

2023

MISDEMEANOR BAIL SCHEDULE

Rev. September 12, 2023; Eff. October 1, 2023



SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

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I. LOS ANGELES COUNTY MISDEMEANOR 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.¹ 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.² 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.”³

Applicability of Pre-Arrestment Release Protocol for Low-Level, Non-Violent Felonies and Misdemeanors

For many less serious and low-risk level misdemeanor and felony offenses, the Pre-Arrestment 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-arrestment, 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, research⁴ 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-Arrestment 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.

¹ Cal. Const., art. I, § 28, subd. (f)(3).

² *Id.*

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

⁴ 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).

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 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.⁵
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 bail (\$0) bail offenses. However, arrestees booked for an offense designated as CR or BR who are currently on Parole or Post Release Community Supervision (PRCS) are not eligible to be released prior to magistrate review and will be referred directly to a magistrate for review prior to release. The Court 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

⁵ Cal. Const., art. I, § 12.

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.

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, 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 his 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 misdemeanor 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 5. Arrestees must promise to appear in court for arraignment notwithstanding Penal Code section 977.

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 5. Arrestees must promise to appear in court for arraignment 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 5. 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, 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.)

Once the least restrictive condition or combination of conditions is determined by the magistrate, the County's Pretrial Services Unit will communicate the release conditions, if any, to the booking law enforcement agency (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.

4. FINANCIAL CONDITIONS OF RELEASE

Pursuant to Penal Code section 1270.1, persons arrested for designated misdemeanors 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. Financial conditions of release for those crimes or enhancements are listed as dollar amounts within the protocol.

5. EXCEPTIONS

A. ARRESTEE ON PAROLE OR POST RELEASE COMMUNITY SUPERVISION (PRCS):

If an arrestee booked for an offense listed as CR or BR in the protocol is currently on parole or PRCS, the arrestee shall be referred to a magistrate for review.

B. ARRESTEE ACCUSED OF MULTIPLE OFFENSES:

- 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 a non-financial condition of release 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 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 two or more misdemeanor offenses require financial conditions of release, the amount shall be set for the offense having the highest amount, except where the

offenses are committed against separate victims or on separate dates, in which case the financial conditions may be aggregated. Because the arrestee is subject to financial conditions of release, the arrestee will not be referred to a magistrate for review.

6. REPRODUCTIVE RIGHTS

In accordance with Penal Code section 1269b(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.

7. GENERAL PROVISIONS

a. Uniform Codes

For all misdemeanor offenses within the following codes, the bail shall be set at zero dollars (\$0) and the offense designated as CR: Civil Code, Code of Civil Procedure, Education Code, Election Code, Financial Code, Food and Agriculture Code, Government Code, Insurance Code, Labor Code, Public Utilities Code, Revenue and Taxation Code, Street and Highways Code, and Unemployment Insurance Code.

b. Unlisted Misdemeanors

For all offenses chargeable as straight misdemeanors, or as a felony or a misdemeanor (“wobblers”), under state statutes or municipal or agency ordinances, for which there is no uniform bail and which are not otherwise provided in this schedule, including unlisted subdivisions, the bail shall be set at zero dollars (\$0) and the offense designated as CR.

8. BAIL DEVIATION

Pursuant to Penal Code section 1269c, 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 and must comply with Penal Code section 1269c. That section sets forth the procedures and instances when upward bail deviation is appropriate. It is available:

- 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.
- c. 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.” (Penal Code, §1269c.)

If applicable, Law Enforcement shall also communicate to the Probation Department

within two hours of booking: (1) Whether an enhancement to an offense is being sought; and/or (2) whether the arrestee, booked on an offense designated as CR or BR, is an exception from the release protocol due to their being on a grant of Parole, or Post Release Community Supervision (PRCS) requiring magistrate review for the booked offense.

All requests to increase or decrease bail should be called in, within two hours of booking, at (213) 351-0373 or (800) 773-5151. Hours of operation are 6:30 a.m. to 1:30 a.m.

A request for upward bail deviation of an offense designated in the bail schedule as CR or BR (\$0 bail) may cause the arrest to be referred to a magistrate for review.

BUSINESS AND PROFESSIONS CODE

For all violations of the Business and Professions Code, pre-arraignment release protocol is **CR**

FISH AND GAME CODE

For all violations of the Fish and Game Code, pre-arraignment release protocol is **CR**, **except for the following offenses:**

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
2006(a)	Loaded Rifle or Shotgun in Vehicle	BR
3001	Hunting While Intoxicated	BR
3004(a) (b)	Shooting Near Dwelling Unlawful Discharge of Firearm, Arrow, or Crossbow Bolt Across a Public Road	BR
3004.5(a)(1)	Use of Unlawful Rifle or Pistol Ammunition Second or Subsequent Offense	BR
4370	Carry Gun During Archery Season	BR

HARBORS AND NAVIGATION CODE

(See also Harbors - Title 19, Los Angeles County Code)

For all violations of the Harbors and Navigation Code, pre-arraignment release protocol is **CR**

HEALTH AND SAFETY CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
7114	Autopsy Without Authorization	BR
7208	Unlawful Use, Sale or Disposal of Body	BR
11100(g)	Sale/ Transfer/ Possession of Specified Chemicals Second or	BR
11107.1	Sale/ Purchase of Specified Substances Second or Subsequent	BR
11153	Controlled Substance: Unlawful-Prescription	CR
11162.6	Counterfeits/ Possesses/ Obtains Under False Pretenses or Fraudulently Produces a Controlled Substance Prescription Form	CR
11164	Controlled Substance: Unlawful Prescription Execution/ Content	CR
11215	Unlawful Administration of Narcotics	CR
11350	Illegal Possession of Specified Controlled Substances	CR
11352.1	Dispense or Provide Dangerous Drug or Device	CR
11357.5(b)(1) (b)(2) (b)(3)	Use/Possession of Synthetic Cannabinoid Compound/Derivative Second Offense Third or Subsequent Offense	CR
11362.81(a)(1) (a)(2)	Medical Marijuana Program - Violation of Specified Provisions Second Offense	CR
11364.1	Possession of Opium Pipe, Drug Paraphernalia	CR
11366	Maintenance of Place for Disposal of Narcotics	CR

