
2020

**NEVADA COUNTY
EMERGENCY
FELONY AND MISDEMEANOR
BAIL SCHEDULE**

FOR ALL BAILABLE OFFENSES



***SUPERIOR COURT OF CALIFORNIA,
IN AND FOR THE COUNTY OF NEVADA***

Amendments made pursuant to California Rules of Court, Emergency Rule 4, enacted by the Judicial Council. Effective April 13, 2020 at 5:00 p.m., until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed.

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2020 NEVADA COUNTY EMERGENCY FELONY BAIL SCHEDULE

The following is the presumptive felony bail schedule for Nevada County as required by Penal Code Section 1269b(c) and Emergency Rule 4.

UNDER THE STATEWIDE EMERGENCY BAIL SCHEDULE, INCORPORATED HEREIN, BAIL FOR ALL MISDEMEANOR AND FELONY OFFENSES MUST BE SET AT \$0, WITH THE EXCEPTION OF ONLY THE OFFENSES LISTED BELOW.

Unless bail has been set by the magistrate, in an arrest warrant or otherwise, the presumptive bail schedule shall be applied. If in the opinion of the arresting or booking officer the presumptive bail appears to be, under the circumstances of any particular case, excessively high or excessively low a modification of the presumptive bail schedule can be obtained upon a showing of good cause to a magistrate. Any attempt to obtain such a modification of bail by law enforcement or corrections staff should be made through the Office of the District Attorney.

Certain bail enhancements may apply for the commission of specific offenses. The bail enhancements set are listed below. If not specifically set forth, the detainee is subject to a \$15,000 enhancement.

If the detainee has one prior serious or violent felony conviction (strike) his/her bail will be enhanced by \$25,000.

If the detainee has two or more serious or violent felony convictions (strikes) his/her bail will be enhanced by \$150,000.

A violent felony is defined in Penal Code Section 667.5(c)(1) through (23).
A serious felony is defined in Penal Code Section 1192.7(c)(1) through (42).

PENAL CODE VIOLATIONS		
69	Threat or Violence to Deter Executive Officer	10,000
136.1 (c)&(d)	Prevent/Attempt Testimony w/threat of Violence	25,000
166(c)(1)	Contempt of Court—Willful and Knowing Violation of a Protective Order	10,000
182 (Felony)	Conspiracy to Commit Crime	Same as target offense
182(a)(6)	Conspiracy to Commit Crime on Person or Designated Federal or State Officials	Same as target offense
182.5	Criminal Street Gang Conspiracy Against Public Official	Same as target offense
186.22 to 186.28	Various Re: Street Gangs	50,000
187 - 189	Murder	NO BAIL
191.5	Gross Vehicular/Vessel Manslaughter	100,000
192(a)	Voluntary Manslaughter	100,000
192(b)	Involuntary Manslaughter	50,000
192(c)	Vehicular Manslaughter	50,000
203	Mayhem	100,000

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PENAL CODE VIOLATIONS		
205	Aggravated Mayhem	150,000
206	Torture	250,000
207	Kidnapping	100,000
209(a)	Kidnapping for Ransom or Extortion	250,000
209(b)	Kidnapping for Robbery, Rape, etc.	250,000
209.5	Kidnapping Commission of Carjacking	250,000
211	Robbery	100,000
212.5(a)(b)	First Degree Robbery	100,000
212.5(c)	Second Degree Robbery	25,000
215	Carjacking	200,000
217.1(b)	Attempt to Kill Government Official	NO BAIL
218	Train Wrecking; Attempt	100,000
219	Train Derailing or Wrecking	250,000
219.1	Throwing Missiles at Common Carrier Resulting in GBI	50,000
220	Assault with Intent to Rape; Mayhem - Sodomy, etc.	50,000
243(d)	Battery with Serious Bodily Injury	50,000
243.4	Sexual Battery	20,000
244	Assault with Chemicals	50,000
245(a)(1)(2)(4)	Assault with a Deadly Weapon or Force Likely to Produce Great Bodily Injury	25,000
245(a)(3)	Assault with a Machine Gun	75,000
245(b)	Assault with Semi-Automatic Weapon	50,000
245(c)	Assault with Deadly Weapon – Peace Officer	50,000
245(d)(1)(2)(3)	Assault with Firearms – Peace Officer	50,000
245.2, 245.3	Assault with a deadly weapon or force likely to produce GBI against transportation personnel or custodial officer	10,000
245.5	Assaults on School Employees – Likely GBI	25,000
246	Shooting at Inhabited Building or Vehicle	50,000
261	Rape	100,000
262	Spousal Rape	100,000
264.1	Rape in Concert with Force or Violence	200,000
266	Enticement of person under 18 for prostitution	10,000
266c	Unlawful sexual acts procured by false representations with intent to create fear	10,000
266h(b)	Pimping a minor	10,000
266i(b)	Pandering with a minor	10,000
266j	Procurement of child under 16 for lewd or lascivious acts	10,000
267	Abduction of person under 18 for purpose of prostitution	10,000
273a	Mistreating Child – Likely to Produce GBI or Death	35,000

