

SUPERIOR COURT
OF THE STATE OF CALIFORNIA
SANTA CLARA COUNTY



2026
CRIMINAL BAIL SCHEDULE

Pursuant to the provisions of Section 1269b(d) of the California Penal Code, this Criminal Bail Schedule was amended and adopted by a majority of the Judges at a meeting held on January 27, 2026.

Bail Schedule effective: January 27, 2026.

A handwritten signature in blue ink, appearing to read "Julia. E. Smith", is written above a horizontal line.

PRESIDING JUDGE OF THE SUPERIOR COURT

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SUPERIOR COURT
OF THE STATE OF CALIFORNIA
SANTA CLARA COUNTY



FELONY CODES

GENERAL INSTRUCTIONS

- A. The purpose of this 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. If a person is arrested pursuant to an arrest warrant, bail is set at the amount of the warrant.
- B. After a defendant's first appearance in court, the amount of bail will lie within the sound discretion of the judicial officer before whom the defendant appeared and may be greater or less than the amount set forth in this schedule, subject to the provisions of Penal Code section 1275 and controlling case law, including *In re Humphrey* (2021), 11 Cal. 5th 135. This schedule may also be used by a magistrate in fixing bail pursuant to Penal Code section 815a at the time an arrest warrant is issued, the amount of which lies in the sound discretion of the magistrate.
- C. Prevailing legislation **places the burden on law enforcement agencies** to notify the magistrate if the scheduled bail is not adequate for the crime. Penal Code section 1269c provides that if a defendant is arrested without a warrant for a bailable felony offense or for a misdemeanor violation of a domestic violence restraining order, and a peace officer has reasonable cause to believe that the amount of bail set forth in the schedule 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, the police officer shall prepare a declaration and file it with the magistrate requesting higher bail.
- D. Persons not entitled to be released on bail are those charged with:

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);

Felony offenses involving acts of violence on another person when the facts are evident or the presumption great (i.e., substantial evidence of guilt) 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 (i.e. substantial evidence of guilt) 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).

E. **Certain offenses that carry a possible sentence of death, LWOP or life in prison, or that pose substantial risks to public safety, are listed here as “NO BAIL*”.** While bail would initially be set by the magistrate at no bail upon booking, , a judge should, at arraignment, set bail an appropriate amount based on the sound discretion of the court, unless the judge determines that the defendant is not entitled to bail, in accordance with Penal Code sections 1270.5, 1275, Cal. Const., Article 1, section 12, and controlling case law, including *In re Humphrey* (2021), 11 Cal. 5th 135.

F. Bail for offenses involving larceny under the Penal Code, as listed in this schedule (e.g. P.C. 487, 496, 504, etc.), is the scheduled amount, or if there is a substantial loss, in a greater amount in the discretion of the judge or magistrate. This policy is also to apply to fraud type offenses of other Codes (e.g. Insurance Code, Revenue and Taxation Code, etc.).

G. The bail schedule shall contain a general clause for those offenses not specifically listed in the bail schedule. For all felony offenses and enhancements not listed, the bail amount shall be set according to the state prison top term potential for the offense plus enhancement.

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| Top term 3 years | \$10,000 |
| Top term 4 years | \$25,000 |
| Top term 5 years | \$30,000 |
| Top term 6 years | \$50,000 |
| Top term 7 or more years | \$100,000 |
| Top term Life/LWOP | No Bail* |

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) (including those listed in Penal Code section 1192.8); and
3. Violations of Penal Code sections 136.1(c), 243(e)(1), 262, 273.5, 273.6, felony 422 and 646.9.

I. All references in this bail schedule to a code section shall include all subsections thereof unless a specific bail is set forth for a particular subsection.

J. Felony offenses in which the defendant is not to be released without judicial review are:

1. Any felony where the defendant has (2) two or more serious or violent felony prior convictions (Penal Code Sections 667(e)(2)(A) & 1170.12(c)(2)(A));

2. Any felony sex offense where the defendant has similar prior convictions (Penal Code section 667.71).
 3. Narcotic felony offense (Health and Safety Code Sections 11353, 11353.5, 11361, 11380, 11380.5), where defendant has two prison prior convictions of same nature (Penal Code section 667.55).
 4. A misdemeanor or felony offense where an enhancement is charged pursuant to Penal Code 666.1.
 5. A misdemeanor or felony offense charged under Health & Safety Code 11395.
- K. The Bail Schedule contemplates the following practice where more than one offense is charged:
1. When a defendant is booked on two or more charges arising from the same course of conduct on the same occasion, bail shall be the amount set for the charge having the highest bail.
 2. When a defendant is booked on two more charges arising from separate courses of conduct, bail shall be the sum of the amount set for the charge in each course of conduct having the highest bail.
 3. For sex offenses arising from threat or violence, bail shall be the sum of the full amounts set for each charge irrespective of whether the charges arise from a single course of conduct or single transaction.

EXAMPLE #1

This example demonstrates how to calculate the bail amount when a defendant is booked on more than one charge arising out of a single act that precludes multiple punishments.

| | | |
|----------|-------------|----------|
| Charge 1 | 459/460.1PC | \$50,000 |
| Charge 2 | 496PC | \$10,000 |
| Charge 3 | 487PC | \$10,000 |

The bail in this example is \$50,000 because the PC 459 charge has the highest bail, and all the charges arise from a single act that precludes multiple punishments.

EXAMPLE #2

This example demonstrates how to calculate the bail amount when a defendant is booked on more than one charge arising from different acts that permit multiple punishments.

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| Charge 1 | VC 10851 | \$10,000 |
| Charge 2 | VC 20001 | \$25,000 |
| Charge 3 | VC 23153 | \$25,000 |

The bail amount in this example is \$60,000 because VC 10851, VC 20001, and VC 23153 are separate acts that can be punished separately.

- L. Pursuant to Penal Code section 1269b(e), judges shall assign an additional amount of required bail for each aggravation or enhancing factor CHARGEABLE in the complaint including, but not limited to, additional bail for charges alleging facts that would bring a person within sections: 667.5, 667.51, 667.6, 667.8, 667.85, 667.9, 667.10, 12022, 12022.1, 12022.2, 12022.3, 12022.4, 12022.5, 12022.53, 12022.6, 12022.7, 12022.8, 12022.9, of the Penal Code, or Health and Safety Code sections 11356.5, 11370.2, or 11370.4. Judges shall also assign additional required bail for offenses involving large quantities of controlled substances.
- M. The following bail shall apply to violations of Section 23152/23153 of the Vehicle Code where there are separate convictions:

| <u>Number of Priors</u> | <u>Bail</u> |
|---|-------------|
| 23152 (a-e) w/no separate convictions and BAC less than .15 | \$5,000 |
| 23152 (a-e) w/no separate convictions and BAC .15 or greater | \$10,000 |
| 1 separate conviction within 10 years w/BAC less than .15 | \$15,000 |
| 1 separate conviction within 10 years w/BAC of .15 or greater | \$20,000 |
| 2 separate convictions within 10 years w/BAC less than .15 | \$35,000 |
| 2 separate convictions within 10 years w/BAC .15 or greater | \$40,000 |
| 3 separate convictions within 10 years (Felony) | \$100,000 |

In any DUI case, including those alleging prior convictions, defendants **SHALL BE ELIGIBLE FOR S.O.R.P. RELEASE**. Pretrial services is advised to consider appropriate release terms, including but not limited to, alcohol monitoring and/or testing.

- N. Pursuant to PC 1269b(f), bail shall be zero dollars (\$0) 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 a legally protected health care activity, as defined in PC Section 1549.15, in this state, or an individual obtaining a legally protected health care activity, as defined in PC Section 1549.15, in this state, if the legally protected health care activity is lawful under the laws of this state.
- O. Bail for misdemeanor offenses is addressed at pp. 47 *et seq.* below.