HEALTH AND SAFETY CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
11375.5(b)(1) (b)(2) (b)(3)	Use/Possession of Synthetic Stimulant Compound/Derivative Second Offense Third or Subsequent Offense	CR
11377	Possession of Controlled Substance	CR
11550	Use or Under the Influence of Controlled Substance	CR
12761	Possession of Flamethrowing Device Without Permit	CR
13002	Littering of Flaming or Glowing Substance	CR
105256	Refuse to Obey Order Regarding Lead Hazard: Second Offense	CR
108240-108290	Hazardous Substances Act Violations	CR
108800-108810	Label Requirements for Containers	CR
110390	Disseminate False Advertisement of Food, Drug, Device or Cosmetic	CR
110395	Manufacture, Sell, Deliver, Hold or Offer for Sale Any Food, Drug, Device or Cosmetic That Is Falsely Advertised	CR
110403(a-an)	Advertise Drug/ Device To Have Effect Upon Specified Conditions	CR
110423.2	Sale/ Transfer/ Furnish a Dietary Supplement Containing Ephedrine Group Alkaloids to a Minor	CR
110620	Manufacture, Sell, Deliver, Hold or Offer for Sale Any Adulterated Food	CR
110625	Adulteration of a Food	CR
110760	Manufacture, Sell, Deliver, Hold or Offer for Sale Any Misbranded Food	CR
110765	Misbranding a Food	CR
110775	Alter, Mutilate, Destroy, Obliterate or Remove Label or Labeling Resulting in Misbranded Food	CR
110960	Hold or Display Any Potentially Hazardous Food Above 45 Degrees Fahrenheit	CR
111295	Manufacture, Sell, Deliver, Hold or Offer for Sale Any Drug or Device That Is Adulterated	CR
111300	Adulteration of a Drug or Device	CR
111550	Sell, Deliver or Give Away New Drug or Device Without Approval by Department	CR
111615	Manufacture a Drug or Device Without a License	CR
111765	Manufacture or Sell a Misbranded Cosmetic	CR
111865	Remove, Sell or Dispose of a Detained or Embargoed Food, Drug, Device or Cosmetic Without Department Permission	CR
112075	Clean, Sterilize and Resell Reusable Bottles Without a License	CR
112400	Operating a Cold Storage or Refrigerating Warehouse Without a License	CR
112505	Operate a Frozen Food Locker Plant Without a License	CR
112550	Failure to Maintain Legal Temperature Limits in a Frozen Food Locker Plant	CR
115215	Radiation Control Law	CR
120280	Refusal to Cooperate with Local Health Officer Quarantine	MR
120290	Willful Exposure to Disease	MR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
69	Obstruct/ Resist Public Official by Threats/ Violence	MR
71	Threaten Injury to Public Official	MR
76	Threaten Death/ Great Bodily Injury to Public Official or Judge	MR
95.1	Threaten Juror	MR
96.5	Obstruction of Justice by Judicial Officer, Commissioner, Referee	CR
112	Manufacture False Government Documents to Conceal Citizenship	CR
131	Misrepresentation in Connection with an Investigation into Specified Corporate Misconduct	CR
135.5	Alter or Destroy Evidence in a Public Safety Officer Disciplinary Proceeding	CR
136.1(a,b)	Witness Intimidation or Tampering	MR
139	Felon Threatening Witness	CR
140	Threaten Witness, Victim or Informant	CR
141(a)	Alter, Plant, Modify, etc. Evidence	CR
146(a)	Arrest or Detain a Person Against His or Her Will	MR
146a(a)	Impersonating an Officer	MR
146g(a-b) (c)	Disclose or Solicit Information for Financial Gain Disclose or Solicit Unauthorized Photograph or Video	CR
148(a)(1) (a)(2) (b) (d)	Interfere With a Police Officer Interfere, etc., With Transmission of Communication Over a Public Safety Radio Frequency Taking Weapon From a Police Officer (Non-Firearm) Attempted Taking of Firearm from Police Officer	CR BR BR MR
148.1	Make a False Bomb Report	CR
148.2	Interfere With Emergency Personnel	CR
148.4	Tamper With Fire Alarm, Equipment or False Alarm	CR
148.5	Making a False Report	CR
148.9	Falsely Representing Self as Another Person to a Peace Officer	CR
149	Officer Unnecessarily Assaulting or Beating any Person	MR
151(a)(1)	Advocate Killing/ Injuring Peace Officer	CR
152	Conceal or Attempt to Conceal an Accidental Death	CR
152.3	Failure to Notify Peace Officer if Observed Commission of Murder, Rape or Lewd or Lascivious Act by Force or Menace Against a Child Victim Under 14 Years of Age	CR
166(a)(4) (a)(9) (c)(1) (c)(2)	Willful Disobedience of Terms as Written of Any Process or Court Order or Out-of-State Court Order Willful Disobedience of Terms of Any Injunction that Restrains the Activities of a Street Gang Contempt of Court – Violation of Protective Order Contempt of Court – Violation of Protective Order With Injuries	MR MR MR MR
171c/ 171d	Bring or Possess Loaded Firearms in Specified Offices	CR
171.5	Possession of Weapon Within Sterile Area of Airport	CR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
171.7	Possession of Weapon Within Sterile Area of Public Transit Facility	CR
186.22	Participation in Criminal Street Gang Activity	MR
186.28	Supply, Sell, Give Firearm Used in Felony by Criminal Street Gang Member	MR
191.5(b)	Vehicular Manslaughter While Intoxicated Without Gross Negligence	MR
192(c)(1-2)	Vehicular Manslaughter	MR
192.5(b-d)	Vehicular Manslaughter While Operating a Vessel	MR
217.1(a)	Assault on Public Official or Immediate Family of Public Official	MR
236	False Imprisonment	BR
241	Assault	BR
241.5	Assault Committed Against Highway Worker	BR
241.8	Assault on Member of United States Armed Forces	BR
243(a)	Battery	BR
(b)	Battery on Peace Officer/ EMT/ Firefighter, etc.	MR
(c)(1)	Battery on Custodial Officer/ EMT/ Firefighter, etc. With Injury	MR
(c)(2)	Battery on Peace Officer with Injury	MR
(d)	Simple Battery with Serious Bodily Injury	MR
(e)	Domestic Battery Without Traumatic Injury	\$20,000 + Ct.
243.2	Battery on School, Park, Hospital Property	BR
243.25	Battery Against Elder or Dependent Adult	MR
243.3	Battery on Transit Personnel or Passenger	BR
243.4	Sexual Battery	MR
243.6	Battery on School Employee	BR
243.65	Battery Against Highway Worker	BR
243.7	Battery Against a Juror	MR
243.9	Aggravated Battery by Gassing Peace Officer or Employee of Detention Facility	MR
243.10	Battery Against Member of United States Armed Forces	MR
244.5(b), (c)	Use of Stun Gun or Taser on Any Person	MR
245(a)(1)	Assault With a Deadly Weapon	MR
(a)(2)	Assault With a Firearm	MR
(a)(4)	Assault With Force Likely to Produce G.B.I.	MR
245.6(c)	Hazing Without Serious Bodily Injury	BR
(d)	Hazing Resulting in Death or Serious Bodily Injury	MR
246	Shooting at an Occupied Dwelling/ Vehicle	MR
246.3	Grossly Negligent Discharge of Firearm or BB Device	MR
247(b)	Shooting at an Unoccupied Dwelling/ Vehicle	MR
247.5	Malicious Discharge of Laser at Occupied Aircraft	MR
248	Interfere With Operation of Aircraft	MR
261.5(b)	Unlawful Sexual Intercourse with Minor	CR
(c)	More than three years younger than perpetrator	BR
(d)	Under 16 years, perpetrator over 21	MR
270	Willful Failure to Provide for Minor Child	CR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
270.6	Leave State with Intent to Avoid Spousal Support	CR
271/ 271a	Fail to Maintain Child Under 14 Years	CR
272(a)(1) (b)(1)	Contribute to the Delinquency of a Minor Communicate With or Contact Minor for Luring or Transporting Minor Away from Home	CR CR
273a(a) (b)	Child Endangerment with Risk of Great Bodily Injury or Death Child Endangerment Without Risk of Great Great Bodily Injury or Death	MR MR
273d	Cruel or Inhuman Corporal Punishment or Traumatic Injury Upon a Child	MR
273i	Publish Information with Intent that Another Use the Information to Commit Crime Against a Child	MR
273.5	Domestic Battery with Traumatic Injury	\$30,000
273.6(a) (b)	Violation of Protective Order 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 Violation of Protective Order with Injuries	\$30,000 \$30,000
273.65	Violation of Dependency Protective Order	MR
273.7	Malicious Disclosure of Trafficking Shelter or Domestic Violence Shelter Location	MR
278	Child Abduction Without Right of Custody	MR
278.5	Child Abduction Depriving Custody or Visitation Right	BR
280	Child Concealment	BR
286(b)(1)	Sodomy With Minor Under 18 Years	MR
287(b)(1)	Oral Copulation with a Minor	MR
288(c)(1) (c)(2)	Lewd/ Lascivious Act on Child of 14 or 15 Years Lewd/ Lascivious Act on Dependent Person by Caretaker	MR MR
288.2(a)(1) (a)(2)	Distributes, etc. Harmful Matter Depicting a Minor Engaging in Sexual Conduct with Intent to Seduce Harmful Matter Not Depicting a Minor Engaged in Sexual Conduct	BR BR
288.4(a)(1)	Arrange Meeting With Minor For Purpose of Exposing or Procuring Sexual Exposure or Engaging in Lewd Act	BR
289(c) (h)	Penetration With Foreign Object of Mental Patient by Patient Assist Penetration Act Upon Minor with Foreign Object	BR MR
289.5	Flee to California to Avoid Prosecution for Sex Offenses	MR
289.6(a)(2-3)	Sexual Activity, as Specified, With Person Confined in Public or Private Detention Facility	MR
290	Failure of Convicted Sex Offender to Register	BR
290.46(j)(1) (k)	Use Information Disclosed on Sex Offender Internet Web Site to Commit a Misdemeanor Sex Offender Prohibited from Entering Sex Offender Internet Web Site	BR MR
290.95(a,b) (c)	Failure to Disclose Sex Offender Status upon Application or Acceptance of Position Involving Minors Prohibition on Registered Sex Offender Working with Minors	BR BR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
299.5(1)(A) (1)(B)	Knowingly Use or Disclose Offender Sample or DNA Profile to an Unauthorized Person/Agency for Unauthorized Purpose Knowingly and for Financial Gain Use Offender Sample or DNA Profile for Unauthorized Purpose or Disclose DNA or Other Forensic Identification Information to Unauthorized Person/ Agency for Unauthorized Purpose	BR
