          |               | MR                                  |
| <b>487(d)(1)</b>      | Theft of Automobile                                                                                                                                                                          |                          |               | BR                                  |
|                       | When there is evidence of a chop shop operation                                                                                                                                              |                          |               | BR                                  |
| <b>487(d)(2)</b>      | Grand Theft – Firearm                                                                                                                                                                        | S                        | 1192.7(c)(26) | \$50,000                            |
| <b>487a</b>           | Grand Theft of Horse or Other Livestock If Value Exceeds \$950, or with Qualifying Prior Conviction(s) If Value Does Not Exceed \$950                                                        |                          |               | BR                                  |
| <b>487b</b>           | Grand Theft – Conversion of Real Property If Value Exceeds \$950, or With Qualifying Prior Conviction(S) If Value Does Not Exceed \$950                                                      |                          |               | BR                                  |
| <b>487d</b>           | Grand Theft of Gold Dust, Amalgam or Quicksilver If Value Exceeds \$950, or With Qualifying Prior Conviction(s) If Value Does Not Exceed \$950                                               |                          |               | BR                                  |
| <b>487e</b>           | Grand Theft of Companion Animal If Value Exceeds \$950                                                                                                                                       |                          |               | BR                                  |
| <b>487g</b>           | Grand Theft of Animal for Purpose of Sale, Medical Research, Slaughter or Other Commercial Use If Value Exceeds \$950, or With Qualifying Prior Conviction(s) If Value Does Not Exceed \$950 |                          |               | BR                                  |
| <b>487h</b>           | Grand Theft of Cargo If Value Exceeds \$950, or With Qualifying Prior Conviction(s) If Value Does Not Exceed \$950                                                                           |                          |               | BR                                  |

| PEN. CODE §     | OFFENSE                                                                                                                                                              | SERIOUS OR VIOLENT | CITATION | PRE-ARRAIGNMENT RELEASE PROTOCOL |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|----------------------------------|
| 487i            | Defraud a Housing Program of a Public Housing Authority of Value Exceeding \$950, or with Qualifying Prior Conviction(s) If Value Does Not Exceed \$950              |                    |          | BR                               |
| 487j            | Grand Theft of Copper Materials If Value Exceeds \$950, or With Qualifying Prior Conviction(S) If Value Does Not Exceed \$950                                        |                    |          | CR                               |
| 487m            | Grand Theft of Wages If Value Exceeds \$950 From One Employee, or If Value Exceeds \$2350 In Aggregate from Two or More Employees In Any Consecutive 12-Month Period |                    |          | CR                               |
| 490.4           | Organized Retail Theft                                                                                                                                               |                    |          | BR                               |
| 496             | Receiving Stolen Property If Value More Than \$950, or With Qualifying Priors If Value Does Not Exceed \$950                                                         |                    |          | CR                               |
| 496.5           | Automotive Property Theft for Resale                                                                                                                                 |                    |          | CR                               |
| 497             | Stolen Property, Bringing into State                                                                                                                                 |                    |          | CR                               |
| 502             | Computer Related Crimes                                                                                                                                              |                    |          | BR                               |
| 502(c)(1)-(7)   | Unlawful Access, Data Usage/Damage/Deletion/Alteration, Non-permitted Use, Denial of Service                                                                         |                    |          | BR                               |
| 502(c)(8)       | Introduction of a Contaminant                                                                                                                                        |                    |          | MR                               |
| 502(c)(10)-(14) | Government Computer System or Public Safety Infrastructure                                                                                                           |                    |          | MR                               |
| 504             | Embezzlement, Misappropriation by Public Officers                                                                                                                    |                    |          | BR                               |
| 504a            | Embezzlement, Disposal of Personal Property Under Lease or Lien                                                                                                      |                    |          | CR                               |
| 504b            | Embezzlement of Proceeds of Sale of Secured Property                                                                                                                 |                    |          | BR                               |
| 505             | Embezzlement by Carrier or Individual Transporting for Hire                                                                                                          |                    |          | CR                               |
| 506             | Embezzlement, Misappropriation by Trustee, Contractor                                                                                                                |                    |          | CR                               |
| 507             | Embezzlement by Bailee                                                                                                                                               |                    |          | CR                               |
| 514             | Embezzlement or Defalcation of Public Funds                                                                                                                          |                    |          | CR                               |
| 518, 519        | Extortion, Not Amounting to Robbery                                                                                                                                  |                    |          | CR                               |
| 522             | Extortion, Obtaining Signature by Threats                                                                                                                            |                    |          | CR                               |
| 523(a)          | Extortion, Threatening Letters                                                                                                                                       |                    |          | CR                               |
| 523(b)          | Extortion, Ransomware                                                                                                                                                |                    |          | MR                               |
| 529             | False Personation of Another                                                                                                                                         |                    |          | BR                               |
| 530.5           | Unauthorized Use of Personal Information to Obtain Credit, Goods, etc.                                                                                               |                    |          | BR                               |

