

Exhibit Tags

DEPT. _____

**SUPERIOR COURT OF
ALAMEDA CO. CALIF.**

Action No. _____

People VS _____

People's Exhibit No. _____

Deft Exhibit No. _____

For Identification _____

In Evidence

Deputy County Clerk

Rev. 09/06

DEPT. _____

**SUPERIOR COURT OF
ALAMEDA CO. CALIF.**

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**SUPERIOR COURT OF
ALAMEDA CO. CALIF.**

Action No. _____

People VS _____

People's Exhibit No. _____

Deft Exhibit No. _____

For Identification _____

In Evidence

Deputy County Clerk

Rev. 09/06

Order to Appear

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ALAMEDA**

ORDER TO APPEAR

NAME _____ DOCKET NO. _____ DEPARTMENT NO. _____

You are hereby ordered to report immediately to the Financial Hearing Officer, First Floor, for a determination of your ability to repay Alameda County for the cost of criminal justice services incurred by you in this action.

FAILURE TO APPEAR BEFORE THE FINANCIAL HEARING OFFICER WILL RESULT IN AN ORDER BEING ISSUED AGAINST YOU FOR THE FULL COST OF SUCH SERVICES.

DATE: _____ JUDGE OF THE SUPERIOR COURT _____

FOR USE BY COURT CLERK

_____ Uncontested court appearances <input type="checkbox"/> PUB DEF <input type="checkbox"/> CRT APPT <input type="checkbox"/> PVT ATTY	\$ _____ Fines ordered
_____ <u>Days in</u> contested court appearances	\$ _____ Restitution ordered
_____ Months of probation granted <input type="checkbox"/> Formal <input type="checkbox"/> Court	_____ To Victim _____ To Central Collections
_____ Days in County jail <input type="checkbox"/> SRS <input type="checkbox"/> WWP	\$ _____ Diversion program ordered \$ _____ Probation Investigation Fee

FORM NO. 216-929 (Rev 1/05)

White: Court File/Canary: Defendants Copy/Pink: FHO Copy

Commit to County Jail

CRM-013

<input type="checkbox"/>	Fremont Hall of Justice 39439 Paseo Padre Parkway, Fremont, CA 94538	<input type="checkbox"/>	East County Hall of Justice 5151 Gleason Drive, Dublin, CA 94568
<input type="checkbox"/>	René C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	<input type="checkbox"/>	Wiley W. Manuel Courthouse 661 Washington Street, Oakland, CA 94607

Case No.: _____
 PFN: _____
 CEN: _____
 Dept. No. _____
 Defendant Ordered to be Booked: _____

COMMITMENT TO COUNTY JAIL

I certify the following to be a true copy of the judgment entered in the Docket on the date herein set forth. It is adjudged that said defendant:

- ☐ Be imprisoned in the Alameda County Jail for the term of _____ days/months with _____ total days credit for time served (actual: _____ days + good time/work time _____ days).

☐ consecutive ☐ concurrent

☐ Forthwith ☐ No County Parole

☐ Report to Santa Rita Jail, 5325 Broder Blvd., Dublin, on _____ at _____
(date) (time)

☐ Report to Glenn E. Dyer Detention Facility, 550 6th Street, Oakland, on _____ at _____
(date) (time)

☐ Report to the Alameda County Sheriff, 2425 E. 12th Street, Oakland, by _____ for:

☐ Weekend Work Program - Date and Time:

☐ To be served: ☐ consecutive weekends ☐ consecutive 48 hour weekends

commencing on: _____ at _____
(date) (time)

☐ Defendant to complete AIDS Education course.

☐ _____

Said order made by: Judge/Commissioner _____

CLERK OF THE SUPERIOR COURT

By _____
Deputy Clerk.

Date _____



Distribution: **Original:** Sheriff's Dept. + **1 copy** if for Weekend Program; **1 copy:** Court File; **1 copy:** Defendant

**Order for Mental
Health Care
CRM-009**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

<input type="checkbox"/> Allen E. Broussard Justice Center 600 Washington Street, Oakland, CA 94607	<input type="checkbox"/> Berkeley Courthouse 2000 Center Street, Berkeley, CA 94704	<input type="checkbox"/> Berkeley Courthouse 2120 Martin Luther King, Jr. Way, Berkeley 94704
<input type="checkbox"/> Fremont Hall of Justice 39439 Paseo Padre Parkway, Fremont, CA 94538	<input type="checkbox"/> Gale/Schenone Hall of Justice 5672 Stoneridge Drive, Pleasanton, CA 94588	<input type="checkbox"/> George E. McDonald Hall of Justice 2233 Shoreline Drive, Alameda, CA 94501
<input type="checkbox"/> Hayward Hall of Justice 24405 Amador Street, Hayward, CA 94544	<input type="checkbox"/> René C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	<input type="checkbox"/> Wiley W. Manuel Courthouse 661 Washington Street, Oakland, CA 94607

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff

vs.

