



Roll Call Training Bulletin

Produced by: Sergeant William Conner, PSU
Prepared by: Officer Jeff Kuhlmann, PSU

Katherine Lester, Chief of Police
Volume 101

New Bail Schedule and Procedures

UPDATED 2-25-22

Effective October 1, 2021, bail amounts can increase for arrests depending on a defendant's prior record or status of supervision. For instance, if a defendant has a prior strike conviction and/or is on parole, probation or supervision, their bail can be enhanced. Therefore, officers will need to check an arrestee's record and status of supervision.

Procedure:

1. Officers shall run a defendant's CII number prior to booking the defendant on all felony arrests. Officers may not rely exclusively on KPF, because KPF is unlikely to show a defendant's entire criminal history.
2. When officers make an arrest, they shall confirm that an arrestee has not been released on \$0 bail or O.R. for another crime (see "Bail for arrestees with status" #2).
3. Officers shall write down any strike convictions or current status of supervision (parole, probation, etc.) in the PC Declaration in the booking packet.

Bail amounts based on the defendant's prior record:

1. Bail for any current felony offense in which an arrestee has one prior serious or violent felony conviction (STRIKE), will be set at \$500,000.
 - a. Example: A subject commits a VC 10851, which has \$0 bail per the bail schedule, BUT you see that he has a prior STRIKE conviction for rape, a serious/violent felony, therefore, bail should be set at \$500,000 for the new violation.
2. Bail for any current felony offense in which an arrestee has two prior serious or violent felony convictions is \$1 million.
 - a. Example: A subject commits a VC 10851, which has \$0 bail per the bail schedule, BUT you see that he has 2 prior convictions for rape, a serious/violent felony, therefore, bail should be set at \$1 million on the new violation.
3. Bail for any current offense that is a serious or violent felony, when an arrestee has a prior serious or violent felony conviction, is \$1 million.
 - a. Example: A subject commits a 211 PC (STRIKE) and has a prior 459 PC (first degree) (STRIKE), therefore, bail should be set at \$1 million on the new violation.
4. Bail for a new offense or violation of probation while an arrestee has ten (10) or more documented arrests, citations, and/or bench warrants within the preceding twelve (12) month period for any felony or misdemeanor is \$10,000.



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Bail for arrestees with status:

1. Bail for a subject on felony probation, parole, or any other type of felony supervision, will be set on the underlying supervision case, or the new offense if it triggers a higher bail.
 - a. Example: A subject violates a condition of felony probation that they stay away from a victim's place of work in a stalking case, and the subject is already on probation for, stalking. Therefore, the bail amount for PC 646.9(a) – Stalking is \$50,000, so bail will be set at \$50,000.
2. Bail for a subject who commits a new offense or violation of probation while out on O.R., \$0 bail, or who was released with conditions, bail or bond, is \$10,000.
 - a. Example: A subject commits a VC 10851, which has \$0 bail per the bail schedule, BUT has been released on \$0 bail for another VC 10851. Therefore, the bail amount should be set at \$10,000.
3. Bail for an arrestee who is on pre-trial release or violates terms of pre-trial release, is \$10,000.

Felonies that are Strikes (Note: the list provided below is not exhaustive. Please see PC 667.5 and 1192.7(c) for a complete list):

Violent Felonies (PC 667.5)

1. Murder (attempted murder) or voluntary manslaughter
2. Mayhem
3. Rape / Sodomy / 288(a) or (b)
4. Robbery / Carjacking
5. Arson
6. Felony with GBI or 12022.53
7. Threats to witnesses with 186.22
8. Assault with the intent to commit a specified felony (PC 220)
9. Any felony punishable by death or imprisonment in the state prison for life

Serious Felonies (PC 1192.7(c))

1. Includes all violent felonies
2. Burglary (1st)
3. Assault with deadly weapon on a peace officer
4. Criminal threats (PC 422)
5. Any felony with PC 186.22
6. Discharging firearm at inhabited dwelling, vehicle / aircraft (PC 246)
7. Any felony where defendant personally used a dangerous or deadly weapon
8. Selling, giving, to a minor any heroin, cocaine, phencyclidine (PCP), or methamphetamine
9. Grand theft involving a firearm



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1. HOW TO READ A CII CRIMINAL HISTORY (RAP) SHEET. When reading the rap sheet look only for convictions, not arrests.

459 PC-BURGLARY:SECOND DEGREE
DISPO:DISMISSED

CNT:02
SEE COMMENT FOR CHARGE
*DISPO:CONVICTED
CONV STATUS:FELONY
SEN: 16 YEARS PRISON,FINE,
FINE SS,RESTN
COM: :CHRG 664-211 PC SECOND DEGREE
COM: DCN-PT934002560834000037

2. For adults, any attempted (PC 664) strike offense qualifies as a strike.
3. For juveniles, an attempted strike only qualifies as a strike if:
 - a. the juvenile is 16 or 17 years old at the time the offense was committed **and**
 - b. the strike offense is against a victim who is a member of a protected class (e.g. an elderly or disabled person) **or**
 - c. the crime is attempted murder.

Words Matter

1. Officers are to ensure the use of proper language when completing a probable cause declaration, especially considering bail amounts.
 - a. Note: there is a difference between “no bail” and “zero bail” (\$0). “No bail” is for serious offenses such as murder, meaning that they are ineligible for bail, and they cannot bail out. Zero bail (\$0) means that they get out because they are not required to post any bail.
2. When booking an arrestee on an offense which requires bail, offices are to ensure that they use the specific phrases **“no O.R., no PC 853.6, must post”**- this language will help ensure that the arrestee is kept in-custody until arraignment.

Additional Resources

Please review the associated PowerPoint and Training video prior to completing the jail booking package. From SPD computers, both can be accessed in the “Bail Guidelines Folder” on the SPD “X” Drive, or on The Hub, or by clicking on a hyperlink below:

[Roll Call Training Bulletins 101 - Emergency Bail Schedule Supplemental Video.mp4](#)

[Roll Call Training Bulletins 101 - Emergency Bail Schedule Supplemental Presentation.pptx](#)