PENAL CODE

| Code section | Offense | Term | Bail |
|-----------------|---|--------|--|
| 32 | Accessory to felony | 16 2 3 | Same as underlying offense No specified underlying offense— 10,000 Underlying offense has life term— 100,000 |
| 67 | Bribes, giving or offering to executive officer | 2 3 4 | 25,000 |
| 67.5(b) | Bribing ministerial officer | 16 2 3 | 25,000 |
| 68 | Bribes, executive or ministerial officers | 2 3 4 | 25,000 |
| 69 | Resisting executive officer | 16 2 3 | 10,000 |
| 71(a)(1) | Threat to injure school official | 16 2 3 | 10,000 |
| 71(a)(2) | Threat to school official w/ prior | 16 2 3 | 25,000 |
| 76(a)(1) | Threatening life of government official | 16 2 3 | 50,000 |
| 76(a)(2) | Threat to public official with prior | 16 2 3 | 100,000 |
| 85 | Bribes; giving or offering | 2 3 4 | 25,000 |
| 86 | Bribes; asking or receiving | 2 3 4 | 25,000 |
| 92 | Bribes; judicial officers, jurors | 2 3 4 | 25,000 |
| 93 | Judicial officer or juror accepting bribe | 2 3 4 | 25,000 |

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| 95.1 | Threatening juror after verdict | 16 2 3 | 25,000 |
| 113, 114 | Manufacture/use false documents | 5 | 30,000 |
| 118 | Perjury | 2 3 4 | 25,000 |
| 136.1(a) | Dissuading a witness or victim from testifying; (includes attempt) | 16 2 3 | 25,000 |
| 136.1(b) | Attempt to dissuade a witness or victim from reporting a crime | 16 2 3 | 25,000 |
| 136.1(c) | Dissuading a witness or victim by force, threat of force, for money, in furtherance of conspiracy, or has a prior for this | 2 3 4 | 50,000 |
| 137(a) | Inducing false testimony | 16 2 3 | 25,000 |
| 137(b) | Inducing false testimony by force | 2 3 4 | 50,000 |
| 138 | Bribing a witness | 16 2 3 | 25,000 |
| 139 | Threats to use violence or force against a witness or victim (where specified) | 2 3 4 | 50,000 |
| 140 | Threatening witnesses, victims | 2 3 4 | 50,000 |
| 141(b) | Peace officer planting evidence | 3 5 | 50,000 |
| 141(c) | Prosecutor intentionally altering, modifying or withholding exculpatory material | 16 2 3 | 10,000 |
| 148(b)(c)(d) | Removing or taking police officer's weapon | 16 2 3 | 50,000 |
| 148.10 | Resisting officer resulting in injury or death | 2 3 4 | 100,000 |
| 149 | Officer unnecessarily beats or assaults person | 16 2 3 | 25,000 |

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| 165 | Bribery; council members, board of supervisors | 2 3 4 | 25,000 |
| 166(c)(4) | Violation of court order; prior within 7 years | 16 2 3 | 10,000 |
| 182 | Conspiracy to commit crime | Same as crime | Same as crime |
| | | | |
| 186.9/186.10 | Money laundering | 16 2 3 + enhancements for amount of \$\$ | 10,000 |
| 186.22 | Street gang activity | 1 2 3 | 10,000 |
| 186.22(b)(4) | Committing certain enumerated felonies as part of street gang activities | Life | 500,000 |
| 186.26(a) | Soliciting or threatening another to participate in criminal street gang | 16 2 3 | 10,000 |
| 186.26(b) | Threatening to coerce participation in gang crime | 2 3 4 | 25,000 |
| 186.26(c) | Uses physical violence to coerce participation in gang crime | 3 4 5 | 30,000 |
| 187,189,190,190.5 | Murder First Degree | 25 years to life; death or life w/o parole | No bail* |
| 187,189,190,190.5 | Murder Second Degree | 15, 20, or 25 years to life or life w/o parole | No bail* |
| 191.5(a) | Gross Vehicular Manslaughter while intoxicated | 4 6 10 | 250,000 |
| 191.5(b) | Vehicular manslaughter while intoxicated per 1170(h) | 16 2 4 | 100,000 |
| 191.5(d) | Gross vehicular manslaughter while intoxicated with priors | Life | No bail* |

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| 192(a) | Manslaughter – voluntary | 3 6 11 | 100,000 |
| 192(b) | Manslaughter – involuntary | 2 3 4 | 50,000 |
| 192(c)(1) | Manslaughter – driving vehicle with gross negligence | 2 4 6 | 100,000 |
| 192(c)(3) | Manslaughter while driving for financial gain | 4 6 10 | 100,000 |
| 203 | Mayhem | 2 4 8 | 50,000 |
| 205 | Aggravated mayhem | LIFE | No bail* |
| 206 | Torture | LIFE | No bail* |
| 207(a) | Kidnapping | 3 5 11 | 100,000 |
| 207(b) | Kidnapping for purposes of 288 under 14 | 5 8 11 | 250,000 |
| 209(a) | Kidnapping for ransom or extortion | LIFE | No bail* |
| 209(b) | Kidnapping for robbery or felony sex offense | LIFE | No bail* |
| 209.5(b) | Kidnapping during carjack | LIFE | No bail* |
| 212.5(a) | Robbery First Degree | 3 4 6 | 100,000 |
| 212.5(b) | Robbery First Degree of person using Teller Machine | 3 4 6 | 100,000 |
| 212.5(c) | Robbery Second Degree | 2 3 5 | 50,000 |
| 213(a)(1)(A) | Home Invasion Robbery in concert with 2 or more | 3 6 9 | 150,000 |
| 213(a)(1)(B) | Home Invasion Robbery | 3 4 6 | 150,000 |
| 215 | Carjacking | 3 5 9 | 100,000 |
| 218 | Train Wrecking attempt | LIFE | No bail* |
| 219 | Train Wrecking | LIFE | No bail* |
| 219.1 | Hurling missile at common carrier vehicle | 2 3 6 | 10,000 |
| 219.2 | Hurling missile at train | 16 2 3 | 10,000 |
| 220 | Assault with intent to commit sodomy, mayhem, oral copulation, or rape | 2 4 6 | 50,000 |
| 220(a) | Assault with intent to commit sodomy, | 2 4 6 | 50,000 |

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| | mayhem, oral copulation, or rape | | |
| 220(b) | Assault with the intent to commit certain sex crimes | LIFE | No bail* |
| 236-237 | False imprisonment by violence | 16 2 3 | 10,000 |
| 236.1(a) | Human Trafficking Forced Labor or Services | 5 8 12 | 250,000 |
| 236.1(b) | Human Trafficking for Sexual Purposes | 8 14 20 | 500,000 |
| 236.1(c)(1) | Human Trafficking for Sexual Purposes involving a minor | 5 8 12 | 250,000 |
| 236.1(c)(2) | Human Trafficking for Sexual Purposes involving a minor by force or fear | 15 to life | No bail* |
| 241.1 | Assault against custodial officer | 16 2 4 | 10,000 |
| 241.4 | Assault against peace officer of school district | 16 2 3 | 10,000 |
| 243(c) | Battery upon peace officer and causes injury | 16 2 3 | 10,000 |
| 243(d) | Battery with serious bodily injury | 2 3 4 | 25,000 |
| 243.1 | Battery upon custodial officer | 16 2 3 | 25,000 |
| 243.3 | Battery upon public transit employee with injury | 16 2 3 | 25,000 |
| 243.4 | Sexual battery | 2 3 4 | 25,000 |
| 243.6 | Battery on school employee with injury | 16 2 3 | 25,000 |
| 243.9 | Battery by gassing | 2 3 4 | 25,000 |
| 244 | Assault with caustic chemicals | 2 3 4 | 50,000 |
| 244.5(b) | Assault with stun gun | 16 2 3 | 25,000 |

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| 245(a)(1) | Assault with deadly weapon | 2 3 4 | 25,000 |
| 245(a)(2) | Assault with firearm | 2 3 4 | 50,000 |
| 245(a)(3) | Assault with machine gun or assault weapon | 4 8 12 | 100,000 |
| 245(a)(4) | Assault by force likely to produce GBI | 2 3 4 | 25,000 |
| 245(b) | Assault with semi-automatic weapon | 3 6 9 | 100,000 |
| 245(c) | Assault on peace officer by force or weapon not a firearm | 3 6 8 | 100,000 |
| 245(d)(1) | Assault on peace officer or firefighter with firearm | 4 6 8 | 50,000 |
| 245(d)(2) | Assault on peace officer or firefighter with semi-automatic weapon | 5 7 9 | 100,000 |
| 245(d)(3) | Assault on peace officer or firefighter with machine gun or assault weapon | 6 9 12 | 100,000 |
| 245.2 | Assault with a deadly weapon while on public transit | 3 4 5 | 50,000 |
| 245.3 | Assault with a deadly weapon on custodial officer | 3 4 5 | 50,000 |
| 245.5(a) | Assault with a deadly weapon by means of force likely to result in GBI on school employee | 3 4 5 | 50,000 |
| 245.5(b) | Assault with firearm on school employee | 4 6 8 | 50,000 |
| 245.5(c) | Assault with stun gun or taser on school employee | 2 3 4 | 50,000 |
| 245.6 | Hazing that causes serious bodily injury | 16 2 3 | 25,000 |