_____, Defendant

Case No.: _____

PFN: _____

CEN: _____

Dept. No.: _____

**ORDER FOR MENTAL HEALTH CARE
PURSUANT TO PENAL CODE
SECTION 4011.6**

Mental Health Referral: It is hereby ordered that the defendant be taken forthwith to be examined and treated at the Criminal Justice Mental Health Clinic, North County Jail and thereafter be returned to this Court.

The above-named defendant, charged with violation of section(s) _____ of the _____ Code, a: ☐ felony ☐ misdemeanor, is being referred for the following reasons (illness, injury or actions): _____

Attachments: ☐ Arrest Report ☐ Other _____

☐ It is further ordered that a legible evaluation of the defendant's mental condition and a recommendation, if any, as to defendant's treatment or custody status be submitted to this Court.

☐ No written report is required.

It is further ordered that the case be continued to the date of _____ at the hour of _____ in Department No. _____.

Return the following documents: _____

Dated: _____

JUDGE OF THE SUPERIOR COURT

(Original: Mental Health)
(Copy: Court)
(Copy: Defense Counsel)

**Certificate of
Magistrate and
Commitment
CRM-003**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

<input type="checkbox"/> Berkeley Courthouse 2120 Martin Luther King, Jr. Way, Berkeley 94704	<input type="checkbox"/> Fremont Hall of Justice 39439 Paseo Padre Parkway, Fremont, CA 94538	<input type="checkbox"/> Gale/Schenone Hall of Justice 5672 Stonedage Drive, Pleasanton, CA 94588
<input type="checkbox"/> George E. McDonald Hall of Justice 2233 Shoreline Drive, Alameda, CA 94501	<input type="checkbox"/> Hayward Hall of Justice 24405 Amador Street, Hayward, CA 94544	<input type="checkbox"/> René C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612
<input type="checkbox"/> Wiley W. Manuel Courthouse 651 Washington Street, Oakland, CA 94607	<input type="checkbox"/>	

THE PEOPLE OF THE STATE OF CALIFORNIA

Case No.: _____

vs.

PFN: _____

CEN: _____

CERTIFICATE OF MAGISTRATE
AND COMMITMENT

Defendant

The attached complaint was filed in this court and a copy delivered to the above-named defendant.

I hereby certify that after the filing of the attached complaint the herein named defendant _____ appeared before me in open court and was duly arraigned; and thereafter defendant appeared before me represented by counsel, to wit: _____ at which time with my consent and the consent of the District Attorney, the defendant in the presence of counsel, pleaded guilty/nolo contendere to the felony offense(s) to wit: _____

☐ Defendant admitted having suffered the _____ prior convictions.

I, therefore, certify this case to the Superior Court of the State of California, in and for the County of Alameda, and order the defendant to appear in Dept. No. _____ on _____ at _____ and further refer this matter to the Probation Department for a report.

☐ It is orally stipulated that defendant waives the 5 day requirement for filing of Probation Report before sentencing.

☐ The Sheriff of the County of Alameda, if the defendant is not now on bail, is commanded to receive the defendant into custody and to detain the defendant until legally discharged. Defendant may be admitted to bail (including penalty assessment) in the sum of \$_____

☐ The defendant is to be continued on: ☐ O.R. ☐ BB \$_____.00 Bond No.: _____

☐ Cash Bail \$_____.00 Check No.: _____

Dated: _____



JUDGE OF THE SUPERIOR COURT

(Original: Court File; Copy: Sheriff or Defendant)

CRM-003 (Rev. 03/04/08)

Misdemeanor Plea

Attachment: VC

23103/23103.5

ALA CR-002C

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF ALAMEDA

MISDEMEANOR PLEA ATTACHMENT: VC 23103 / 23103.5

PEOPLE v. _____ CASE NO.: _____

INSTRUCTIONS: Read this form if you are pleading guilty or no contest to a charge of reckless driving, reduced from charges of driving under the influence. Sign the form only if you fully understand it. If you have any questions about this form, ask your lawyer or the judge. Submit this form with the **Misdemeanor Advisement of Rights, Waiver and Plea** form.

