

Local Rules of the Superior Court of California, County of Alameda

Title 4. Criminal and Traffic Rules

Chapter 2. Criminal Rules

Rule 4.115 – Emergency Rule Adopting Temporary Emergency Bail Schedule

Pursuant to subsection (b) of Emergency Rule 4 as adopted by the Judicial Council of California (JCC) on April 6, 2020, the Court hereby adopts the JCC Emergency Bail Schedule set forth in Emergency Rule 4, effective April 8, 2020.

In addition to its adoption of the JCC Emergency Bail Schedule, and as permitted under subsection (e)(2) of Emergency Rule 4, the following local Alameda County Superior Court emergency bail schedule is also adopted:

- (1) Infractions: \$0.00
- (2) Violations for failure to comply with terms of felony supervision, including felony probation, parole, or post release community supervision, that do not include the alleged commission of a new offense otherwise provided for in Emergency Rule 4: \$5,000 (unless Emergency Rule 4 mandates setting bail at \$0.00)

Where (i) there is a violation for failure to comply with the terms of felony supervision—including felony probation, parole, or post release community supervision—that is based on the commission of a new offense, and (ii) Emergency Rule 4 mandates setting bail at \$0.00, any peace officer making a bail request pursuant to Penal Code section 1269c must timely comply with Emergency Local Rule 4.116. Only upon timely compliance will the supervision violation based on the commission of a new offense be forwarded to the Probation Department for the completion of a risk assessment.

The Court also clarifies that setting \$0.00 bail is intended to authorize the citation and release of arrestees. It is not the same as declining to set bail or entering a “no bail” order. Accordingly, if necessary for technical reasons, law enforcement agencies may enter a bail amount of \$0.01 in their case management systems for any offense that would otherwise have a bail amount of \$0.00 under Emergency Rule 4 or as indicated above.

Rule 4.115 amended May 21, 2020; previously amended April 22, April 8 and April 3, 2020; adopted effective April 3, 2020.