

**FILED**

APR - 7 2020

Clerk of Superior Court of California,  
County of Sonoma

By *M. Lemley*  
Deputy Clerk

MEMORANDUM

To: All Court Users  
From: Hon. Bradford Demeo,  
Presiding Judge

Date: April 7, 2020

Re: Emergency Adoption of a Temporary Emergency Bail Schedule

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WHEREAS, There is the ongoing crisis involving the spread of the COVID-19 corona virus; and Emergency Rule 4 was adopted by the Judicial Council of California which set forth a statewide uniform emergency bail schedule of which each trial court is required to adopt by rule no later than April 13, 2020; and the Executive Committee of the Sonoma County Superior Court suspended the Uniform Bail Schedule on Friday April 3, 2020, and adopted a local emergency bail schedule;

Pursuant to Sonoma County Superior Court Local Rule 8.14 the Executive Committee of the Sonoma County Superior Court has taken the following action:

1. The Emergency Bail Schedule adopted and implemented by the Sonoma County Superior Court on Friday April 3, 2020, is hereby vacated;
2. The Uniform Bail Schedule in effect prior to April 3, 2020 shall take effect immediately;
3. The following recitals and bail schedule are adopted and shall be effective at 12:01 a.m. April 13, 2020:

EMERGENCY BAIL SCHEDULE

(a) Purpose

Notwithstanding any other law, this action adopts the statewide Emergency Bail Schedule, which is intended to promulgate uniformity in the handling of certain offenses during the state of emergency related to the COVID-19 pandemic.

(b) Mandatory application

This Schedule applies:

(1) To every accused person arrested and in pretrial custody.

(2) To every accused person held in pretrial custody.

(c) Setting of bail and exceptions

Under the statewide Emergency Bail Schedule, bail for all misdemeanor and felony offenses must be set at \$0, 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 262;

(6) A violation of Penal Code sections 243(e)(1) or 273.5;

(7) 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;

(8) A violation of Penal Code section 422 where the offense is punished as a felony;

(9) A violation of Penal Code section 646.9;

(10) A violation of an offense listed in Penal Code section 290(c);

(11) A violation of Vehicle Code sections 23152 or 23153;

(12) A felony violation of Penal Code section 463; and

(13) 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.

(e) Application of countywide bail schedule

(1) The current countywide bail schedule of each superior court must remain in effect for all offenses listed in exceptions (1) through (13) of the Emergency Bail Schedule, including any count-specific conduct enhancements and any status enhancements.

(2) Each superior court retains the authority to reduce the amount of bail listed in the court's current countywide bail schedule for offenses in exceptions (1) through (13), or for any offenses not in conflict with the Emergency Bail Schedule.

(f) Bail for violations of post-conviction supervision

(1) Under the statewide Emergency Bail Schedule, bail for all violations of misdemeanor probation, whether the arrest is with or without a bench warrant, must be set at \$0.

(2) Bail for all violations of felony probation, parole, post-release community supervision, or mandatory supervision, must be set in accord with the statewide Emergency Bail Schedule, or for the bail amount in the court's countywide schedule of bail for charges of conviction listed in exceptions (1) through (13), including any enhancements.

(g) Sunset of rule

This rule will remain in effect until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council.

The Clerk of the Court shall publish the Emergency Bail Schedule forthwith.

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Hon. Bradford DeMeo,  
Presiding Judge

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Hon. Shelly Averill,  
Assistant Presiding Judge

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Hon. Kenneth Gnos,  
Presiding Judge, Juvenile Court

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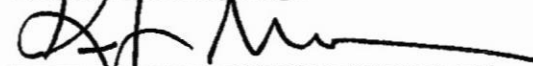
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Hon. Bradford DeMeo,  
Presiding Judge

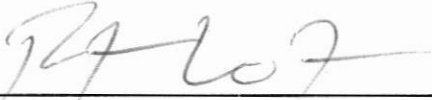
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Hon. Shelly Averill,  
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Hon. Kenneth Gross,  
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Hon. Robert LaForge  
Supervising Judge, Criminal Division

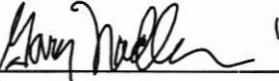


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Hon. Patrick Broderick,  
Supervising Judge, Civil Division

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Hon. James G. Bertoli  
Supervising Judge, Family Law Division



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Hon. Gary Nadler,  
Executive Committee, Member

Assistant Presiding Judge

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Hon. Kenneth Gross,  
Presiding Judge, Juvenile Court

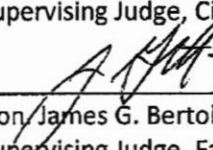
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