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| 246 | Shooting at inhabited dwelling, building or aircraft | 3 5 7 | 100,000 |
| 246.3(a) | Discharge of weapon in grossly negligent manner | 16 2 3 | 25,000 |
| 247.5 | Discharge of laser at aircraft | 16 2 3 | 25,000 |
| 261-all subdivisions except minor victim | Rape | 3 6 8 | 100,000 |
| 261(a)(2)-child Per 264 | Rape of minor (14+) Rape of child (under 14) | 7 9 11 9 11 13 | 250,000 |
| 261.5(c) | Unlawful sexual intercourse | 16 2 3 | 10,000 |
| 261.5(d) | Unlawful sexual intercourse where defendant is over 21 and victim is under 16 | 2 3 4 | 25,000 |
| 262 | Spousal Rape | 3 6 8 | 100,000 |
| 264.1 | Rape or penetration in concert | 5 7 9 | 250,000 |
| 264.1 – minor victim | Rape or penetration in concert where victim is a minor | 7 9 11 or 10 12 14 | 500,000 |
| 266(h)(a) | Pimping – adult victim | 3 4 6 | 25,000 |
| 266h(b)(1) | Pimping with minor victim 16 or older | 3 4 6 | 50,000 |
| 266h(b)(2) | Pimping with victim under 16 | 3 6 8 | 100,000 |
| 266i | Pandering | 3 4 6 | 50,000 |
| 266i | Pandering with child under 16 | 3 6 8 | 100,000 |
| 267 | Abduction for purposes of prostitution | 16 2 3 | 50,000 |
| 269 | Aggravated sexual assault on child under 14 by person 10 years or more older than victim | LIFE | No bail* |
| 270 | Child Neglect | 1 YEAR ONE DAY | 10,000 |

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| 273(e) | Paying for adoption with a prior | 16 2 3 | 10,000 |
| 273a(a) | Child Abuse (273a(b) is a misd) | 2 4 6 | 50,000 *If SORP granted, consider no contact order |
| 273ab [No parentheses] | Assault of child under 8 likely to produce or causes GBI, coma, paralysis | 25 to life or LWOP | No bail* |
| 273.5 | Inflicting corporal injury on spouse, cohabitant | 2 3 5 | 25,000 |
| 273.5 (f)(1) | Inflicting corporal injury on spouse, cohabitant with specified prior | 2 4 5 | 100,000 |
| 273.5(f)(2) | Inflicting corporal injury on spouse, cohabitant with specified prior | 2 3 4 | 100,000 |
| 273.6 | Violating domestic restraining order with prior conviction | 16 2 3 | 10,000 |
| 278 | Child stealing | 2 3 4 | 25,000 |
| 286(b)(1) | Sodomy where victim under 18 | 16 2 3 | 25,000 |
| 286(b)(2) | Sodomy where victim under 16 | 16 2 3 | 50,000 |
| 286(c)(1) | Sodomy where victim under 14 | 3 6 8 | 100,000 |
| 286(c)(2)(A) | Sodomy by force or fear | 3 6 8 | 100,000 |
| 286(c)(2)(B) | Sodomy by force or fear where victim is under 14 | 9 11 13 | 250,000 |
| 286(c)(2)(C) | Sodomy by force or fear where minor victim is 14 or older | 7 9 11 | 250,000 |
| 286(c)(3) | Sodomy by threat or retaliation | 3 6 8 | 100,000 |
| 286(d)(1) | Sodomy in concert | 5 7 9 | 500,000 |
| 286(d)(2) | Sodomy in concert where victim under 14 | 10 12 14 | 500,000 |
| 286(d)(3) | Sodomy in concert where victim 14 or above | 7 9 11 | 500,000 |

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| 286(e) | Sodomy in state prison or county jail | 16 2 3 | 25,000 |
| 286(f),(g),(i),(j),&(k) | Sodomy if victim unconscious, or incapable of consent | 3 6 8 | 100,000 |
| 287(b)(1) | Oral copulation where victim is under 18 | 16 2 3 | 25,000 |
| 287(b)(2) | Oral copulation where victim under 16 and deft 21 or older | 16 2 3 | 50,000 |
| 287(c)(1) | Oral copulation where victim under 14, more than 10 | 3 6 8 | 100,000 |
| 287(c)(2)(A) | Oral copulation by force or fear | 3 6 8 | 100,000 |
| 287(c)(2)(B) | Oral copulation by force or fear where victim under 14 | 8 10 12 | 250,000 |
| 287(c)(2)(C) | Oral copulation by force or fear where minor victim 14 or above | 6 8 10 | 250,000 |
| 287(c)(3) | Oral copulation by threat or retaliation | 3 6 8 | 100,000 |
| 287(d)(1) | Oral copulation in concert | 5 7 9 | 250,000 |
| 287(d)(2) | Oral copulation in concert by force or fear where victim under 14 | 10 12 14 | 500,000 |
| 287(d)(3) | Oral copulation in concert by force or fear where victim 14 or older | 8 10 12 | 250,000 |
| 287(e) | Oral copulation in state prison | 16 2 3 | 25,000 |
| 287(f) (g) (i) (j) or (k) | Oral copulation where victim unconscious, , incapable, drugged, defrauded, or threatened | 3 6 8 | 100,000 |
| 287(h) | Oral Copulation where victim incapable of consent due to disability & both confined in MH facility | 16 2 3 | 25,000 |

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| 288(a) | Lewd act with child under 14 | 3 6 8 | 50,000 |
| 288(b)(1) | Lewd act with child under 14 by force or fear | 5 8 10 | 100,000 |
| 288(b)(2) | Lewd act by caretaker on dependent adult with force or fear | 5 8 10 | 100,000 |
| 288(c)(1) | Lewd act with child 14 or 15, where defendant is 10 years older than victim | 1 2 3 | 50,000 |
| 288(c)(2) | Lewd act by caretaker on dependent adult | 1 2 3 | 50,000 |
| 288.2(a)(1) | Distribution or exhibition of lewd material depicting a minor to a minor | 2 3 5 | 30,000 |
| 288.2(a)(2) | Distribution or exhibition of lewd material to a minor | 16 2 3 | 30,000 |
| 288.3 | Contacting a minor with the intent to commit certain offenses | Term for the intended offense attempted | 50,000 |
| 288.3(c) | Commit 288.3 with a prior conviction | 5 years c/s | 50,000 |
| 288.4(a)(2) | 290 registrant who arranges to meet with a minor or person believed to be a minor for the purpose of exposing genitals, pubic, or rectal areas | 16 2 3 | 25,000 |
| 288.4(b) | Anyone who violates 288.4(a)(1) and goes to an arranged meeting place | 2 3 4 | 50,000 |
| 288.5 | Three or more lewd acts with a child under 14 | 6 12 16 | 500,000 |
| 288.7(a) | Engaging in sexual intercourse or sodomy with a child 10 or younger | 25 years to LIFE | No bail* |

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| 288.7(b) | Engaging in oral copulation or sexual penetration with a child 10 or younger | 15 years to LIFE | No bail* |
| 288a (no parentheses) renumbered 287 | Oral Copulation – all subsections see 287 | See 287 | See 287 |
| 289(a)(1)(A) | Penetration by foreign object by force or fear | 3 6 8 | 100,000 |
| 289(a)(1)(B) | Penetration by foreign object of child under 14 by force/fear | 8 10 12 | 250,000 |
| 289(a)(1)(C) | Penetration of minor over 14 by force/fear | 6 8 10 | 250,000 |
| 289(a)(2); 289(b), (d), (e), (f) & (g) | Penetration by foreign object by threat of retaliation, or where victim incapable of legal consent, or consent flawed | 3 6 8 | 100,000 |
| 289(c) | Penetration by foreign object where consent victim incapable of consent and defendant and victim both confined in hospital for mental disorder | 16 2 3 | 25,000 |
| 289(h) | Penetration on minor (except as provided in PC 288) | 16 2 3 | 10,000 |
| 289(i) | Penetration where victim under 16 and defendant over 21 | 16 2 3 | 25,000 |
| 289(j) | Penetration where victim in under 14 and defendant is 10 years older | 3 6 8 | 100,000 |
| 289.6 | Officer or employee of detention facility engaging in sex with inmate | 16 2 3 CJ | 50,000 |
| 290—all types; including 290.013, | Sex registrant failure to register, or report | 16 2 3 | 25,000 |

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| 290.14, 290.18 | address or name change | | |
| 298.2 | Knowingly submitting false DNA/tampering with DNA | 2 3 4 | 25,000 |
| 299.5(i)(1)(A) | Knowingly disclosing DNA information | 16 2 3 | 10,000 |
| 311.1, 311.2, 311.4, 311.10 | Sending, distributing, bringing, exploitation re: child pornography | 16 2 3 | 25,000 |
| 311.3 | Sexual exploitation of a child w/ prior conviction | 16 2 3 | 25,000 |
| 311.11 | Possession of child pornography | 16 2 3 | 25,000 |
| 314(1) | Indecent exposure with prior | 16 2 3 | 10,000 |
| 337a | Bookmaking | 16 2 3 | 5,000 |
| 368(b)(1) | Physical abuse of an elder (65) or dependent adult likely GBI/Death | 2 3 4 | 25,000 *If SORP granted, consider no contact order |
| 368(b) (2) | Physical abuse of an elder (65) or dependent adult likely with GBI | 2 3 4 | *If SORP granted, consider no contact order |
| | Victim under 70 | +3 | 50,000 |
| | Victim over 70 | +5 | 100,000 |
| 368(b)(3) | Physical abuse of an elder (65) or dependent adult likely GBI or death | 2 3 4 | 250,000 *If SORP granted, consider no contact order |
| | Victim under 70 | +5 | |
| | Victim over 70 | +7 | |
| 368(d)(1) | Theft over \$950 from elder or dependent adult | 2 3 4 | 10,000 |
| 368(e) | Theft by caretaker from elder or dependent adult | 2 3 4 | 10,000 |
| 368(f) | False imprisonment of elder | 2 3 4 | 10,000 |