| PEN. CODE §  | OFFENSE                                                                                                                                                                                                                                             | SERIOUS<br>OR<br>VIOLENT | CITATION                      | PRE-ARRAIGNMENT<br>RELEASE PROTOCOL |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------|-------------------------------------|
| 532          | False Pretenses                                                                                                                                                                                                                                     |                          |                               | CR                                  |
| 532f         | Mortgage Fraud                                                                                                                                                                                                                                      |                          |                               | BR                                  |
| 538i         | Use of Uniform, Insignia, etc. for Fraudulent Impersonation of First Responder during Evacuation Order                                                                                                                                              |                          |                               | BR                                  |
| 548          | Defrauding Insurer                                                                                                                                                                                                                                  |                          |                               | CR                                  |
| 550          | False or Fraudulent Insurance Claim                                                                                                                                                                                                                 |                          |                               | BR                                  |
| 594(b)(1)    | Vandalism, Damage of \$400 or More                                                                                                                                                                                                                  |                          |                               | BR                                  |
| 594.3(b)     | Church/Cemetery Vandalism                                                                                                                                                                                                                           |                          |                               | BR                                  |
| 597          | Cruelty to Animals                                                                                                                                                                                                                                  |                          |                               | MR                                  |
| 597.5(a)     | Dog Fighting                                                                                                                                                                                                                                        |                          |                               | BR                                  |
| 636.6(c)     | Use of Signal Jammer to Block Public Safety Communications                                                                                                                                                                                          |                          |                               | MR                                  |
| 646.9(a)-(c) | Stalking                                                                                                                                                                                                                                            |                          | 1270.1(a)(2)                  | \$150,000                           |
| 647(b)       | Solicit or Engage in Prostitution Where Victim was Under 16, or Under 18 and a Human Trafficking Victim<br>Second or Subsequent Violation                                                                                                           |                          |                               | MR<br>MR                            |
| 647(j)(3)    | Second or Subsequent Violation<br>Where Victim is a Minor and Offender is 18 or Older, Use Concealed Camcorder or Camera of Any Type to Secretly Tape, Film, Photograph in the Interior of a Bedroom, etc. With Intent to Invade Privacy of Another |                          |                               | BR                                  |
| 647.6        | Child Molestation with Specified Prior                                                                                                                                                                                                              |                          |                               | \$150,000                           |
| 653f(b)      | Solicit Murder                                                                                                                                                                                                                                      |                          |                               | MR                                  |
| 653f(c)      | Solicit Rape, etc.                                                                                                                                                                                                                                  |                          |                               | MR                                  |
| 653w(a)      | Failure to Disclose Origin of Recording or Audiovisual Work                                                                                                                                                                                         |                          |                               | BR                                  |
| 664(a)       | Attempt Where Completed Crime Punishable by State Prison<br>Except for attempted murder                                                                                                                                                             |                          |                               | Same as substantive offense         |
| 664/187      | Attempted Murder                                                                                                                                                                                                                                    | S, V                     | 1192.7(c)(9),<br>667.5(c)(12) | \$1,000,000                         |
| 666          | Petty Theft<br>With qualifying prior conviction(s)                                                                                                                                                                                                  |                          |                               | BR                                  |
| 666.1        | Petty Theft or Shoplifting with Two or More Prior Convictions of Sections 211, 215, 368, 487, 487h, 488, 490.2, 459, 459.5, 496, 530.5, or Veh. Code section 10851<br>Second or Subsequent Violation                                                |                          |                               | MR<br>MR                            |

