

**Superior Court of California**  
County of San Luis Obispo

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Court Executive Officer

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Option 1 - Traffic  
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**To:** San Luis Obispo County Bail Schedule Holders And  
Law Enforcement Agencies

**Date:** May 28, 2019

**Subject:** 2019 San Luis Obispo County Complete Bail Schedule

This bail schedule was approved by the Judges of the Superior Court,  
County of San Luis Obispo with an effective date of May 28, 2019.

Prevailing legislation places the burden on law enforcement agencies to  
notify the magistrate if the scheduled bail is not adequate for the crime.

It is recommended that each agency make their personnel cognizant of  
Penal Code sections 1269c and 1270.1 as certain provisions may apply  
if bail modification occurs.

The bail schedule is available online:

<https://www.slo.courts.ca.gov/ff/schedules.htm#bail>

## 2019 BAIL SCHEDULE

- A. The Bail Schedule shall be applicable throughout San Luis Obispo County and is applicable to all arrests without a warrant for offenses that allow bail.
- B. Persons not entitled to be released on bail are those charged with:
1. Capital crimes (i.e. murder with special circumstance), when the facts are evident or the presumption great. Penal Code Section 1270.5 & California Constitution, Article 1, section 12(a).
  2. Felony offenses involving acts of violence on another person when the facts are evident or the presumption great and the court finds based upon clear and convincing evidence that there is a substantial likelihood the person's release would result in great bodily harm to others;
  3. Felony offenses when the facts are evident or the presumption great and the court finds based upon clear and convincing evidence that the person has threatened another with great bodily harm and that there is a substantial likelihood that the person would carry out the threat if released. California Constitution, Article 1, section 12(c).
- C. Bail for offenses involving larceny under the Penal Code, as listed in this schedule (e.g. Pen Cod.§ 487, 496, 504, etc.), is the scheduled amount or the amount of loss, whichever is higher. This policy is also to apply to fraud type offenses of other Codes (e.g. Insurance Code, Revenue and Taxation Code, etc.) for which no presumptive bail is specified in this schedule, at the presumptive bail for top term potential, below, or the amount of loss, whichever is higher.
- D. Bail for offenses that were reduced to misdemeanors pursuant to Penal Code section 1170.18 (Proposition 47) has been reset to \$10,000. (i.e. Health and Safety §11350)
- E. Bail for enhancements listed should be added to the base bail for the listed crime.
- F. Bail for attempted crimes, where completed crime is punishable by prison, is half the bail of the underlying offense, except for Penal Code section 664/Penal Code section 187 where bail is set at \$500,000.
- G. For all offenses and enhancements for which no presumptive bail is specified in this schedule, the presumptive bail shall be set according to state prison top term potential for the offense plus enhancement:

Top term 3 years	\$20,000
Top term 4 years	\$25,000
Top term 5 years	\$30,000
Top term 6 years	\$35,000

Top term 7 years	\$40,000
Top term 8 years	\$45,000
Top term 9 years	\$50,000
Top term 10 years	\$55,000
Top term 11 years	\$65,000
Top term 12 years	\$70,000
Top term 13 years	\$75,000
Top term 14 years	\$80,000
Top term 15 years	\$90,000
Top term 16 years	\$100,000
Top term 20 years	\$500,000
All life sentences	\$1,000,000

- H. Penal Code section 1270.1 prohibits the release of an arrestee on bail in an amount OTHER THAN THAT SET FORTH ON THE BAIL SCHEDULE prior to a hearing *in open court* for:
1. Violent felonies as described in Penal Code section 667.5(c), but not 460(a);
  2. Serious felonies as described in Penal Code section 1192.7(c); and
  3. Violations of Penal Code sections 136.1(c), 243(e) (1), 262, 273.5, 273.6, 422 (as a felony), and 646.9.
- I. Bail Limit for Multiple Offenses – A bail limit for a case with multiple charges will be established as follows:
1. Felony only. The highest bail amount for any one felony offense, plus enhancement, will apply unless multiple offenses are separate incidents. If multiple incidents are charged, bail can be stacked. (Example: two separate Pen. Cod. §459, first degree charged; \$50,000 each incident, times two incidents = \$100,000 total bail).
  2. Felony with misdemeanor or infraction violations. The highest bail amount for any one felony offense, plus enhancement, will apply. Misdemeanor and infraction bails will not be considered.
- J. Holds for Out-of-County charges – The bail schedule will apply to holds placed for out-of-county charges when no amount has been previously established or shown on a warrant.
- K. Violation of Probation –
1. Arrest without a warrant shall have NO BAIL if violation is for FELONY PROBATION.

