



SAN DIEGO SUPERIOR COURT

Sentencing Guidelines Handbook for Infractions and Misdemeanors

Courtroom Counsel Copy

7th Edition
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SCOPE AND USE OF THIS HANDBOOK

General Overview

The Sentencing Guidelines Handbook (“Handbook”) is a reference tool and guide. It does not replace the exercise of judicial discretion when determining the appropriate non-mandatory sentence, terms and conditions of probation, or fines, fees, penalties, and assessments (sometimes referred to simply as “fines and fees”).

This Handbook includes recommended fines, probation conditions, and sentencing terms for the most common infractions and misdemeanors. This Handbook does not attempt to address every possible criminal conviction, but to give guidance for those charges that are most often presented to the court. In addition, for each misdemeanor, the Handbook lists all the mandatory, and some, but not all, discretionary terms of probation, as well as all mandatory, and some, but not all, discretionary requirements if probation is denied. In many instances, the requirements differ depending on whether probation is granted or not.

To the extent possible, the statutory language was used for both mandatory and discretionary sentencing requirements, resulting in some inconsistencies in terminology throughout the Handbook. For example, some offenses call for a license suspension “not to exceed” a certain timeframe, while others say “up to” or “not more than” a particular amount of time.

Diversion Programs and Collaborative Courts

Penal Code §§ 1000-1000.4 is a pretrial diversion program (formerly known as Deferred Entry of Judgment) in which the defendant pleads *not* guilty and prosecution is suspended for the defendant to complete a drug education program. The defendant must consent to diversion, and waive his or her rights to a speedy trial, speedy preliminary hearing, and trial by jury. (See eligibility requirements and additional information on the PC 1000 and PC 1210 pages.)

Penal Code § 1210 et seq. (Prop. 36) applies to persons convicted of non-violent drug possession offenses. If a defendant qualifies, the defendant *must be granted probation* with completion of a drug treatment program as a condition thereof. A defendant may choose to waive the grant of probation, but that waiver must be on the record.¹ (See eligibility requirements and additional information on the PC 1000 and PC 1210 pages.)

A misdemeanor defendant who has previously served or is currently serving in the armed forces may be granted pretrial diversion pursuant to Penal Code § 1001.80 (military diversion).

Penal Code § 1001.20 et seq. provides for diversion for defendants with cognitive development disabilities. This diversion program can be applied at any stage of the proceedings unless a defendant has previously been diverted under this section within the prior two years.

Penal Code § 1001.36 (mental health diversion) authorizes pretrial diversion in cases in which the defendant suffers from a mental disorder and the mental disorder was a significant factor in the commission of the charged offense (certain crimes and mental disorders excluded from eligibility). The defendant must consent to diversion, waive his or her rights to a speedy trial, agree to comply with mental health treatment, and not pose an unreasonable risk of danger to public safety if treated in the community.

The collaborative courts (Drug Court, Behavioral Health Court, and Veterans Court) are post-conviction and post-sentencing options for misdemeanor offenders who meet specific criteria.

¹ See *People v. Esparza* (2003) 107 Cal.App.4th 691, 699.

SCOPE AND USE OF THIS HANDBOOK

Transfer of Supervision

If a defendant is placed on formal probation and wishes to be supervised in another *county*, he or she can apply for a jurisdictional transfer pursuant to Penal Code § 1203.9.

If a defendant on misdemeanor summary or formal probation wishes to leave the *state*, an application for the transfer of supervision through the Interstate Compact for Adult Offender Supervision (ICAOS) is required if more than one year of supervision is ordered and the instant offense includes one or more of the following:

1. An offense in which a person incurred direct or threatened physical or psychological harm.
2. An offense that involves the use or possession of a firearm.
3. A second or subsequent misdemeanor conviction of driving while impaired by drugs or alcohol.
4. A sexual offense that requires the offender to register as a sex offender in the sending state.²

If the conviction falls within these parameters, then irrespective of the state of residence, the defendant must stay in California and apply for transfer through ICAOS before returning to his or her state of residence or relocating to another state. With very limited exceptions, a court *cannot* order or allow a covered offender to leave the state and relocate to another state unless relocation is done in accordance with ICAOS and its rules. The ICAOS rules have the force and effect of statutory law and all courts are required to take all necessary actions to enforce their application.

Firearms Advisal, Report, and Relinquishment

Pursuant to Penal Code § 29810, for any conviction of a crime listed in Penal Code §§ 29800 and 29805, the defendant must relinquish all firearms he or she owns or possesses. The period of relinquishment is ten years, unless otherwise noted. All misdemeanor offenses to which this applies are included in this Handbook and show that a “Firearms Advisal, Report, and Relinquishment” is mandatory. However, only the most common of these offenses include a recommended sentence; the others simply include a reference to the requirement.

*Applicable misdemeanor offenses:*³

Pen. Code § 71	Pen. Code § 245	Pen. Code § 17510
Pen. Code § 76	Pen. Code § 245.5	Pen. Code § 25300
Pen. Code § 136.1	Pen. Code § 246	Pen. Code § 25800
Pen. Code § 136.5	Pen. Code § 246.3	Pen. Code § 26100(b) or (d)
Pen. Code § 140	Pen. Code § 247	Pen. Code § 27510
Pen. Code § 148(d)	Pen. Code § 273.5	Any conduct punished in
Pen. Code § 148.5(f)	Pen. Code § 273.6	Pen. Code § 27590(c)
Pen. Code § 171b	Pen. Code § 417	Pen. Code § 30315
Pen. Code § 171c(a)(1)	Pen. Code § 417.6	Pen. Code § 32625
Pen. Code § 171d	Pen. Code § 422	Welf. & Inst. Code § 8100
Pen. Code § 186.28	Pen. Code § 422.6	Welf. & Inst. Code § 8101
Pen. Code § 240	Pen. Code § 490.2 if the	Welf. & Inst. Code § 8103
Pen. Code § 241	prop. taken was a firearm	Any firearm-related offense
Pen. Code § 242	Pen. Code § 626.9	pursuant to Welf. & Inst.
Pen. Code § 243	Pen. Code § 646.9	Code §§ 871.5 or 1001.5
Pen. Code § 243.4	Pen. Code § 830.95	
Pen. Code § 244.5	Pen. Code § 17500	

² ICAOS, Rule 2.105 – Misdemeanants. See www.interstatecompact.org.

³ All felonies qualify.

Total Fine Amounts

What is Included in the Total Fine Amount

The total fine amounts found in this Handbook include the following mandatory fines and fees: a \$150 Restitution Fine (misdemeanors only),⁴ a \$40 Court Operations Assessment,⁵ and a \$35/\$30 (infraction/misdemeanor) Criminal Conviction Assessment.⁶ Additional mandatory and discretionary fines and fees may be applicable and are included, depending on the offense.

What is Not Included in the Total Fine Amount

The following are *not* included in the total fine amounts:

1. The Probation Revocation Restitution Fine (PRRF)⁷ in an amount equal to the Restitution Fine,⁸ which must be imposed and suspended separately from the total fine if probation is granted. The recommended terms and conditions of probation include direction to impose and suspend this fine, but the amount is not included in the total.
2. Victim restitution, which must be determined and ordered separately, or reserved, if applicable.⁹
3. Attorney fees, which must be determined and ordered separately if the defendant utilized the services of a court-appointed attorney, was convicted, and can afford to pay the fees.¹⁰
4. A Criminal Justice Administrative Fee,¹¹ which must be imposed on each defendant who has been booked into a county facility and convicted of a criminal offense related to the arrest.

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⁴ Pen. Code § 1202.4(b).

⁵ Pen. Code § 1465.8.

⁶ Gov. Code § 70373.

⁷ Pen. Code § 1202.44.

⁸ Pen. Code § 1202.4(b).

⁹ California Constitution, Article I, Section 28(b)(13); Pen. Code §§ 1202.4, 1203.1(b).

¹⁰ Pen. Code § 987.2 et seq.

¹¹ Gov. Code § 29550 et seq.

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ADVISALS & WAIVERS INCLUDED IN THIS HANDBOOK

4th Amendment Waiver

“Submit your person, property, place of residence, vehicle, and personal effects to search at any time, with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer.”

AFA/VC 14607.6 Advisal (Auto Forfeiture Advisal) [Veh. Code §14607.8]

“A motor vehicle is subject to forfeiture as a nuisance if it is driven on a highway in this state by a driver with a suspended or revoked license, or by an unlicensed driver, who is a registered owner of the vehicle and has a previous misdemeanor conviction for a violation of subdivision (a) of section 12500 or section 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5.”

Firearms Advisal, Report, and Relinquishment [Pen. Code § 29810]

See Firearms Advisal, Report, and Relinquishment section in Scope and Use Tab.

IID Advisal (Ignition Interlock Device) [Veh. Code §§ 23575(c), 23575.3(a), & 23575.3(m)]

“Installation of an IID is required on any vehicle you operate; you are prohibited from operating any vehicle not equipped with an IID; and installation of an IID does not allow you to drive without a valid license.”

Immigration Consequences [Pen. Code § 1016.5]

“If you are not a U.S. citizen, this plea of guilty/no contest may, and for certain offenses *will*, result in your removal/deportation, exclusion from admission to the U.S., and denial of naturalization pursuant to the laws of the United States. You have the right to request additional time to consider your plea in light of this advisal. By entering this plea, you are indicating that you have discussed your immigration status with your attorney and have had sufficient time to consider and discuss the immigration consequences of your plea with him/her or an immigration attorney, and you wish to proceed.”

SAC (Standard Alcohol Conditions) [Veh. Code § 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. If arrested for a violation of VC 23152 or 23153, not refuse to submit to a chemical test of blood, breath, or urine, for the purpose of determining the alcoholic content of blood.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

VC 23593 Advisal (Driving Under the Influence) [Veh. Code § 23593]

“You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder.”

ACRONYMS USED IN THIS HANDBOOK

AFA	Auto Forfeiture Advisal [VC 14607.6] (see Advisals & Waivers page)
B&R	Book and Release
BAC	Blood Alcohol Concentration
CPO	Criminal Protective Order (in CLETS)
D	Day(s)
DMV	Department of Motor Vehicles
DOJ	Department of Justice
DV	Domestic Violence
DVRP	Domestic Violence Recovery Program
FCP	First Conviction Alcohol Education Program
H	Hour(s)
IID	Ignition Interlock Device
ILO	In Lieu Of
ISS	Imposition of Sentence Suspended
LIO	Lesser Included Offense
M	Month(s)
MCP	Multiple-Conviction Alcohol Education Program
PRRF	Probation Revocation Restitution Fine
PSP	Probation Department's Public Work Service Program
RF	Restitution Fund Fine
SAAU	Substance Abuse Assessment Unit
SAC	Standard Alcohol Conditions [VC 23600] (see Advisals & Waivers page)
SAO	Stay Away Order
SARATSO	State Authorized Risk Assessment Tool for Sex Offenders
TRO	Temporary Restraining Order
TVS	Traffic Violator School
VNL	Violate no laws, minor traffic infractions excepted
Y	Year(s)

BUSINESS & PROFESSIONS CODE

BP 4060 Possession of controlled substance without a prescription	ISS 3; VNL \$854; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Not use or possess controlled substances without a valid prescription 4th Waiver SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,065 AND NOT MORE THAN \$9,295 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT LESS THAN 30D NOR EXCEEDING 6M CUSTODY; OR BOTH [BP 4321]
BP 7028 Contracting without a license	ISS 3; VNL \$1,270; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Defendant not to act as a contractor without a license Grant TRO/injunction against acting as a contractor without a license if proper showing is made. SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$21,595 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [BP 7028(b)]
BP 7028 Contracting without a license with one prior	ISS 3; VNL \$4,345; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked. Defendant not to act as a contractor without a license Grant TRO/injunction against acting as a contractor without a license if proper showing is made. SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• 20% OF CONTRACT PRICE OR 20% OF AGGREGATE PAYMENTS OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, OF \$21,595, WHICHEVER IS GREATER PLUS \$154 CJ ADMIN FEE IF BOOKED; AND NOT LESS THAN 90D CUSTODY [BP 7028(c)]
BP 22435.2 Shopping cart theft	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked. SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
BP 25620 Open container of alcohol (<i>Infraction</i>)	\$280 [No probation; fine is sentence]

BUSINESS & PROFESSIONS CODE

BP 25658(a) Furnish alcohol to a person under 21	ISS 3; VNL \$1,270; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked. If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, IS A MINIMUM OF \$4,345 AND A MAXIMUM OF \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED AND AT LEAST 24H COMMUNITY SERVICE AT AN ALCOHOL OR DRUG TREATMENT PROGRAM OR COUNTY CORONER'S OFFICE, IF AVAILABLE [BP 25658(e)(2)]• IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
BP 25658(b) Purchase or consumption by person under 21	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked. 24H volunteer work 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, IS A MINIMUM OF \$1,270 AND A MAXIMUM OF \$2,120 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR 24H-32H COMMUNITY SERVICE AT AN ALCOHOL OR DRUG TREATMENT PROGRAM OR COUNTY CORONER'S OFFICE, IF AVAILABLE; OR COMBINATION OF BOTH [BP 25658(e)(1)]• 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
BP 25658(b) Purchase or consumption by person under 21 with prior(s)	ISS 3; VNL \$450; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked. 5D PSP 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,145 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR 36H-48H COMMUNITY SERVICE AT AN ALCOHOL OR DRUG TREATMENT PROGRAM OR COUNTY CORONER'S OFFICE, IF AVAILABLE; OR COMBINATION OF BOTH [BP 25658(e)(1)]• 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]

BUSINESS & PROFESSIONS CODE

BP 25658(d) Licensee who permits person under 21 consumption	ISS 3; VNL \$860; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked. If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, IS A MINIMUM OF \$1,270 AND A MAXIMUM OF \$2,120 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR 24H-32H COMMUNITY SERVICE AT AN ALCOHOL OR DRUG TREATMENT PROGRAM OR COUNTY CORONER'S OFFICE, IF AVAILABLE; OR COMBINATION OF BOTH [BP 25658(e)(1)]• IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
BP 25661 Person under 21 in possession of false ID <i>(Infraction)</i>	\$239 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] [No probation; fine and license suspension is sentence]
BP 25661 Person under 21 in possession of false ID <i>(Misdemeanor)</i>	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked. 24H volunteer work 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, AT LEAST \$1,270 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR 24H-32H COMMUNITY SERVICE AT AN ALCOHOL OR DRUG TREATMENT PROGRAM OR COUNTY CORONER'S OFFICE, IF AVAILABLE; OR COMBINATION OF BOTH [BP 25661]• 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
BP 25661 Person under 21 in possession of false ID with prior(s) <i>(Misdemeanor)</i>	ISS 3; VNL \$450; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked. 5D PSP 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,145 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR 36H-48H COMMUNITY SERVICE AT AN ALCOHOL OR DRUG TREATMENT PROGRAM OR COUNTY CORONER'S OFFICE, IF AVAILABLE; OR COMBINATION OF BOTH [BP 25661]• 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]