BASIC CONSEQUENCES FOR CONVICTION OF VEHICLE CODE SECTION 23103 / 23103.5		
Offense	Sentence With No Probation	Sentence With Up to 3 Years Probation
VC 23103 as lesser offense to any DUI charge	Jail: 5 to 90 days and/or a fine of \$145 to \$1,000 plus penalty assessments. Serves as prior DUI conviction for 10 years.	Jail: up to 90 days and/or a fine of \$145 to \$1,000 plus penalty assessments. Probation revocation fine suspended. Attendance at alcohol/drug program required unless good cause shown. Serves as prior DUI conviction for 10 years.
BASIC CONSEQUENCES FOR CONVICTION OF VEHICLE CODE SECTION 23152 (a) and (b)		
Offense	Sentence With No Probation	Sentence With 3 to 5 Years Probation
Second DUI offense within 10 years	Jail: 90 days to 12 months. Fine: \$390 to \$1,000 plus penalty assessments. DMV suspends license 24 months; surrender license to court.	Jail: Either 96 hours (in minimum 48-hour blocks) or 10 days, to 12 months jail. Fine: \$390 to \$1,000 plus penalty assessments. Probation revocation fine (\$100 to \$1,000) suspended. Mandatory completion of alcohol/drug program for minimum 18 to 30 months. DMV suspends license 24 months; surrender license to court.
BASIC CONSEQUENCES FOR CONVICTION OF VEHICLE CODE SECTION 23152 (a) and (b)		
Offense	Sentence With No Probation	Sentence With 3 to 5 Years Probation
Third DUI offense within 10 years	Jail (120 days to 12 months). Fine: \$390 to \$1,000 plus penalty assessments. DMV revokes license 36 months; surrender license to court.	Option A: Same jail term and fine as no probation, plus Probation revocation fine (\$100 to \$1,000) suspended. Option B: Jail: 30 days to 12 months. Fine: \$390 to \$1,000 plus penalty assessments. Probation revocation fine (\$100 to \$1,000) suspended. Mandatory completion of alcohol/drug program for minimum 18 to 30 months. DMV revokes license 36 months; surrender license to court.

MISDEMEANOR PLEA ADDENDUM: VC 23103 / 23103.5

PROSECUTING ATTORNEY'S STATEMENT ON REDUCTION OF CHARGES

The following facts show that the consumption of an alcoholic beverage and/or ingestion or administration of drugs was involved in the offense(s) charged in this case: _____

The reason(s) for the reduction of the charges involved in this case are as follows:

☐ Problems of Proof ☐ Another Offense is More Properly Charged ☐ Interest of Justice

The facts which lead to this conclusion are these: _____

Date: _____

(SIGNATURE OF PROSECUTING ATTORNEY)

1. **DMV Actions Separate:** I understand that the DMV may restrict, suspend, or revoke my license, require completion of a drinking driver program and the installation of an ignition interlock device as a result of my arrest or conviction, even if the court does not require it. I understand that these actions are additional to and separate from actions taken by the court. I understand that, if suspended or revoked, my driving privilege will not be restored unless I have provided proof satisfactory to the DMV that I have successfully completed the required drinking driver program and proof of financial responsibility.
2. **DUI Danger:** I understand that being under the influence of alcohol or drugs or both impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, I can be charged with murder. (VC 23593)
3. **If I Was Under 21:** I understand that if I was under 21 at the time of my arrest, the DMV will suspend my license (or delay its issuance) for 1 year, and I must surrender my license to the court. (VC 13202.5)

I have read and I understand all of the information on these two pages.

Date: _____

(SIGNATURE OF DEFENDANT)

Misdemeanor Plea
Attachment: DUI
Penalties
ALA CR-002B

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF ALAMEDA

MISDEMEANOR PLEA ATTACHMENT: DUI PENALTIES

PEOPLE v.: _____ CASE NO.: _____

INSTRUCTIONS: Read this form if you are pleading guilty or no contest to charges of driving under the influence. Sign the form only if you fully understand it. If you have any questions about this form, ask your lawyer or the judge. Submit this form with the **Misdemeanor Advisement of Rights, Waiver and Plea** form.