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| 399(a) | Willfully permitting vicious animal to go at large causing death | 16 2 3 | 50,000 |
| 399(b) | Willfully permitting animal to go at large and causing serious bodily injury | 16 2 3 | 25,000 |
| 399.5 | Owning or keeping attack dog that has bitten twice before | 2 3 4 | 25,000 |
| 417(c) | Exhibiting firearm in presence of police | 16 2 3 | 25,000 |
| 422 | Terrorist threats | 16 2 3 | 25,000 |
| 422.3 | Criminal threats to schools, daycares, houses of worship, medical facilities | 16 2 3 | 25,000 |
| 422.6 | Injuring, threatening another in exercise of right/privilege because of gender, ethnicity, gender, religion, sexual orientation | 16 2 3 | 25,000 |
| 424 | Embezzlement or falsification of accounts by public officer | 2 3 4 | 25,000 |
| 451(a) | Arson with GBI | 5 7 9 | 100,000 |
| 451(b) | Arson of inhabited dwelling | 3 6 8 | 100,000 |
| 451(c) | Arson of forest land | 2 4 7 | 100,000 |
| 451(d) | Arson of property | 16 2 3 | 25,000 |
| 451.5 | Aggravated Arson | LIFE | No bail* |
| 452(a) | Reckless arson with GBI | 2 4 6 | 25,000 |
| 452(b) | Reckless arson of inhabited structure | 2 3 4 | 10,000 |
| 452(c) | Reckless arson where prior or GBI | 16 2 3 | 10,000 |
| 453(a) | Possession of explosives or flammable materials | 16 2 3 | 25,000 |

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| 455 | Attempted arson with GBI | 16 2 3 | 25,000 |
| 459-460(a), 461(a) | Burglary First Degree | 2 4 6 | 50,000 |
| 459-460(b), 461(b) | Burglary Second Degree | 16 2 3 | 10,000 |
| 459.5 | Shoplifting by a person with specified priors or 290(c) registrant | 16 2 3 | 10,000 |
| 463 | Looting (larceny offenses) | Varies depending on PC 463 subsection | 10,000 |
| 464 | Burglary with explosives | 3 5 7 | 100,000 |
| 465 | Unlawful entry of vehicle | 16 2 3 | 10,000 |
| 470a | Forgery of driver's license | 16 2 3 | 10,000 |
| 470b | Display or possession of forged driver's license or ID | 16 2 3 | 10,000 |
| 471, 472, 473, 474, 476, 476a | Forgery | 16 2 3 | 10,000 |
| 477, 479, 480 | Counterfeiting | 2 3 4 | 25,000 |
| 484-487 | Grand theft-all types, including grand theft person or theft of firearm or auto, regardless of value | 16 2 3 | 10,000 |
| 417.3 | Exhibiting firearm in presence of person in motor vehicle | 16 2 3 | 25,000 |
| 417.8 | Exhibiting firearm or deadly weapon with intent to resist officer | 2 3 4 | 25,000 |
| 490.4 | Organized retail theft | 16 2 3 | 10,000 |
| 496.5 | Unlawfully possessing property for resale | 16 2 3 | 10,000 |

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| | acquired through theft from or unlawful entry of a vehicle | | |
| 496.6 | Unlawfully possessing property for resale stolen from retail business | 16 2 3 | 10,000 |
| 502.7 | Obtaining telephone services by fraud | 16 2 3 | 10,000 |
| 502.8 | Uses or possesses telecommunications device to avoid payment with prior | 16 2 3 | 10,000 |
| 504 | Embezzlement by public officer | 16 2 3 | 10,000 |
| 520 | Extortion | 2 3 4 | 25,000 |
| 523(b)(1) | Introducing “ransomware” into a computer with the intent to extort money or other consideration | 2 3 4 | 25,000 |
| 529 | False impersonation | 16 2 3 | 10,000 |
| 529a | Manufacture, sale of false birth certificate | 16 2 3 | 10,000 |
| 530.5 | Identity theft | 16 2 3 | 25,000 |
| 530.5(c)(2) | Acquiring or possessing personal identifying information with the intent to defraud with a prior | 16 2 3 | 25,000 |
| 520.5(c)(3) | Acquiring or possessing personal identifying information of 10 or more people | 16 2 3 | 50,000 |
| 530.5(d)(2) | Selling, transferring, or conveying personal identifying information | 16 2 3 | 25,000 |

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| | with actual knowledge that information will be used to commit theft | | |
| 532 | False pretenses | 16 2 3 | 10,000 |
| 548(a) | Defrauding an insurer | 2 3 5 | 10,000 |
| 550(a) | Insurance fraud | 2 3 5 | 10,000 |
| 591, 593 | Injuring telephone line | 16 2 3 | 10,000 |
| 594(b)(1);594.3; 594.35; 594.4 & 594.7 | Vandalism | 16 2 3 | 10,000 |
| 597 | Cruelty to animals | 16 2 3 | 10,000 |
| 597a 0r 597b | Animal or cockfighting with a prior | 16 2 3 | 10,000 |
| 601 | Trespass with threat of serious bodily injury | 16 2 3 | 10,000 |
| 626.9 | Firearms on school grounds | 2 3 5 | 25,000 |
| 626.10 | Weapons on school grounds | 16 2 3 | 10,000 |
| 646.9(a) | Stalking | 16 2 3 | 50,000 |
| 646.9(b) | Stalking in violation of restraining order | 16 2 3 | 100,000 |
| 646.9(c)(1) | Stalking after felony conviction of 273.5, 273.6, or 422 | 2 3 5 | 100,000 |
| 646.9(c)(2) | Stalking with prior conviction for stalking | 2 3 5 | 250,000 |
| 647(b) | Prostitution where solicited minor under 16 or 18 (victim of human trafficking) | 16 2 3 | 10,000 |
| 647(j)(3) | Invasion of privacy: using camera to record person in state of undress (second or subsequent violation) | 16 2 3 | 10,000 |

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| | where prior victim was minor) | | |
| 647.6 | Child molest with prior conviction | 2 4 6 | 50,000 |
| 648 | Making, issuing or circulating unauthorized money with prior | 16 2 3 | 10,000 |
| 653f(a) | Solicitation to commit robbery, burglary, grand theft, etc | 16 2 3 | Same as target offense |
| 653f(b) | Solicitation to commit murder | 3 6 9 | 500,000 |
| 653f(c) | Solicitation to commit rape, sodomy, etc. | 2 3 4 | Same as target offense |
| 653f(d) | Solicitation to commit drug sales | 16 2 3 | Same as target offense |
| 653f(e) | Solicitation to commit welfare fraud | 16 2 3 | Same as target offense |
| 653j | Solicitation of minor to commit certain crimes | 3 5 7 | 50,000 |
| 664/187 | Attempted murder | LIFE | No bail* |
| 664 | Attempt – other crimes | ½ of completed crime | Same as underlying crime |
| 666 | Petty theft with prior | 16 2 3 | 5,000 |
| 666.5 | Prior theft of auto | 3 4 5 | 25,000 |
| 1320(b) | Failure to appear after O.R. release | 16 2 3 | 10,000 |
| 1320.5 | Failure to appear after release on bail | 16 2 3 | 10,000 |
| 4530(a) | Escape, attempted escape from prison with force or violence | 2 4 6 | No bail* |
| 4530(b) | Escape, attempted escape from prison without force or violence | 16 2 3 | No bail* |