308.1	Import/ Distribute/ Offer to Sell/ Sell to an Unauthorized Person or Business a Tobacco Product Known as "Beedies" or "Bidis"	BR
311.1	Sale/ Distribution of Obscene Matter Depicting a Minor	BR
311.2 (a)	Production/ Distribution/ Exhibition of Obscene Matter	BR
311.3	Sexual Exploitation of Child	MR
311.4	Employment of Minor in Sale/ Distribution of Obscene Matter or Production of Pornography	MR
313.1(a-c)	Distribute Harmful Matter to Minor	BR
314(1)	Indecent Exposure	MR
330	Gambling (12 specified games or where there exists a "bank")	CR
332	Theft by Trick or Device	CR
337a (b) (c)	Bookmaking Second Offense Third or Subsequent Offense	CR BR BR
337j	Controlled Game	CR
337u	Engage in Acts of Cheating in Gambling Games	CR
337v	Use or Possess Device that Assists in Gambling	CR
337w	Use of Counterfeit Wagering Instruments	CR
337x	Cheat in a Gambling Establishment	CR
337y	Manufacture or Sell Prohibited Device / Mark or Alter Gaming Device / Instruct Another in Cheating	CR
347(b)	False Report of Poisoning food, drink, medicine, pharmaceutical product, or water	CR
368(b)(1) (c) (d) (e)	Elder Abuse with Risk of Great Bodily Injury, Inflicting Pain Elder Abuse without Risk of Great Bodily Injury, Inflicting Pain Second Offense Theft/ Embezzlement, etc. of Elder by Non-caretaker With Value Not Exceeding \$950 With Value Exceeding \$950 Theft/ Embezzlement, etc. of Elder by Caretaker with Value Not Exceeding \$950 with Value Exceeding \$950	BR CR MR CR CR CR CR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
369g	Drive On or Along Railroad Track or Right of Way	CR
369i	Trespass on Railroad Property	CR
374c	Shooting on a Public Highway	CR
374.2	Malicious Discharge of Toxic Waste Without Permit	CR
374.3(a,b)	Dump or Deposit Waste, Rocks or Dirt on Roads or Highways	CR
(h)	Dump or Deposit Waste in Commercial Quantities	CR
374.7	Littering of Waste in Waters	CR
375 (a) – (c)	Discharge of Noxious/ Injurious Substance	CR
379	Sale, etc. Salvia Divinorum or Salvinorin A to a Minor	CR
381c	Sell or Furnish a Device or Receptacle Containing Nitrous Oxide to a Minor	CR
399(b)	Keep Mischievous Animal That Causes Serious Bodily Injury	CR
399.5	Owner/ Custodian of Dog Trained to Fight, Attack or Kill That Inflicts Substantial Physical Injury or Bites a Human Being on Two Separate Occasions	MR
402	Interfere With Emergency Personnel	BR
404.6(a)	Incitement to Riot	BR
(c)	Incitement to Riot in Prison or Jail, With Serious Bodily Injury	BR
405	Rioting	BR
409	Fail to Disperse from Riot	BR
409.5	Authority of Peace Officers to Close Disaster Area	BR
416	Assembly for Purpose of Disturbing the Peace	CR
417(a)(1)	Brandishing a Deadly Weapon	MR
(a)(2)	Brandishing a Firearm	MR
(b)	Brandishing a Firearm at a Daycare Center	MR
(c)	Brandishing a Firearm in the Presence of a Peace Officer	MR
417.25	Aim or Point a Laser Scope or Pointer at a Person in a Threatening Manner	BR
417.26	Aim or Point a Laser Scope or Pointer at a Peace Officer with Specific Intent to Cause Apprehension or Fear of Bodily Harm	BR
417.4	Brandishing a Fake Firearm	BR
417.6	Brandishing A Deadly Weapon or Firearm with Serious Bodily Injury	MR
422	Criminal Threats	MR
422.4	Publish Information with Intent that Another Use the Information to Commit A Violent Crime Against an Academic Researcher	BR
422.6	Interference With Civil Rights	BR
422.7	Aggravated Interference with Civil Rights	BR
422.77	Violate Order for Injunctive Relief for Interference with a Person's Free Exercise of a Legal Right or Privilege	BR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
423.2(a)	By Force, Threat of Force or Physical Obstruction That Is a Crime of Violence, Attempt to or Intentionally Injure, Intimidate or Interfere With a Reproductive Health Services Client, Provider or Assistant	MR
423.2(b)	By Force, Threat of Force, or Physical Obstruction That Is a Crime of Violence, Attempt to or Intentionally Injure, Intimidate or Interfere With a Person's Lawful Exercise of Religious Freedom at Place of Religious Worship Second Offense	MR MR
423.2(c)	By Nonviolent Physical Obstruction, Attempt to or Intentionally Injure, Intimidate or Interfere With a Reproductive Health Services Client, Provider or Assistant, or Intimidate Persons/ Entities From Becoming or Remaining the Same Second Offense	BR BR
423.2(d)	By Nonviolent Physical Obstruction, Attempt to or Intentionally Injure Person's Lawful Exercise of Religious Freedom at Place of Religious Worship Second Offense	BR BR
423.2(e)	Intentionally Damage/ Destroy Property of a Reproductive Services Client, Provider, Assistant or Facility Second Offense	BR MR
423.2(f)	Intentionally Damage/ Destroy the Property of a Place of Religious Worship Second Offense	BR MR
452 (a)	Recklessly Causing a Fire with Great Bodily Injury	MR
(b)	Recklessly Causing a Fire, Inhabited Structure	MR
(c)	Recklessly Causing Fire, Structure or Forest Land	MR
459	Burglary	BR
459.5	Shoplifting If Value Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	BR
463	Petty Theft During a State of Emergency or Local Emergency or Under Evacuation Order	MR
468	Knowingly Buy or Sell Sniperscope	BR
470(d)	Forgery of an Instrument Listed in 473(b) If Value Does Not Exceed \$950	CR
475	Forged Bills or Notes, Possession or Receipt If Value Does Not Exceed \$950	CR
476	Fictitious Checks, Making, Uttering If Value Does Not Exceed \$950	CR
476a	N.S.F. Checks with Aggregate Total That Does Not Exceed \$950	CR
483.5(b)	Possess Document-Making Device with Intent to Defraud	CR
488	Petty Theft	CR
487(a), (b)	Petty Theft, Not Qualifying as Shoplifting, If Value Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	CR
487a	Petty Theft of Horse or Other Livestock If Value Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	CR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
487b & 487c	Petty Theft – Conversion of Real Property If Value Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	CR
487d	Petty Theft of Gold Dust, Amalgam or Quicksilver If Value Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	CR
487f	Petty Theft of Companion Animal If Value Does Not Exceed \$950	CR
487g	Petty Theft of Animal for Purpose of Sale, Medical Research, Slaughter or Other Commercial Use If Value Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	CR
487h	Petty Theft of Cargo If Value Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	CR
487i	Defraud a Housing Program of a Public Housing Authority If Loss Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	CR
487j	Petty Theft of Copper Materials If Value Does Not Exceed \$950 and No Disqualifying Prior Conviction(s)	CR
490.4(a)(1-3)	Retail Theft Committed on 2 or More Separate Occasions Within 12-Month Period and Aggregated Value Exceeds \$950	CR
(a)(1-3)	Retail Theft Committed in a Manner Not Described Above	CR
(a)(4)	Retail Theft Committed by Recruiting, Coordinating etc. Another to Undertake Specified Acts	CR
496	Receiving Stolen Property with Value Less Than \$950 With Value Exceeding \$950	CR
496d	Purchase, Receive, Sell, Stolen/ Extorted Vehicles, Vessels or Equipment	CR
502(c)(1-5)	Unlawful Computer Access, Data Usage, Data Damage, Deletion or Alteration, Nonpermitted Use of or Disruption/ Denial of Computer Services	BR
502(c)(8)	Unlawful Introduction of Contaminant into Any Computer System/ Network	BR
502(c)(10)	Disruption of Government Computer System/ Denial/ Causing the Denial of Services	BR
502(c)(11)	Add, Alter, Damage, Delete or Destroy Any Data, Computer Software or Computer Programs Associated with a Public Safety Infrastructure Computer, System Network	BR
502(c)(12)	Disruption of Public Safety Infrastructure Computer or Denial or Causing the Denial of Services	BR
502(c)(14)	Introduce Computer Contaminant into Public Safety Infrastructure Computer/ System/ Network	BR
502.6	Possession or Use of Scanning/ Reencoder Device to Access, etc. Information Encoded on Payment Card with Intent to Defraud	CR
528.5	Impersonate Another Person on an Internet Web Site for the Purpose of Harming Another Person	BR
529.7	Obtaining False DMV-Issued Documents	CR
530.5	Misuse of Personal Information	CR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
532b(c)(1) (c)(2)	Fraudulently Represent Self as Having Been Awarded Military Decoration with Intent to Obtain Tangible Benefit Veteran Fraudulently Represent Self as Having Been Awarded Military Decoration with Intent to Obtain Tangible Benefit	CR
532d	False Statement in Soliciting for Charitable Purpose	CR
532f	Mortgage Fraud	CR
538c	Insert Unauthorized Advertisement into Newspaper for Redistribution	CR
538d(a) (b)(1-2) (c)	Fraudulent Use of Uniform, Insignia, Emblem, Device, Label Certificate, Card or Writing of Peace Officer or Impersonation of Peace Officer by Internet or Other Electronic Means Fraudulent Use of Peace Officer's Badge Unlawful Wearing, Using, Making, Selling, Loaning, Giving or Transferring of Peace Officer's Badge, etc.	BR BR BR
538e	Fraudulent Impersonation of a Member of Fire Department or Officer of the State Fire Marshal or Impersonation of Member or Officer by Internet or Other Electronic Means	CR
538g	Fraudulent Impersonation of Public Officer or Employee or Impersonation by Internet or Other Electronic Means	BR