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PENAL CODE VIOLATIONS		
273.5	Spousal or Co-habitant Beating	25,000
273.6	Violation of DV restraining order if restrained person made threats to kill or harm, has engaged in violence against, or has gone to the residence or workplace of the protected party	10,000
285	Incest	10,000
286(c)(1)(2)(3)	Sodomy	100,000
286(d)	Sodomy – In Concert Forcible - GBI	200,000
286(f)(g)(i)(j)(k)	Sodomy – Specific Circumstances	100,000
287(c)	Oral Copulation – Victim Under 14 (or forcible)	100,000
287(d)	Oral Copulation – In Concert with Force, etc.	200,000
287(f)	Oral Copulation – Victim Unconscious of Nature of Act	50,000
287(g) to (k)	Oral Copulation – Mentally Ill Victim – Other Circumstances	50,000
288(a)(b)	Lewd Act	100,000
288.2	Harmful matter sent with intention of seduction of minor	10,000
288.3, 288.4	Contact of minor with intent to commit sexual offense	10,000
288.5	Continuous sexual abuse of a child	200,000
288.7	Sexual Intercourse or sodomy with a child 10 years old or younger	200,000
289	Rape by Foreign Object	100,000
311.1	Sending of Child Pornography	10,000
311.2(b)(c)(d)	Sending, distributing, printing, possessing matter depicting sexual conduct by a minor	10,000
311.3	Sexual exploitation of child	10,000
311.4	Use of minor to perform prohibited acts	10,000
311.10	Advertising obscene matter depicting person under 18	10,000
311.11	Possession of material depicting minor engaging in sexual conduct	10,000
314(1)(2)	Lewd or obscene conduct	10,000
422	Terrorist Threats	50,000
451(a)	Arson - With GBI	150,000
451(b)	Arson - Inhabited Structure or Property	250,000
451(c)	Arson – Structure or Forest Land	100,000
452(a)	Recklessly Causing Fire - GBI	25,000
454	Arson During State of Emergency	75,000
459/460(a)	Burglary - Residential	50,000
463	Burglary – During Emergency	50,000
464	Burglary – With Explosives	75,000
487(d)	Grand theft involving firearm	10,000
646.9(a)	Stalking	50,000

2020 NEVADA COUNTY EMERGENCY FELONY BAIL SCHEDULE

PENAL CODE VIOLATIONS		
646.9(b) or (c)	Stalking with Restraining Order in Effect or Specified Priors of 273.5, 273.6 or 422	75,000
646.9(c)(2)	Stalking with prior 646(a)	75,000
647.6(c)(2)	Child Molestation	20,000
664	Attempts to commit a crime	Same as target crime
836.6(c)	Escape with GBI to Peace Officer	50,000
4500 & 4501	Assault with Deadly Weapon - Prison Inmate	NO BAIL
4503	Holding of Hostages by Prison Inmate	NO BAIL
11413	Terrorism – Use of Destructive Device/Arson	100,000
11418(b)(1)(2)	Use of Weapon of Mass Destruction	1,000,000
29800	Firearms – Possession by Felon or Addict	50,000
26100(c)	Discharge of Firearm From a Motor Vehicle at Another	25,000
18740	Destructive Device or Explosive - Possession, Ignition, or Explosion with Intent to Injure	250,000
18745	Destructive Device or Explosion (and Attempt) with the Intent to Murder	250,000
18750	Use Destructive Device Causing Bodily Injury	250,000
18755	Destructive Device or Explosive – Causing Death or Mayhem	NO BAIL