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| 4532(a)(1) | Escape, attempted by misdemeanor from jail | 1 year and 1 day | 25,000 |
| 4532(a)(2) | Escape from jail with force or violence | 2 4 6 or up to year consec | No bail* |
| 4532(b)(1) | Escape, attempt escape by felon from jail | 16 2 3 | 50,000 |
| 4532(b)(2) | Escape from jail by felon with force or violence | 2 4 6 | No bail* |
| 4535, 4573, 4573.5, 4573.6, 4573.8, & 4574 | Introducing contraband substances, devices or weapons into jail | 16 2 3 | 25,000 |
| 4573.9 | Selling or giving drugs to inmate | 2 3 6 | 25,000 |
| 11413 | Use of explosives to terrorize in certain places | 3 5 7 | 1,000,000 |
| 11418;11418.5; &11419 | Possessing, use and carrying weapons of mass destruction and biological agents | 5 10 15 | 1,000,000 |
| 12034(b) or (c) renumbered 26100 | Willful and malicious discharge of firearm from vehicle | 16 2 3 | 100,000 |
| 12072 renumbered 27500 | Unlawful delivery of firearm to purchaser | 16 2 3 | 10,000 |
| 12076 Renumbered 28250 | Knowingly furnishing a fictitious name or address when attempting to purchase a firearm from a dealer | 8 mo 12 mo 18 mo | 10,000 |
| 12310(b) Renumbered 18755 | Exploding bomb or destructive device resulting in mayhem or GBI | Life | No Bail* |

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| 12316 Renumbered 30305 | Felon in possession of ammunition | 16 2 3 | 10,000 |
| 12403.7 Renumbered 22810 | Illegal use of tear gas/tear gas weapon on peace officer | 16 2 3 | 25,000 |
| 18710(a),(b) | Possession of a destructive device | 16 2 3 | 50,000 |
| 18715 | Possession of destructive device in public place | 2 4 6 | 250,000 |
| 18720 | Possession of material to make destructive device | 2 3 4 | 100,000 |
| 18725(a)(b)(c) | Carrying or placing a destructive device on transportation vehicle | 2 4 6 | 250,000 |
| 18730 | Sale or transportation of destructive device | 2 3 4 | 250,000 |
| 18740 | Exploding bomb or destructive device for purpose of terrorism | 3 5 7 | 500,000 |
| 18745 | Exploding bomb or destructive device with intent to murder | 5 7 9 | No bail* |
| 18750 | Exploding bomb or destructive device which causes GBI | 5 7 9 | 1,000,000 |
| 18755(a)(b) | Exploding destructive device resulting in death or mayhem | LIFE | No bail* |
| 20110(a) | Making or placing a booby trap | 2 3 5 | 100,000 |
| 20110(b) | Possession with the intent to use booby trap | 16 2 3 | 50,000 |
| 20310 | Possession of air gauge knife | 16 2 3 | 5,000 |
| 20410 | Possession of belt buckle knife | 16 2 3 | 5,000 |

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| 20510 | Possession of cane sword | 16 2 3 | 5,000 |
| 20610 | Possession of lipstick case knife | 16 2 3 | 5,000 |
| 20710 | Possession of shobi-zue | 16 2 3 | 5,000 |
| 21110 | Possession of ballistic knife | 16 2 3 | 5,000 |
| 21310 | Possession of dirk or dagger | 16 2 3 | 5,000 |
| 21810 | Possession of metal knuckles | 16 2 3 | 5,000 |
| 22010 | Possession of nunchaku | 16 2 3 | 5,000 |
| 22210 | Possession of billy club, sap | 16 2 3 | 5,000 |
| 22410 | Possession of shuriken | 16 2 3 | 5,000 |
| 22810 | Illegal possession or use of teargas | 16 2 3 | 25,000 |
| 22810(g)(2) | Illegal use of teargas against peace officer | 16 2 3 | 25,000 |
| 25300(a) | Carrying a firearm in public while masked | 16 2 3 | 50,000 |
| 25400(c)(1),(2),(3)(4)(5) & (6) | Possession of concealed weapon by certain persons: | 16 2 3 | 25,000 |
| 25800 | Carrying loaded firearm with intent to commit felony | 16 2 3 | 50,000 |
| 25850(c)(1),(2),(3)(4) | Possession of loaded weapon by certain persons: felon; gang member; unauthorized person | 16 2 3 | 50,000 |
| 25850(c)(5) (6) | Possession of loaded weapon by certain persons | 16 2 3 | 25,000 |

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| 26100(b) | Vehicle owner or driver who permits anyone to discharge weapon from vehicle | 16 2 3 | 25,000 |
| 26100(c) | Discharge a weapon from vehicle at anyone other than passenger | 3 5 7 | 100,000 |
| 27500(a) (per 27590(b)(1)) | Sell, deliver, give firearm to prohibited person | 16 2 3 | 10,000 |
| 27500(b) (per 27590(c)(1)) | Sell, deliver, give firearm to prohibited person | 16 2 3 | 10,000 |
| 28250 | Knowingly furnishing a fictitious name or address when attempting to purchase a firearm from a dealer | 8mo 12mo 18mo | 10,000 |
| 29800 | Possession of firearm by felon, addict, or one w/ 2 prior 417's | 16 2 3 | 25,000 |
| 29805 | Possession of firearm by misdemeanor | 16 2 3 | 25,000 |
| 29815 | Possession of firearm in violation of probation condition | 16 2 3 | 25,000 |
| 29820 | Possession Firearm by Person Adjudged Ward of Juvenile Court | 16 2 3 | 25,000 |
| 29825 | Possession of firearm in violation of TRO, PO, injunction | 16 2 3 | 25,000 |
| 29900(a) | Ownership or possession of firearm by person previously convicted of violent felony | 16 2 3 | 50,000 |
| 30210 | Possession of flechette dart | 16 2 3 | 5,000 |

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| 30305(a)(1) | Felon in possession of ammunition | 16 2 3 CJ | 25,000 |
| 30315 | Possession of metal piercing ammo | 16 2 3 | 25,000 |
| 30320 | Manufacture, sale, transport metal piercing ammo | 16 2 3 | 25,000 |
| 30600 | Manufacture assault weapon | 4 6 8 | 50,000 |
| 30605 | Possession of assault weapon | 16 2 3 | 50,000 |
| 33215 | Possession of sawed-off shotgun | 16 2 3 | 25,000 |
| 32625 | Possession, Transportation, Sale, Manufacture of Machine Gun | 16 2 3 4 6 8 | 50,000 |

PENAL CODE ENHANCEMENTS

| Code section | Offense | Term | Bail |
|------------------------|---|--------|--|
| 186.11 | Multiple theft enhancement | 2 3 5 | 30,000 |
| 186.22(b)(1)(A) | Committing felony as part of street gang activity | 2 3 4 | 25,000 |
| 186.22(b)(1)(B) | Committing serious felony as part of street gang activity | 5 | 50,000 |
| 186.22(b)(1)(C) | Committing violent felony as part of street gang activity | 10 | 100,000 |
| 422.75(a) | Hate crime | 1 2 3 | 10,000 |
| 422.75(b) | Hate crime in concert | 2 3 4 | 25,000 |
| 451.1 | Felony arson | 3 4 5 | 100,000 |
| 452.1 | Arson with prior conviction of 451 or 452 | 1 2 3 | 50,000 |
| 666.1 | Theft or shoplifting offense with 2 or more prior convictions for petty theft, grand theft, robbery, burglary, carjacking | 16 2 3 | 5,000 Judicial review (POPS or arraignment) required prior to release to make individualized determination of risk to public safety and likelihood to return to court |
| 667(a) | Prior serious felony (Prop. 8 prior) | 5 | 50,000 |
| 667(e)(1) | One serious or violent prior (strike prior) | | 50,000 |
| 667(e)(2)(A) | Two or more serious or violent priors where new offense is a serious or violent felony (Strike priors) | | No bail* |

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| 667(e)(2)(c) | Two or more serious or violent priors where new offense is not a serious or violent felony (strike priors) | | 50,000 for each prior strike charged |
| 667.5(a) | Violent prison prior | 3 | 25,000 |
| 667.5(b) | Prison prior | 1 | 10,000 |
| 667.51(a) | PC 288 with one prior sex offense | 5 | 50,000 |
| 667.6(a) | Prior forcible sex offense | 5 | 50,000 |
| 667.6(b) | Prior forcible sex offense with prison commitment | 10 | 100,000 |
| 667.61 | Felony sex offenses with certain priors or circumstances | LIFE | No bail* |
| 667.7 | Habitual offenders | LIFE | No bail* |
| 667.71 | Habitual sex offenders | LIFE | No bail* |
| 667.75 | Habitual drug offenders | LIFE | No bail* |
| 667.8(a) | Kidnapping for sex offense | 9 | 100,000 |
| 667.8(b) | Kidnapping of minor under 14 for sex offense | 15 | 250,000 |
| 667.85 | Kidnapping of child under 14 to permanently deprive parents | 5 | 50,000 |
| 667.9(a) | Serious felony committed on victim, disabled, under 14, or over 65 | 1 | 25,000 |
| 667.9(b) | Serious felony committed on victim, disable, under 14, or over 65 with prior conviction of serious felony | 2 | 50,000 |