| PEN. CODE §              | OFFENSE                                                                                                                 | SERIOUS<br>OR<br>VIOLENT | CITATION                    | PRE-ARRAIGNMENT<br>RELEASE PROTOCOL |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------|-------------------------------------|
| 4501                     | Assault with Deadly Weapon by Prison Inmate                                                                             | S                        | 1192.7(c)(13)               | \$25,000                            |
| 4501.5                   | Battery on Non-Inmate by Prison Inmate<br>If arrestee is in custody<br><br>If arrestee is not in custody                |                          |                             | BR<br><br>MR                        |
| 4502                     | Possession of Deadly Weapon by Prison Inmate if arrestee is in custody<br><br>If arrestee is out of custody             |                          |                             | BR<br><br>MR                        |
| 4503                     | Holding of Hostages by Prison Inmate                                                                                    | S                        | 1192.7(c)(21)               | \$100,000                           |
| 4530                     | Escape, Attempted Escape from Prison with or Without Force or Violence                                                  |                          |                             | MR                                  |
| 4532                     | Escape, Attempted Escape by Felon, Misdemeanant, Inebriate, or Person on Work Furlough from Jail, Industrial Farm, etc. |                          |                             | MR                                  |
| 4573                     | Bringing Controlled Substance into Jail or Prison                                                                       |                          |                             | CR                                  |
| 4574                     | Bringing Weapon into Jail or Prison                                                                                     |                          |                             | BR                                  |
| 11418(b) (except (b)(2)) | Possession, Etc. Weapons of Mass Destruction                                                                            | S, V                     | 1192.7(c)(41), 667.5(c)(23) | \$500,000                           |
| 11418(b)(2)              | Employ Weapon of Mass Destruction – Cause Death (Life)                                                                  | S, V                     | 1192.7(c)(41), 667.5(c)(23) | \$1,000,000                         |
| 11418.1                  | Send, Etc. False Weapon of Mass Destruction with Intent to Cause Fear                                                   |                          |                             | MR                                  |
| 11419                    | Possession of Biological Agents                                                                                         |                          |                             | MR                                  |
| 18715                    | Possession of Destructive Devices or Explosives in Public Places                                                        |                          |                             | MR                                  |
| 18720                    | Possession of Materials with Intent to Make Destructive Device or Explosive                                             |                          |                             | MR                                  |
| 18725                    | Carry or Place Explosive on Common Carrier                                                                              |                          |                             | MR                                  |
| 18740                    | Possession of Exploding or Destructive Device or Explosive with Intent to Injure                                        | S                        | 1192.7(c)(15)               | \$500,000                           |
| 18745                    | Exploding Destructive Device or Explosive with Intent to Murder (Life)                                                  | S, V                     | 1192.7(c)(17), 667.5(c)(13) | \$1,000,000                         |
| 18750                    | Unlawful Explosion Causing Bodily Injury                                                                                | S, V                     | 1192.7(c)(16) 667.5(c)(13)  | \$500,000                           |
| 22810                    | Unlawful Use of Tear Gas                                                                                                |                          |                             | MR                                  |
| 25400                    | Concealed Weapon on Person or in Vehicle                                                                                |                          |                             | MR                                  |
| 25850                    | Possession of a Loaded Firearm                                                                                          |                          |                             | MR                                  |
| 26100(c)                 | Personally Shooting From Motor Vehicle                                                                                  | S                        | 1192.7(c)(36)               | \$250,000                           |