538h	Fraudulent Impersonation of a Government Agency Search and Rescue Unit/Team Officer/Member	BR
591.5	Destruction of Wireless Communication Device to Prevent Summoning Law Enforcement	BR
594 (b)(2)(A) (b)(2)(B)	Vandalism, Less Than \$400 Damage Vandalism, With a Prior Conviction and Less Than \$400 Damage	CR BR
594.3(a)	Vandalism of a Place of Worship or Cemetery	CR
594.35	Vandalism of Cemetery Grave Markers and Buildings or Interference with Funerals or Interments	CR
594.37	Picketing at a Funeral	CR
594.39	Obstructing, Intimidating, or Harassing Persons at Vaccination Sites	CR
597.6	Declaw Exotic or Native Wild Cat	CR
597b (a) – (b) (c)	Animal Fighting or Cockfighting Second or Subsequent Offense	CR BR
597c	Spectator at Animal Fighting Exhibition	CR
597i	Manufacture/ Buy/ Sale/ Possess Gaffs or Slashers	BR
597j	Own/ Possess/ Train Any Bird or Animal for Fighting Exhibition	CR
597.7	Confine Animal in Unattended Motor Vehicle	CR
599f	Prohibitions Against Non-ambulatory Animals	CR
600.2(c)	Injury or Death of Guide, Signal or Service Dog Caused by Reckless	CR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
600.5(a)	Intentionally Cause Injury to or the Death of Guide, Signal or Service Dog	CR
601	Trespass With Credible Threat	BR
602(h)	Trespass Upon Land Whereon Animals are Being Raised for Human Consumption	BR
602(k)	Trespass to Injure Property/ Interfere with Business	CR
602(o)	Refusal to Leave Private Property	CR
602(q)	Refusal to Leave Public Building	CR
602(u)(2)(A)	Enter Restricted Area of Any Airport Operations Area / Passenger Vessel Terminal / Public Transit Facility: Second or Subsequent Offense	BR
602(u)(2)(B)	Refusal to Leave Restricted Area of any Airport / Passenger Vessel Terminal / Public Transit Facility After Request	BR
602(v)(1)	Avoid Inspection When Entering Sterile Area of Airport / Passenger Vessel Terminal / Public Transit Facility: Second or Subsequent Offense	MR
602(v)(2)	Avoid Inspection When Entering Sterile Area of Airport that Causes Delays / Cancellations of Scheduled Flights	BR
602(w)	Trespass to Battered Women's Shelter	CR
602(x)(2)(B)	Refusal to Leave Neonatal Unit After Request to Leave	CR
602(x)(2)(C)	Refusal to Leave Neonatal Unit After Request to Leave: Second or Subsequent Offense	BR
602(y)	Avoid Inspection When Entering Courthouse or Other Governmental Building	CR
602.1	Intentional Interference with Business	CR
602.5(a) (b)	Unauthorized Entry of Dwelling Aggravated Trespass	CR
602.9	Rent Skimming	CR
602.12	Trespass on Residential Property of an Academic Researcher for Purpose of Chilling Academic Freedom	CR
602.13	Unlawful Entry into an Animal Enclosure at a Zoo or Circus	CR
626.2	Unauthorized Reentry to School After Suspension or Expulsion with Prior or 415.5 Conviction	CR
626.6	Entry to Campus to Disrupt with Prior or 415.5 Conviction	CR
626.7	Failure to Leave Campus With Prior or 415.5 Conviction	CR BR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
626.8(a)(1-3)	School Disruption With Prior or 415.5 Conviction	CR
(a)(4)	With Intent to Threaten Physical Safety of a Pupil	BR
626.81	Sex Offender on Campus with Prior	BR
626.85	Drug Offender on Campus with Prior or 415.5 Conviction	CR
626.9 (f)(2)(B)	Possession of a Firearm on Within 1,000 Feet from School Grounds	MR
626.95	Firearm or Deadly Weapon on Playgrounds or Youth Centers	MR
626.10	Possession of Dangerous Weapon on School grounds	BR
637.7	Unlawful Use of Electronic Tracking Device	CR
637.9	Prohibited Activities of List Broker re Personal Information of Minors	CR
638.51(a)	Unlawful Use of Pen Register	CR
640(c)(1-3)	Evade Payment of Fare, Misuse Fare Media, or Misuse of Discount Fare: Third or Subsequent Offense	CR
640(d)(1-5)	Willfully Disturb Others, Carry Explosive or Hazardous Substance, Urinate / Defecate, Willfully Block Free Movement of Another Person on or in a System Facility, or Willfully Tamper with or Destroy Any Part of Any Facility or Vehicle of a Transportation System	CR
646.9	Stalking	\$50,000
647(b)	Solicit or Engage in Prostitution With Pending 647(b) Charges	BR
647(c)	Accosting Others in Public to Beg/Soliciting Alms	CR
647(e)	Lodging Without Permission	CR
647(f)	Public Intoxication	CR
647(h)	Prowling/ Loitering/ Wandering on Private Property	CR
647(i)	While Loitering/ Prowling/ Wandering Upon Private Property, Peek in the Door or Window of an Inhabited Building Second or Subsequent Offense	BR MR
647(j)(1)	View by Means of an Instrumentality into Private Area Second or Subsequent Offense	BR
(j)(2)	Use Concealed Camcorder or Camera of Any Type to Secretly Tape, Film, Photograph Under/ Through the Clothing of a Person with Intent to Arouse	BR
(j)(3)	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	CR
	With Prior Conviction of 647(j)	BR
(j)(4)	Distribute Private Image of Intimate Body Part(s) of Another Second or Subsequent Offense	CR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
647(l)	Solicit or Engage in Prostitution with a Minor With Pending 647(b) or 647(l) Charges	BR
647.6	Child Molestation/ Annoying	BR
647.9	Capture of Photographic Image of Deceased Person by First Responder	CR
653b(a)	Loitering About School Grounds	CR
(b)	Sex Offender Loitering About School Grounds with Prior	BR
(c)	Registered Gang Member Loitering About School Grounds	BR
653c	Sex Offender Entry onto the Grounds of Day Care or Residential Facility for Elders Without Registering with Facility Administrator With Prior	BR MR
653f(a)	Solicitation of Certain Felonies	CR
(d)	Solicitation of Drug Offenses	CR
653m	Make Annoying Telephonic or Electronic Contact	CR
653y(b)	Knowing Misuse of 911 Emergency System for Purpose of Harassment: Second or Subsequent Offense	BR
653y(c)	Knowing Misuse of 911 Emergency System for Purpose of Harassment as Hate Crime	CR
653z	Operate Recording Device in Motion Picture Theater	CR
653aa	Electronically Disseminate a Commercial Recording or Audiovisual Work	CR
653.2	Electronically Distribute Personal Identifying Information to Incite Unlawful Action	CR
653.23	Supervise/ Recruit/ Aid Person in Committing an Act of Prostitution	CR
666	Petty Theft with Prior Conviction	CR
853.7	Willful Violation of Promise to Appear	CR
1203.2	Warrantless Probation Violation Arrest	MR
1299.11	Noncompliance with the Bail Fugitive Recovery Persons Act	BR
1320	Willful Failure to Appear After Release on Own Recognizance	BR
3003.5	Residing With Another Required to Register as Sex Offender	CR
3003.6	Sex Offender Residing, Working or Volunteering in Facility/Home that Provides Foster Care or is a Placement for a Dependent Child	CR
3010.10	Removal of Electronic, GPS or Other Monitoring Device by One Required to Register as Sex Offender	CR
4501.1	Aggravated Battery by Gassing Officer or Employee of Prison	BR
4532	Escape From Jail, Prison, Industrial Farm, Alternative Custody	MR
4550 (b)	Rescue of Prisoner	CR
4570	Communication With Prisoner	CR
4570.5	Fraudulent Entry into Correctional Institute	CR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
4575 (d)	Possession of Handcuff Key by Inmate	CR
4576	Possession of a Wireless Communication Device w/ Intent to Deliver to an Inmate	CR
11166.01(b)	Willful Failure of Mandated Reporter to Report Abuse Where Abuse Results in Death or Great Bodily Injury	CR
11411	Burn or Desecrate Religious Symbol or Hang Noose at School or on Private Property of Another	CR
17500	Possession of Deadly Weapon with Intent to Assault	MR
17510(a)(1)	Carrying Concealed Firearm on Person or in Vehicle While Picketing	CR
(a)(2)	Carrying Loaded Firearm on Person or in Vehicle While Picketing	MR
(a)(3)	Carrying Deadly Weapon While Picketing	MR
18205	Possession of Firearm or Ammunition in Knowing Violation of TRO	CR
18710	Possession of Destructive Device	CR
18735	Sale, Possession or Transport of Fixed Ammunition - Caliber Greater Than .60 Caliber	CR
19200	Manufacture, Sale, Possession, etc., Metal Military Practice Hand grenade: Second Offense or Gang-Member	CR
19910	Sale of BB Device, Air or Gas-operated Gun to Minor	BR
19915	Furnishing BB Device, Air or Gas-operated Gun to Minor	CR
20310	Manufacture, Sale, Possession, etc., Air Gauge Knife	CR
20410	Manufacture, Sale, Possession, etc., Belt Buckle Knife	CR
20510	Manufacture, Sale, Possession, etc., Cane Sword	CR
20610	Manufacture, Sale, Possession, etc., Lipstick Case Knife	CR
20710	Manufacture, Sale, Possession, etc., Shobi-zue	CR
20810	Commercially Manufacture/ Import/ Export/ Sale Knives Not Detectable by a Metal Detector	CR
20910	Manufacture, Sale, Possession, etc., Writing Pen Knife	CR
21110	Manufacture, Sale, Possession, etc., Ballistic Knife	CR
21710	Commercially Manufacture/ Import/ Sale Composite Knuckles or Hard Wooden Knuckles	CR
21810	Manufacture, Sale, Possession, etc., Metal Knuckles	CR
22010	Manufacture, Sale, Possession, etc., Nunchaku	CR
22210	Manufacture, Sale, Possession, etc., Leaded Cane, Billy, Blackjack, Sandbag, Sandclub, Sap or Slungshot	CR
22410	Manufacture, Sale, Possession, etc., Shuriken	CR
22900	Sale, Possession, etc. Tear Gas Weapon	CR
23920	Purchase/Sale/Possession/Transfer Unmarked Firearm	CR
24310	Manufacture, Sale, Possession, etc., Camouflaging Firearm	CR
24410	Manufacture, Sale, Possession, etc., Cane Gun	CR
24510	Manufacture, Sale, Possession, etc., Firearm Not Readily	CR
24610	Manufacture, Sale, Possession, etc., Undetectable Firearm	CR
24710	Manufacture, Sale, Possession, etc., Wallet Gun	CR
25850	Carrying a Loaded Firearm in Public	MR

