

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

**TEMPORARY EMERGENCY MODIFICATION TO THE
BAIL SCHEDULE**



EFFECTIVE 12:00 A.M. JUNE 29, 2020
ADOPTED BY THE SAN DIEGO SUPERIOR COURT
AS A TEMPORARY EMERGENCY MEASURE

Due to the life-threatening COVID-19 pandemic, the Governor of California has declared a state of emergency in this state. The President of the United States has also declared a national emergency. Based on the pandemic, the CDC, the California Department of Public Health, and local county health departments have recommended increasingly stringent social distancing measures of at least six feet between people, and encourage vulnerable individuals to avoid public spaces. The San Diego County jails are clearly places at high risk during this pandemic because they require the housing of individuals in close quarters.

On March 20, 2020, the Chief Justice of California issued an advisory recommending steps superior courts could take to mitigate the spread of the virus. Courts were “strongly encourage[d]” to “[r]evise, on an emergency basis, the countywide bail schedule to lower bail amounts significantly for the duration of the coronavirus emergency, including lowering the bail amount to \$0 for many lower level offenses – for all misdemeanors except for those listed in Penal Code section 1270.1 and for lower-level felonies. This will result in fewer individuals in county jails thus alleviating some of the pressures for arraignments within 48 hours and preliminary hearings within 10 days.” This court implemented temporary emergency modifications to its countywide Bail Schedule effective April 2, 2020.

On April 6, 2020, the Judicial Council of the State of California enacted Emergency Rule 4 (the statewide Emergency Bail Schedule), reducing bail to zero for many offenses, after which this court rescinded its temporary emergency modifications to its countywide Bail Schedule. The Judicial Council then rescinded Emergency Rule 4 on June 10, 2020. However, the Judicial Council “urge[d] local courts to continue to use the emergency COVID-19 bail schedule where necessary to protect the health of the community, the courts, and the incarcerated.”

Based on the Chief Justice’s advisory and the Judicial Council’s urging to continue with zero bail, the San Diego District Attorney’s Office, San Diego City Attorney’s Office, San Diego Public Defender’s Office, and San Diego Sheriff’s Office submitted requests to reinstate the temporary emergency modifications to the countywide Bail Schedule, with additional modifications.

Effective immediately, and for the duration of the General Orders of Presiding Judge Lorna A. Alksne relating to the COVID-19 pandemic, the 2020 San Diego Superior Court Bail Schedule is modified as set forth below. Any provision of the 2020 San Diego Superior Court Bail Schedule not modified by the temporary emergency modifications set forth below remains in full force and effect.

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MISDEMEANORS

Bail shall be set at zero (\$0) for all misdemeanor and infraction offenses, **except**:

HN 655(b)	PC 288.4	PC 17500
PC 136.1	PC 290	PC 25400
PC 166	PC 311.2	PC 25850
PC 192(c)(2)	PC 311.3	PC 26100
PC 243(e)(1)	PC 314	VC 2800.1
PC 243.4	PC 368(c)	VC 23152
PC 272	PC 417	VC 23153
PC 273.5	PC 646.9	
PC 273.6	PC 647.6	

Bail for misdemeanor **probation violations** arrested **without a warrant** shall be set pursuant to the 2020 San Diego Superior Court Bail Schedule Bail. Bail for probation violations arrested **on a warrant** will be in the amount stated on the warrant.

FELONIES

Bail for felony offenses shall be pursuant to the 2020 San Diego Superior Court Bail Schedule, **except** bail shall be set at zero (\$0) for the following offenses, **unless** there is a PC 186.11 allegation:

Business and Professions Code (BP):

BP 4324

Fish & Game Code (FG)

All violations of the Fish & Game Code.

Harbors & Navigation Code (HN)

All violations of the Harbors & Navigation Code, except violations of HN 655(f).

Health & Safety Code (HS):

HS 11173	HS 11358	HS 11368
HS 11350(a)	HS 11359	HS 11377(a)
HS 11355	HS 11360	HS 11550(a)
HS 11357	HS 11364	

Penal Code (PC):

PC 72	PC 337a	PC 484.1
PC 85	PC 337b – 337f	PC 485
PC 86	All PC 337 crimes	PC 487
PC 127	PC 350(a)-(b)	PC 487a
PC 129	PC 415	PC 487e
PC 132	PC 459 2 nd	PC 487f
PC 134	degree only (NOT	PC 487g
PC 137	1 st degree or	PC 487h
PC 138(a)	when PC 460	PC 487i
PC 154(b)	alleged)	PC 487j
PC 156	PC 459.5	PC 488
PC 165	PC 476a(a) & (b)	PC 496(a)
PC 281(a)	PC 484	PC 496d
PC 284	PC 484e	PC 602
PC 327	PC 484g	PC 647
PC 334	PC 484h	
	PC 484j	

Vehicle Code (VC):

VC 4463(a)(1) and (2)	VC 12500
VC 10851 (<i>without</i> a prior conviction)	VC 20002(a)
	VC 21200.5

Welfare & Institutions Code (WI):

WI 10980

Bail for felony **probation violations** arrested **without a warrant** shall be set pursuant to the 2020 San Diego Superior Court Bail Schedule Bail. Bail for probation violations arrested **on a warrant** will be in the amount stated on the warrant.

The regular [2020 Bail Schedule](#) is available on the Court's website for reference.