| PEN. CODE §     | OFFENSE                                                                                          | SERIOUS<br>OR<br>VIOLENT | CITATION | PRE-ARRAIGNMENT<br>RELEASE PROTOCOL |
|-----------------|--------------------------------------------------------------------------------------------------|--------------------------|----------|-------------------------------------|
| <b>29800</b>    | Concealable Firearms, Ownership or Possession by Felon, Addict; Knowledge of Outstanding Warrant |                          |          | MR                                  |
| <b>30305(a)</b> | Unlawful Possession of Ammunition                                                                |                          |          | MR                                  |
| <b>30600</b>    | Manufacture, Distribute, Etc. Assault Weapon                                                     |                          |          | MR                                  |
| <b>30605</b>    | Possession of Any Assault Weapon                                                                 |                          |          | MR                                  |
| <b>31360(a)</b> | Felon with Body Armor                                                                            |                          |          | MR                                  |
| <b>33410</b>    | Possession of Silencer                                                                           |                          |          | MR                                  |

## VEHICLE CODE

| VEHICLE<br>CODE §   | OFFENSE                                                                                                                                                                                                    | SERIOUS<br>OR<br>VIOLENT | CITATION | PRE-ARRAIGNMENT<br>RELEASE PROTOCOL |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------|-------------------------------------|
| <b>2800.2</b>       | Attempting to Evade Peace Officer<br>Reckless Driving                                                                                                                                                      |                          |          | MR                                  |
| <b>2800.3</b>       | Attempting to Evade Peace Officer                                                                                                                                                                          |                          |          |                                     |
| <b>2800.3(a)</b>    | Causing serious bodily injury                                                                                                                                                                              | S                        | 1192.8   | \$100,000                           |
| <b>2800.3(b)</b>    | Causing death                                                                                                                                                                                              | S                        | 1192.8   | \$150,000                           |
| <b>2800.4</b>       | Attempting to Evade Peace Officer<br>Driving in opposite direction of lawfully<br>moving traffic                                                                                                           |                          |          | MR                                  |
| <b>4463</b>         | Ownership Certificate, License Forgery                                                                                                                                                                     |                          |          | BR                                  |
| <b>10801</b>        | Own or Operate a Chop Shop                                                                                                                                                                                 |                          |          | BR                                  |
| <b>10851(a)</b>     | Driving Car Without Consent                                                                                                                                                                                |                          |          | CR                                  |
| <b>10851(b),(e)</b> | Driving Car Without Consent<br>Specified vehicles, P.C. 666.5 prior                                                                                                                                        |                          |          | BR                                  |
| <b>20001</b>        | Hit And Run: Personal Injury                                                                                                                                                                               |                          |          | BR                                  |
| <b>23152</b>        | Driving Under the Influence of Alcohol or<br>Drugs if a felony per V.C. 23550 or 23550.5                                                                                                                   |                          |          | MR                                  |
| <b>23153</b>        | Driving Under the Influence of Alcohol or<br>Drugs Causing Bodily Injury                                                                                                                                   |                          |          | MR                                  |
| <b>23153</b>        | Driving Under the Influence of Alcohol or<br>Drugs Causing Bodily Injury, with Personal<br>Infliction of GBI on Any Person Other Than<br>an Accomplice, or Personal Use of a<br>Dangerous or Deadly Weapon | S                        | 1192.8   | \$100,000                           |