PENAL CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
25100(a)	Criminal Storage of Firearm of First Degree	CR
(b)	Criminal Storage of Firearm of Second Degree	CR
(c)	Criminal Storage of Firearm of Third Degree	CR
25200(a)	Keep Concealable Firearm, Loaded or Not, Within Premises Under Custody/ Control, With Knowledge That Child Under 18 Is Likely to Access, and Child Carries It Off Premises	BR
(b)	Concealable Firearm Kept on Any Premises Under Custody/ Control With Knowledge That Child Is Likely to Access, and Child Carries It to School or School-sponsored Activity, as Specified	BR
25400	Carrying a Concealed or Concealable Firearm	BR
26350	Openly Carrying an Unloaded Handgun in a Public Place, Street, or Vehicle	BR
26400	Carrying Unloaded Firearm on Person Outside of Vehicle	BR
27535	Application to Purchase Within Any 30-day Period More Than One Pistol, Revolver, or Firearm Capable of Being Concealed Upon the Person Prohibited: Third or Subsequent Offense	MR
28215	Falsify Firearm Purchaser Information	BR
29010	License Requirements for Firearm Manufacturer	CR
29180(g)	Possession of Firearm Without Serial Number	MR
29525	Falsify Information on An Entertainment Firearms Permit	CR
29805	Possession of a Firearm by Person Convicted of Specified Misdemeanor or Has Knowledge of an Outstanding Warrant	MR
29815	Possession of a Firearm by Person Prohibited by Probation Condition	MR
29820	Possession of a Firearm by Person Adjudged Ward of Court for Specified Offense	MR
29825	Purchase/Receipt/Ownership/Possession of Firearm by Person Prohibited by TRO, Injunction, or Protective Order	MR
30105(h)	Require Firearms Eligibility Check	CR
30210	Manufacture, Sale, Possession, etc., Ammunition with Flechette Dart or Bullet With Explosive Agent	CR
31500	Manufacture, Sale, Possession, etc., Unconventional Pistol	BR
32310(a)	Manufacture, Sale, , etc., Large Capacity Magazines	BR
32311	Manufacture, Sale, , etc., Large Capacity Magazine Conversion Kits	BR
32900	Manufacture, Sale, Possession, etc., Multiburst Trigger Activator	CR
33215	Manufacture, Sale, Possession, etc., Short-barreled Shotgun or Rifle	CR
33600	Manufacture, Sale, Possession, etc., Zip Gun	CR
33850	Furnish Fictitious Name or Information to Obtain Possession of Firearm in Control of Court or Law Enforcement Agency	CR