BUSINESS & PROFESSIONS CODE

BP 25662(a) Person under 21 in possession of alcohol <i>(Infraction)</i>	\$239 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] [No probation; fine and license suspension is sentence]
BP 25662(a) Person under 21 in possession of alcohol with prior(s) <i>(Infraction)</i>	\$403 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] [No probation; fine and license suspension is sentence]
BP 25662(a) Person under 21 in possession of alcohol <i>(Misdemeanor)</i>	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 24H volunteer work 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, IS A MINIMUM OF \$1,270 AND A MAXIMUM OF \$2,120 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR 24H-32H COMMUNITY SERVICE AT AN ALCOHOL OR DRUG TREATMENT PROGRAM OR COUNTY CORONER'S OFFICE, IF AVAILABLE. [BP 25662]• 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
BP 25662(a) Person under 21 in possession of alcohol with prior(s) <i>(Misdemeanor)</i>	ISS 3; VNL \$450; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 5D PSP 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,145 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR 36H-48H COMMUNITY SERVICE AT AN ALCOHOL OR DRUG TREATMENT PROGRAM OR COUNTY CORONER'S OFFICE, IF AVAILABLE; OR A COMBINATION OF BOTH [BP 25662]• 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]

HEALTH & SAFETY CODE

HS 11350(a) Possession of controlled substance	ISS 3; VNL \$736; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Not use or possess controlled substances without a valid prescription 4th Waiver Drug testing when required by court or treatment provider Register as Narcotics Offender (mandatory) [HS 11590] <i>If</i> under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] <i>If</i> motor vehicle involved or incidental to offense, license revocation not to exceed 3Y (mandatory) [VC 13202(b)] <i>Consider drug rehabilitation program</i> SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT MORE THAN 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$6,015 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [HS 11350(a) & PC 672]• REGISTER AS NARCOTICS OFFENDER [HS 11590]• IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]• IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, LICENSE REVOCATION NOT TO EXCEED 3Y [VC 13202(b)]
HS 11357(a)(2) Person 18-20 in possession of not more than 28.5g cannabis or not more than 8g concentrated cannabis <i>(Infraction)</i>	\$313 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] <i>If</i> motor vehicle involved or incidental to offense, license revocation not to exceed 3Y (mandatory) [VC 13202(b)] [No probation; fine and license suspension is sentence]

HEALTH & SAFETY CODE

HS 11357(b)(2)

Possession of more than 28.5g cannabis or more than 8g concentrated cannabis

ISS 3; VNL

\$482; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Not use or possess controlled substances without a valid prescription

4th Waiver

If under 21, **1Y license suspension or delay and surrender license** to court (**mandatory**) [VC 13202.5]

If motor vehicle involved or incidental to offense, **license revocation not to exceed 3Y (mandatory)** [PC 13202(b)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,145 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT MORE THAN 6M CUSTODY; **OR** BOTH [HS 11357(b)(2)]
- IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
- IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, LICENSE REVOCATION NOT TO EXCEED 3Y [VC 13202(b)]

HS 11357(c)

Possession of not more than 28.5g cannabis or not more than 8g concentrated cannabis on school grounds

ISS 3; VNL

\$483; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Not use or possess controlled substances without a valid prescription

4th Waiver

If under 21, **1Y license suspension or delay and surrender license** to court (**mandatory**) [VC 13202.5]

If motor vehicle involved or incidental to offense, **license revocation not to exceed 3Y (mandatory)** [PC 13202(b)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$2,940 **PLUS** \$154 CJ ADMIN FEE IF BOOKED [HS 11357(c)]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
 - IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, LICENSE REVOCATION NOT TO EXCEED 3Y [VC 13202(b)]
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HEALTH & SAFETY CODE

HS 11357(c)

Possession of not more than 28.5g cannabis or not more than 8g concentrated cannabis on school grounds with prior(s)

ISS 3; VNL

\$523; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Not use or possess controlled substances without a valid prescription

4th Waiver

If under 21, **1Y license suspension or delay and surrender license to court (mandatory)** [VC13202.5]

If motor vehicle involved or incidental to offense, **license revocation not to exceed 3Y (mandatory)** [PC 13202(b)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,965 PLUS \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT MORE THAN 10D CUSTODY; **OR** BOTH [HS 11357(c)]
- IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
- IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, LICENSE REVOCATION NOT TO EXCEED 3Y [VC 13202(b)]

HS 11358(b)

Person 18-20 planting, harvesting, or processing not more than six cannabis plants
(*Infraction*)

\$313

1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5]

Register as Narcotics Offender (mandatory) [HS 11590]

If motor vehicle involved or incidental to offense, **may suspend or revoke license not to exceed 3Y** [VC 13202(a)]

If suspended, **surrender license to court (mandatory)** [VC 13206]

[No probation; fine, license suspension, and narcotics registration is sentence]

HEALTH & SAFETY CODE

HS 11358(c)

Unlawful planting, harvesting, or processing more than six cannabis plants

ISS 3; VNL

\$688; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Not use or possess controlled substances without a valid prescription

4th Waiver

Register as Narcotics Offender (mandatory) [HS 11590]

If under 21, **1Y license suspension or delay and surrender license to court (mandatory)** [VC 13202.5]

If motor vehicle involved or incidental to offense, **may suspend or revoke license not to exceed 3Y** [VC 13202(a)]

If suspended, **surrender license to court (mandatory)** [VC 13206]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,965 PLUS \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT MORE THAN 6M CUSTODY; **OR** BOTH [HS 11358(c)]
- REGISTER AS NARCOTICS OFFENDER [HS 11590]
- IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
- IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, MAY SUSPEND OR REVOKE LICENSE NOT TO EXCEED 3Y; IF SUSPENDED, SURRENDER LICENSE TO COURT [VC 13202(a) & VC 13206]

HS 11359(b)

Possession of cannabis for sale

ISS 3; VNL

\$854; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Not use or possess controlled substances without a valid prescription

4th Waiver

Register as a Narcotics Offender (mandatory) [HS 11590]

If under 21, **1Y license suspension or delay and surrender license to court (mandatory)** [VC 13202.5]

If motor vehicle involved or incidental to offense, **license revocation not to exceed 3Y (mandatory)** [VC 13202(b)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,965 PLUS \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT MORE THAN 6M CUSTODY; **OR** BOTH [HS 11359(b)]
 - REGISTER AS A NARCOTICS OFFENDER [HS 11590]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
 - IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, LICENSE REVOCATION NOT TO EXCEED 3Y [VC 13202(b)]
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HEALTH & SAFETY CODE

HS 11360(a)(2) Transportation, importation, sale, or giving away of cannabis	ISS 3; VNL \$854; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Not use or possess controlled substances without a valid prescription 4th Waiver If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] If motor vehicle involved or incidental to offense, license revocation not to exceed 3Y (mandatory) [VC 13202(b)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,965 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT MORE THAN 6M CUSTODY; OR BOTH [HS 11360(a)(2)]• IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]• IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, LICENSE REVOCATION NOT TO EXCEED 3Y [VC 13202(b)]
HS 11360(b) Transportation or giving away not more than 28.5g of cannabis (<i>Infraction</i>)	\$239 If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] If motor vehicle involved or incidental to offense, license revocation not to exceed 3Y (mandatory) [VC 13202(b)] [No probation; fine, and license suspension/revocation, if imposed, is sentence]
HS 11362.2(a) Personal cultivation of cannabis (<i>Infraction</i>)	\$239 If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] If motor vehicle involved or incidental to offense, may suspend or revoke license not to exceed 3Y [VC 13202(a)] If suspended, surrender license to court (mandatory) [VC 13206] [No probation; fine, and license suspension/revocation, if imposed, is sentence]
HS 11362.3(a)(1) Smoking or ingesting cannabis or cannabis products in a public place (<i>Infraction</i>)	\$517 If motor vehicle involved or incidental to offense, may suspend or revoke license not to exceed 3Y [VC 13202(a)] If suspended, surrender license to court (mandatory) [VC 13206] If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] [No probation; fine, and license suspension/revocation, if imposed, is sentence]

HEALTH & SAFETY CODE

HS 11362.3(a)(4) Possessing open package of cannabis while inside a vehicle (<i>Infraction</i>)	\$239 <i>If</i> under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] May suspend or revoke license not to exceed 3Y [VC 13202(a)] <i>If</i> suspended, surrender license to court (mandatory) [VC 13206] [No probation; fine, and license suspension/revocation, if imposed, is sentence]
HS 11364 Possession of drug paraphernalia	ISS 3; VNL \$483; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Not use or possess controlled substances without a valid prescription 4th Waiver <i>If</i> under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] <i>If</i> motor vehicle involved or incidental to offense, may suspend or revoke license not to exceed 3Y [VC 13202(a)] <i>If</i> suspended, surrender license to court (mandatory) [VC 13206] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$605 NOR MORE THAN \$3,965 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT LESS THAN 15D NOR MORE THAN 180D CUSTODY; OR BOTH [HS 11374]• IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]• IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, MAY SUSPEND OR REVOKE LICENSE NOT TO EXCEED 3Y; IF SUSPENDED, SURRENDER LICENSE TO COURT [VC 13202(a) & VC 13206]

HEALTH & SAFETY CODE

HS 11368

Forging prescription or
uttering forged prescription

ISS 3; VNL

\$854; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked

**Not use or possess controlled substances without a valid
prescription**

4th Waiver

Register as Narcotics Offender (mandatory) [HS 11590]

If under 21, **1Y license suspension or delay and surrender license
to court (mandatory)** [VC 13202.5(b)]

If motor vehicle involved or incidental to offense, may **suspend or
revoke license not to exceed 3Y** [VC 13202(a)]

If suspended, **surrender license to court (mandatory)** [VC 13206]

Consider drug rehabilitation program

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- NOT LESS THAN 6M NOR MORE THAN 364D CUSTODY; **OR** TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$6,015 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** CUSTODY [HS 11368 & PC 672]
- REGISTER AS NARCOTICS OFFENDER [HS 11590]
- IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
- IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, MAY SUSPEND OR REVOKE LICENSE NOT TO EXCEED 3Y; IF SUSPENDED, SURRENDER LICENSE TO COURT [VC 13202(a) & VC 13206]

HS 11377(a)

Possession of controlled
substance

ISS 3; VNL

\$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked

**Not use or possess controlled substances without a valid
prescription**

4th Waiver

Drug testing when required by court or treatment provider

If under 21, **1Y license suspension or delay and surrender license
to court (mandatory)** [VC 13202.5]

If motor vehicle involved or incidental to offense, may **suspend or
revoke license not to exceed 3Y** [VC 13202(a)]

If suspended, **surrender license to court (mandatory)** [VC 13206]

Consider drug rehabilitation program

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- NOT MORE THAN 364D CUSTODY; **OR** TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$6,015 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** CUSTODY [HS 11377(a) & PC 672]
- IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
- IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, MAY SUSPEND OR REVOKE LICENSE NOT TO EXCEED 3Y; IF SUSPENDED, SURRENDER LICENSE TO COURT [VC 13202(a) & VC 13206]

HEALTH & SAFETY CODE

HS 11550(a)

Under the influence of a controlled substance

ISS 3; VNL

\$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Not use or possess controlled substances without a valid prescription

4th Waiver

Drug testing when required by court or treatment provider

Register as Narcotics Offender (mandatory) [HS 11590]

If under 21, **1Y license suspension or delay and surrender license to court (mandatory)** [VC 13202.5]

If motor vehicle involved or incidental to offense, may **suspend or revoke license not to exceed 3Y** [VC 13202(a)]

If suspended, **surrender license to court (mandatory)** [VC 13206]

Consider drug rehabilitation program

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- NOT MORE THAN 364D CUSTODY; **OR** TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,400 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** CUSTODY [HS 11550(a) & PC 672]
 - REGISTER AS NARCOTICS OFFENDER [HS 11590]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
 - IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, MAY SUSPEND OR REVOKE LICENSE NOT TO EXCEED 3Y; IF SUSPENDED, SURRENDER LICENSE TO COURT [VC 13202(a) & VC 13206]
-

HEALTH & SAFETY CODE

HS 11550(b)

Under the influence of a controlled substance 3rd offense within 7 years

ISS 5; VNL

\$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Not use or possess controlled substances without a valid prescription

4th Waiver

Drug education or treatment program (mandatory) [HS 11373]

If defendant refuses treatment, probation must be denied [HS 11550(b)(1)]

Drug testing when required by court or treatment provider

Register as Narcotics Offender (mandatory) [HS 11590]

If under 21, **1Y license suspension or delay and surrender license to court (mandatory)** [VC 13202.5]

If motor vehicle involved or incidental to offense, may **suspend or revoke license not to exceed 3Y** [VC 13202(a)]

If suspended, **surrender license to court (mandatory)** [VC 13206]

Consider drug rehabilitation program

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- NOT LESS THAN 180D NOR MORE THAN 364D CUSTODY; **OR** TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,400 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** CUSTODY [HS 11550(b) & PC 672]
 - REGISTER AS NARCOTICS OFFENDER [HS 11590]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
 - IF MOTOR VEHICLE INVOLVED OR INCIDENTAL TO OFFENSE, MAY SUSPEND OR REVOKE LICENSE NOT TO EXCEED 3Y; IF SUSPENDED, SURRENDER LICENSE TO COURT [VC 13202(a) & VC 13206]
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PENAL CODE

PC 69(a) Obstructing with force or threat	ISS 3; VNL \$655; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 5D PSP SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$42,095 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 364D CUSTODY; OR BOTH [PC 69(a)]
PC 71 Threatening a school officer/employee or public offer or employee	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 76 Threatening a public official	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 136.1 Intimidating or threatening a witness	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 136.5 Intimidating or threatening a witness with a deadly weapon	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 140 Using or threatening force against a witness	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 148(a) Delaying or resisting arrest	ISS 3; VNL \$655; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 3D PSP SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT TO EXCEED 364D CUSTODY; OR BOTH [PC 148(a)]
PC 148(d) Taking a firearm from a peace officer	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 148.5(f) Falsely reporting a firearm stolen	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included