## HEALTH & SAFETY CODE

| HEALTH & SAFETY CODE | OFFENSE                                                                                                                                 | SERIOUS OR VIOLENT | CITATION      | PRE-ARRAIGNMENT RELEASE PROTOCOL |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------|----------------------------------|
| <b>443.17(a)</b>     | Knowingly Altering or Forging, or Concealing or Destroying Withdrawal or Rescission of, Request For Aid-In-Dying Drug to End Life       |                    |               | BR                               |
| <b>443.17(b)</b>     | Knowingly Coercing or Exerting Undue Influence to, or Destroying Withdrawal or Rescission of, Request For Aid-In-Dying Drug to End Life |                    |               | BR                               |
| <b>11152, 11153</b>  | Controlled Substances, Writing, Dispensing Prescription                                                                                 |                    |               | CR                               |
| <b>11154, 11155</b>  | Controlled Substances, Prescribing, Administering, Furnishing                                                                           |                    |               | BR                               |
| <b>11156</b>         | Controlled Substances, Prescribing, Administering, Furnishing to Addict                                                                 |                    |               | BR                               |
| <b>11162.5(a)</b>    | Counterfeiting Prescription Blank                                                                                                       |                    |               | CR                               |
| <b>11350</b>         | Illegal Possession of Certain Specific or Classified Controlled Substances With Qualifying Prior Conviction(s)                          |                    |               | BR                               |
| <b>11350.5</b>       | Possession of GHB With Intent to Commit Sexual Assault                                                                                  |                    |               | MR                               |
| <b>11351</b>         | Possession or Purchase For Sale of Certain Specific or Classified Controlled Substances                                                 |                    |               | BR                               |
| <b>11351.5</b>       | Possession or Purchase For Sale of Cocaine Base                                                                                         |                    |               | BR                               |
| <b>11352</b>         | Illegal Transportation, Sale, Furnishing of Certain Specific or Classified Controlled Substances                                        |                    |               | BR                               |
| <b>11353</b>         | Person 18 Years or Over Using Minor in Sale, Transportation, or Giving to a Minor Certain Specific or Classified Controlled Substances  |                    |               |                                  |
|                      | Up to 1 kilogram                                                                                                                        | S                  | 1192.7(c)(24) | \$50,000                         |
|                      | If over 1 kilogram                                                                                                                      | S                  | 1192.7(c)(24) | \$100,000                        |
|                      | If over 4 kilograms                                                                                                                     | S                  | 1192.7(c)(24) | \$250,000                        |
|                      | If over 10 kilograms                                                                                                                    | S                  | 1192.7(c)(24) | \$500,000                        |
|                      | If over 20 kilograms                                                                                                                    | S                  | 1192.7(c)(24) | \$1,000,000                      |
|                      | If over 40 kilograms                                                                                                                    | S                  | 1192.7(c)(24) | \$2,000,000                      |
|                      | If over 80 kilograms                                                                                                                    | S                  | 1192.7(c)(24) | \$5,000,000                      |