BASIC CONSEQUENCES FOR CONVICTION OF VEHICLE CODE SECTION 23152 (a) and (b)		
Offense	Sentence With No Probation	Sentence With 3 to 5 Years Probation
First DUI Offense within 10 years	Jail: 96 hours to 6 months. Fine: \$390 to \$1,000 plus penalty assessments. DMV suspends license 6-10 months; surrender license to court.	Jail: 48 hours (optional) to 6 months. Fine: \$390 to \$1,000 plus penalty assessments. Probation revocation fine (\$100 to \$1,000) suspended. Mandatory completion of alcohol/drug program for minimum 3 or 9 months. DMV suspends license 6-10 months; surrender license to court.
Second DUI Offense within 10 years	Jail: 90 days to 12 months. Fine: \$390 to \$1,000 plus penalty assessments. DMV suspends license 24 months; surrender license to court.	Jail: Either 96 hours (in minimum 48-hour blocks) or 10 days to 12 months jail. Fine: \$390 to \$1,000 plus penalty assessments. Probation revocation fine (\$100 to \$1,000) suspended. Mandatory completion of alcohol/drug program for minimum 18 to 30 months. DMV suspends license 24 months; surrender license to court.
Third DUI Offense within 10 years	Jail: 120 days to 12 months. Fine: \$390 to \$1,000 plus penalty assessments. DMV revokes license 36 months; surrender license to court. Declared a habitual traffic offender for 36 months.	Jail: 120 days to 12 months. Fine: \$390 to \$1,000 plus penalty assessments. Probation revocation fine (\$100 to \$1,000) suspended. DMV revokes license 36 months; surrender license to court. Declared a habitual traffic offender for 36 months. Mandatory completion of alcohol/drug program for minimum 18 to 30 months (if not already completed).
Fourth DUI Offense within 10 years	Prison (16, 24 or 36 months) or jail (6-12 months). Fine: \$390 to \$1,000 plus penalty assessments. DMV revokes license 48 months; surrender license to Court. Declared a habitual traffic offender for 36 months.	Jail: 6-12 months. Fine: \$390 to \$1,000 plus penalty assessments. Probation Revocation fine (\$100 to \$1,000) suspended. DMV revokes license 48 months; surrender license to Court. Optional alcohol/drug program for minimum 18 or 30 months with jail term of 30 days to 12 months. Declared a habitual traffic offender for 36 months.
BASIC CONSEQUENCES FOR CONVICTION OF VEHICLE CODE SECTION 23153 (a) and (b)		
Offense	Sentence With No Probation	Sentence With 3 to 5 Years Probation
First Offense within 10 years	Jail: 90 days to 12 months. Fine: \$390 to \$1,000 plus penalty assessments. DMV suspends license 12 months; surrender license to court.	Jail: 5 days to 12 months. Fine: \$390 to \$1,000 plus penalty assessments. Probation revocation fine (\$100 to \$1,000) suspended. Mandatory completion of minimum 3-9 month alcohol/drug program. DMV suspends license 12 months; surrender license to Court.
Second DUI Offense within 10 years	Prison (16, 24 or 36 months) or jail (120 days to 12 months). Fine: \$390 to \$5,000 plus penalty assessments. DMV revokes license 36 months; surrender license to court.	Option A: Same jail term and fine as no probation, plus Probation revocation fine (\$100 to \$1,000) suspended. Option B: Jail: 30 days to 12 months. Fine: \$390 to \$1,000 plus penalty assessments. Probation revocation fine (\$100 to \$1,000) suspended. Mandatory completion of alcohol/drug program for minimum 18 to 30 months. DMV revokes license 36 months; surrender license to court.