HEALTH & SAFETY CODE VIOLATIONS		
11353 to 11353.7	Controlled Substance – Selling, Giving and Utilizing Minors	50,000
11380	Person Over 18 Using Minor as Agent Inducing Violation by Minor, Furnishing Minor with Cont. Sub. - Base bail is \$50,000. Bail is subject to enhancement for aggravating circumstances; contact Judge	50,000
	if more than ½ oz. to 2 oz.	100,000
	if more than 2 oz. to 1 lb.	200,000
	if more than 1 lb. to 3 lbs.	400,000
	if more than 3 lbs. to 10 lbs.	1,000,000
	if more than 10 lbs.	2,000,000

VEHICLE CODE VIOLATIONS		
2800.3	Evading PO Causing Serious Injury or Death	50,000
20001(b)(2)	Hit and Run – GBI / Death	100,000
23152/23550	DUI – 3 or more priors	75,000
23152(d)	DUI driving a commercial vehicle - <u>.04 to .07 BAC</u>	50,000
23152(d)	DUI driving a commercial vehicle - <u>.08 BAC or above</u>	150,000

2020 NEVADA COUNTY EMERGENCY FELONY BAIL SCHEDULE

VEHICLE CODE VIOLATIONS		
23153	DUI – Causing Injury (+10,000 for each additional victim)	75,000
23153 w/prior(s)	DUI – Causing Injury	100,000

BAIL INCREMENTS FOR ENHANCEMENTS AND OTHER EXTRAORDINARY CIRCUMSTANCES

PENAL CODE VIOLATIONS		
	On misdemeanor probation	Add: 2,500
	On felony probation	Add: 5,000
BOOKING ON VIOLATION OF PROBATION ONLY		
1203.2	On misdemeanor probation	0
1203.2	On felony probation	If the underlying crime of conviction is a felony listed on this bail schedule, then bail on the violation of probation, regardless of how serious the violation, will be the bail listed on this schedule for the underlying conviction, plus any enhancements listed on this schedule. If the underlying crime of conviction is not listed on this bail schedule, the bail for the violation of probation will be \$0, regardless of how serious the violation is.
1203.2	Failure to appear for jail commitment	NO BAIL

2020 NEVADA COUNTY EMERGENCY FELONY BAIL SCHEDULE

PENAL CODE VIOLATIONS		
1170(h)(5)(B)	Violation of Mandatory Community Supervision	If the underlying crime of conviction is a felony listed on this bail schedule, then bail on the violation of Mandatory Community Supervision, regardless of how serious the violation, will be the bail listed on this schedule for the underlying conviction, plus any enhancements listed on this schedule. If the underlying crime of conviction is not listed on this bail schedule, the bail for the violation of Mandatory Community Supervision will be \$0, regardless of how serious the violation is.
BOOKING ON VIOLATION OF POST-RELEASE COMMUNITY SUPERVISION ONLY		
3455	Violation of Post-Release Community Supervision	If the underlying crime of conviction is a felony listed on this bail schedule, then bail on the violation of Post-Release Community Supervision, regardless of how serious the violation, will be the bail listed on this schedule for the underlying conviction, plus any enhancements listed on this schedule. If the underlying crime of conviction is not listed on this bail schedule, the bail for the violation of Post-Release Community Supervision will be \$0, regardless of how serious the violation is.

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If the detainee is subject to any sentence enhancement pursuant to provisions of the Penal Code or Health & Safety Code, bail shall be enhanced by \$15,000 per enhancement except as provided for the following enhancements:

PENAL CODE VIOLATIONS		
273d(b)	Prior Conviction Inflicting Injury on a Child	50,000
451.1	Arson Enhancement	35,000
667	Prior Conviction of Serious Felony with Current Charge a Serious Felony	50,000
667.5	Prior Conviction of Violent Felony with Current Charge a Violent Felony	50,000
667.51(a)	Prior Sex Offense with Current Charge 288	50,000
667.6(a)	Prior Serious Sex Offense with Current Charge a Serious Sex Offense	75,000
667.6(b)	2 or more Prior Prison Terms for Serious Sex Offense with Current Serious Sex Offense	100,000
667.8(a)	Kidnapping for Purpose of Sex Offense	75,000
667.8(b)	Kidnapping Child for Purpose of Committing Sex Offense	100,000
667.85	Kidnapping to Permanently Deprive Parent of Custody	25,000
667.9	Prior Conviction of Serious Felony with Current Charge a Serious Felony against a person who is elderly, disabled or under age of 14	50,000
667.10	Prior Conviction of 289 with Current Charge of 289 against a person who is elderly, disabled or under age of 14	50,000
1203.066	Sex Crimes Involving Aggravated Sexual Abuse of a Child	50,000
1203.09	Crimes Committed Against Persons 60 Years of Age or Older, Blind Persons, Paraplegics or Quadriplegics	50,000
12022	Using Firearm or Deadly Weapon in Commission of a Felony	100,000
12022.1	New Offense Committed While Released From Custody on a Prior Offense	Double the scheduled bail for the new offense only (nothing additional)
12022.2(a)	Armed and Possession of Metal Piercing Ammunition	200,000
12022.3(a)	Using Firearm or Deadly Weapon in Commission of Sex Offense	75,000
12022.4	Providing a Firearm to Another During the Commission of or Attempted Felony	75,000
12022.5(all)	Personal Use or Discharge of Firearm	50,000
12022.53(b)	Personal Use of Firearm While Committing Offense Set forth 12022.33(a)	100,000

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PENAL CODE VIOLATIONS		
12022.53(c)	Discharge of Firearm in Commission of Offense Set Out 12022.53(a)	200,000
12022.53(d)	Discharge Firearm Causing GBI or Death Comm. of 12022.53(a)	500,000
12022.55	Discharge Firearm From Vehicle Causing GBI or Death	200,000
12022.7(all)	Personally Inflicting GBI	50,000
12022.8	Inflicting GBI Comm. of Sex Offense	100,000
12022.9 (all)	Inflicting GBI re: Pregnancy – Causing Paralysis	250,000
12022.95	Willful Cruelty to Child Resulting in Death	250,000

HEALTH & SAFETY CODE VIOLATIONS		
11380.1	If 11380 offense involves PCP, methamphetamine, LSD and occurred in specified locations OR where minor is at least 4 years younger than defendant	75,000

2020 NEVADA COUNTY EMERGENCY MISDEMEANOR BAIL SCHEDULE

PENAL CODE VIOLATIONS		
166(c)(1)	Contempt - Violation of Criminal D.V. Protective Order	\$7,500
243(e)(1)	Battery of a spouse, cohabitant, parent of defendant child, former spouse, fiancé, current or past relationship	\$5,000
273.6(a)	Violation of a D.V. Restraining Order	\$7,500*
273.6(b)	Violation of D.V. Restraining Order with Injury	\$25,000*
646.9(a)	Stalking (misdemeanor subsection)	\$10,000
VEHICLE CODE VIOLATIONS		
23152	Driving Under the Influence (Alcohol or Drugs)	\$5,000
23152	Driving Under the Influence (Alcohol) w BAC .15 +	\$10,000
23152	Driving Under the Influence (Alcohol or Drugs) With Child in Vehicle	\$7,500
23152	Driving Under the Influence (Alcohol or Drugs) With Reckless Driving	\$10,000
*Priors	DUI with 1 prior (Consider all DUI priors including old and non-Calif.). The Following Sections Count as Priors: <u>VC Sections</u> - 23152, 23153, 23103.5, 23102, 23104, 23103 with R designation, 23140; Non-Calif. with 17 designation; <u>P.C. Sections</u> - 191.5, 192, 187 (2 nd degree vehicular); <u>H.N. Section</u> - 655(b)	ADD \$10,000
*Priors	DUI With 2 Priors (Consider all DUI Priors - See above)	Add \$20,000
*Priors	DUI With 3+ Priors - if Charged as Misdemeanor (Consider All DUI priors - see above)	Felony Schedule
23152(d)	DUI Driving a Commercial Vehicle with .04-.07 BAC	\$50,000
23152(d)	DUI Driving a Commercial Vehicle with .08 or higher BAC	\$150,000
PROBATION VIOLATIONS - 1203.2 PC		
	Failure to Appear for Jail Commitment	No Bail