| HEALTH & SAFETY CODE | OFFENSE                                                                                                                                        | SERIOUS OR VIOLENT | CITATION                                        | PRE-ARRESTMENT RELEASE PROTOCOL   |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------------------------|-----------------------------------|
| 11353.5              | Adult Preparing to Sell to Minor Drugs or Narcotics                                                                                            |                    |                                                 | BR                                |
| 11354                | Person Under 18 Years Using Minor in Sale, Transportation, or Giving to a Minor Certain Specific or Classified Substances                      |                    |                                                 | BR                                |
| 11355                | Sale or Furnishing Substance Falsely Represented as Controlled Substance, With Respect to Certain Specific or Classified Controlled Substances |                    |                                                 | BR                                |
| 11358                | Marijuana: Cultivate, Process                                                                                                                  |                    |                                                 | BR                                |
| 11359                | Marijuana, Possession For Sale                                                                                                                 |                    |                                                 | BR                                |
| 11360(a)             | Marijuana: Transportation, Sale, Furnishing                                                                                                    |                    |                                                 | BR                                |
| 11361                | Marijuana: Person 18 Years or Over Using Minor Under 14 in Sale, Transportation, Giving to Minor                                               |                    |                                                 | BR                                |
| 11362.3(a)(6)        | Manufacture Concentrated Cannabis Using Volatile Solvent Without License                                                                       |                    |                                                 | BR                                |
| 11363                | Peyote: Cultivating, Processing                                                                                                                |                    |                                                 | BR                                |
| 11366                | Maintain Place for Selling, Giving, Using of Certain Specific or Classified Controlled Substance                                               |                    |                                                 | BR                                |
| 11366.5(a)           | Rent, Lease, Etc. Room For Manufacture, Storage or Distribution of Controlled Substance                                                        |                    |                                                 | BR                                |
| 11366.5(b)           | Allowing Location To Be Fortified For Sale                                                                                                     |                    |                                                 | BR                                |
| 11366.6              | Using Fortified Location For Sale                                                                                                              |                    |                                                 | BR                                |
| 11368                | Narcotic Drug: Forging, Altering Prescription                                                                                                  |                    |                                                 | CR                                |
| 11370.1              | Possession of Specified Controlled Substances While Armed With a Loaded Firearm                                                                |                    |                                                 | MR                                |
| 11377                | Possession of Controlled Substances with Qualifying Prior Conviction(s)                                                                        |                    |                                                 | MR                                |
| 11377.5              | Possession of Controlled Substances with Intent to Commit Sexual Assault                                                                       |                    |                                                 | MR                                |
| 11378                | Possession of Controlled Substances For Sale                                                                                                   |                    |                                                 | BR                                |
| 11378.5              | Possession or Purchase For Sale Of PCP                                                                                                         |                    |                                                 | BR                                |
| 11379                | Sale of Controlled Substances                                                                                                                  |                    |                                                 | BR                                |
| 11379.5              | Sale of PCP                                                                                                                                    |                    |                                                 | BR                                |
| 11379.6              | Manufacture of Any Controlled Substance                                                                                                        |                    |                                                 | MR                                |
| 11380                | Soliciting Minor Re Controlled Substances<br>If 2,000 pills or less<br>If 2,001 – 5,000 pills<br>If 5,001 – more pills                         | S<br>S<br>S        | 1192.7(c)(24)<br>1192.7(c)(24)<br>1192.7(c)(24) | \$50,000<br>\$75,000<br>\$100,000 |

| HEALTH & SAFETY CODE | OFFENSE                                                                                                                                                                                                                                   | SERIOUS OR VIOLENT | CITATION | PRE-ARRAIGNMENT RELEASE PROTOCOL |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|----------------------------------|
| 11382                | Sale Substance Represented to Be Controlled Substance                                                                                                                                                                                     |                    |          | BR                               |
| 11383                | Possession With Intent to Manufacture PCP                                                                                                                                                                                                 |                    |          | BR                               |
|                      | Possession With Intent to Manufacture Methamphetamine or N-Ethylamphetamine                                                                                                                                                               |                    |          | BR                               |
|                      | Possession With Intent to Sell, Transfer or Furnish Specified Chemicals to Another Person Having Intent to Manufacture PCP                                                                                                                |                    |          | BR                               |
|                      | Possession With Intent to Sell, Transfer or Furnish Specified Chemicals to Another Person Having Intent to Manufacture Methamphetamine or N-Ethylamphetamine                                                                              |                    |          | BR                               |
| 11395                | Possession of Hard Drugs with Two or More Prior Convictions of Sections 11350, 11351, 11351.5, 11352, 11353, 11353.5, 11353.7, 11370.1, 11377, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380, or 11395<br>Second or Subsequent Violation |                    |          | MR<br><br>MR                     |

## BUSINESS & PROFESSIONS CODE

| BUSINESS & PROFESSIONS CODE | OFFENSE                                                 | SERIOUS OR VIOLENT | CITATION | PRE-ARRAIGNMENT RELEASE PROTOCOL |
|-----------------------------|---------------------------------------------------------|--------------------|----------|----------------------------------|
| 22449                       | Price Gouging in Connection with Dream Act Applications |                    |          | BR                               |