PUBLIC RESOURCES CODE

For all violations of the Public Resources Code, pre-arraignment release protocol is **CR**

VEHICLE CODE
GENERAL PROVISIONS

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
20	False Statements	CR
31	False Statements to Peace Officer	CR

DIVISION 2 – ADMINISTRATION

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
1808.45	Unauthorized Disclosure of DMV Records	CR
2468(a)	Failure of Licensed Renderer to Keep Written Records of Inedible Kitchen Grease	CR
(b)	Refusal of Licensed Renderer or Registered Transporter to Exhibit Required Record or Destruction of Required Record	
2800(a)	Refusal to Obey Peace Officer	BR
(b)	Refusal to Comply With Peace Officer's Out-of-Service Order	
(c)	Refusal to Comply With U.S. Secretary of Department of Transportation's Out-of-Service Order	
2800.1(a,b)	Fleeing Peace Officer Prohibited	MR
2800.2(a)	Evade Peace Officer - Disregard for Safety	MR
2800.3	Evade Peace Officer - Causing Death or Great Bodily Injury	MR
2800.4	Driving Opposite to Direction of Lawfully Moving Traffic While Fleeing Peace Officer	MR
2801	Refusal to Obey Firefighter Prohibited	CR
2803(a)	Refusal to Adjust Unsafe or Unlawful Load	BR
(b)	Failure to Submit Weight Certificate or Bill of Lading to Officer	
2813	Commercial Vehicle Inspection	CR
2813.5 (b)	Use or Issuance of Unauthorized Inspection Stickers	CR

DIVISION 3 – REGISTRATION

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
4461(b)	Unlawful Lending/Use of Disabled Person Placard	CR
(c)	Unlawful Display of Disabled Person Placard	
(d)	Unlawful Use of Special Identification Plate	
4462.5	Unlawful Display of Evidence of Registration With Intent to Avoid Compliance	CR
4463(b)(1-3),(c)	Unlawful Forgery, Passing, Possession, Sale or Display of Disabled Person Placard With Fraudulent Intent	CR
5506	Resell/ Transfer of Total Loss Salvage Vehicle	CR
5753(a-d)	Failure of Commercial Dealer to Deliver Certificate of Ownership and Registration Card to Transferee	CR
(f)	Failure of Licensed Dealer Upon Written Request to Disclose Pertinent Information	

VEHICLE CODE

DIVISION 3 – REGISTRATION

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
5901	Notice by Dealer, etc. of Transfer or Mileage	CR
8802	Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation When Committed With Intent to Defraud	CR
8804	Resident Registering Vehicle in Foreign Jurisdiction	CR

DIVISION 3.5 – VESSELS

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
9872	Defacing, Destroying or Altering Hull Identification Number	CR
9872.1(a)	Knowingly Buy, Sell or Possess Altered/ Destroyed Hull Identification Number	CR

DIVISIONS 4 AND 5 - ANTITHEFT LAWS AND OCCUPATIONAL LICENSING

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
10501(a)	False Report of Vehicle Theft With Intent to Deceive	CR
10750(a)	Unauthorized Alteration of Vehicle Numbers or Identification Marks	CR
10751(a)	Knowing Purchase, Sale, or Possession of Vehicle With Removed, Defaced, Altered, or Destroyed Registration or	CR
10851(a)	Taking or Driving Vehicle Without Consent	CR
10851.5	Theft of Binder Chains	CR
10852	Injuring or Tampering With Vehicle or Contents Without Consent of Owner	CR
10853	Climbing Onto, Attempting to Manipulate, or Tampering With Unattended Vehicle With Intent to Commit Malicious Injury,	CR
10854	Tampering With, Driving, or Removing any Part of Vehicle by Bailee	CR
11500	Conducting Business as Automobile Dismantler Without Valid Permit/License and Official Place of Business	CR
11515(a,b,d,e)	Salvage Vehicle Notice and Certificate Requirements	CR
11520(a)	Failure of Licensed Auto Dismantler to Provide Required Notice to DMV and DOJ Within Required Time	CR
11700	Acting as Dealer, Remanufacturer, Manufacturer, Transporter, or Distributor Without A Valid License	CR
11713(a-t)	Engage in Prescribed Unlawful Acts by a Licensed Manufacturer, Transporter or Dealer	CR

