ENDORSED FILED

OCT 2 9 2021

By DEPUTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF SAN MATEO

IN RE: BAIL SCHEDULE

Pursuant to San Mateo County Superior Court Local Rule 9.10(C), Government Code section 68115, and the authority granted by the Judicial Council of California, the San Mateo County Superior Court approves and adopts the following Emergency Bail Schedule effective immediately. This is the same bail schedule that was adopted on June 22, 2020.

San Mateo Superior Court Emergency Bail Schedule

(a) Purpose

Notwithstanding any other law, this order establishes an Emergency Bail Schedule, to promulgate uniform handling of certain offenses during the state of emergency related to the COVID-19 pandemic in the County of San Mateo.

(b) Mandatory application

This bail schedule shall apply to every accused person arrested and held in pretrial custody.

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(c) Setting of bail and exceptions

Under this Emergency Bail Schedule, bail for all misdemeanor and felony offenses shall be set at \$250, with the exception of only the offenses listed below:

- (1) A serious felony, as defined in Penal Code section 1192.7(c), or a violent felony, as defined in Penal Code section 667.5(c);
- (2) A felony violation of Penal Code section 69;
- (3) A violation of Penal Code section 166(c)(1);
- (4) A violation of Penal Code section 136.1 when punishment is imposed under section 136.1(c);
- (5) A violation of Penal Code section 236.1;
- (6) A violation of Penal Code section 262;
- (7) A violation of Penal Code sections 243(e)(1) or 273.5;
- (8) A violation of Penal Code section 273.6 if the detained person made threats to kill or harm, has engaged in violence against, or has gone to the residence or workplace of, the protected party;
- (9) A violation of Penal Code section 422 where the offense is punished as a felony;
- (10) A violation of Penal Code section 646.9;
- (11) A violation of an offense listed in Penal Code section 290(c);
- (12) A violation of Vehicle Code sections 23152 or 23153;
- (13) A felony violation of Penal Code section 463; and
- (14) A violation of Penal Code section 29800.

(d) Ability to deny bail

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

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(e) Application of countywide bail schedule in effect on March 15, 2020

- (1) The countywide bail schedule of the San Mateo County Superior Court that was in effect on March 15, 2020, shall remain in effect for all offenses listed in exceptions (1) through (14) of the Emergency Bail Schedule, including any court-specific conduct enhancements and any status enhancements.
- (2) This court retains the authority to reduce the amount of bail listed in the court's countywide bail schedule in effect on March 15, 2020, for offenses in exceptions (1) through (14), or for any offenses not in conflict with the Emergency Bail Schedule.
- (3) If a person was released on or after April 10, 2020, on reduced bail pursuant to Emergency Rule 4 of the Judicial Council of California, or by agreement between the San Mateo County Sheriff and District Attorney on pretrial supervision terms and conditions, and that person is arrested for a new offense, violation of probation, or violation of supervision terms, bail shall be set pursuant to the countywide bail schedule of the San Mateo County Superior Court that was in effect on March 15, 2020.

(f) Bail for violations of post-conviction supervision

- (1) Under this Emergency Bail Schedule, bail for all violations of misdemeanor probation, whether the arrest is with or without a bench warrant, shall be set at \$0.
- (2) Bail for all violations of felony probation, parole, post-release community supervision, or mandatory supervision, shall be set in accord with this Emergency Bail Schedule, or for the bail amount in the court's countywide schedule of bail for charges listed in exceptions (1) through (14), including any enhancements.

(g) Reservation to set, modify or increase bail

Any judicial officer of the San Mateo County Superior Court may set, modify or increase bail in any case, as authorized by Penal Code section 1269(c).

(h) Duration of rule

This rule will remain in effect until the Court executive committee modifies, amends or revokes it, or December 31, 2021, whichever occurs first.

It is so ORDERED.

Dated: October 29, 2021

LELAND DAVIS III

LELAND DAVIS, III PRESIDING JUDGE