PENAL CODE

PC 148.9(a) False ID to peace officer	ISS 3; VNL \$409; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 2D PSP SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 166(a)(4) Violation of court order (not DV or gang injunction)	ISS 3; VNL 5D custody \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 166(a)(9) Violation of court order of gang injunction	ISS 3; VNL 20D custody \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 4th waiver Gang registration (mandatory) [PC 186.30(b)(3)] Gang conditions SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]• GANG REGISTRATION [PC 186.30(b)(3)]
PC 166(a)(9) Violation of court order of gang injunction with one prior	ISS 3; VNL 60D custody \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 4th waiver Gang registration (mandatory) [PC 186.30(b)(3)] Gang conditions SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]• GANG REGISTRATION [PC 186.30(b)(3)]

PENAL CODE

PC 166(a)(9) Violation of court order of gang injunction with two priors	ISS 3; VNL 120D custody \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 4th waiver Gang registration (mandatory) [PC 186.30(b)(3)] Gang conditions SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]• GANG REGISTRATION [PC 186.30(b)(3)]
PC 171b Bringing a firearm to a government building or meeting	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 171c(a)(1) Bringing a loaded firearm to the State Capitol or Governor's office	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 171d Bringing a loaded firearm into the Governor's residence	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 186.28 Knowingly selling a firearm to a person to commit a felony	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 240/241(a) Assault (not DV-related)	ISS 3; VNL \$655; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 2D PSP Anger management course Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 241(a)]• RESTITUTION TO VICTIM• FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]

PENAL CODE

PC 241 Assault on a firefighter or peace officer	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 242/243(a) Simple battery (not DV-related)	ISS 3; VNL \$655; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 3D PSP Anger management course Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$9,295 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 243(a)]• RESTITUTION TO VICTIM• FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]
PC 242/243(b) Battery on a peace officer	ISS 3; VNL \$655; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 5D PSP Anger management course Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] SAO if requested SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$9,295 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 364D CUSTODY; OR BOTH [PC 243(b)]• RESTITUTION TO VICTIM• FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]
PC 243.4 Sexual battery	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 244.5 Assault with a stun gun	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included

PENAL CODE

PC 245(a)(1)
Assault with a deadly
weapon (not firearm)

ISS 3; VNL
\$860; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked

5D PSP

Anger management course

Firearms Advisal, Report, and Relinquishment (mandatory)

[PC 29810]

SAO

If “road rage” incident, may order **6M license suspension** for first
offense and **1Y** for second offense. In lieu of, or in addition to,
the suspension, may order anger management. [VC 13210]

If suspended, **surrender license** to court (**mandatory**) [VC 13206].

If weapon is owned by defendant, **order it deemed a nuisance and
to be confiscated and disposed of per PC 18000 and PC 18005
(mandatory)** [PC 245(e)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING
\$42,095 PLUS \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING
364D CUSTODY; **OR** BOTH [PC 245(a)(1)]
 - FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]
 - IF “ROAD RAGE” INCIDENT, MAY ORDER 6M/1Y LICENSE SUSPENSION
AND SURRENDER LICENSE TO COURT. IN LIEU OF, OR IN ADDITION TO,
THE SUSPENSION, MAY ORDER ANGER MANAGEMENT.
[VC 13210 & VC 13206]
 - IF WEAPON OWNED BY DEFENDANT, ORDER IT DEEMED A NUISANCE
AND TO BE CONFISCATED AND DISPOSED OF PER PC 18000 AND
PC 18005 [PC 245(e)]
-

PENAL CODE

PC 245(a)(2)
Assault with a deadly
weapon (firearm)

ISS 3; VNL
180D custody (mandatory*) [PC 1203.095]
\$860; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked
Anger management course
Firearms Advisal, Report, and Relinquishment (lifetime ban)
(mandatory) [PC 29800 & PC 29810]
SAO

If “road rage” incident, may order **license suspension up to 6M** for
first offense and **1Y** for second offense. In lieu of, or in addition
to the suspension, may order anger management. [VC 13210]

If suspended, **surrender license** to court **(mandatory)** [VC 13206].

If weapon is owned by defendant, **order it deemed a nuisance and
to be confiscated and disposed of per PC 18000 and PC 18005**
(mandatory) [PC 245(e)]

**Mandatory condition per PC 1203.095 may be deleted in the
interest of justice with reason(s) stated on the record and entered
in the minutes* [PC 1203.095(b)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- NOT LESS THAN 6M AND NOT EXCEEDING 364D CUSTODY; **OR** TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$42,095 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** CUSTODY [PC 245(a)(2)]
 - FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]
 - IF “ROAD RAGE” INCIDENT, MAY ORDER 6M/1Y LICENSE SUSPENSION AND SURRENDER LICENSE TO COURT. IN LIEU OF, OR IN ADDITION TO, THE SUSPENSION, MAY ORDER ANGER MANAGEMENT. [VC 13210 & VC 13206]
 - IF WEAPON OWNED BY DEFENDANT, ORDER IT DEEMED A NUISANCE AND TO BE CONFISCATED AND DISPOSED OF PER PC 18000 AND PC 18005 [PC 245(e)]
-

PENAL CODE

PC 245(a)(4) Assault by means likely to cause great bodily injury	ISS 3; VNL \$860; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 5D PSP Anger management course Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] SAO <i>If</i> “road rage” incident, may order up to 6M license suspension for first offense and 1Y for second offense. In lieu of, or in addition to the suspension, may order anger management. [VC 13210] <i>If</i> suspended, surrender license to court (mandatory) [VC 13206]. SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$42,095 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 364D CUSTODY; OR BOTH [PC 245(a)(4)]• FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]• IF “ROAD RAGE” INCIDENT, MAY ORDER 6M/1Y LICENSE SUSPENSION AND SURRENDER LICENSE TO COURT. IN LIEU OF, OR IN ADDITION TO, THE SUSPENSION, MAY ORDER ANGER MANAGEMENT. [VC 13210 & VC 13206]
PC 245.5 Assault with a deadly weapon (not firearm) on a school employee	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 246 Discharging a weapon at an occupied house, car, or aircraft	Firearms Advisal, Report, and Relinquishment (lifetime ban) (mandatory) [PC 29800 & PC 29810] Sentencing information not included
PC 246.3 Discharging a weapon in a grossly negligent manner	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 247 Discharging a weapon at an unoccupied aircraft, car, or building	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included

PENAL CODE

PC 273a(b)
Child abuse or
endangerment

ISS 4 (mandatory) [PC 273a(c)]; **VNL**
\$714; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked
Child abuser's counseling program (mandatory*) [PC 273a(c)]
CPO (mandatory*) [PC 273a(c)]

If under the influence of drugs or alcohol at commission of offense,
abstain from drugs or alcohol (mandatory*) [PC 273a(c)]

If substance abuse is involved, **4th waiver**

If parent or guardian of victim, **comply with federal firearms
prohibition** (may not possess, receive, ship, or transport any
firearm or ammunition.) [18 USC § 922(g)(9)]

**Mandatory conditions of PC 273a(c) may be waived in interest of
justice with reasons stated on record* [PC 273a(c)(5)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$6,195 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING 6M CUSTODY; **OR** BOTH. [PC 19]
- IF PARENT OR GUARDIAN OF VICTIM, COMPLY WITH FEDERAL FIREARMS PROHIBITION [18 USC § 922(g)(9)]

PC 273.6
Violation of civil restraining
order
(not DV-related)

ISS 3; VNL
10D custody
\$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked
Firearms Advisal, Report, and Relinquishment (mandatory)
[PC 29810]
SAO

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$5,195 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT MORE THAN 364D CUSTODY; **OR** BOTH [PC 273.6(a)]
- FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]

PC 290.018(a)
Failure to register as sex
offender

ISS 3; VNL
90D custody (mandatory) [PC 290.018(c)]
\$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked
**Advise defendant to comply with PC 290 registration
requirements**

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- NOT EXCEEDING 364D CUSTODY; **OR** TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** CUSTODY [PC 290.018(a) & PC 672]
- ADVISE DEFENDANT TO COMPLY WITH PC 290 REGISTRATION REQUIREMENTS

PENAL CODE

PC 290.018(g)
Failure to register as sex
offender – transient

ISS 3; VNL
30D custody
\$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked
**Advise defendant to comply with PC 290 registration
requirements**

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- AT LEAST 30D BUT NOT EXCEEDING 6M CUSTODY; **OR** TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** CUSTODY [PC 290.018(g) & PC 672]
- ADVISE DEFENDANT TO COMPLY WITH PC 290 REGISTRATION REQUIREMENTS

PC 308(a)
Selling tobacco to a person
under 21

ISS 3; VNL
\$409; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked

Prior(s)	# of days PSP
One	+ 2D PSP
Two	+ 5D PSP

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING 6M CUSTODY; **OR** BOTH [PC 19]

PC 314(1)
Indecent exposure

ISS 3; VNL
\$1,507; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked
Consider **CPO up to 10Y** for victim (**mandatory**) [PC 136.2(i)(1)]
Consider **SAO** for percipient witness, *if* clear and convincing
evidence witness has been harassed by defendant (**mandatory**)
[PC 136.2(i)(2)]
Lifetime sex offender registration (**mandatory**) [PC 290]
Refer to Probation Department for SARATSO report (**mandatory**)
[PC 1203(d)]

Consider sex offender treatment or Cognitive behavioral therapy

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$6,425 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING 6M CUSTODY; **OR** BOTH [PC 19 & PC 290.3]
 - CONSIDER CPO UP TO 10Y FOR VICTIM [PC 136.2(i)(1)]
 - CONSIDER SAO FOR PERCIPIENT WITNESS IF CLEAR AND CONVINCING EVIDENCE WITNESS HAS BEEN HARASSED BY DEFENDANT [PC 136.2(i)(2)]
 - LIFETIME SEX OFFENDER REGISTRATION [PC 290]
 - REFER TO PROBATION FOR SARATSO REPORT [PC 1203(d)]
-

PENAL CODE

PC 368(b)(1) Elder abuse likely to produce bodily harm (not DV-related)	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 7D PSP Anger management course or Elder abuse counseling Consider CPO up to 10Y (mandatory) [PC 368(1)] <i>Consider custody depending on egregiousness of conduct</i> SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, UP TO \$25,695 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR UP TO 364D CUSTODY; OR BOTH [PC 368(b)(1)]• RESTITUTION TO VICTIM• CONSIDER CPO UP TO 10Y [PC 368(1)]
PC 368(c) Elder abuse not likely to produce bodily harm (not DV-related)	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 5D PSP Elder abuse counseling or Anger management course Consider CPO up to 10Y (mandatory) [PC 368(1)] <i>Consider custody depending on egregiousness of conduct</i> SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]• RESTITUTION TO VICTIM• CONSIDER CPO UP TO 10Y [PC 368(1)]
PC 368(d) or (e) Elder abuse theft - value not exceeding \$950 (not DV-related)	ISS 3; VNL 10D custody \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim Elder abuse counseling or Anti-theft course Consider CPO up to 10Y (mandatory) [PC 368(1)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 364D CUSTODY; OR BOTH [PC 368(d)(2) & PC 368(e)(2)]• RESTITUTION TO VICTIM• CONSIDER CPO UP TO 10Y [PC 368(1)]

PENAL CODE

PC 372 Public nuisance	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked \$200 ordered paid to city or county where violation occurred (mandatory) [PC 1202.51] If firearm used, firearm is a nuisance and subject to surrender and disposal per PC 18000 and PC 18005. Firearm is not a nuisance if disposed of per PC 29810. [PC 29300] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]• \$200 TO CITY/COUNTY WHERE VIOLATION OCCURRED [PC 1202.51]• IF USED, FIREARM IS A NUISANCE AND SUBJECT TO SURRENDER AND DISPOSAL PER PC 18000 AND PC 18005. FIREARM IS NOT A NUISANCE IF DISPOSED OF PER PC 29810. [PC 29300]
PC 415 Fighting, noise, or offensive words (<i>Infraction</i>)	\$107 [No probation; fine is sentence]
PC 415 Fighting, noise, or offensive words (not DV-related) (<i>Misdemeanor</i>)	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$2,735 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT MORE THAN 90D CUSTODY; OR BOTH [PC 415]
PC 415(3) Lewd conduct (Reduction from PC647(a) or (b)) (<i>Misdemeanor</i>)	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Street conditions [SDSC Form #CRM-234] Counseling program related to the offense SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$2,735 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT MORE THAN 90D CUSTODY; OR BOTH [PC 415]

PENAL CODE

PC 417(a)(1) Brandishing a non-firearm	ISS 3; VNL \$409; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 2D PSP 4th waiver Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] SAO <i>If</i> weapon is owned by defendant, order it deemed a nuisance and disposed of per PC 18000 and PC 18005 (mandatory) [PC 417.6(c)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT LESS THAN 30D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 417(a)(1) & PC 672]• FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]• IF WEAPON OWNED BY DEFENDANT, ORDER IT DEEMED A NUISANCE AND DISPOSED OF PER PC 18000 AND PC 18005 [PC 417.6(c)]
PC 417(a)(2) Brandishing a firearm	ISS 3; VNL 90D custody (mandatory*) [PC 1203.095] \$532; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 4th waiver Firearms Advisal, Report, and Relinquishment** (mandatory) [PC 29810] SAO <i>If</i> weapon is owned by defendant, order it deemed a nuisance and disposed of per PC 18000 and PC 18005 (mandatory) [PC 417.6(c)] <i>*Mandatory condition per PC 1203.095 may be deleted in the interest of justice with reason(s) stated on the record and entered in the minutes</i> [PC 1203.095(b)] <i>**If</i> prior(s), lifetime ban [PC 29800] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT LESS THAN 3M CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 417(a)(2)(B) & PC 672]• FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810] (LIFETIME BAN IF PRIOR(S))• IF WEAPON OWNED BY DEFENDANT, ORDER IT DEEMED A NUISANCE AND DISPOSED OF PER PC 18000 AND PC 18005 [PC 417.6(c)]
PC 417(b) or (d) Brandishing a firearm at day care center, or at someone cleaning up graffiti	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included

PENAL CODE

PC 417(c) Brandishing a firearm in the presence of a peace officer	Firearms Advisal, Report, and Relinquishment (lifetime ban) (mandatory) [PC 29800 & PC 29810] Sentencing information not included
PC 417.6 Brandishing a weapon resulting in serious bodily injury	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 422 Criminal threats	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 2D PSP Anger management course Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT TO EXCEED 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 422 & PC 672]• FIREARMS ADVISAL, REPORT, AND RELINQUISHMENT [PC 29810]
PC 422.6 Hate crime	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 459 Burglary	ISS 3; VNL Book & Release (1D custody)* if first theft offense and not already booked [PC 666(a)] \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked (does not apply to Book & Release) Restitution to victim 5D PSP 4th waiver Anti-theft course or Cognitive behavioral therapy SAO <i>If priors, consider appropriate additional sanctions or treatment</i> *B&R is mandatory to be priorable [PC 666(a)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT EXCEEDING 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS NOT EXCEEDING \$5,236 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 461(b) & PC 672]• RESTITUTION TO VICTIM