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| 667.10 | PC 289 on disabled victim or on victim over 65 or under 14 | 2 | 50,000 |
| 667.15(a) | Exhibiting sex acts of a minor to a minor to commit 288 | 1 | 10,000 |
| 667.15(b) | Exhibiting sex acts of a minor to a minor to commit 288.5 | 2 | 10,000 |
| 674(a) | Felony sex offense on minor by day care provider | 2 | 50,000 |
| 674(b) | Felony sex offense on minor by day care provider in concert | 3 | 100,000 |
| 12021.5(a) | Carrying firearm in street gang crime | 1 2 3 | 25,000 |
| 12021.5(b) | Carrying assault weapon in street gang crime | 2 3 4 | 50,000 |
| 12022(a)(1) | Committing felony when armed with firearm | 1 | 25,000 |
| 12022(a)(2) | Committing felony when armed with assault weapon or machine gun | 3 | 50,000 |
| 12022(b)(1) | Committing felony and personally uses a deadly or dangerous weapon | 1 | 10,000 |
| 12022(b)(2) | Personally uses a deadly or dangerous weapon and convicted of carjacking | 1 2 3 | 25,000 |
| 12022(c) | Personally armed with a firearm while engaged in sale or possession of sale | 3 4 5 | 25,000 |

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| | of controlled substances | | |
| 12022(d) | Principal in narcotic sales case knowing another principal is armed with firearm | 1 2 3 | 10,000 |
| 12022.1 | Offense committed while on bail or O.R. | 2 | 25,000 |
| 12022.2(a) | Armed with firearm having armor piercing ammunition | 3 4 10 | 100,000 |
| 12022.2(b) | Wearing body vest during commission of violent crime | 1 2 5 | 50,000 |
| 12022.3(a) | Use of deadly weapon or firearm during commission of sex crime | 3 4 10 | 100,000 |
| 12022.3(b) | Armed with deadly weapon or firearm during commission of sex crime | 1 2 5 | 50,000 |
| 12022.4 | Supplying firearm for use in felony | 1 2 3 | 25,000 |
| 12022.5(a) | Personal use of firearm during commission of felony | 3 4 10 | 25,000 |
| 12022.5(b) | Personal use of assault weapon or machine gun during commission of felony | 5 6 10 | 100,000 |
| 12022.10(a)(1) | Sale, exchange, return for value of property stolen from retail business -- >\$10K | 1 | 10,000 |
| 12022.10(a)(2) | Sale, exchange, return for value of property stolen from | 2 | 25,000 |

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| | retail business -- >\$200K | | |
| 12022.10(a)(3) | Sale, exchange, return for value of property stolen from retail business -- >\$1MM | 3 | 40,000 |
| 12022.10(a)(4) | Sale, exchange, return for value of property stolen from retail business -- >\$3MM | 4 | 50,000 |
| 12022.10(a)(5) | Sale, exchange, return for value of property stolen from retail business – for each additional property value of \$3MM exceeding \$3MM | Additional 1year beyond 12022.10(a)(4) for each \$3MM value exceeding \$3MM | Additional 10,000 for each \$3MM value exceeding \$3MM |
| 12022.53(b) | Personal use of firearm for certain offenses | 10 | 100,000 |
| 12022.53(c) | Personally and intentionally discharges a firearm for certain offenses | 20 | 250,000 |
| 12022.53(d) | Personally and intentionally discharges a firearm for certain offenses and causes GBI or death | LIFE | No bail* |
| 12022.55 | Causing death or GBI by discharging firearm from motor vehicle | 5 6 10 | 250,000 |
| 12022.6(a)(1) | Excessive taking or destruction of property—value exceeding \$50K | 1 | 10,000 |
| 12022.6(a)(2) | Excessive taking or destruction of | 2 | 25,000 |

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| | property—value exceeding \$200K | | |
| 12022.6(a)(3) | Excessive taking or destruction of property—value exceeding \$1MM | 3 | 40,000 |
| 12022.6(a)(4) | Excessive taking or destruction of property—value exceeding \$3MM | 4 | 50,000 |
| 12022.6(a)(5) | Excessive taking or destruction of property— for each additional property value of \$3MM exceeding \$3MM | Additional 1year beyond 12022.6(a)(4) for each \$3MM value exceeding \$3MM | Additional 10,000 for each \$3MM value exceeding \$3MM |
| 12022.65 | Acting in concert to take or damage property in commission or attempted commission of a felony | 1 2 3 | 10,000 |
| 12022.7(a) | Causing GBI during commission of felony | 3 | 50,000 |
| 12022.7(b) | GBI resulting in coma or paralysis | 5 | 250,000 |
| 12022.7(c) | GBI to person 70 years or older | 5 | 100,000 |
| 12022.7(d) | GBI to person under 5 years of age | 4 5 6 | 100,000 |
| 12022.7(e) | GBI during commission of felony relating to domestic violence | 3 4 5 | 100,000 |
| 12022.75 | Administering controlled substance to commit felony | 3 | 50,000 |
| 12022.8 | GBI during commission of felony sex offense | 5 | 100,000 |

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| 12022.85 | Committing sex offense by defendant with AIDS virus | 3 | 50,000 |
| 12022.9(a) | Inflicting injury causing termination of pregnancy | 5 | 100,000 |
| 12022.95 | Abuse of child under 273a resulting in death | 4 | 100,000 |

Health & Safety Code

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| 11350 | Possession controlled substance | 16 2 3 CJ | 10,000 |
| 11350.5 | Possession of controlled substance (GHB) with intent to commit sexual assault | 16 2 3 | 25,000 |
| 11351 | Possession of controlled substance for sale | 2 3 4 | 25,000 |
| 11351.5 | Possession for sale cocaine base | 3 4 5 | 25,000 |
| 11351(a) | Transportation, sale, furnishing controlled substance | 3 4 5 | 25,000 |
| 11351(b) | Transportation for sale to noncontiguous counties | 3 6 9 | 25,000 |
| 11353 | Adult inducing minor to violate provisions of drug laws; use or employment of minors to sell drugs | 3 6 9 | 50,000 |
| 11353.5 | Providing a minor controlled substances not under 11353 or 11380 | 5 7 9 | 50,000 |
| 11353.7 | Preparation for sale or sale to minor under 14 in public park | 3 6 9 | 50,000 |
| 11354 | Use of person 18 or older of minor in | 16 2 3 | 50,000 |

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| | sale, transportation, giving, any narcotic to a minor | | |
| 11355 | Sale or furnishing substance falsely represented | 16 2 3 CJ | 5,000 |
| 11358 | Marijuana cultivation | 16 2 3 | 10,000 |
| 11359 | Marijuana: possession for sale | 16 2 3 | 10,000 |
| 11360(a) | Marijuana: transportation, sale, furnishing | 16 2 3 | 10,000 |
| 11361(a) | Marijuana: use by person 18 or older of minor in sale, transportation, etc., of marijuana; or sale or furnishing to minor under 14 | 3 5 7 | 50,000 |
| 11361(b) | Marijuana: Sale or furnishing of marijuana by person 18 YO or older to minor 14 YO or older | 3 4 5 | 25,000 |
| 11362.3(a)(6) | Manufacturing concentrated cannabis using a volatile solvent | 3 5 7 | 100,000 |
| 11363 | Planting, harvesting, cultivating peyote | 16 2 3 | 10,000 |
| 11366 & 11366.5 | Maintaining a place for sale or use of illegal drugs | 16 2 3 | 5,000 |
| 11366.6 | Use of location to suppress law enforcement entry | 3 4 5 | 25,000 |
| 11366.8 | False compartment to conceal controlled substance | 16 2 3 | 5,000 |

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| 11368 | Narcotic drug: forging, altering prescription | 16 2 3 | 10,000 |
| 11370.1 | Possession of controlled substance and loaded firearm | 2 3 4 | 25,000 |
| 11370.6 | Possession of more than \$100,000 for of from the purchase of controlled substance | 2 3 4 | 250,000 |
| 11377 | Possession of controlled substance | 16 2 3 | 10,000 |
| 11377.5 | Possession of controlled substance (GHB, Ketamine, Rohypnol) with the intent to commit sexual assault | 16 2 3 | 25,000 |
| 11378 | Possession of controlled substance for sale | 16 2 3 | 10,000 |
| 11378.5 | Possession of PCP for sale | 3 4 5 | 25,000 |
| 11379(a) | Transportation, sale, or manufacturing of controlled substance | 2 3 4 | 25,000 |
| 11379(b) | Transport for sale of controlled substance to non-contiguous county | 3 6 9 | 25,000 |
| 11379.5(a) | Transportation, sale or manufacturing of PCP | 3 4 5 | 25,000 |
| 11379.5(b) | Transport for sale of PCP to non-contiguous county | 3 6 9 | 25,000 |