## SENTENCE ENHANCING ALLEGATIONS

|                                                          | PEN. CODE §                                                                                           | AMOUNT      |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------|
| <b>GANGS</b>                                             |                                                                                                       |             |
| Any felony for the benefit of a street gang              | § 186.22(b)                                                                                           | \$40,000    |
| <b>WEAPONS</b>                                           |                                                                                                       |             |
| Personal use of a Weapon Other Than Firearm              | Includes §§ 12022(b)(1) and (2)                                                                       | \$20,000    |
| Offense Involved Possession/Use/Discharge of Firearm     | Includes §§ 12022(a)(1), (2), 12022(c), 12022(d), 12022.2, 12022.3, 12022.4, 12022.5, and 12022.53(b) | \$50,000    |
| Personal Discharge of Firearm Not Causing GBI            | Includes § 12022.53(c)                                                                                | \$200,000   |
| Personal Discharge of Firearm Causing GBI or Death       | Includes §§ 12022.53(d), 12022.55                                                                     | \$1,000,000 |
| <b>MULTIPLE FELONIES INVOLVING FRAUD OR EMBEZZLEMENT</b> |                                                                                                       |             |
| Aggravated White Collar Crime Enhancement                | § 186.11                                                                                              | MR          |

|                                                                                                                                                                                                 |                                                                                                                                                                 |                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>INJURY</b>                                                                                                                                                                                   |                                                                                                                                                                 |                    |
| Infliction of Great Bodily Injury                                                                                                                                                               | Includes §§ 236.4, 12022.7, 12022.8, and 12022.9                                                                                                                | \$30,000           |
| <b>NARCOTICS</b>                                                                                                                                                                                |                                                                                                                                                                 |                    |
| Inducing Another to Commit Large-Scale Narcotics Offense                                                                                                                                        | Health & Saf. Code, § 11356.5                                                                                                                                   | \$30,000           |
| Additional terms for possession for sale, transportation, or conspiracy to possess for sale or transport of controlled substances, based on weight of substances involved                       | Health & Saf. Code, § 11370.4                                                                                                                                   | \$10,000           |
| <b>PRIOR CONVICTIONS/SENTENCES</b>                                                                                                                                                              |                                                                                                                                                                 |                    |
| Prior Conviction for Serious/Violent (“Strike”) or Enumerated Sex Offense                                                                                                                       | Includes serious/violent offenses listed in §§ 667.5(c), 1192.7(c), and 1192.8, or circumstances enumerated in §§ 667(a)(1), 667.51(a), 667.6(a), and 667.10(a) | \$50,000 per prior |
| Current Serious/Violent (“Strike”) or Enumerated Sex Offense with Two or More Prior Convictions for Serious/Violent or Sex Offenses                                                             | Includes serious/violent offenses listed in §§ 667.5(c), 1192.7(c), and 1192.8, or circumstances enumerated in §§ 667.51(c) and 667.6(b)                        | \$1,000,000        |
| Defendant Served a Prior Prison Term for a Sexually Violent Offense Within the Past Five Years                                                                                                  | §§ 667.5 (b)                                                                                                                                                    | \$10,000 per prior |
| <b>OTHER</b>                                                                                                                                                                                    |                                                                                                                                                                 |                    |
| Elder Abuse                                                                                                                                                                                     | § 368(b)(2)                                                                                                                                                     | \$25,000           |
| Felony that is a Hate Crime                                                                                                                                                                     | §§ 422.7, 422.75                                                                                                                                                | MR                 |
| Specified Offenses Against Victim Over 65, Under 14, Disabled                                                                                                                                   | Including circumstances enumerated in §§ 667.9 and 667.10                                                                                                       | \$25,000           |
| Felony Offense Committed While Any of the Following Conditions Exist: Felony Charges Pending Against Defendant, or Defendant on Parole or Felony Probation, or Probation Department Supervision | Including but not limited to circumstances enumerated in § 12022.1                                                                                              | \$25,000           |
| Taking, Damaging, or Destroying Property in Commission or Attempted Commission of a Felony                                                                                                      | § 12022.6                                                                                                                                                       | \$10,000           |
| Sale, Exchange, or Return of Stolen Property                                                                                                                                                    | § 12022.10                                                                                                                                                      | BR                 |
| Acting in Concert with Two or More Persons to Take, Attempt to Take, Damage, or Destroy Property in the Commission or Attempted Commission of a Felony                                          | §12022.65                                                                                                                                                       | MR                 |
| Any Enhancement, Not Otherwise Listed in This Schedule, Which Carries a Possible Term of Life Imprisonment                                                                                      | Includes circumstances enumerated in §§ 667.61, 667.7, 667.71                                                                                                   | \$1,000,000        |