PENAL CODE

PC 459.5 Shoplifting	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 2D PSP 4th waiver Anti-shoplifting course or Cognitive behavioral therapy SAO
	<i>If priors, consider appropriate additional sanctions or treatment</i>
	SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]• RESTITUTION TO VICTIM
PC 466 Burglary tools	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 4th waiver Do not possess burglary tools Forfeit confiscated burglary tools
	SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 470/473(b) Forgery (not exceeding \$950)	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 5D PSP 4th waiver SAO
	SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT MORE THAN 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,236 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 473 & PC 672]

PENAL CODE

PC 476a(b) Check fraud (not exceeding \$950)	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 5D PSP 4th waiver SAO <i>If priors, consider appropriate additional sanctions or treatment</i> SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT MORE THAN 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 476a(b) & PC 672]• RESTITUTION TO VICTIM
PC 484(a)/488 Petty theft	ISS 3; VNL Book & Release (1D custody)* <i>if</i> first theft offense and not already booked [PC 666(a)] \$318; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked (does not apply to Book & Release) Restitution to victim 2D PSP 4th waiver Anti-theft course or Cognitive behavioral therapy SAO <i>If priors, consider appropriate additional sanctions or treatment</i> *B&R is mandatory to be priorable [PC 666(a)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,236 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 490]• RESTITUTION TO VICTIM
PC 485/488 Misappropriation of lost property (<i>Infraction</i>)	\$148 [No probation; fine is sentence]
PC 485/488 Misappropriation of lost property (<i>Misdemeanor</i>)	ISS 18M; VNL \$318; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,236 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 490]

PENAL CODE

PC 487 Grand theft	ISS 3; VNL Book & Release (1D custody)* <i>if</i> first theft offense and not already booked [PC 666(a)] \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked (does not apply to Book & Release) Restitution to victim 5D PSP 4th waiver Anti-theft course or Cognitive behavioral therapy SAO <i>If priors, consider appropriate additional sanctions or treatment</i> *B&R is mandatory to be priorable [PC 666(a)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT EXCEEDING 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS NOT EXCEEDING \$5,236 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 489(c) & PC 672]• RESTITUTION TO VICTIM
PC 490.1 Petty theft (<i>Infraction</i>)	\$107 [No probation; fine is sentence]
PC 490.2 Petty theft of a firearm	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 496(a) Receiving stolen property (not exceeding \$950)	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 5D PSP 4th waiver Anti-theft course or Cognitive behavioral therapy SAO <i>If priors, consider appropriate additional sanctions or treatment</i> SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT EXCEEDING 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 496(a) & PC 672]• RESTITUTION TO VICTIM

PENAL CODE

PC 529(a)(3) False personation of another	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 10D PSP 4th waiver Anti-theft course or Cognitive behavioral therapy SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$42,095 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 364D CUSTODY; OR BOTH [PC 529]• RESTITUTION TO VICTIM
PC 529.5(c) False Government Documents	ISS 1; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked If under 21, may suspend or delay license 1Y and surrender license to court [PC 529.5(d)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$4,345 AND NOT MORE THAN \$11,345 PLUS \$154 CJ ADMIN FEE IF BOOKED. MAY ALLOW COMMUNITY SERVICE IN LIEU OF FINE. [PC 529.5(c)]• IF UNDER 21, MAY SUSPEND OR DELAY LICENSE 1Y AND SURRENDER LICENSE TO COURT [PC 529.5]
PC 530.5(a) Identity theft	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 10D PSP 4th waiver Anti-theft course or Cognitive behavioral therapy SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT TO EXCEED \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT TO EXCEED 364D CUSTODY; OR BOTH [PC 19, PC 530.5(a), & PC 672]• RESTITUTION TO VICTIM

PENAL CODE

PC 594(a)/(b)(1)
Vandalism (\$400 - \$10,000)
(not DV-related)

ISS 3; VNL
\$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked

Restitution to victim

5D PSP*

Anger management course *or* Cognitive behavioral therapy

**License suspension not more than 2Y and surrender license to
court *or* 1Y-3Y delay (mandatory)** [VC 13202.6]

Note: The court can make findings on the record that a personal
or family hardship exists that requires the person to have a driver
license for his or her own, or a member of his or her family's
employment, school, or medically related purposes. [VC 13202.6]

SAO

If graffiti:

4th waiver and possess no graffiti tool(s)

**Clean up, repair, or replace damaged property, or keep
property free of graffiti for up to 1Y. If graffiti cleanup is
inappropriate, shall consider other types of community
service, where feasible. (mandatory)** [PC 594(c)]

*Central Division only: **\$200 to City's Graffiti Reward Fund
and 48H volunteer work with Alpha Project ILO PSP**

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$42,136 PLUS \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING 364D CUSTODY; **OR** BOTH [PC 594(b)(1)]
- RESTITUTION TO VICTIM
- LICENSE SUSPENSION NOT MORE THAN 2Y AND SURRENDER LICENSE TO COURT OR 1Y-3Y DELAY UNLESS COURT MAKES FINDINGS (SEE ABOVE) [VC 13202.6]
- IF GRAFFITI, CLEAN UP, REPAIR, OR REPLACE DAMAGED PROPERTY, OR KEEP PROPERTY FREE OF GRAFFITI FOR UP TO 1Y [PC 594(c)]

PENAL CODE

PC 594(a)/(b)(2) Vandalism (less than \$400) (not DV-related)	ISS 3; VNL \$532; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 2D PSP* Anger management course or Cognitive behavioral therapy License suspension not more than 2Y and surrender license to court or 1Y-3Y delay (mandatory) [VC 13202.6] Note: The court can make findings on the record that a personal or family hardship exists that requires the person to have a driver license for his or her own, or a member of his or her family's employment, school, or medically related purposes. [VC 13202.6] SAO <i>If graffiti:</i> 4th waiver and possess no graffiti tool(s) Clean up, repair, or replace damaged property, or keep property free of graffiti for up to 1Y. If graffiti cleanup is inappropriate, shall consider other types of community service, where feasible. (mandatory) [PC 594(c)] *Central Division only: \$200 to City's Graffiti Reward Fund and 8H volunteer work with Alpha Project ILO PSP
SENTENCING REQUIREMENTS IF PROBATION DENIED:	
<ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$5,236 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 364D CUSTODY; OR BOTH [PC 594(b)(2)(A)]• RESTITUTION TO VICTIM• LICENSE SUSPENSION NOT MORE THAN 2Y AND SURRENDER LICENSE TO COURT OR 1Y-3Y DELAY UNLESS COURT MAKES FINDINGS (SEE ABOVE) [VC 13202.6]• IF GRAFFITI, CLEAN UP, REPAIR, OR REPLACE DAMAGED PROPERTY, OR KEEP PROPERTY FREE OF GRAFFITI FOR UP TO 1Y [PC 594(c)]	
PC 602(k) or (m) Trespass	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked SAO
SENTENCING REQUIREMENTS IF PROBATION DENIED:	
<ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]	
PC 626.9 Possessing or discharging a firearm in a school zone	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included

PENAL CODE

PC 640(c) Fare evasion (<i>Infraction</i>)	\$193 4H volunteer work [No probation; fine and volunteer work is sentence]
PC 646.9 Stalking	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 647(a) Lewd conduct in public	ISS 3; VNL \$327; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Sex offender treatment <i>or</i> Cognitive behavioral therapy SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 647(b)(1) Prostitution (seller)	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Street conditions [SDSC Form #CRM-234] Counseling program related to the offense Refer to drug program where appropriate SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 647(b)(1) Prostitution (seller) with one prior	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Street conditions [SDSC Form #CRM-234] Show proof of contact with counseling program related to the offense SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]

PENAL CODE

PC 647(b)(1) Prostitution (seller) with two priors	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Street conditions [SDSC Form #CRM-234] Show proof of contact with counseling program related to the offense SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 647(b)(2) Prostitution (buyer)	ISS 3; VNL \$1,065; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Street conditions [SDSC Form #CRM-234] Counseling program related to the offense Refer to drug program where appropriate SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 647(b)(2) Prostitution (buyer) with one prior	ISS 3; VNL 30D custody \$1,065; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Street conditions [SDSC Form #CRM-234] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 647(b)(2) Prostitution (buyer) with two priors	ISS 3; VNL 90D custody \$1,065; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Street conditions [SDSC Form #CRM-234] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]

PENAL CODE

PC 647(e)
Illegal lodging

ISS 3; VNL
\$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked
SAO

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING 6M CUSTODY; **OR** BOTH [PC 19]

PC 647(f)
(drugs)
Public intoxication

ISS 3; VNL
\$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked
Do not use or possess controlled substances without a valid prescription
10 Self-help meetings
SAO

If unlawfully possessed controlled substance, **4th waiver**
If under 21, **1Y license suspension or delay and surrender license** to court (**mandatory**) [VC 13202.5]

Review for PC 1000 or PC 1210 eligibility

Prior(s)	Additional conditions
One	Treatment program <i>Consider 4th Waiver</i>
Two	Stay 60D custody with treatment 4 th Waiver
Three or more	90D custody 4 th Waiver

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING 6M CUSTODY; **OR** BOTH [PC 19]
- **IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT** [VC 13202.5]

PENAL CODE

PC 647(f)
(alcohol)
Public intoxication

ISS 3; VNL
\$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked
10 Self-help meetings
SAO

If under 21, **1Y license suspension or delay and surrender license** to court (**mandatory**) [VC 13202.5]

Prior(s)	Additional conditions
One	Abstain from alcohol in public Treatment program
Two	Abstain from alcohol in public Stay 60D custody with treatment
Three or more	Abstain from alcohol in public 90D custody

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING 6M CUSTODY; **OR** BOTH [PC 19]
- IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]

PC 647.6(a)
Annoying or molesting a child

ISS 3; VNL
30D custody
\$1,507; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Counseling (**mandatory**, unless the court makes a written statement in the court record that counseling would be inappropriate or ineffective) [PC 647.6(d)(1)]

Consider **CPO up to 10Y** for victim (**mandatory**) [PC 136.2(i)(1)]

Consider **SAO** for percipient witness *if* clear and convincing evidence witness has been harassed by defendant (**mandatory**) [PC 136.2(i)(2)]

Lifetime sex offender registration (**mandatory**) [PC 290(b)]

Refer to Probation Department for SARATSO report (**mandatory**) [PC 1203(d)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$23,825 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT EXCEEDING 364D CUSTODY; **OR** BOTH [PC 647.6(a)(1)]
- CONSIDER CPO UP TO 10Y FOR VICTIM [PC 136.2(i)(1)]
- CONSIDER SAO FOR PERCIPIENT WITNESS IF CLEAR AND CONVINCING EVIDENCE WITNESS HAS BEEN HARASSED BY DEFENDANT [PC 136.2(i)(2)]
- LIFETIME SEX OFFENDER REGISTRATION [PC 290]
- REFER FOR SARATSO REPORT [PC 1203(d)]

PENAL CODE

PC 653.22 Loitering with intent to commit prostitution	ISS 3; VNL \$277; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Street conditions [SDSC Form #CRM-234] Counseling program related to the offense SAO SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 830.95 Wearing a peace officer uniform while picketing	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 853.7 Failure to appear (<i>Infraction</i>)	\$234 [No probation; fine is sentence]
PC 853.7 Failure to appear (<i>Misdemeanor</i>)	ISS 1; VNL \$368; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
PC 17500 Possession of deadly weapon with intent to assault	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 17510 Carrying a firearm or deadly weapon while picketing	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included

PENAL CODE

PC 21310 Concealed dirk or dagger	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 2D PSP 4th waiver Do not possess weapons Weapon is a nuisance and subject to surrender and disposal per PC 18000 and PC 18005 (mandatory) [PC 21390] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT EXCEEDING 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 672 & PC 21310]• WEAPON IS A NUISANCE AND SUBJECT TO SURRENDER AND DISPOSAL PER PC 18000 AND PC 18005 [PC 21390]
PC 24510 or 24610 Disguised or undetectable firearm	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 2D PSP 4th waiver Do not possess weapons Firearm is a nuisance and subject to confiscation and destruction per PC 18010 (mandatory) [PC 24590 & PC 24690] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• NOT EXCEEDING 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [PC 672, PC 24510, & PC 24610]• FIREARM IS A NUISANCE AND SUBJECT TO CONFISCATION AND DESTRUCTION PER PC 18010 [PC 24590 & PC 24690]
PC 25300 Possessing a firearm in public while wearing a mask	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 25400 Concealed firearm	ISS 3; VNL \$696; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 5D PSP 4th waiver Do not possess weapons Firearm is a nuisance and subject to surrender and disposal per PC 18000 and PC 18005 (mandatory) [PC 25700] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT TO EXCEED \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT TO EXCEED 364D CUSTODY; OR BOTH [PC 25400(c)(7)]• FIREARM IS A NUISANCE AND SUBJECT TO SURRENDER AND DISPOSAL PER PC 18000 AND PC 18005 [PC 25700]

PENAL CODE

<p>PC 25800 Carrying a loaded firearm with intent to commit a felony</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>PC 25850 Carrying a loaded firearm</p>	<p>ISS 3; VNL 30D custody \$942; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 4th waiver Do not possess weapons</p> <p><i>If</i> firearm used, firearm is a nuisance and subject to surrender and disposal per PC 18000 and PC 18005. Firearm is not a nuisance if disposed of per PC 29810. [PC 29300]</p> <p>SENTENCING REQUIREMENTS IF PROBATION DENIED:</p> <ul style="list-style-type: none"> • TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT TO EXCEED \$5,195 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT TO EXCEED 364D CUSTODY; OR BOTH [PC 25850(c)(7)] • IF USED, FIREARM IS A NUISANCE AND SUBJECT TO SURRENDER AND DISPOSAL PER PC 18000 AND PC 18005. FIREARM IS NOT A NUISANCE IF DISPOSED OF PER PC 29810. [PC 29300]
<p>PC 26100(b) or (d) Permitting someone or to discharge a firearm from a car</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>PC 27500(b) Sale or transfer to person prohibited from possession of firearm</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>PC 27505 Sale, loan, or transfer of a handgun to a minor</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>PC 27510 Delivery of a handgun to person <21 or firearm to a person <18</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>PC 27515 Sale, transfer, or loan to fraudulent purchaser, transferee, or loanee</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>PC 27520 Fraudulent acquisition of firearm</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>