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| 11379.6 | Manufacture of other controlled substance | 3 5 7 | 100,000 |
| 11380 | Adult using minor as agent for sale of drugs; inducing minor to violate drug laws; furnishing to minor | 3 6 9 | 50,000 |
| 11382 | Sale or furnishing of substances falsely represented to be controlled substances | 16 2 3 | 10,000 |
| 11383 | Possession of certain chemicals with the intent to manufacture methamphetamine | 2 4 6 | 100,000 |
| 11383(a)(b)(c)(d) | Possessing certain chemicals with intent to manufacture phencyclidine | 2 4 6 | 100,000 |
| 11383.5(a)(b)(c)(d)(e)(f) | Possessing certain chemicals with intent to manufacture methamphetamine | 2 4 6 | 100,000 |
| 11383.6(a)(b)(c)(d) | Possession of certain chemicals with intent to sell, transfer, or furnish with knowledge it will be used to manufacture PCP | 16 2 3 | 100,000 |
| 11383.7(a)(b)(c)(d)(e)(f) | Possession of certain chemicals with intent to sell, transfer, or | 2 3 4 | 100,000 |

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| | furnish with knowledge it will be used to manufacture methamphetamine | | |
| 11390 | Cultivation of mushrooms for controlled substances | 16 2 3 | 10,000 |
| 11391 | Transportation of mushrooms | 16 2 3 | 10,000 |
| 11395 | Possession of “hard drugs” with 2 or more prior convictions of H&S Code sections 11350, 11351, 11351.5, 11352, 11353, 11353.5, 11353.7, 11370.1, 11377, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380, or 11395 | 16 2 3 | 10,000 Judicial review (POPS or arraignment) required prior to release to make individualized determination of risk to public safety and likelihood to return to court |

Health & Safety Code Enhancements

| Code Section | Offense | Term | Bail |
|-----------------------------------|---|---------------|-----------|
| 11353.1 (a)(1),(2), or (3) | Sale of narcotics at certain locations; sale to minor | 1 2 YRS 1 2 3 | 25,000 |
| 11353.4 | H&S 11353 with prior | 1 2 3 | 50,000 |
| 11353.6 | Sale of drugs at certain locations | 3 4 5 | 25,000 |
| 11356.5(a)(1) | Sale of PCP with a value exceeding \$500,000 | 1 | 500,000 |
| 11356.5(a)(2) | Sale of PCP with a value exceeding \$2,000,000 | 2 | 2,000,000 |
| 11356.5(a)(3) | Sale of PCP with a value exceeding \$5,000,000 | 3 | 5,000,000 |
| 11370.2(a) & (b) | Prior conviction in sales transaction | 3 | 25,000 |
| 11370.4 (a) (1)-(6) | Violations with heroin, cocaine, cocaine base, PCP, methamphetamine with weights or volumes | | |
| (a)(1) | 1 kilogram, 30 liters | 3 | 25,000 |
| (a)(2) | 4 kilograms, 100 liters | 5 | 100,000 |
| (a)(3) | 10 kilograms, 200 liters | 10 | 250,000 |
| (a)(4) | 20 kilograms, 400 liters | 15 | 500,000 |
| (a)(5) | 40 kilograms | 20 | 1,000,000 |
| (a)(6) | 80 kilograms | 25 | 2,000,000 |
| 11379.7(a) | Manufacture of methamphetamine or PCP when children present | 2 | 25,000 |
| 11379.7(b) | Manufacture of methamphetamine or PCP when | 5 | 100,000 |

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|------------------------------------|--|------------------|-----------|
| | children present and suffer GBI | | |
| 11379.8(a)(1)-(4) | Manufacture of controlled substances by weights and volumes | | |
| (a)(1) | 1 pound, 3 gallons | 3 | 25,000 |
| (a)(2) | 3 pounds, 10 gallons | 5 | 100,000 |
| (a)(3) | 10 pounds, 25 gallons | 10 | 250,000 |
| (a)(4) | 44 pounds, 105 gallons | 15 | 1,000,000 |
| 11380.1 (a)(1), (2), or (3) | Using minor for sale of PCP or LSD at certain locations; sale to minor | 1 YR 2 YRS 1 2 3 | 25,000 |

Vehicle Code

| Code Section | Offense | Term | Bail |
|-----------------------|---|-------------|-------------|
| 2800.2 | Reckless driving in flight to avoid a pursuing peace officer | 16 2 3 | 25,000 |
| 2800.3 | Reckless driving in flight to avoid a pursuing peace officer resulting in death or GBI | 3 4 5 | 100,000 |
| 2800.4 | Willfully fleeing or attempting to elude a pursuing peace officer in violation of VC 2800.1 while driving on the wrong side of the road | 16 2 3 | 25,000 |
| 4463 | False evidence of registration | 16 2 3 | 10,000 |
| 10801 | Owing or operating a chop shop | 2 3 4 | 25,000 |
| 10803(a) | Buying, selling or possessing vehicle with altered ID number | 2 4 6 | 10,000 |
| 10851(a) | Driving or taking car without consent | 16 2 3 | 10,000 |
| 10851(b) | Driving or taking emergency vehicle | 2 3 4 | 25,000 |
| 10851(e)/666.5 | Driving or taking car without consent with prior conviction | 2 3 4 | 25,000 |
| 20001(b)(1) | Hit and run with injury | 16 2 3 | 25,000 |
| 20001(b)(2) | Hit and run with death or permanent serious injury | 2 3 4 | 50,000 |
| 23104(b) | Reckless driving with GBI and prior | 16 2 3 | 100,000 |
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|--|---|--------|---------|
| 23105 | Recklessly driving in violation of 23103 that proximately causes specified injuries to others | 16 2 3 | 100,000 |
| 23109.1 | Engaging in speed contest in violation of 23109 that proximately causes specified injuries to another | 16 2 3 | 100,000 |
| 23152/23550 | DUI with Three of more prior DUI's within 10 years | 16 2 3 | 100,000 |
| 23152/23550.5 | DUI with prior felony 23152, prior felony 23153, or prior felony 191.5 or 192, within 10 years | 16 2 3 | 100,000 |
| 23153 | DUI causing injury (no priors) | 16 2 3 | 25,000 |
| 23153 with one prior 23103.5, 23152, or 23153 | DUI causing injury with one prior | 16 2 3 | 50,000 |
| 23153 with two prior 23103.5, 23152, or 23153 | DUI causing injury with two priors | 2 3 4 | 100,00 |

Welfare & Institutions Code

| Code Section | Offense | Term | Bail |
|--------------|--|--------|-------|
| 10980 | Fraud in obtaining welfare assistance; AFDC; food stamps | 16 2 3 | 5,000 |

SUPERIOR COURT
OF THE STATE OF CALIFORNIA
SANTA CLARA COUNTY



MISDEMEANOR CODES

GENERAL INSTRUCTIONS

- A. For all misdemeanor offenses not specifically referenced in the schedule below, a defendant shall be released on OR, with the following exceptions:
 - 1. The defendant is at the time of arrest out of custody on bail, OR, Supervised OR, or a promise to appear.
 - 2. The defendant is on active formal probation, parole, post release community supervision, mandatory supervision pursuant to Penal Code 1170(h), or an early release program supervised by the Santa Clara County Jail.
- B. With respect to defendants described in paragraph A .1 and A.2 directly above, the scheduled bail shall be \$10,000.

Penal Code

| Code Section | Offense | Bail |
|------------------------------|---|-------------|
| PC 69 | Resisting executive officer | 1,000 |
| PC 71 | Threatening an employee of an educational institution | 10,000 |
| PC 76 | Threatening a public official | 10,000 |
| PC 112(a) | Manufacture/sell false government document | 5,000 |
| PC 136.1(a) & (b) | Dissuading a witness or victim from testifying or other acts | 10,000 |
| PC 136.5 | Dissuading a witness or victim with a deadly weapon | 10,000 |
| PC 140 | Dissuading a witness or victim after testimony or information given | 10,000 |
| PC 146a | Impersonating an officer | 5,000 |
| PC 148(d) | Intentionally taking a firearm from a peace officer | 5,000 |
| PC 148.5(f) | False report of a stolen firearm | 5,000 |
| PC 166 | Criminal contempt of court | 10,000 |
| PC 171b | Unauthorized weapon into State or local public building or meeting | 5,000 |
| PC 186.28 | Knowingly supplying a firearm with actual knowledge that a person will use the firearm to a specified gang related felony | 10,000 |
| PC 192(c) | Misdemeanor Vehicular Manslaughter | 10,000 |
| PC 193.8(a)(1) | Adult relinquishing possession of vehicle to intoxicated minor | 5,000 |
| PC 236 | False Imprisonment | 5,000 |
| PC 240 | Assault | 5,000 |
| PC 241 | Assault on firefighter, peace officer, or other specified victim | 10,000 |