2. Bail will be set at \$15,000.00 if violation is for MISDEMEANOR PROBATION.
- L. All references to a code section shall include all subsections thereof unless a specific bail is set forth for a particular subsection.
- M. Revision/Additions to the Bail Schedule
1. The following procedure is established to make interim changes to the Bail Schedule without a formal meeting of the bail committee:
    - a. The staff will present all proposed interim changes to the approved bail schedule to the Judge who is the Criminal Team leader.
- N. Determining Misdemeanor Bail
1. If bail cannot be set as listed in the attached bail schedule, then the bail shall be \$2,000 for all violations of statutes, regulations or ordinances.
- O. Determining Infraction Bail
1. If bail cannot be set as listed in the attached Bail Schedule, then the bail shall be \$280 for all violations of statutes, regulations or ordinances, except that if the minimum fine for the offense is greater than or less than \$280 the bail shall be the amount of the minimum fine.
- P. If a mandatory appearance is not required, bail may be forfeited in lieu of appearance.
- Q. Additions to Superior Court Case Management System.
1. When it is necessary to add a new violation to the Superior Court Case Management System bail maintenance table, court staff will refer to Sections A and B above.
- R. Bail Limit for Multiple Felony/Misdemeanor Offenses.
1. The highest bail amount for any one offense will apply.

## INSTRUCTIONS FOR THE USE OF BAIL SCHEDULE

The bail schedule contains a list of felony, misdemeanor and infraction violations.

The schedule is divided into several columns. The explanation for each column follows:

### Source

This column shows the California statute code abbreviation. The key for the abbreviations is found below.

### Statute

This column shows the code section number.

### Degree

F = Felony  
F1 = Felony 1<sup>st</sup> Degree  
F2 = Felony 2<sup>nd</sup> Degree  
M= Misdemeanor  
I = Infraction

### Offense Description

This is the English language description of the crime.

### Mandatory Appearance

This field shows whether the defendant is required to appear in court. "Y" (yes) means appearance is required. "N" (No) means that bail may be posted and forfeited in lieu of appearance.

**RULE:** If any one violation is a mandatory appearance, the whole case is a mandatory appearance.

**ONLY** if all violations are not mandatory appearance can bail be posted and forfeited in lieu of appearing.

### Bail

The amount of bail that is required before the defendant may be released from custody.

## ABBREVIATIONS FOR SOURCE CODES

AGMC	Arroyo Grande Municipal Code
APCD	Air Pollution Control District Regulation
ATMC	Atascadero Municipal Code
BP	Business and Professions Code
CCR	California Code of Regulations
CFC	California Fire Code
CIV	Civil Code
CP	Code of Civil Procedure
CC	Commercial Code
CCP	Code of Civil Procedure
CORP	Corporations Code
CPSU	California Polytechnic State University regulations
CUESTA	Cuesta College Regulations
EDC	Education Code
ELEC	Elections Code
EVID	Evidence Code
FA	Food and Agriculture Code
FAM	Family Code
FIN	Financial Code
FG	Fish and Game Code
GBMC	Grover Beach Municipal Code
GC	Government Code
HN	Harbors and Navigation Code
HS	Health and Safety Code
INS	Insurance Code
IPMC	International Property Management Code
LC	Labor Code
MBMC	Morro Bay Municipal Code
MVC	Military and Veterans Code
PBMC	Pismo Beach Municipal Code
PC	Penal Code
PCC	Public Contract Code
PRC	Public Resource Code
PROB	Probate Code
PRMC	Paso Robles Municipal Code
PSLH	Port San Luis Harbor District
PUC	Public Utilities Code
RT	Revenue and Taxation Code
SH	Streets and Highways Code
SLCC	San Luis Obispo County Code
SLMC	City of San Luis Obispo Municipal Code
UBC	Uniform Building Code

UHC  
UIC  
USC  
VC  
WIC

Uniform Housing Code  
Unemployment Insurance Code  
United States Code  
Vehicle Code  
Welfare and Institutions Code