PENAL CODE

PC 27540 (a), (c), (d), (e), or (f) Unlawful delivery of firearm by dealer	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 27545 Sale or transfer of firearm without dealer license	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 27550 Collusion in firearm application	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 27585 Unlawful importation of firearm	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 30315 Possession of metal penetrating ammunition	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included
PC 32625 Possessing, transporting, selling, or manufacturing a machine gun or converting a firearm into a machine gun	Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included

VEHICLE CODE

<p>VC 2800.1 Flight from peace officer</p>	<p>ISS 3; VNL \$701; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 5D PSP</p> <p>May suspend license not more than 6M [VC 13201(d)] If suspended, surrender license to court (mandatory) [VC 13206]</p> <p>SENTENCING REQUIREMENTS IF PROBATION DENIED:</p> <ul style="list-style-type: none">• NOT MORE THAN 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [VC 2800.1 & PC 672]• MAY SUSPEND LICENSE NOT MORE THAN 6M AND SURRENDER LICENSE TO COURT [VC 13201(d) & VC 13206]
<hr/>	
<p>VC 2800.2 Flight from peace officer with willful or wanton disregard for safety of others</p>	<p>ISS 3; VNL 10D custody \$701; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked</p> <p>May suspend license not more than 6M [VC 13201(d)] If suspended, surrender license to court (mandatory) [VC 13206]</p> <p>SENTENCING REQUIREMENTS IF PROBATION DENIED:</p> <ul style="list-style-type: none">• NOT LESS THAN 6M NOR MORE THAN 364D CUSTODY; OR TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$4,349 NOR MORE THAN \$42,100 PLUS \$154 CJ ADMIN FEE IF BOOKED AND CUSTODY [VC 2800.2]• MAY SUSPEND LICENSE NOT MORE THAN 6M AND SURRENDER LICENSE TO COURT [VC 13201(d) & VC 13206]
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<p>VC 4000(a)(1) Driving without current registration <i>(Infraction)</i></p>	<p>\$285*</p> <p>*If proof of registration is provided, valid either before or after the offense, may dismiss the charge. \$25 transaction fee applies.</p> <p>[No probation; fine is sentence]</p>
<hr/>	
<p>VC 4454(a) No registration in vehicle <i>(Infraction)</i></p>	<p>\$198*</p> <p>*If proof of registration is provided, valid either before or after the offense, may dismiss the charge. \$25 transaction fee applies.</p> <p>[No probation; fine is sentence]</p>

VEHICLE CODE

VC 4462.5 False tabs	ISS 18M; VNL \$282; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Destroy false tabs SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]
VC 5200(a) No license plate(s) (<i>Infraction</i>)	\$198* *If proof of correction is provided, may dismiss the charge. \$25 transaction fee applies. [No probation; fine is sentence]
VC 10851(a) Stolen vehicle	ISS 3; VNL 10D custody \$1,029; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 4th Waiver May recommend DMV suspend/revoke driver license [VC 13357] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$21,600 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT MORE THAN 364D CUSTODY; OR BOTH [VC 10851(a)]• RESTITUTION TO VICTIM• MAY RECOMMEND DMV SUSPEND/REVOKE DRIVER LICENSE [VC 13357]
VC 10852 Tampering with a vehicle	ISS 3; VNL \$414; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Restitution to victim 5D PSP 4th Waiver SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [PC 19]• RESTITUTION TO VICTIM

VEHICLE CODE

<p>VC 12500(a) Driving without valid driver license (<i>Infraction</i>)</p>	<p>\$403*</p> <p>*If proof of driver license is provided, valid on or before the offense, may dismiss the charge. \$25 transaction fee applies.</p> <p>[No probation; fine is sentence]</p>
<p>VC 12500(a) Driving without valid driver license with one prior (within 1 year) (<i>Infraction</i>)</p>	<p>\$500*</p> <p>*If proof of driver license is provided, valid on or before the offense, may dismiss the charge. \$25 transaction fee applies.</p> <p>[No probation; fine is sentence]</p>
<p>VC 12500(a) Driving without valid driver license (<i>Misdemeanor</i>)</p>	<p>ISS 3; VNL \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8]</p> <p>SENTENCING REQUIREMENTS IF PROBATION DENIED:</p> <ul style="list-style-type: none"> • TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [VC 40000.11 & PC 19] • AFA/VC 14607.6 ADVISAL [VC 14607.8]
<p>VC 12951(a) Driver license not in possession (<i>Infraction</i>)</p>	<p>\$239*</p> <p>*If proof of driver license is provided, valid on or before the offense, may dismiss the charge. \$25 transaction fee applies.</p> <p>[No probation; fine is sentence]</p>
<p>VC 14601(a) Negligent operator driving with suspended or revoked license</p>	<p>ISS 3; VNL \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 2D PSP Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8]</p> <p>If LIO VC 14601.2, IID (not to exceed 3Y) (mandatory except in the interest of justice) [VC 14601(e)]</p> <p>SENTENCING REQUIREMENTS IF PROBATION DENIED:</p> <ul style="list-style-type: none"> • TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,479 OR MORE THAN \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 5D OR MORE THAN 6M CUSTODY [VC 14601(b)(1)] • AFA/VC 14607.6 ADVISAL [VC 14607.8] • IF LIO VC 14601.2, IID (NOT TO EXCEED 3Y) EXCEPT IN INTEREST OF JUSTICE [VC 14601(e)]

VEHICLE CODE

VC 14601(a) Negligent operator driving with suspended or revoked license with prior(s) (within 5 years)	ISS 3; VNL 10D custody (mandatory) [VC 14601(c)] \$711; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] If LIO VC 14601.2, IID (not to exceed 3Y) (mandatory except in the interest of justice) [VC 14601(e)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$2,350 OR MORE THAN \$9,351 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 10D OR MORE THAN 364D CUSTODY [VC 14601(b)(2)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]• IF LIO VC 14601.2, IID (NOT TO EXCEED 3Y) EXCEPT IN INTEREST OF JUSTICE [VC 14601(e)]
VC 14601.1(a) Driving with suspended or revoked license (<i>Infraction</i>)	\$326 [No probation; fine is sentence]
VC 14601.1(a) Driving with suspended or revoked license with one prior (<i>Infraction</i>)	\$418 [No probation; fine is sentence]
VC 14601.1(a) Driving with suspended or revoked license (<i>Misdemeanor</i>)	ISS 3; VNL \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] If LIO VC 14601.2, IID (not to exceed 3Y) (mandatory except in the interest of justice) [VC 14601.1(d)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,479 OR MORE THAN \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT MORE THAN 6M CUSTODY; OR BOTH [VC 14601.1(b)(1)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]• IF LIO VC 14601.2, IID (NOT TO EXCEED 3Y) EXCEPT IN INTEREST OF JUSTICE [VC 14601.1(d)]

VEHICLE CODE

VC 14601.1(a) Driving with suspended or revoked license with one prior (within 5 years) (<i>Misdemeanor</i>)	ISS 3; VNL \$711; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 5D PSP Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] <i>If</i> LIO VC 14601.2, IID (not to exceed 3Y) (mandatory except in the interest of justice) [VC 14601.1(d)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$2,350 OR MORE THAN \$9,351 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 5D OR MORE THAN 364D CUSTODY [VC 14601.1(b)(2)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]• IF LIO VC 14601.2, IID (NOT TO EXCEED 3Y) EXCEPT IN INTEREST OF JUSTICE [VC 14601.1(d)]
VC 14601.1(a) Driving with suspended or revoked license with two or more priors (within 5 years) (<i>Misdemeanor</i>)	ISS 3; VNL 30D custody \$711; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] <i>If</i> LIO VC 14601.2, IID (not to exceed 3Y) (mandatory except in the interest of justice) [VC 14601.1(d)] <i>If</i> three or more priors, increase fine and/or custody at court's discretion. SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$2,350 OR MORE THAN \$9,351 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 5D OR MORE THAN 364D CUSTODY [VC 14601.1(b)(2)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]• IF LIO VC 14601.2, IID (NOT TO EXCEED 3Y) EXCEPT IN INTEREST OF JUSTICE [VC 14601.1(d)]

VEHICLE CODE

VC 14601.2(a) Driving after VC 23152 or 23153 suspension or revocation	ISS 3; VNL 10D custody (mandatory) [VC 14601.2(e)] \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] IID (not to exceed 3Y) (mandatory) [VC 14601.2(h) & VC 23575(a)] IID advisal (mandatory) [VC 23575(c)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,479 OR MORE THAN \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 10D OR MORE THAN 6M CUSTODY [VC 14601.2(d)(1)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]• IID (NOT TO EXCEED 3Y) [VC 14601.2(h) & VC 23575(a)]• IID ADVISAL [VC 23575(c)]
VC 14601.2(a) Driving after VC 23152 or 23153 suspension or revocation with prior(s) (within 5 years)	ISS 3; VNL 30D custody* (mandatory) [VC 14601.2(f)] \$711; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] IID (not to exceed 3Y) (mandatory) [VC 14601.2(h) & VC 23575(a)] IID advisal (mandatory) [VC 23575(c)] <i>*If</i> prior was between 5 and 7 years ago, 10D custody (mandatory) [VC 14601.2(g)] <i>If</i> two or more priors, increase fine and/or custody at court's discretion. SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$2,350 OR MORE THAN \$9,351 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 30D OR MORE THAN 364D CUSTODY [VC 14601.2(d)(2)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]• IID (NOT TO EXCEED 3Y) [VC 14601.2(h) & VC 23575(a)]• IID ADVISAL [VC 23575(c)]

VEHICLE CODE

VC 14601.3(a) Habitual traffic offender	ISS 3; VNL 30D custody \$4,350; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, IS A MINIMUM OF \$4,349 AND A MAXIMUM OF \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED AND 30D CUSTODY [VC 14601.3(e)(1)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]
VC 14601.3(a) Habitual offender with prior(s) (within 7 years)	ISS 3; VNL 180D custody \$8,501; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, IS A MINIMUM OF \$8,500 AND A MAXIMUM OF \$9,351 PLUS \$154 CJ ADMIN FEE IF BOOKED AND 180D CUSTODY [VC 14601.3(e)(2)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]
VC 14601.5(a) Driving with suspended or revoked license for failure to submit to test	ISS 3; VNL \$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 2D PSP Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] <i>If</i> LIO VC 14601.2, IID (not to exceed 3Y) (mandatory except in the interest of justice) [VC 14601.5(g)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,479 OR MORE THAN \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT MORE THAN 6M CUSTODY; OR BOTH [VC 14601.5(d)(1)]• AFA/VC 14607.6 ADVISAL [VC 14607.8]• <i>If</i> LIO VC 14601.2, IID (NOT TO EXCEED 3Y) EXCEPT IN INTEREST OF JUSTICE [VC 14601.5(g)]

VEHICLE CODE

VC 14601.5(a) Driving with suspended or revoked license for failure to submit to test with one prior (within 5 years)	ISS 3; VNL 10D custody \$711; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Do not drive without valid license and liability insurance AFA/VC 14607.6 advisal (mandatory) [VC 14607.8] If LIO VC 14601.2, IID (not to exceed 3Y) (mandatory except in the interest of justice) [VC 14601.5(g)] SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$2,350 OR MORE THAN \$9,351 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 10D OR MORE THAN 364D CUSTODY [VC 14601.5(d)(2) & 40000.11]• AFA/VC 14607.6 ADVISAL [VC 14607.8]• IF LIO VC 14601.2, IID (NOT TO EXCEED 3Y) EXCEPT IN INTEREST OF JUSTICE [VC 14601.5(g)]
VC 16028(a) Driving without proof of insurance (<i>Infraction</i>)	\$900* *If insurance was valid on or before the date of the offense, dismiss charge. \$25 transaction fee applies. If insurance was valid after date of offense and proof is provided to the court within 90D of first scheduled appearance, reduce to \$490**. **The total fine may not be waived, suspended, or reduced below \$489 unless the court in its discretion reduces or waives the base fine based on the defendant's ability to pay. If the court finds the defendant is unable to pay and reduces or waives the base fine, the minimum is \$79. (mandatory) [VC 16029(e)(2)] May order impoundment of the vehicle for which the owner could not produce financial responsibility [VC 16029] May order defendant to maintain insurance coverage for at least 1Y [VC 16029] [No probation; fine is sentence]

VEHICLE CODE

<p>VC 16028(a) Driving without proof of insurance with one prior <i>(Infraction)</i></p>	<p>\$1,115*</p> <p>*If insurance was valid on or before the date of the offense, dismiss charge. \$25 transaction fee applies. If insurance was valid after date of offense and proof is provided to the court within 90D of first scheduled appearance, reduce to \$910**.</p> <p>**The total fine may not be waived, suspended, or reduced below \$909 unless the court in its discretion reduces or waives the base fine based on the defendant's ability to pay. If the court finds the defendant is unable to pay and reduces or waives the base fine, the minimum is \$89. (mandatory) [VC 16029(e)(2)]</p> <p>May order impoundment of the vehicle for which the owner could not produce financial responsibility [VC 16029] May order defendant to maintain insurance coverage for at least 1Y [VC 16029]</p> <p>[No probation; fine is sentence]</p>
<p>VC 20002(a) Hit and run</p>	<p>ISS 3; VNL \$906; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked</p> <p>Restitution to victim 5D PSP (<i>if</i> no insurance +5D PSP) Do not drive without valid license and liability insurance</p> <p>May suspend license not more than 6M [VC 13201(a)] <i>If</i> suspended, surrender license to court (mandatory) [VC 13206]</p> <p>SENTENCING REQUIREMENTS IF PROBATION DENIED:</p> <ul style="list-style-type: none"> • TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT EXCEEDING \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT EXCEEDING 6M CUSTODY; OR BOTH [VC 20002(c)] • MAY SUSPEND LICENSE NOT MORE THAN 6M AND SURRENDER LICENSE TO COURT [VC 13201(a) & VC 13206] • RESTITUTION TO VICTIM
<p>VC 21453(a) Failure to stop at red light <i>(Infraction)</i></p>	<p>\$490</p> <p>[No probation; fine is sentence]</p>
<p>VC 21461(a) Failure to obey traffic control device <i>(Infraction)</i></p>	<p>\$239</p> <p>[No probation; fine is sentence]</p>
<p>VC 21655.5(b) Car pool lane violation <i>(Infraction)</i></p>	<p>\$490</p> <p>[No probation; fine is sentence]</p>

VEHICLE CODE

<p>VC 21655.5(b) Car pool lane violation with one prior (within 1 year) <i>(Infraction)</i></p>	<p>\$705</p>	<p>[No probation; fine is sentence]</p>								
<p>VC 21655.5(b) Car pool lane violation with two priors (within 2 years) <i>(Infraction)</i></p>	<p>\$1,115</p>	<p>[No probation; fine is sentence]</p>								
<p>VC 22101(d) Illegal turn at intersection <i>(Infraction)</i></p>	<p>\$239</p>	<p>[No probation; fine is sentence]</p>								
<p>VC 22348(b) Speed over 100 MPH <i>(Infraction)</i></p>	<p>\$736</p>	<p>Classroom-based 16-hour behavior modification (Traffic) class</p> <p>May suspend license not to exceed 30D [VC 22348(b)(1)] If suspended, surrender license to court (mandatory) [VC 13206]</p> <p>[No probation; fine, class, and license suspension, if imposed, is sentence]</p>								
<p>VC 22349(a) Driving in excess of 65 MPH <i>(Infraction)</i></p>	<p>\$239 - \$490 depending on speed. See Speed Chart.</p>	<table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="2">Speed Chart</th> </tr> </thead> <tbody> <tr> <td>1-15 MPH over limit</td> <td>\$239</td> </tr> <tr> <td>16-25 MPH over limit</td> <td>\$367</td> </tr> <tr> <td>26+ MPH over limit</td> <td>\$490</td> </tr> </tbody> </table> <p>May suspend license not to exceed 30D [VC 13200] If suspended, surrender license to court (mandatory) [VC 13206]</p> <p>[No probation; fine, and license suspension, if imposed, is sentence]</p>	Speed Chart		1-15 MPH over limit	\$239	16-25 MPH over limit	\$367	26+ MPH over limit	\$490
Speed Chart										
1-15 MPH over limit	\$239									
16-25 MPH over limit	\$367									
26+ MPH over limit	\$490									

VEHICLE CODE

VC 22349(a)
Driving in excess of 65 MPH
with prior(s)
(within 1 year)
(Infraction)

\$290 - \$541 depending on speed. See Speed Chart.