VEHICLE CODE

DIVISIONS 4 AND 5 - ANTITHEFT LAWS AND OCCUPATIONAL LICENSING

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
11713.17(a,b)	Violation by Dealer, Manufacturer, or Distributor of Requirements for Securing Front License on Vehicle	CR
11725(a)	Removal of Vehicle to Foreign Jurisdiction for Registration	CR
(b)	Failure to Remove License Plates From Vehicle if Known That Vehicle Is to be Exported to Foreign Jurisdiction	
11800	Conduct of Business as Vehicle Salesperson Without Valid License	CR
12110(a)	Providing or Requesting a Commission, Gift or Compensation in Consideration of Arranging or Requesting the Services of a Tow Truck	CR
(c)	Exchange of Valuable Consideration Between Towing Service or Employee of Towing Service and Repair Shop or Employee of Repair Shop for the Delivery or Arranging of Delivery of a Vehicle for Storage or Repair	CR

DIVISION 6 - DRIVERS' LICENSES

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
12500(a)	Unlawful to Drive Unless Licensed (No License)	CR
12515(b)	Minor Under 21 Employed to Drive in Interstate Commerce or Carry Hazardous Materials	CR
12517(a)(2)	Operation of School Bus Without Certificate in Possession While Transporting Pupils	CR
(b)	Operation of School Pupil Activity Bus Without Certificate in Possession While Transporting Pupils	
12517.45(a)	Unlawful Operation of Specified Vehicle Transporting Pupils	CR
12519(a)	Farm Labor Vehicle License	CR
12951(b)	Refusal to Present License to Officer	CR
13004(a-g)	Identification Card - Unlawful Use	CR
13004.1(a)	Manufacture or Sale of Fraudulent I.D.	CR
14601(a)	Driving When Privilege Suspended or Revoked	CR
14601.1(a)	Driving When Privilege Suspended or Revoked for Offenses Not Relating to Driving Ability	CR
14601.2(a,b)	Driving When Privilege Suspended or Revoked for Driving Under Influence of Alcohol/Drugs	CR

**VEHICLE CODE
DIVISION 6 - DRIVERS' LICENSES**

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
14601.3(a)	Accumulation of Driver Record History by Habitual Traffic Offender During Period of License Suspension or After Revocation	CR
14601.4(a)	Causing Bodily Injury While Driving with Suspended or Revoked License	BR
14601.5(a,b)	Driving When Privilege Suspended or Revoked for Refusing Chemical Test or Driving with Excessive Blood Alcohol Second Offense (Section 14601, 14601.2, 14601.3, 14601.5 Within 5 Years)	CR CR
14604(a)	Knowingly Allow Another to Drive Vehicle Without Valid Driver's License	CR
14610(a)(1-8)	Unlawful Use of License	CR
14610.1(a)	Manufacture or Sale of Fraudulent I.D./Driver's License Prohibited	CR
15501	Presentation of False Driver's License by Minor	CR

DIVISION 7 - FINANCIAL RESPONSIBILITY

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
16030(a)	Knowingly Provide False Evidence of Financial Responsibility	CR
16560(a,b)	Violation of Interstate Highway Carrier Requirements	CR

DIVISION 10 - ACCIDENTS AND ACCIDENT REPORTS

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
20001(a)	Duty to Stop When Involved in Accident With Injury or Death	CR
20002(a,b)	Hit and Run - Property Damage	CR
20003	Failure to Provide Required Information or Render Necessary Assistance to Occupants of Struck Vehicle With Accident Resulting in Injury or Death	CR

DIVISION 11 - RULES OF THE ROAD

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
21200.5	Bicyclist Riding Under the Influence	CR
21464(d)	Willful Interference With Traffic Device or Willful Use, Possession, or Distribution of Traffic Interference Device That Results in Injury or Death	CR

VEHICLE CODE
DIVISION 11 - RULES OF THE ROAD

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
21651(b) (c)	Wrong Way Driving Wrong Way Driving With Injury or Death	CR
21655.9(c)	Operate or Own Vehicle That Displays Low-Emission Decal Not Issued for the Vehicle	CR
21702(a,b)	Limitation on Driving Hours	CR
21713	Armored Car Without License	CR
21963	Blind Pedestrians - Right of Way	CR
22406.1	Maximum Speed for Commercial Vehicles - In Excess of Speed Limit by 15 MPH or More	CR
22513(b) (c)	Stop to Solicit Towing Services Towing Without Authorization	BR
22520.5(a)	Vending on Freeway Right-of-Way (Second Offense)	CR
22658	Failure of Tow Company or Driver on Request by Owner or Owner's Agent to Release Vehicle Removed from Private Property Not Yet in Transit	CR
23103(a,b)	Reckless Driving	CR
23104(a,b)	Reckless Driving – Bodily Injury	BR
23105(a)	Reckless Driving – Specific Injury	BR
23109(a)	Engaging in Speed Contests	CR
(b)	Abetting Speed Contests	CR
(c)	Engaging in or Abetting Exhibition of Speed	CR
(d)	Placing Barricades or Obstructions	CR
(e)(2)	Engaging in Speed Contest and Causing Bodily Injury	BR
(f)(1)	Engaging in Speed Contest With Prior	BR
(f)(2)	Engaging in Speed Contest and Causing Bodily Injury With Prior	MR
23109.1	Engaging in Speed Contest – Specific Injury	BR
23110(a)	Throwing Substance at Vehicle Prohibited	CR
23112.5(a)	Hazardous Materials - Notification of Agency	CR
23114(a,b,e,f)	Spilling Load on Highway Prohibited (Second or Subsequent Offense Within 2 Years)	BR
23127	Unauthorized Motor Vehicle on Riding/ Hiking Trails	CR

VEHICLE CODE
DIVISION 11 - RULES OF THE ROAD

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
23152(a-g)*	Driving Under Influence of Alcohol and/or Drugs One Prior Conviction Within 10 Years Two or More Prior Convictions Within 10 Years Add for Traffic Collision, BAC Greater Than .15% or Refusal Add for Both Traffic Collision and BAC Greater Than .15% or Refusal	BR BR MR BR BR MR
23153(a-g)	Driving Under Influence Causing Injury One Prior Conviction Add for BAC Greater Than .15%	MR MR MR
23224(a,b)	Possession of Alcohol by Minor In a Vehicle Prohibited	CR
23247(a) (b-e)	Unlawful to Rent/ Loan Vehicle to Person With License Restriction Requiring Ignition Interlock Device Unlawful to Request/ Solicit Someone to Blow Into Device/ Start Motor Vehicle With Device; to Drive Unequipped Vehicle; Tamper With Vehicle Requiring Interlock Device	CR
23253	Failure to Obey CHP or DOT Officers at Vehicular Crossing	CR
23332	Trespass on Vehicular Crossing	CR

DIVISION 11.5 – DUI

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
23573(i)	Willful Failure to Install Ignition Interlock Device Within Required 30 Days	BR

CHAPTER 1 OF DIVISION 12 - GENERAL PROVISIONS

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
24002.5(a)	Unlawful Operation of a Farm Labor Vehicle	CR
24011.3(c)(1)	Passenger Vehicle Manufacturer - Willful Failure to Affix Bumper Strength Notice or Willful Misstatement of Information in the Notice	CR
(c)(2)	Willful Defacement, Alteration or Removal of New Vehicle Bumper Strength Notice Prior to Delivery of the Vehicle	CR

