



**Superior Court of California
County of Fresno**

Michael L. Elliott
Executive Officer / Clerk / Jury Commissioner
Dawn Annino
Assistant Executive Officer

NOTICE

Emergency Bail Schedule

The March 23, 2020, statewide order of the Chief Justice authorized Courts to adopt, under rule 10.613(1) of the California Rules of Court, any proposed rules intended to address the impact of the COVID-19 pandemic to take effect immediately without advance circulation for 45 days of public comment. Pursuant to this authority the Fresno Superior Court hereby suspends the Fresno County Bail Schedule, amended 2018, except as otherwise indicated below, and adopts the following revised local Fresno Superior Court emergency bail schedule:

3.1.14 Emergency Bail Schedule

A. Bail for Misdemeanor and Felony Offenses

Bail for all misdemeanor and felony offenses will be set at \$0, with the exception of only the offenses listed below, where bail will be set pursuant to the Fresno County Superior Court Bail Schedule (amended 2018):

1. A serious felony, as defined in Penal Code section 1192.7(c), or a violent felony, as defined in Penal Code section 667.5(c);
2. A felony violation of Penal Code section 69;
3. A violation of Penal Code section 166(c)(1);
4. A violation of Penal Code section 136.1 when punishment is imposed under section 136.1(c);
5. A violation of Penal Code section 236.1;
6. A violation of Penal Code section 245(a)(4);
7. A violation of Penal Code section 262;
8. A violation of Penal Code section 243(e)(1) or 273.5;
9. A violation of Penal Code section 273a(a) or 273a(b);

10. A violation of Penal Code section 273.6 if the accused person made threats to kill or harm, has engaged in violence against, or has gone to the residence or workplace of, the protected party;
11. A violation of Penal Code section 368(b) or 368(c);
12. A violation of Penal Code section 422 where the offense is punished as a felony;
13. A violation of Penal Code section 646.9;
14. A violation of an offense listed in Penal Code section 290(c);
15. A violation of Vehicle Code section 2800.2;
16. A violation of Vehicle Code section 10851(e);
17. A violation of Vehicle Code section 20001;
18. A violation of Vehicle Code sections 23152 or 23153;
19. A felony violation of Penal Code section 463;
20. A violation of Penal Code section 29800;
21. A misdemeanor or felony violation alleged to have been committed when the arrestee had been previously released on their own recognizance or pursuant to \$0 or other monetary bail.
22. A violation of Penal Code section 30605;
23. A violation of Penal Code section 32625;
24. A violation of Penal Code section 29805;
25. A violation of Penal Code section 25400;
26. A violation of Penal Code section 25850; and
27. A violation of Health and Safety Code section 11370.1.

B. Ability to Deny Bail

Nothing in this Emergency Local Rule restricts the ability of the Court to deny bail as authorized by article I, section 12, or 28(f)(3) of the California Constitution, or to increase bail as allowed in Penal Code section 1269c.

C. **Application of Countywide Bail Schedule**

The Fresno County Bail Schedule remains in effect for all offenses listed in exceptions (1) through (27) of this Emergency Local Rule, including any count-specific conduct enhancements and any status enhancements.

D. **Bail for Violations of Post-Conviction Supervision**

1. Under this local rule, bail for all violations of misdemeanor probation, whether the arrest is with or without a bench warrant, must be set at \$0.

2. Bail for all violations of felony probation, parole, post-release community supervision, or mandatory supervision, must be set in accordance with this local rule, or for the bail amount in the Court's countywide schedule of bail for charges of conviction listed in exceptions (1) through (21), including any enhancements.

E. **Sunset of Rule**

This rule will remain in effect until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by a majority of the judges of the Fresno Superior Court. (Effective October 13, 2020; adopted as Emergency Rule 3.1.14 effective June 19, 2020)