Speed Chart	
1-15 MPH over limit	\$290
16-25 MPH over limit	\$418
26+ MPH over limit	\$541

May **suspend license not to exceed 60D** for second conviction and **not to exceed 180D** for third conviction [VC 13200]
If suspended, **surrender license** to court (**mandatory**) [VC 13206]

[No probation; fine, and license suspension, if imposed, is sentence]

VC 22350
Unsafe speed for conditions
(Infraction)

\$239 - \$490 depending on speed. See Speed Chart.

Speed Chart	
1-15 MPH over stated safe speed	\$239
16-25 MPH over stated safe speed	\$367
26+ MPH over stated safe speed	\$490

May **suspend license not to exceed 30D** [VC 13200]
If suspended, **surrender license** to court (**mandatory**) [VC 13206]

[No probation; fine, and license suspension, if imposed, is sentence]

VC 22350
Unsafe speed for conditions
with prior(s)
(within 1 year)
(Infraction)

\$290 - \$541 depending on speed. See Speed Chart.

Speed Chart	
1-15 MPH over stated safe speed	\$290
16-25 MPH over stated safe speed	\$418
26+ MPH over stated safe speed	\$541

May **suspend license not to exceed 60D** for second conviction and **not to exceed 180D** for third conviction [VC 13200]
If suspended, **surrender license** to court (**mandatory**) [VC 13206]

[No probation; fine, and license suspension, if imposed, is sentence]

VC 22450(a)
Failure to stop at stop sign
(Infraction)

\$239

[No probation; fine is sentence]

VEHICLE CODE

VC 23103(a) or (b)

Reckless driving –
non-alcohol
no injury

ISS 2; VNL

\$573; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

**Do not drive without valid license and liability insurance
Classroom-based 16-hour behavior modification (Traffic)
class or Cognitive behavioral therapy**

May **suspend license not to exceed 30D** [VC 13200]

If suspended, **surrender license** to court (**mandatory**) [VC 13206]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$859 NOR MORE THAN \$5,200 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT LESS THAN 5D NOR MORE THAN 90D CUSTODY; **OR** BOTH [VC 23103(c)]
- MAY SUSPEND LICENSE NOT TO EXCEED 30D AND SURRENDER LICENSE TO COURT [VC 13200 & VC13206]

VC 23103(a) per 23103.5

Wet reckless (lesser related
offense of VC23152)
no injury

ISS 3; VNL

\$1,170; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

SAC [VC 23600]

FCP if BAC is 08% or above; 12H course if less than .08% or drugs (FCP/12H **mandatory** except in compelling circumstances stated on the record) [VC 23103.5(e)]

Driving under the influence victim impact panel

Do not drive without valid license and liability insurance

Refer to SAAU

VC 23593 advisal (**mandatory**)

May **suspend license not to exceed 30D** [VC 13200]

If suspended, **surrender license** to court (**mandatory**) [VC 13206]

If under 21, **1Y license suspension or delay and surrender license** to court (**mandatory**) [VC 13202.5]

If accident, **2D PSP and restitution to victim**

If drugs, **4th waiver and do not drive a vehicle with any measurable amount of controlled substance in the blood**

Note: Fine amounts assume a referral to SAAU

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$860 NOR MORE THAN \$5,300 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT LESS THAN 5D NOR MORE THAN 90D CUSTODY; **OR** BOTH [VC 23103(c)]
 - MAY SUSPEND LICENSE NOT TO EXCEED 30D AND SURRENDER LICENSE TO COURT [VC 13200 & VC 13206]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
 - VC 23593 ADVISAL
-

VEHICLE CODE

VC 23109(a)
Speed contest
no injury

ISS 3; VNL

\$660; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

5D PSP

**Do not drive without valid license and liability insurance
Classroom-based 16-hour behavior modification (Traffic)
class or Cognitive behavioral therapy**

**Court must review driving record to determine if one or more
prior convictions and shall not strike any priors
(mandatory) [VC 23109.5]**

May order 3M-6M license suspension/restriction*

[VC 13352(a)(8) & VC 23109(e)]

If suspended, surrender license to court (mandatory) [VC 13206]

**If vehicle registered to defendant, may be impounded 1D-30D
[VC 23109(h)]**

*Court may restrict license for necessary travel to and from, or in the course of, employment (require proof of knowledge by employer of restriction), or to and from school. [VC 23109(e)(1)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,720 NOR MORE THAN \$5,200 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT LESS THAN 24H NOR MORE THAN 90D CUSTODY; **OR** BOTH; **PLUS** 40H COMMUNITY SERVICE [VC 23109(e)(1)]
 - REVIEW DRIVING RECORD TO DETERMINE IF ONE OR MORE PRIOR CONVICTIONS AND DO NOT STRIKE PRIORS [VC 23109.5]
 - MAY ORDER 3M-6M LICENSE SUSPENSION/RESTRICTION AND SURRENDER LICENSE TO COURT [VC 13206, VC 13352(a)(8), & VC 23109(e)(1)]
 - IF VEHICLE REGISTERED TO DEFENDANT, MAY BE IMPOUNDED 1D-30D [VC 23109(h)]
-

VEHICLE CODE

VC 23109(a)
Speed contest
no injury
with one prior
(within 5 years)

ISS 3; VNL
48H custody (mandatory) [VC 23109(g)]
\$1,326; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked
Classroom-based 16-hour behavior modification (Traffic) class or Cognitive behavioral therapy
Do not drive without valid license and liability insurance
6M license suspension* and **surrender license** to court
(**mandatory**) [VC 13206, VC 13352(a)(9), & VC 23109(g)]
Court must review driving record to determine if one or more prior convictions and shall not strike any priors
(**mandatory**) [VC 23109.5]

If vehicle registered to defendant, may be **impounded 1D-30D**
[VC 23109(h)]

*In lieu of suspension, court may restrict license for necessary travel to and from, or in the course of, employment (require proof of knowledge by employer of restriction), or to and from school [VC 23109(g)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$2,350 NOR MORE THAN \$5,251 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** NOT LESS THAN 4D NOR MORE THAN 6M CUSTODY [VC 23109(f)(1)]
 - 6M LICENSE SUSPENSION/RESTRICTION AND SURRENDER LICENSE TO COURT. **ILO** SUSPENSION MAY BE RESTRICTED TO AND FROM, OR IN THE COURSE OF, EMPLOYMENT OR SCHOOL [VC 13206, VC 13352(a)(9), & VC 23109(f)(4)]
 - REVIEW DRIVING RECORD TO DETERMINE IF ONE OR MORE PRIOR CONVICTIONS AND DO NOT STRIKE PRIORS [VC 23109.5]
 - IF VEHICLE REGISTERED TO DEFENDANT, MAY BE IMPOUNDED 1D-30D [VC 23109(h)]
-

VEHICLE CODE

VC 23109(a)
Speed contest
with injury

ISS 3; VNL
10D custody
\$1,275; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked
Restitution to victim
Classroom-based 16-hour behavior modification (Traffic) class or Cognitive behavioral therapy
Do not drive without valid license and liability insurance
Court must review driving record to determine if one or more prior convictions and shall not strike any priors
(mandatory) [VC 23109.5]

May **order 3M-6M license suspension/restriction***
[VC 13352(a)(8) & VC 23109(e)]

If suspended, **surrender license** to court **(mandatory)** [VC 13206]
If vehicle registered to defendant, may be **impounded 1D-30D**
[VC 23109(h)]

*Court may restrict license for necessary travel to and from, or in the course of, employment (require proof of knowledge by employer of restriction), or to and from school [VC 23109(e)(1)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$2,299 NOR MORE THAN \$5,200 PLUS \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT LESS THAN 30D NOR MORE THAN 6M CUSTODY; **OR** BOTH [VC 23109(e)(2)]
 - RESTITUTION TO VICTIM
 - REVIEW DRIVING RECORD TO DETERMINE IF ONE OR MORE PRIOR CONVICTIONS AND DO NOT STRIKE PRIORS [VC 23109.5]
 - MAY ORDER 3M-6M LICENSE SUSPENSION/RESTRICTION AND SURRENDER LICENSE TO COURT [VC 13206, VC 13352(a)(8), & VC 23109(e)(1)]
 - IF VEHICLE REGISTERED TO DEFENDANT, MAY BE IMPOUNDED 1D-30D [VC 23109(h)]
-

VEHICLE CODE

VC 23109(a)
Speed contest
with injury
with one prior
(within 5 years)

ISS 3; VNL
30D custody (48H-6M custody **mandatory**) [VC 23109(g)]
\$1,736; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked
Restitution to victim
Do not drive without valid license and liability insurance
6M license suspension* and **surrender license** to court
(**mandatory**) [VC 13206, VC 13352(a)(9), & VC 23109(g)]
Court must review driving record to determine if one or more
prior convictions and shall not strike any priors
(**mandatory**) [VC 23109.5]

If vehicle registered to defendant, may be **impounded 1D-30D**
[VC 23109(h)]

*In lieu of suspension, court may restrict license for necessary
travel to and from, or in the course of, employment (require
proof of knowledge by employer of restriction), or to and from
school [VC 23109(g)]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$2,350 NOR MORE THAN \$5,251 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** NOT LESS THAN 30D NOR MORE THAN 6M CUSTODY [VC 23109(f)(2)]
- RESTITUTION TO VICTIM
- 6M LICENSE SUSPENSION/RESTRICTION AND SURRENDER LICENSE TO COURT. ILO SUSPENSION MAY BE RESTRICTED TO AND FROM, OR IN THE COURSE OF, EMPLOYMENT OR SCHOOL [VC 13206, VC 13352(a)(9), & VC 23109(f)(4)]
- REVIEW DRIVING RECORD TO DETERMINE IF ONE OR MORE PRIOR CONVICTIONS AND DO NOT STRIKE PRIORS [VC 23109.5]
- IF VEHICLE REGISTERED TO DEFENDANT, MAY BE IMPOUNDED 1D-30D [VC 23109(h)]

VC 23109(c)
Exhibition of speed

ISS 1; VNL
\$455; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if
booked
Do not drive without valid license and liability insurance
May suspend license not to exceed 30D [VC 13200]
If suspended, **surrender license** to court (**mandatory**) [VC 13206]

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$3,150 **PLUS** \$154 CJ ADMIN FEE IF BOOKED; **OR** NOT MORE THAN 90D CUSTODY; **OR** BOTH [VC 23109(i)]
 - MAY SUSPEND LICENSE NOT TO EXCEED 30D AND SURRENDER LICENSE TO COURT [VC 13200 & VC 13206]
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VEHICLE CODE

<p>VC 23111 Throwing lighted substance on highway <i>(Infraction)</i></p>	<p>\$490* 1D PSP (litter pick-up or graffiti removal) (mandatory) [VC 42001.7]</p> <p>*No portion of the fine or PSP may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PSP for every \$100 suspended (mandatory) [VC 42001.7]</p> <p>[No probation; fine and PSP is sentence]</p>
<p>VC 23111 Throwing lighted substance on highway with one prior <i>(Infraction)</i></p>	<p>\$2,140* 2D PSP (litter pick-up or graffiti removal) (mandatory) [VC 42001.7]</p> <p>*No portion of the fine or PSP may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PSP for every \$100 suspended (mandatory) [VC 42001.7]</p> <p>[No probation; fine and PSP is sentence]</p>
<p>VC 23111 Throwing lighted substance on highway with two priors <i>(Infraction)</i></p>	<p>\$3,165* 3D PSP (litter pick-up or graffiti removal) (mandatory) [VC 42001.7]</p> <p>*No portion of the fine or PSP may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PSP for every \$100 suspended. (mandatory) [VC 42001.7]</p> <p>[No probation; fine and PSP is sentence]</p>
<p>VC 23136 Person under 21 with BAC .01% or greater – zero tolerance <i>(Infraction)</i></p>	<p>\$490 Abstain from alcohol</p> <p>[No probation; fine and alcohol abstention is sentence]</p>
<p>VC 23140 Person under 21 with BAC .05% <i>(Infraction)</i></p>	<p>\$490 12H FCP (mandatory) [VC 23502(b)(1)] Advise that driving privilege will not be restored until completion of FCP and proof to DMV (mandatory) [VC 23502(d)] 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5 & VC 23502(c)]</p> <p>[No probation; fine, FCP, and license suspension is sentence]</p>

VEHICLE CODE

VC 23152(a), (b), (f), or (g) **ISS 3** (3Y-5Y **mandatory**) [VC 23600]; **VNL \$1,979; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked**
Driving under the influence **3D PSP**

