

AMENDMENTS TO THE CALIFORNIA RULES OF COURT
Adopted by the Judicial Council on June 10, 2020, effective June 20, 2020

1 ~~Emergency rule 4. Emergency Bail Schedule~~ [Repealed]2
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1 **Emergency rule 4. Emergency Bail Schedule [Repealed]**

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3 **(a) Purpose**

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5 ~~Notwithstanding any other law, this rule establishes a statewide Emergency Bail~~
6 ~~Schedule, which is intended to promulgate uniformity in the handling of certain~~
7 ~~offenses during the state of emergency related to the COVID-19 pandemic.~~
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9 **(b) Mandatory application**

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11 ~~No later than 5 p.m. on April 13, 2020, each superior court must apply the~~
12 ~~statewide Emergency Bail Schedule:~~

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14 ~~(1) To every accused person arrested and in pretrial custody.~~

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16 ~~(2) To every accused person held in pretrial custody.~~
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18 **(c) Setting of bail and exceptions**

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20 ~~Under the statewide Emergency Bail Schedule, bail for all misdemeanor and felony~~
21 ~~offenses must be set at \$0, with the exception of only the offenses listed below:~~
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23 ~~(1) A serious felony, as defined in Penal Code section 1192.7(e), or a violent~~
24 ~~felony, as defined in Penal Code section 667.5(e);~~

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26 ~~(2) A felony violation of Penal Code section 69;~~

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28 ~~(3) A violation of Penal Code section 166(c)(1);~~

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30 ~~(4) A violation of Penal Code section 136.1 when punishment is imposed under~~
31 ~~section 136.1(e);~~
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33 ~~(5) A violation of Penal Code section 262;~~

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35 ~~(6) A violation of Penal Code sections 243(e)(1) or 273.5;~~

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37 ~~(7) A violation of Penal Code section 273.6 if the detained person made threats~~
38 ~~to kill or harm, has engaged in violence against, or has gone to the residence~~
39 ~~or workplace of, the protected party;~~
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41 ~~(8) A violation of Penal Code section 422 where the offense is punished as a~~
42 ~~felony;~~
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- 1 ~~(9) A violation of Penal Code section 646.9;~~
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3 ~~(10) A violation of an offense listed in Penal Code section 290(e);~~
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5 ~~(11) A violation of Vehicle Code sections 23152 or 23153;~~
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7 ~~(12) A felony violation of Penal Code section 463; and~~
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9 ~~(13) A violation of Penal Code section 29800.~~

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11 ~~**(d) Ability to deny bail**~~

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13 ~~Nothing in the Emergency Bail Schedule restricts the ability of the court to deny~~
14 ~~bail as authorized by article I, section 12, or 28(f)(3) of the California Constitution.~~

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16 ~~**(e) Application of countywide bail schedule**~~

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18 ~~(1) The current countywide bail schedule of each superior court must remain in~~
19 ~~effect for all offenses listed in exceptions (1) through (13) of the Emergency~~
20 ~~Bail Schedule, including any count specific conduct enhancements and any~~
21 ~~status enhancements.~~
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23 ~~(2) Each superior court retains the authority to reduce the amount of bail listed in~~
24 ~~the court's current countywide bail schedule for offenses in exceptions (1)~~
25 ~~through (13), or for any offenses not in conflict with the Emergency Bail~~
26 ~~Schedule.~~

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28 ~~**(f) Bail for violations of post conviction supervision**~~

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30 ~~(1) Under the statewide Emergency Bail Schedule, bail for all violations of~~
31 ~~misdemeanor probation, whether the arrest is with or without a bench~~
32 ~~warrant, must be set at \$0.~~
33
34 ~~(2) Bail for all violations of felony probation, parole, post release community~~
35 ~~supervision, or mandatory supervision, must be set in accord with the~~
36 ~~statewide Emergency Bail Schedule, or for the bail amount in the court's~~
37 ~~countywide schedule of bail for charges of conviction listed in exceptions (1)~~
38 ~~through (13), including any enhancements.~~

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40 ~~**(g) Sunset of rule**~~

1 ~~This rule will remain in effect until 90 days after the Governor declares that the~~
2 ~~state of emergency related to the COVID-19 pandemic is lifted, or until amended or~~
3 ~~repealed by the Judicial Council.~~

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5 *Emergency rule 4 repealed effective June 20, 2020.*