

Monterey County Emergency Bail Schedule for Misdemeanor Offenses

The Monterey County Superior Court establishes a countywide Emergency Bail Schedule for Misdemeanor Offenses. This Emergency Bail Schedule for Misdemeanor Offenses will be in effect until further notice from the court.

I. Mandatory Application

This emergency bail schedule takes effect as of 5:00 p.m. on August 13, 2021, and applies to the following:

- A. To every accused person arrested and in pretrial custody;
- B. To every accused person held in pretrial custody.

II. Setting of Bail and Exceptions

Under this emergency bail schedule, bail for all misdemeanor offenses shall be set at \$0, excluding the offenses listed below.

- A. Exceptions to \$0 bail include the offenses listed below:
 - 1. A violation of Penal Code section 166(c)(1);
 - 2. A violation of Penal Code section 136.1;
 - 3. Violations of Penal Code sections 243(e)(1) and 273.5;
 - 4. A violation of Penal Code section 273.6;
 - 5. A violation of Penal Code section 646.9;
 - 6. Violations of all offenses listed in Penal Code section 290;
 - 7. Violations of Vehicle Code sections 23152 and 23153.

Additionally, all defendants arrested on warrants with a “post bail or surrender” order shall not be released on \$0 bail, unless ordered released by a judicial officer.

III. Ability to Deny Bail

Nothing in this emergency bail schedule restricts the ability of the court to deviate from this emergency bail schedule in the court's discretion.

Nothing in this emergency bail schedule restricts the ability of law enforcement to deviate from this emergency bail schedule when an arrestee has been re-arrested after released pursuant to this emergency bail schedule.

IV. Application of Countywide Bail Schedule

The current Monterey County Bail Schedule shall remain in effect for all offenses listed in exceptions 1 through 7 of this emergency bail schedule, and all felony offenses, including any count-specific conduct enhancements and any status enhancements.

V. Bail for Violations of Post-Conviction Supervision

A. Under this emergency bail schedule, bail for all violations of misdemeanor probation shall be set at \$0, unless the underlying conviction is listed in exceptions 1 through 7 of this emergency bail schedule.

B. Bail for all violations of felony probation, parole, post-release community supervision and mandatory supervision remain set at no bail, consistent with the Monterey County Bail Schedule.