Standard Alcohol Conditions (SAC) (mandatory) [VC 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. If arrested for a violation of VC 23152 or 23153, not refuse to submit to a chemical test of blood, breath, or urine, for the purpose of determining the alcoholic content of blood.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

FCP (mandatory) [VC 23538]

BAC	Minimum length of FCP program
.19% or below	3M
.20% or higher	9M
Test refusal	9M

Advise defendant that driving privilege shall not be restored until completion of FCP and proof to DMV (mandatory)

[VC 23538(b)(3)]

Driving under the influence victim impact panel

VC 23593 **advisal (mandatory)**

Surrender license to court (mandatory) [VC 13550 & VC 23538]

(DMV suspends license; court mandated to collect)

Refer to SAAU [VC 23646]

May order **vehicle impound not more than 6M if** owner [VC 23592]

May require **IID** (not to exceed 3Y) [VC 23575(i)]

If IID ordered, IID advisal (mandatory) [VC 23575(c)]

If BAC .15% or more or if breath or urine test refusal, shall consider additional or enhanced terms and conditions of probation (mandatory)

[VC 23578]. *Consider 2D-7D PSP, treatment, and/or ISS 5*

If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5]

If unlawfully under the influence of or in possession of a controlled substance, 4th Waiver and do not drive with any measurable amount of controlled substances in the blood

If collision, ISS 5, + 2D PSP, and restitution to victim

Driving Under the Influence Special Allegations

Conditions are **In Addition To Other Terms of Probation (mandatory)**

VC 23572 **DUI Child Endangerment – passenger under 14**

48H continuous custody (mandatory)

VC 23577 **DUI breath or urine test refusal**

48H custody (mandatory)

VC 23582 **Reckless driving (30+ MPH freeway; 20+ MPH street)**

60D custody and completion of alcohol or drug education and counseling program (mandatory) except in unusual cases where the interests of justice would be served

VEHICLE CODE

**VC 23152(a), (b), (f), or
(g)**
Driving under the influence
continued

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,850 NOR MORE THAN \$5,350 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** NOT LESS THAN 96H (AT LEAST 48H CONTINUOUS) NOR MORE THAN 6M CUSTODY [VC 23536]
 - VC 23593 ADVISAL
 - SURRENDER LICENSE TO COURT [VC 13550 & VC 23536]
 - SPECIAL ALLEGATIONS:
 - VC 23572 DUI CHILD ENDANGERMENT – PASSENGER UNDER 14, 48H CONTINUOUS CUSTODY
 - VC 23582 RECKLESS DRIVING (30+ MPH FREEWAY; 20+ MPH STREET), 60D CUSTODY
 - MAY REFER TO SAAU [VC 23646]
 - MAY ORDER VEHICLE IMPOUND NOT MORE THAN 6M IF OWNER [VC 23592]
 - IID (NOT TO EXCEED 6M) IF DEFENDANT HAS NOT APPLIED TO DMV FOR RESTRICTED LICENSE [VC 23575.3(h)(1)(A)]
 - IF IID ORDERED, IID ADVISAL [VC 23575.3(a) & VC 23575.3(m)]
 - IF BAC .15% OR MORE, OR IF BREATH OR URINE TEST REFUSAL, SHALL CONSIDER ENHANCED PENALTIES [VC 23578]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
-

VEHICLE CODE

VC 23152 (a), (b), (f) or (g) Driving under the influence with one prior (within 10 years)	ISS 5; VNL 10D custody* (96H mandatory) [VC 23542] \$2,481; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked Standard Alcohol Conditions (SAC) (mandatory) [VC 23600] <ol style="list-style-type: none">1. Not drive with any measurable amount of alcohol in blood.2. If arrested for a violation of VC 23152 or 23153, not refuse to submit to a chemical test of blood, breath, or urine, for the purpose of determining the alcoholic content of blood.3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.4. Not drive without a valid license and proof of insurance. MCP (mandatory) [VC 23542] Advise defendant that driving privilege shall not be restored until completion of MCP and proof to DMV (mandatory) [VC 23542] Driving under the influence victim impact panel VC 23593 advisal (mandatory) Surrender license to court (mandatory) [VC 13550 & VC 23542] (DMV suspends license; court mandated to collect) Refer to SAAU (mandatory) [VC 23646] May order vehicle impound not more than 12M if owner [VC 23592] May require IID (not to exceed 3Y) [VC 23575(i)] If IID ordered, IID advisal (mandatory) [VC 23575(c)] If BAC .15% or more or if breath or urine test refusal, shall consider additional or enhanced terms and conditions of probation (mandatory) [VC 23578] If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] If unlawfully under the influence of or in possession of a controlled substance, 4th Waiver and do not drive with any measurable amount of controlled substances in the blood If collision, + 5D custody and restitution to victim If prior within 5 years pled and proved, 1D-30D vehicle impound (mandatory, except in unusual case where the interests of justice would best be served by not ordering) [VC 23594] If on probation for prior, + 30D custody
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*If considering treatment as condition of probation in lieu of mandatory custody, see VC 23580(c) and *People v. Municipal Court (Hinton)* (1983) 149 Cal.App.3d 951

Driving Under the Influence Special Allegations

Conditions are **In Addition To Other Terms of Probation (mandatory)**

VC 23572 DUI Child Endangerment – passenger under 14

10D custody (mandatory)

VC 23577 DUI breath or urine test refusal

96H custody (mandatory)

VC 23582 Reckless driving (30+ MPH freeway; 20+ MPH street)

60D custody (mandatory)

VEHICLE CODE

VC 23152 (a), (b), (f) or (g)
Driving under the influence
with one prior
(within 10 years)
continued

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,901 NOR MORE THAN \$5,401 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 90D NOR MORE THAN 364D CUSTODY [VC 23540]
 - VC 23593 ADVISAL
 - SURRENDER LICENSE TO COURT [VC 13550 & VC 23540]
 - REFER TO SAAU [VC 23646]
 - SPECIAL ALLEGATIONS:
 - VC 23572 DUI CHILD ENDANGERMENT – PASSENGER UNDER 14, 10D CUSTODY
 - VC 23577 DUI BREATH OR URINE TEST REFUSAL, 96H CUSTODY
 - VC 23582 RECKLESS DRIVING (30+ MPH FREEWAY; 20+ MPH STREET), 60D CUSTODY
 - MAY ORDER VEHICLE IMPOUND NOT MORE THAN 6M IF OWNER [VC 23592]
 - IID 12M [VC 23575.3(h)(1)(B)]
 - IID ADVISAL [VC 23575.3(a)]
 - IF BAC .15% OR MORE, OR IF BREATH OR URINE TEST REFUSAL, SHALL CONSIDER ENHANCED PENALTIES [VC 23578]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
 - IF PRIOR WITHIN 5 YEARS PLED AND PROVED, 1D-30D VEHICLE IMPOUND [VC 23594]
-

VEHICLE CODE

VC 23152(a), (b), (f) or (g)
Driving under the influence
with two priors
(within 10 years)

ISS 5; VNL

120D custody* (mandatory) [VC 23548]

\$2,768; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked
Standard Alcohol Conditions (SAC) (mandatory) [VC 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. If arrested for a violation of VC 23152 or 23153, not refuse to submit to a chemical test of blood, breath, or urine, for the purpose of determining the alcoholic content of blood.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

MCP (mandatory) [VC 23548]

Advise defendant that driving privilege may not be restored until completion of MCP and proof to DMV (mandatory) [VC 23548]

VC 23593 **advisal** (mandatory)

Surrender license (mandatory) [VC 13550 & VC 23548]
(DMV revokes license; court mandated to collect)

Designate as habitual offender for 3Y (mandatory) [VC 23546(b)]

Defendant must sign DMV affidavit acknowledging designation as a habitual traffic offender (mandatory) [VC 13350]

Refer to SAAU (mandatory) [VC 23646]

May order **vehicle impound not more than 12M if** owner [VC 23592]

May require **IID** (not to exceed 3Y) [VC 23575(i)]

If IID ordered, IID **advisal** (mandatory) [VC 23575(c)]

May order **10Y license revocation.** [VC 23597]

If BAC .15% or more or if breath or urine test refusal, shall consider additional or enhanced terms and conditions of probation (mandatory) [VC 23578]

If under 21, **1Y license suspension or delay** and **surrender license** to court (mandatory) [VC 13202.5]

If unlawfully under the influence of or in possession of a controlled substance, **4th Waiver and do not drive with any measurable amount of controlled substances in the blood**

If collision, + **30D custody and restitution to victim**

If priors within 5 years pled and proved, **1D-90D vehicle impound** (mandatory, unless in unusual case where the interests of justice would best be served) [VC 23594]

If on probation for prior, + **30D custody for each prior**

*If considering treatment as condition of probation in lieu of mandatory custody, see VC 23580(c) and *People v. Municipal Court (Hinton)* (1983) 149 Cal.App.3d 951

Driving Under the Influence Special Allegations

Conditions are **In Addition To Other Terms of Probation** (mandatory)

VC 23572 DUI Child Endangerment – passenger under 14

30D custody (mandatory)

VC 23577 DUI breath or urine test refusal

10D custody (mandatory)

VC 23582 Reckless driving (30+ MPH freeway; 20+ MPH street)

60D custody (mandatory)

VEHICLE CODE

VC 23152(a), (b), (f) or (g)
Driving under the influence
with two priors
(within 10 years)
continued

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,901 NOR MORE THAN \$5,401 **PLUS** \$154 CJ ADMIN FEE IF BOOKED **AND** NOT LESS THAN 120D NOR MORE THAN 364D CUSTODY [VC 23546] VC 23593 ADVISAL
 - SURRENDER LICENSE TO COURT [VC 13550 & VC 23546]
 - DESIGNATE AS HABITUAL OFFENDER FOR 3Y [VC 23546(B)]
 - DEFENDANT MUST SIGN DMV AFFIDAVIT ACKNOWLEDGING DESIGNATION AS A HABITUAL TRAFFIC OFFENDER [VC 13350]
 - REFER TO SAAU [VC 23646]
 - SPECIAL ALLEGATIONS:
 - VC 23572 DUI CHILD ENDANGERMENT – PASSENGER UNDER 14, 30D CUSTODY
 - VC 23577 DUI BREATH OR URINE TEST REFUSAL, 10D CUSTODY
 - VC 23582 RECKLESS DRIVING (30+ MPH FREEWAY; 20+ MPH STREET), 60D CUSTODY
 - MAY ORDER VEHICLE IMPOUND NOT MORE THAN 6M IF OWNER [VC 23592]
 - IID 24M [VC 23575.3(h)(l)(C)]
 - IID ADVISAL [VC 23575.3(a) & VC 23575.3(m)]
 - MAY ORDER 10Y LICENSE REVOCATION [VC 23597]
 - IF BAC .15% OR MORE, OR IF BREATH OR URINE TEST REFUSAL, SHALL CONSIDER ENHANCED PENALTIES [VC 23578]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
 - IF PRIORS WITHIN 5 YEARS PLED AND PROVED, 1D-90D VEHICLE IMPOUND [VC 23594]
-

VEHICLE CODE

VC 23153 (a), (b), (f), or (g) **ISS 5; VNL**
DUI with injury **10D-30D custody (5D mandatory)** [VC 23556]
\$2,430; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Restitution to victim

Standard Alcohol Conditions (SAC) (mandatory) [VC 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. If arrested for a violation of VC 23152 or 23153, not refuse to submit to a chemical test of blood, breath, or urine, for the purpose of determining the alcoholic content of blood.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

FCP (mandatory) [VC 23556]

BAC	Minimum length of FCP program
.19% or below	3M
.20% or higher	9M
Test refusal	9M

Advise defendant that driving privilege shall not be restored until completion of FCP and proof to DMV (mandatory) [VC 23556]

Driving under the influence victim impact panel

VC 23593 advisal (mandatory)

Surrender license to court (mandatory) [VC 13550 & VC 23556] (DMV suspends license; court mandated to collect)

Refer to SAAU [VC 23646]

May order **vehicle impound not more than 6M if** owner [VC 23592]

May require **IID** (not to exceed 3Y) [VC 23575(i)]

If IID ordered, IID advisal (mandatory) [VC 23575(c)]

If BAC .15% or more or if breath or urine test refusal, shall consider additional or enhanced terms and conditions of probation (mandatory) [VC 23578]

If under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5]

If unlawfully under the influence of or in possession of a controlled substance, 4th Waiver and do not drive with any measurable amount of controlled substances in the blood

Driving Under the Influence Special Allegations

Conditions are **In Addition To Other Terms of Probation (mandatory)**

VC 23577 DUI breath or urine test refusal

48H continuous custody (mandatory)

VC 23582 Reckless driving (30+ MPH freeway; 20+ MPH street)

60D custody and completion of alcohol or drug education and counseling program (mandatory)

VEHICLE CODE

**VC 23153 (a), (b), (f), or
(g)**
DUI with injury
continued

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,850 NOR MORE THAN \$5,350 PLUS \$154 CJ ADMIN FEE IF BOOKED **AND** NOT LESS THAN 90D NOR MORE THAN 364D CUSTODY [VC 23554]
 - RESTITUTION TO VICTIM
 - VC 23593 ADVISAL
 - SURRENDER LICENSE TO COURT [VC 13550 & VC 23556]
 - SPECIAL ALLEGATIONS:
 - VC 23577 DUI BREATH OR URINE TEST REFUSAL, 48H CONTINUOUS CUSTODY
 - VC 23582 RECKLESS DRIVING (30+ MPH FREEWAY; 20+ MPH STREET), 60D CUSTODY
 - MAY REFER TO SAAU [VC 23646]
 - MAY ORDER VEHICLE IMPOUND NOT MORE THAN 6M IF OWNER [VC 23592]
 - IID 12M [VC 23575.3(h)(2)(A)]
 - IID ADVISAL [VC 23575.3(a) & VC 23575.3(m)]
 - IF BAC .15% OR MORE, OR IF BREATH OR URINE TEST REFUSAL, SHALL CONSIDER ENHANCED PENALTIES [VC 23578]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
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VEHICLE CODE

VC 23153 (a), (b), (f), or (g)
DUI with injury
with one prior
(within 10 years)

ISS 5; VNL

120D custody (30D **mandatory**) [VC 23562]

\$2,481; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked

Restitution to victim

Standard Alcohol Conditions (SAC) (**mandatory**) [VC 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. If arrested for a violation of VC 23152 or 23153, not refuse to submit to a chemical test of blood, breath, or urine, for the purpose of determining the alcoholic content of blood.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

MCP (**mandatory**) [VC 23562]

Advise defendant that driving privilege shall not be restored until completion of MCP and proof to DMV (**mandatory**) [VC 23562]