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|------------------------------|--|--------|
| PC 243(a)(b)(c)(d)(e) | Battery – All Sections | 10,000 |
| PC 243(e)(1) | Battery -- against spouse, parent of Defd's child, cohabitant, etc. | 10,000 |
| PC 243.1 | Battery on custodial officer | 10,000 |
| PC 243.2 | Battery specified locations | 10,000 |
| PC 243.25 | Battery – elder or dependent adult | 10,000 |
| PC 243.35 | Battery specified public transportation | 10,000 |
| PC 243.4 | Sexual Battery – ALL SECTIONS | 10,000 |
| PC 243.5 | Battery –school property | 10,000 |
| PC 243.6 | Battery – school employee | 10,000 |
| PC 243.65 | Battery – highway worker | 10,000 |
| PC 243.7 | Battery – jurors | 10,000 |
| PC 243.8 | Battery – sports officials | 10,000 |
| PC 243.10 | Battery – U.S. Armed forces member | 10,000 |
| PC 244.5 | Assault with a stun gun or less lethal weapon | 5,000 |
| PC 245 | Assault with a deadly weapon, firearm, by means of force likely to produce GBI, or upon a peace officer or firefighter | 10,000 |
| PC 245.5 | Assault with a deadly weapon, other than firearm by means of force likely to produce GBI on a school employee | 5,000 |
| PC 246.3(b) | Willfully discharging a BB device in a grossly negligent manner which could result in injury or death | 5,000 |
| PC 247 | Willfully or maliciously discharging a firearm at an unoccupied aircraft, motor vehicle, building or dwelling | 10,000 |
| PC 270 | Child Neglect, abandonment, etc. | 5,000 |

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| PC 272 | Causing minor to become ward of Juvenile Court | 5,000 |
| PC 273a(a) | Willful harm or injury to child | 10,000 |
| PC 273a(b) | Willfully cause or permit child to suffer | 10,000 |
| PC 273.5 | Infliction Corporal Injury on specified person -- All Sections | 10,000 |
| PC 273.6 | Violation of Court Order, protective order -- All Sections | 10,000 |
| 288.4(a)(1) | Meeting with a minor or person believed to be a minor for the purpose of exposing genitals, pubic, or rectal areas | 5,000 |
| PC 290.018 | Sex Registration offenses All Sections | 5,000 |
| PC 314 | Indecent exposure | 5,000 |
| PC 368(b)(1) | Abuse of elder dependent or adult | 10,000 |
| PC 368(c) | Cause or permit elderly dependent to suffer | 10,000 |
| PC 417(a)(1) | Draw or exhibit deadly weapon | 5,000 |
| PC 417(a)(2) | Draw or exhibit firearm in angry manner | 10,000 |
| PC 417(b) | Exhibit or draw deadly weapon in area where persons are under age 18 | 10,000 |
| PC 417(c) | Exhibit or draw deadly weapon in presence of police officer | 10,000 |
| PC 417.6 | Brandishing a firearm and inflicting serious bodily injury | 10,000 |
| PC 422 | Criminal threats | 10,000 |
| PC 452(d) | Unlawfully cause fire to property | 1,000 |
| PC 490.4 | Organized retail theft | 1,000 |
| PC 538d | Misrepresenting self as peace officer | 5,000 |

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| PC 591.5 | Damage/destroy any wireless communication device | 5,000 | |
| PC 596 | Poisoning Animals | 5,000 | |
| PC 597 | Cruelty to Animals | 5,000 | |
| PC 602i | Building fire without permission on lands of another (Posted) | 1,000 | |
| PC 602.5(b) | Unauthorized entry of a home | 5,000 | |
| PC 626.9 | Possessing or discharging a firearm in a school zone | 10,000 | |
| PC 646.9(a) | Stalking | 10,000 | |
| PC 647(h) | Peeking into inhabited dwelling without permission | 5,000 | |
| PC 647(j) | Invasion of Privacy-- ALL Sections | 5,000 | |
| PC 647.6 | Annoy or molest child | 10,000 | |
| 653b(b)(2) | 290 registrant loitering near a school or public place where children congregate with 1 prior | 10,000 | |
| 653b(b)(3) | 290 registrant loitering near a school or public place where children congregate with 2 or more priors | 10,000 | |
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| 653c(d)(2) | 290 registrant for sex crimes against elders or dependent adults who enter a day care or residential facility where elders or dependent adults are present with 1 prior | 10,000 | |
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| 653c(d)(3) | 290 registrant for sex crimes against elders or dependent adults | 25,000 | |

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| | who enters a care or residential facility where elders or dependent adults are present with 2 or more priors | | |
| PC 836.6 | Escape with force from custody of police | 10,000 | |
| PC 1320 | Failure to appear-Released O.R. | 5,000 | |
| PC 11411 | Hate Crime or Terrorizing by Hate Crime Symbol | 10,000 | |
| PC 17500 | Possessing a deadly weapon with intent to commit assault | 10,000 | |
| PC 17510 | Carrying a firearm or deadly weapon while engaged in picketing | 5,000 | |
| PC 25120 | Injury or death to child due to accidental shooting | 5,000 | |
| PC 25300 | Possession of a firearm in a public place while masked | 5,000 | |
| PC 25400 | Carrying concealed weapon | 5,000 | |
| PC 25800 | Carry a loaded firearm with the intent to commit a felony | 5,000 | |
| PC 25850 | Carrying loaded weapon | 5,000 | |
| PC 26100(b) | Permitting someone to shoot from a vehicle | 10,000 | |
| PC 26100(d) | Willfully and maliciously discharging a firearm from a motor vehicle | 10,000 | |
| PC 27510 | Supplying or selling a handgun to a person under 21, or any other firearm to a person under 18, by a licensed dealer | 5,000 | |
| PC 30306 | Supplying or selling ammunition to a person | 5,000 | |

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| | with knowledge the ammunition will be transferred to a prohibited person | | |
| PC 30342 | Selling more than 500 rounds of ammunition in a 30-day period without a license | 5,000 | |
| PC 32310(c) | Possession of large capacity magazine (more than 10 rounds) | 5,000 | |

Business and Professions Code

| Code Section | Offense | Bail |
|--------------|--|-------|
| 2141 | Practicing medicine without a license | 5,000 |
| 2568(c) | Furnishing alcoholic beverage to a Minor (bodily injury) | 5,000 |

Health & Safety Code

| Code Section | Offense | Bail |
|--------------|--|--|
| 11395 | Possession of “hard drugs” with 2 or more prior convictions of H&S Code sections 11350, 11351, 11351.5, 11352, 11353, 11353.5, 11353.7, 11370.1, 11377, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380, or 11395 | 5,000 Judicial review (POPS or arraignment) required prior to release to make individualized determination of risk to public safety and likelihood to return to court |

Vehicle Code

| Code Section | Offense | Bail |
|--------------------|--|--------|
| 10851(a) | Vehicle Theft | 10,000 |
| 10852 | Tampering with automobile | 1,000 |
| 1401.3(a) | Driving with suspended driving privilege | 5,000 |
| | (Habitual trfc. offender) w/priors | 25,000 |
| 14601.4(a) | Driving w/ suspended driving privilege causing injury | 10,000 |
| 1808.45 | Unauthorized disclosure of DMV records | 10,000 |
| 20001(B)(1) | Hit and run resulting in injury | 10,000 |
| 20001(B)(2) | Hit and run resulting in permanent injury or death | 25,000 |
| 23104 | Reckless driving with injury | 10,000 |
| 23109(a) | Speed Contest | 5,000 |
| 23152 | Driving under the influence-alcohol/drugs with BAC less than .15 | 5,000 |
| 23152 | Drive under the influence – alcohol/drugs with BAC .15 or greater | 10,000 |
| 23153 | Drive under influence-alcohol/drugs with injury w/BAC less than .15 | 10,000 |
| 23153 | Drive under influence-alcohol/drugs with injury w/BAC .15 or greater | 15,000 |
| 2800.2(a) | Fleeing from a Peace Officer – Reckless driving | 5,000 |
| 2800.3 | Fleeing from a Peace Officer – Causing injury | 10,000 |
| 31602(a-c) | Transporting explosives-restrictions | 10,000 |

Fish and Game Offenses

| Section | Offense | Bail |
|-----------|---|--------|
| 5650(a-f) | Pollution of waters | 5,000 |
| 6400 | Unlawful placing of fish, animal or plant in waters | 15,000 |
| 7121 | Unlawful sale or purchase of fish | 2,000 |
| 7121 | Unlawful sale/purchase of Abalone valued at \$400 or more | 15,000 |

Hazardous Materials Regulations

| Section | Offense | Bail |
|-------------------|-------------------------------------|--------|
| 1163.1 | Prohibited transportation | 10,000 |
| 1164(e) | Unstable mixtures | 10,000 |
| 1166 | Reporting of accident | 5,000 |
| 25189.7(a) | Burn hazardous waste without permit | 50,000 |