## **II. RELEASE CONSIDERATIONS FOR JUDICIAL OFFICERS**

### **A. How to Use the Schedule**

At and after a defendant's first appearance on any crime, pursuant to Penal Code section 1269b, subdivision (b), the amount of bail or conditions of release, if any are allowed, shall lie with the sound discretion of the judicial officer before whom the defendant appears, and may be greater or less than the amount set forth in this schedule, or may be more or less restrictive than the pre-arraignment release order, subject to the provisions of Penal Code section 1275.

A court's consideration of release conditions in an individual case is governed by mandatory factors identified in the California Constitution: "In setting, reducing or denying bail, the judge or magistrate shall take into consideration the protection of the public, the safety of the victim, the seriousness of the offense charged, the previous criminal record of the defendant, and the probability of his or her appearing at the trial or hearing of the case. Public safety and the safety of the victim shall be the primary considerations." (Cal. Const., art. 1, § 28, subd. (f)(3).)

Furthermore, the Penal Code states: "In setting, reducing, or denying bail, a judge or magistrate shall take into consideration the protection of the public, the seriousness of the offense charged, the previous criminal record of the defendant, and the probability of his or her appearing at trial or at a hearing of the case. The public safety shall be the primary consideration. In setting bail, a judge or magistrate may consider factors such as the information included in a report prepared in accordance with Section 1318.1." (Pen. Code, § 1275, subd. (a)(1).) In addition, the Court must consider the legal principles set forth in *In re Humphrey* (2021) 11 Cal.5th 135.

### **B. Arrest Warrants**

When issuing an arrest warrant pursuant to Penal Code section 815a, a judicial officer may use this protocol in setting a financial condition of release (i.e., money bail). The financial condition fixed to the arrest warrant lies within the sound discretion of the judicial officer who may use the amounts listed in the protocol or in subdivision C, below.

### **C. Determining Financial Conditions of Release at Arraignment or Future Court Proceedings**

A judicial officer may also use the protocol in setting financial conditions of release at arraignment or future court proceedings when there is a change in circumstance or as permitted by statute. Release conditions lie within the sound discretion of the judicial officer and are subject to the considerations summarized in subdivision A, above. Financial conditions of release for offenses designated CR, BR, or MR may be set according to the following guidelines:

**CR.....\$25,000**

**BR.....\$50,000**

**MR.....\$75,000**

#### **D. Penal Code Section 1270.1**

This statute 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:

1. Violent felonies as described in Penal Code section 667.5, subdivision (c), but not 460, subdivision (a);
2. Serious felonies as described in Penal Code section 1192.7, subdivision (c) (including those listed in Penal Code section 1192.8);
3. Violations of Penal Code sections 136.1, subdivision (c), 243, subdivision (e)(1), 273.5, 422 (as a felony), and 646.9; and
4. Violation of Penal Code 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.