Driving under the influence victim impact panel

VC 23593 **advisal** (**mandatory**)

Surrender license to court (**mandatory**) [VC 13550 & VC 23562]
(DMV revokes license; court mandated to collect)

Refer to SAAU (**mandatory**) [VC 23646]

May order **vehicle impound not more than 12M** *if* owner [VC 23592]

May require **IID** (not to exceed 3Y) [VC 23575(i)]

If IID ordered, **IID** **advisal** (**mandatory**) [VC 23575(c)]

If BAC .15% or more or *if* breath or urine test refusal, shall consider additional or enhanced terms and conditions of probation (**mandatory**) [VC 23578]

If under 21, **1Y license suspension or delay** and **surrender license** to court (**mandatory**) [VC 13202.5]

If unlawfully under the influence of or in possession of a controlled substance, **4th Waiver and do not drive with any measurable amount of controlled substances in the blood**

If prior within 5 years pled and proved, **1D-30D vehicle impound** (**mandatory**, except where the interests of justice would best be served by not ordering) [VC 23594]

Driving Under the Influence Special Allegations

Conditions are **In Addition To Other Terms of Probation** (**mandatory**)

VC 23577 DUI breath or urine test refusal

96H custody (**mandatory**)

VC 23582 Reckless driving (30+ MPH freeway; 20+ MPH street)

60D custody (**mandatory**)

VEHICLE CODE

VC 23153 (a), (b), (f), or (g)
DUI with injury
with one prior
(within 10 years)
continued

SENTENCING REQUIREMENTS IF PROBATION DENIED:

- TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT LESS THAN \$1,901 NOR MORE THAN \$21,801 PLUS \$154 CJ ADMIN FEE IF BOOKED AND NOT LESS THAN 120D NOR MORE THAN 364D CUSTODY [VC 23560]
 - RESTITUTION TO VICTIM
 - VC 23593 ADVISAL
 - SURRENDER LICENSE TO COURT [VC 13550 & VC 23562]
 - REFER TO SAAU [VC 23646]
 - SPECIAL ALLEGATIONS:
 - VC 23577 DUI BREATH OR URINE TEST REFUSAL, 96H CONTINUOUS CUSTODY
 - VC 23582 RECKLESS DRIVING (30+ MPH FREEWAY; 20+ MPH STREET), 60D CUSTODY
 - MAY ORDER VEHICLE IMPOUND NOT MORE THAN 12M IF OWNER [VC 23592]
 - IID 24M [VC 23575.3(h)(2)(B)]
 - IID ADVISAL [VC 23575.3(a) & VC 23575(m)]
 - IF BAC .15% OR MORE, OR IF BREATH OR URINE TEST REFUSAL, SHALL CONSIDER ENHANCED PENALTIES [VC 23578]
 - IF UNDER 21, 1Y LICENSE SUSPENSION OR DELAY AND SURRENDER LICENSE TO COURT [VC 13202.5]
 - IF PRIOR WITHIN 5 YEARS PLED AND PROVED, 1D-30D VEHICLE IMPOUND [VC 23594]
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VEHICLE CODE

<p>VC 23222(b) Possession of open container of cannabis or cannabis product in vehicle while driving <i>(Infraction)</i></p>	<p>\$490 <i>If</i> under 21, 1Y license suspension or delay and surrender license to court (mandatory) [VC 13202.5] [No probation; fine, and license suspension, if imposed, is sentence]</p>
<p>VC 26708(a) Tinted windows OR material obstructing view <i>(Infraction)</i></p>	<p>\$198* *If proof of correction is provided, may dismiss the charge. \$25 transaction fee applies. [No probation; fine is sentence]</p>
<p>VC 27315(d) Driving without wearing seatbelt <i>(Infraction)</i></p>	<p>\$162* *May order TVS <i>ILO</i> base fine and penalty assessments [VC 27315(h)] [No probation; fine is sentence]</p>
<p>VC 27315(d) Driving without wearing seatbelt with one prior <i>(Infraction)</i></p>	<p>\$295 [No probation; fine is sentence]</p>
<p>VC 27360 Child passenger restraint violation <i>(Infraction)</i></p>	<p>\$490* *Reduce to \$285 if attend Child Safety Seat Class [No probation; fine is sentence]</p>
<p>VC 27360 Child passenger restraint violation with one prior <i>(Infraction)</i></p>	<p>\$1,156* *Reduce to \$659 if attend Child Safety Seat Class [No probation; fine is sentence]</p>

FISH & GAME AND HARBORS & NAVIGATION CODES

FG 7145 Fishing without a license (<i>Infraction</i>)	\$500* *Reduce to \$193 with proof of license valid on date and time of violation <i>or</i> dismiss charge with proof of lifetime sport fishing license or lifetime sportsman's license. [FG 12002.2] [No probation; fine is sentence]
FG 7145 Fishing without a license with one prior (within 5 years) (<i>Infraction</i>)	\$1,115* *Reduce to \$193 with proof of license valid on date and time of violation <i>or</i> dismiss charge with proof of lifetime sport fishing license or lifetime sportsman's license. [FG 12002.2] [No probation; fine is sentence]
HN 655(b) or (c) Boating under the influence	ISS 3; VNL \$1,944; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked 3D PSP Coast Guard boating safety class (mandatory) [HN 668.1] Refer to SAAU May order FCP [HN 668(e)] <i>If</i> collision, + 2D PSP and restitution to victim A conviction of HN 655(b) or (c) constitutes a DUI prior [VC 23620] Note: Fine amounts assume a referral to SAAU. SENTENCING REQUIREMENTS IF PROBATION DENIED: <ul style="list-style-type: none">• TOTAL FINE, INCLUDING FEES AND ASSESSMENTS, NOT MORE THAN \$5,345 PLUS \$154 CJ ADMIN FEE IF BOOKED; OR NOT MORE THAN 6M CUSTODY; OR BOTH [HN 668(e)]• COAST GUARD BOATING SAFETY CLASS [HN 668.1]

**SAN DIEGO MUNICIPAL CODE, METROPOLITAN TRANSIT DISTRICT BOARD,
AND WELFARE & INSTITUTIONS CODES**

<p>SDMC 56.61 Person under 21 consuming alcohol in public <i>(Infraction)</i></p>	<p>\$485* [No probation; fine is sentence] *The fine may not be stayed or suspended [SDMC 56.63]</p>
<p>SDMC 56.61 Person under 21 consuming alcohol in public with one prior (within 1 year) <i>(Infraction)</i></p>	<p>\$895* *The fine may not be stayed or suspended [SDMC 56.63] [No probation; fine is sentence]</p>
<p>MTDB Ord. 2 Trolley fare evasion <i>(Infraction)</i></p>	<p>\$193 [No probation; fine is sentence]</p>
<p>WI 871.5 Bringing firearm into juvenile hall, ranch, or camp</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>WI 1001.5 Bringing firearm into Youth Authority institution or camp</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>WI 8100 Possessing firearm prohibited due to mental disorder or illness</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>WI 8101 Supplying a deadly weapon or firearm to mentally ill person</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>
<p>WI 8103 Possessing firearm prohibited due to mental incompetency or conservatorship</p>	<p>Firearms Advisal, Report, and Relinquishment (mandatory) [PC 29810] Sentencing information not included</p>

PC 1000 AND PC 1210 (PROP 36)

PC 1000 Pretrial Diversion

Penal Code § 1000-1000.4 is a pretrial diversion program (formerly known as Deferred Entry of Judgment) in which the defendant pleads *not* guilty and criminal proceedings are suspended for the defendant to complete a drug education program. The prosecution completes an initial screening for eligibility and the court then decides whether diversion is appropriate (i.e. if defendant is suitable).

If the defendant is eligible and the court has found him/her suitable (consider all relevant information including defendant's prior substance abuse history), the following occurs:

- Defendant **pleads *not* guilty and waives rights to speedy trial, speedy preliminary hearing, and trial by jury** [PC 1000.1(b)].
 - **Criminal proceedings are suspended for 12M-18M** to allow the defendant to successfully complete a qualified drug education program and otherwise complete the diversion period [PC 1000(c) & PC 1000.2(c)].
 - Defendant is **ordered to pay \$125 and ordered to complete a drug education program.**
 - A **Review Hearing** for the court to confirm enrollment in the education program and review the defendant's progress is scheduled by the court in the appropriate department in 60D. Intermediate review hearings may be scheduled by the court, in its discretion.
 - A **Final Review Hearing** for the court to review completion of the program, including payment of fees, and dismissal of the charges is scheduled by the court in the appropriate department in 12M-18M.
 - Defendant **must be advised** that regardless of successful completion of a pretrial diversion program:
 - The arrest upon which the pretrial diversion was based will be disclosed by the DOJ in response to any peace officer application request and that s/he is not relieved of the obligation to disclose the arrest in response to any direct question contained in any questionnaire or application for a position as a peace officer [PC 851.90(b) & PC 1000.4(c)].
 - An order to seal records pertaining to an arrest made pursuant to this section has no effect on a criminal justice agency's ability to access and use those sealed records and information regarding sealed arrests, as described in Section 851.92 [PC 851.90(c) & PC 1000.4(d)].
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PC 1000 AND PC 1210 (PROP 36)

PC 1000
Pretrial Diversion
continued

If it appears defendant is performing unsatisfactorily in the assigned education program, convicted of an offense that reflects propensity for violence, or convicted of a felony, the prosecuting attorney or the court may move to terminate diversion [PC 1000.3(a)]. The court must hold a noticed hearing [PC 1000.3(b)].

If diversion is terminated, further proceedings are scheduled [PC 1000.3(c)].

Upon successful completion of 12M-18M period of diversion, including completion of the assigned education program, no convictions for an offense that reflects the defendant's propensity for violence, no felony convictions, and payment of fees if applicable (see next paragraph), charges are dismissed [PC 1000.3].

Prior to terminating diversion or dismissing the charge(s), the court shall consider the defendant's ability to pay and whether the defendant has paid a diversion restitution fee pursuant to PC 1000.90, if ordered, and has met his or her financial obligation to the program, if any [PC 1000.3 (e)]. Resolution of unpaid fees should be addressed on the record.

Reinstatement to Program: \$50 Diversion Administrative Fee
[PC 1001.16]

Qualifying Offenses [PC 1000(a)]:

HS 11350	HS 11357	HS 11358*
HS 11364	HS 11365	HS 11368*
HS 11375(b)(2)	HS 11377	HS 11550
VC 23222(b)	PC 381	PC 653f(d)*
BP 4060	PC 647(f) (if under influence of controlled substance)	

*If for personal use

PC 1000 AND PC 1210 (PROP 36)

PC 1210
Proposition 36

ISS 3
\$483; plus \$150 PRRF suspended; plus \$154 CJ Admin Fee if booked.
4th Waiver
Up to 12M drug treatment program [PC 1210.1(a)]
Drug testing [PC 1210.1(a)]
Not use or possess any controlled substance without a valid prescription
Defendant to review and sign PC1210.1 Judgment Minutes Addendum [SDSC Form #CRM-244A], **and to be filed in case**

If HS 11350 or 11550, **register per HS 11590**

Set Review Hearing in Appropriate Department.

If court finds defendant successfully completed the treatment program and substantially complied with the conditions of probation, the conviction is set aside and the charges dismissed
[PC 1210.1(e)(1)]

DOMESTIC VIOLENCE OFFENSES

Regardless of the underlying charge of which the person is convicted, if the conduct falls within both the relationship and abuse prongs of Family Code §§ 6211 and 6203, the sentence must be imposed or probation granted pursuant to PC § 1203.097 and the Misdemeanor Domestic Violence “change of plea” form [SDSC Form #CRM-184] (printed on lavender-colored paper) should be used.

The relationship prong includes (Family Code § 6211):

- A spouse or former spouse.
- A cohabitant or former cohabitant, as defined in Section 6209.
- A person with whom the respondent is having or has had a dating or engagement relationship.
- A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12).
- A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected.
- Any other person related by consanguinity or affinity within the second degree.

The abuse prong includes (Family Code § 6203):

1. To intentionally or recklessly cause or attempt to cause bodily injury.
2. Sexual assault.
3. To place a person in reasonable apprehension of imminent serious bodily injury to that person or to another.
4. To engage in any behavior that has been or could be enjoined pursuant to Section 6320:
 - a. molesting
 - b. striking
 - c. stalking
 - d. threatening
 - e. battering
 - f. credibly impersonating as described in Section 528.5 of the Penal Code
 - g. falsely personating as described in Section 529 of the Penal Code
 - h. harassing
 - i. making annoying telephone calls as described in Section 653m of the Penal Code
 - j. destroying personal property
 - k. disturbing the peace of the person

DOMESTIC VIOLENCE OFFENSES

ISS 3; VNL

1D custody – may be satisfied by B&R within one week of sentence
(**mandatory** if not previously booked) [PC1203.097(a)(4)]

\$745 including \$500 domestic violence fund fee*; **plus \$150 PRRF**
suspended; plus \$154 CJ Admin Fee if booked

Restitution to the victim

5D PSP or volunteer work (“specified amount of appropriate
community service” **mandatory**) [PC 1203.097(a)(8)]

52-week DVRP, or if none is available, another appropriate counseling
program designated by the court, for a period not less than one year
(**mandatory**) [PC 1203.097(a)(6)]

CPO (mandatory) [PC 1203.097(a)(2)] [JC Form #CR-160]

Residence exclusion and/or stay away provision, **if** appropriate
(**mandatory**) [PC 136.2(i) & PC 1203.097(a)(2)]

No negative contact (**mandatory**) [PC 1203.097(a)(2)]

Shall consider issuing order restraining defendant for up to 10Y
[PC 136.2(i)(1)]

Shall consider issuing **SAO** from percipient witness, **if** clear and
convincing evidence witness has been harassed by defendant
(**mandatory**) [PC 136.2(i)(2)]

Comply with federal firearms prohibition (may not possess, receive,
ship, or transport any firearm or ammunition.) [18 USC § 922(g)(9)]

Firearms Advisal, Report, and Relinquishment **if** offense listed in
PC 29800 or 29805 (**mandatory**) [PC 29800 & PC 29810]

If PC 245(a)(2), 246, 273.5, or 417(a)(2) with prior(s), lifetime ban
[PC 29800]

Firearms relinquishment (mandatory) for length of CPO **if** CPO issued
but offense not listed in PC 29800 or 29805
[CCP 527.9, Cal. Rules of Court, rule 4.700]

If vandalism:

License suspension not more than 2Y or 1Y-3Y delay and
surrender license to court (**mandatory**) [VC 13202.6]

Consider restitution to Battered Women’s Shelter