VEHICLE CODE

CHAPTER 5 OF DIVISION 12 - OTHER EQUIPMENT

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
27150.1	Sale of Exhaust Systems Restricted	CR
27362(a)	Sale or Installation of Non-Conforming Child Restraint System	CR
28050	Advertisement, Sale, Use or Installation of Device Causing Motor Vehicle Odometer to Register Mileage Other Than True Mileage Driven	CR
28050.5	Operation of Motor Vehicle Knowing the Odometer Is Disconnected or Nonfunctional with Intent to Defraud	CR
28051	Disconnecting, Turning Back or Resetting Odometer of Motor Vehicle	CR
28051.5	Advertisement, Sale or Use of Device Designed for Purpose of Turning Back or Resetting Odometer to Reduce Mileage	CR
28150(d)	Possession of Four or More Radar Jamming Devices	CR

CHAPTER 5 OF DIVISION 13 - TRANSPORTING OTHER LOADS

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
31303(b-e)	Violating Requirements for Transportation of Hazardous Waste	CR
31401(b) (d)	Farm Labor Buses and Trucks - Inspection Required Willful Rental or Use of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection per VC 31401(b)	CR
31402(a)	Operation of Unsafe Farm Labor Vehicle	CR
31403	Mechanic Certification of Farm Labor Vehicle	CR

DIVISION 14 - TRANSPORTATION OF EXPLOSIVES

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
31602(a-c)	License, Routes to Be Used, Stopping Specified	CR
31607(a)	Inspection Required	CR
31609	Record of Inspection	CR
31610(a-e)	Improper Equipment, Maintenance	CR
31611	Improper/ Lack of Maps of Route	CR
31612	Carry and Display Shipping Instructions	CR
31613	Prohibited Cargoes	CR
31614(a,b,d,e,h) (c,g) (f,i)	Transport Explosives Through Local Routes; Congested Areas; With Enclosed, Uncovered Loads; While Smoking or Open Flame Loading Explosives Without Motor Stopped, Brakes Set; Vehicle Transporting Explosives Left Unattended Driving Near or Through Fires; Transportation of Explosives in a Passenger Vehicle	CR
32000.5(a) (d)	Hazardous Materials Transportation - Company Not Licensed Fireworks Transportation - Failure to Carry License or Present	CR

VEHICLE CODE

DIVISION 14 - TRANSPORTATION OF EXPLOSIVES

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
32001(c)	Hazardous Material - Motor Carrier Directing Transportation Unlawfully	CR
32002(a) (b)	Violations of Division 14.1 or Regulations Unlicensed Transportation Second or Subsequent Offense	CR
33000	Violation of Shipment Regulations for the Transportation of Radioactive Materials	CR
34100	Illegal Operation of Tank Vehicle Transporting Hazardous Waste or Flammable and Combustible Liquids on a Public Highway	CR
34501(e)	Operation of Bus Without Current Inspection by CHP	CR
34501.3(a)(2)	Motor Carriers - Unlawful Schedule Exceeding Maximum Hours of Service	CR
34505(a-c)	Violation of Tour Bus Inspection and Repair Requirements	CR
34505.5(a-c)	Violation of Motor Carrier Vehicle Inspection and Repair Requirements	CR
34505.9(a)(4)(D)	Violation of Intermodal Roadability Inspection Program	CR
34506(a) (b) (c) (d) (e) (f) (g)	Failure to Comply with Specified Regulation of Hours of Service of Drivers Failure to Comply with Specified Regulation of Hazardous Material Transportation Failure to Comply with Specified Regulation of School Buses Failure to Comply with Specified Regulation of Youth Buses Failure to Comply with Specified Regulation of Tour Buses Failure to Comply with Specified Regulation of Described Vehicles Failure to Comply with Specified Regulation of School Pupil Activity Buses	CR
34623(h) (i)(1) (i)(2)	Motor Carrier of Property Operating Vehicle While Permit Suspended Motor Carrier of Property with Suspended Permit Allowing Any Vehicles Subject to Suspension Based on Failure to Maintain to be Operated by Another Carrier Motor Carrier of Property Knowingly Utilizing a Vehicle From a Motor Carrier Whose Permit Is Suspended Based on a Failure to Maintain Any Vehicle	CR

DIVISION 15 - SIZE, WEIGHT AND LOAD

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
35784(b)	Violation of Special Permit Requirements	CR
35784.5(a)	Transportation of Extra-legal Load Without Permit	CR
35785(b)	Violation of Single Saw Log Hauling Speed Limit of 15 MPH Over Bridge or Causeway or 25 MPH on Highway	CR

VEHICLE CODE
DIVISION 15 - SIZE, WEIGHT AND LOAD

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
35786(b)	Operation of Truck Booster Power Unit in Noncompliance with Route Specifications	CR
35790(g) (h)	Failure to Carry Appropriate Permits, Certificates, and Notices Required for Movement of Manufactured Homes Violation of Terms, Conditions, or Limitations Specified in Manufactured-Home Transportation Permits	CR

DIVISION 16.5 - OFF HIGHWAY VEHICLES

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
38316(a)	Reckless Driving of Off-Highway Motor Vehicle	CR
38317	Reckless Driving of Off-Highway Motor Vehicle Causing Injury	CR
38318(a)	Throwing Substance at Off-Highway Motor Vehicle	CR
38318.5	Malicious Removal or Alteration of Markers or Signs	CR
38319	Operation of Off-Highway Motor Vehicle Likely to Cause Damage	CR
38320(a,b)	Throwing, Depositing or Dumping Matter	CR

DIVISION 17 - OFFENSES AND PROSECUTION

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
40001(c) (d)	Violation by Employer of Out-of-Service Order Employer Allows, Permits, Requires, or Authorizes Driver to Operate Commercial Motor Vehicle in Violation of Railroad-Highway Grade Crossing Statute or Regulation	CR
40005	Employer Undertakes Responding to Employee Driver's Citation and Inaction By Employer Results in Issuance of Warrant For Employee	CR
40008(a) (b)	Violation of VC 21701, 21703, or 23103 with Intent to Capture Physical Impression of Another Person for Commercial Purpose Violation of VC 21701, 21703, or 23103 with Intent to Capture Physical Impression of Another Person and Causing Endangerment of Minor	CR
40504(b)	Signing Written Promise to Appear With False Name	CR
40508(a-c)	Violation of Promise to Appear, Promise to Pay [In Addition to the Bail on Original Offense.]	CR
40519(c)	Failure to Appear at Time of Trial After Pleading Not Guilty in Writing	CR
40614	Use of Fictitious Name	CR
40616	Violation of Promise to Correct	CR
42005(e)	Failure to Attend Traffic Violator School	CR

VEHICLE CODE

SPEED VIOLATIONS

DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
1 to 15 Miles Over Limit	CR
16 to 25 Miles Over Limit	CR
26 and Above (Miles Over Limit)	CR

Speed Violations in Highway Construction Zones (Section 42009)

DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
1 to 15 Miles Over Limit	CR
16 to 25 Miles Over Limit	CR
26 and Above (Miles Over Limit)	CR

WELFARE AND INSTITUTIONS CODE

SECTION	DESCRIPTION	PRE-ARRAIGNMENT RELEASE PROTOCOL
5150	Certification to Mental Health Courts	CR

CALIFORNIA CODE OF REGULATIONS, TITLE 14: NATURAL RESOURCES

For all violations of Title 14 of the California Regulations (Natural Resources), pre-arraignment release protocol is **CR**.

LOS ANGELES COUNTY CODE

For all violations of the Los Angeles County Code, pre-arraignment release protocol is **CR**.

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 guideline:

CR.....\$1,000-\$5,000

BR.....\$15,000

MR.....\$30,000

D. Penal Code Section 1270.1

This section 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:

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