

SUPERIOR COURT FOR THE STATE OF CALIFORNIA,  
COUNTY OF NAPA

ORDER OF THE NAPA COUNTY  
SUPERIOR COURT

ORDER RE: REVISED EMERGENCY BAIL  
SCHEDULE EFFECTIVE JUNE 20, 2020

Pursuant to the Judicial Council of California's revocation of Emergency Rule 4, effective June 20, 2020, the Napa County Superior Court adopts the Revised Emergency Bail Schedule attached as Exhibit A. This order and the Revised Emergency Bail Schedule are effective on June 20, 2020, and they may be amended as circumstances require.

Dated: June 19, 2020

  
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Mark Boessenecker, Judge

## Revised Emergency Bail Schedule

Effective June 20, 2020

1. Misdemeanors: Except as described below, misdemeanors shall have bail set at \$0. Presumptively cite and release. Law enforcement to cite defendants 45 days out.
2. Felonies: Except as described below, felonies shall have bail set at \$0. Presumptively cite and release. Law enforcement to cite defendants 45 days out.
3. Exceptions:
  - a. Serious felonies under Penal Code section 1192.7(c) and violent felonies under Penal Code section 667.5(c): No reduction of scheduled bail.
  - b. Violations of Penal Code sections 136.1, 262, and 422: No reduction of scheduled bail.
  - c. Violations of registerable sex offenses listed under Penal Code section 290(c): No reduction of scheduled bail.
  - d. Violations of Penal Code sections 243(e)(1), 273a, 273d, 273.5, 368, 463, 646.9, and 29800: No reduction of scheduled bail.
  - e. Felony Violations of Penal Code section 69: No reduction of scheduled bail.
  - f. Violations of Penal Code section 166(c)(1): No reduction of scheduled bail.
  - g. Violations 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: No reduction of scheduled bail.
  - h. Felony violations of Vehicle Code sections 23152, 23153 and 2800.2: No reduction of scheduled bail.
4. Enhancements: Discretion of court at arraignment
5. Violations of post-conviction supervision:
  - a. Misdemeanor probation: Presumptively cite and release. If bench warrant has been issued, presumptively cite and release after arrest.
  - b. Felony probation, parole, post-release community supervision, or mandatory supervision: Presumptive bail same as bail for substantive charge under this Emergency Bail Schedule. For example, if defendant is on probation for crime that is now a cite and release charge under the Emergency Bail Schedule, they should be cited

and released on the VOP. If bench warrant has been issued, bail should be reduced using the same process.

6. Modification of Bail: The court retains authority to change bail for defendants on a case-by-case basis.
7. Bail Enhancement: Law enforcement may seek bail enhancements, when appropriate, in the usual manner.
8. Further Limitations to Emergency Bail Schedule: If a person was released on or after April 6, 2020, on reduced bail pursuant to Emergency Rule 4 of the Judicial Council of California or by agreement between the Napa County District Attorney and defense counsel, 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 Napa County Superior Court that was in effect on April 6, 2020.
9. Duration: This Emergency Bail Schedule is provisional and will remain in effect until further order of the Court.