

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SUTTER
FELONY BAIL SCHEDULE

Introduction:

Sutter County Superior Court has adopted the attached bail schedule pursuant to Penal Code section 1269b. The purpose of the bail schedule is to fix an amount upon which a person who is arrested without a warrant may be released from custody prior to appearance in court. At and after a defendant's first appearance, pursuant to Penal Code section 1269b(b), the amount of bail, if any is allowed, shall lie with the sound discretion of the judicial officer before whom the defendant appeared, and may be greater or less than the amount set for in this schedule, subject to Penal Code section 1275. This schedule may also be used by the magistrate in fixing bail pursuant to Penal Code section 815a at the time an arrest warrant is issued, the amount of which lies with the sound discretion of the magistrate.

Bail Amount for Offenses Not Listed in the Bail Schedule:

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 the enhancement:

TOP TERM 3 YEARS.....	15,000	TOP TERM 9 YEARS	45,000
TOP TERM 4 YEARS.....	20,000	TOP TERM 10 YEARS	50,000
TOP TERM 5 YEARS.....	25,000	TOP TERM 11 YEARS	55,000
TOP TERM 6 YEARS.....	30,000	TOP TERM 12 YEARS	60,000
TOP TERM 7 YEARS.....	35,000	TOP TERM 16 YEARS	100,000
TOP TERM 8 YEARS.....	40,000	ALL LIFE SENTENCE EXCEPT 187	1,000,000

Violations of Probation/Parole/Mandatory Supervision/Post Release Community Supervision:

- Felony: No Bail
- Misdemeanor: \$11,000

Attempts, Conspiracies, and Solicitations:

The bail shall be the same as the target offense.

Multiple Offenses:

Normal rule: The Court will utilize the highest amount for the most serious offense charged, including applicable amounts for enhancements and prior convictions. The Court shall consider the applicability of Penal Code section 654.

Multiple victims: The Court shall set bail on the most serious offense against each victim.

Multiple crimes/separate occasions: The Court will utilize the highest amount for each occasion.

Sex Crimes: Where the defendant is charged with commission of more than one sex crime, if the crime can be punished consecutively, bail shall be stacked.

Penal Code 1270.1: Hearing Required (Violent/Serious/Designated Offenses)

Penal Code Section 1270.1 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 defined in PC §667.5(c) (not including PC §460(a));
- Serious Felonies as defined in PC §1192.7(c) (including those listed in PC §1192.8);
- Violations of PC §136.1(c), 243(e)(1), 262, 273.5, 422 (as a felony) and 646.9;
- Violations of PC §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.

Persons not entitled to release on bail: (Cal. Const. Art. I §12; PC §1270.5.)

Capital crimes when the facts are evident or the presumption is great.

Felony offenses involving act of violence on another person, or felony sexual assault offense 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; or

Felony offenses when the facts are evident or the presumption great and the Court finds based on 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.

Bail deviations/Source of Funds:

Persons entitled to request a deviation of bail schedule (PC 1269c) or law enforcement officers making a source of funds request (PC 1275.1) may use the search warrant call list to contact a magistrate.