MISDEMEANOR PLEA ADDENDUM: DUI PENALTIES

1. **Commercial Licenses:** I understand that special provisions of the Vehicle Code apply if I held a commercial driver's license when the offense was committed.
2. **Impound:** I understand that if I am the registered owner of the vehicle used in this offense, the court may impound the vehicle at my own expense for up to 30 days on my first conviction; unless good cause is otherwise shown, I understand that the court must impound the vehicle at my own expense for up to 30 days if this is my second offense within 5 years, and must impound the vehicle for up to 90 days at my own expense if this is my third offense within 5 years. (VC 23592)
3. **Vehicle Sale:** I understand that the court may declare the vehicle I drove in committing this offense to be a nuisance and order that it be sold if I committed any of the following violations: Penal Code sections 191.5 or 192(c)(3); Vehicle Code section 23152 that occurred within 7 years of two or more separate offenses of Vehicle Code sections 23152 or 23153 or Penal Code sections 191.5 or 192(c)(3); Vehicle Code section 23153 that occurred within 7 years of one or more separate offenses of Vehicle Code sections 23152 or 23153 or Penal Code sections 191.5 or 192(c)(3). (VC 23596)
4. **Ignition Interlock:** I understand that the DMV will require that I install an ignition interlock device on any vehicle I own or operate for up to 4 years, that such a device will prevent the vehicle from starting if I have alcohol in my body, and that I am responsible for the expense of properly maintaining that device. I also understand that installation of this device does not authorize me to drive without a valid license. (VC 23700)
5. **If I Was Under 21:** I understand that if I was under 21 at the time of my arrest, the DMV will suspend my license (or delay its issuance) for 1 year, and I must surrender my license to the court. (VC 13202.5)
6. **Refusal Or High Blood Alcohol:** I understand that if my blood alcohol was .15 percent or above, or if I refused to submit to a chemical test, the court will consider this in determining whether to increase the penalties, grant probation, or impose additional terms of probation. (VC 23577, 23578)
7. **Passenger Under 14:** I understand that if I had a passenger under 14 years of age at the time I committed the offense the court must add 48 continuous hours in jail to a first conviction for Vehicle Code section 23152. I also understand that the court must add 10 days jail if I have one prior conviction within 10 years for violating Vehicle Code sections 23152 or 23153; 30 days jail for two prior convictions; and 90 days jail for three prior convictions. (VC 23572)
8. **Speeding:** I understand that if I was driving recklessly 30 or more miles per hour above the speed limit on a freeway (or 20 or more miles per hour above the speed limit on any other street or highway) while committing a violation of Vehicle Code section 23152 or 23153, the court will add 60 days jail to my sentence. If this is my first offense, the court will require me to complete an alcohol/drug program even if I am not given probation. (VC 23582)
9. **DMV Actions Separate:** I understand that the DMV may restrict, suspend, or revoke my license, require completion of a drinking driver program and the installation of an ignition interlock device as a result of my arrest or conviction, even if the court does not require it. I understand that these actions are additional to and separate from actions taken by the court. I understand that, if suspended or revoked, my driving privilege will not be restored unless I have provided proof satisfactory to the DMV that I have successfully completed the required drinking driver program and proof of financial responsibility.
10. **DUI Danger:** I understand that being under the influence of alcohol or drugs or both impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, I can be charged with murder. (VC 23593)

I have read and I understand all of the information on these two pages.

Date: _____



(SIGNATURE OF DEFENDANT)

Misdemeanor Plea
Attachment: VC 14601
Penalties
ALA CR-002A

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF ALAMEDA

MISDEMEANOR PLEA ATTACHMENT: VC 14601 PENALTIES

PEOPLE v. _____ CASE NO.: _____

INSTRUCTIONS: Read this form if you are pleading guilty or no contest to charges of driving with a suspended, revoked or restricted license. Sign the form only if you fully understand it. If you have any questions about this form, ask your lawyer or the judge. Submit this form with the **Misdemeanor Advisement of Rights, Waiver and Plea** form.

SENTENCES FOR DRIVING IN VIOLATION OF A LICENSE SUSPENSION, REVOCATION OR RESTRICTION		
Vehicle Code Section	First Offense	Second or Subsequent Offense; Prior Convictions Within 5 Years of Sections 14601, 14601.1, 14601.2 or 14601.5
14601	Jail: 5 days to 6 months. Fine: \$300 to \$1,000 plus penalty assessments.	Jail: 10 days to 12 months; 10 days jail mandatory with probation. Fine: \$500 to \$2,000 plus penalty assessments.
14601.1	Jail: Maximum 6 months. Fine: \$300 to \$1,000 plus penalty assessments.	Jail: 5 days to 12 months. Fine: \$500 to \$2,000 plus penalty assessments.
14601.2	Jail: 10 days to 6 months; 10 days jail mandatory with probation. Fine: \$300 to \$1,000 plus penalty assessments. Ignition Interlock Device required.	Jail: 30 days to 12 months; 30 days jail mandatory with probation. Fine: \$500 to \$2,000 plus penalty assessments. Ignition Interlock Device required.
14601.2 as Habitual Traffic Offender	If I have been designated as a habitual traffic offender within three (3) years of this conviction, I will be sentenced to serve an additional 180 days jail and pay an additional \$2,000 fine plus penalty assessments. [VC 14601.3 (e)(3)]	
14601.5	Jail: Maximum 6 months. Fine: \$300 to \$1,000 plus penalty assessments.	Jail: 10 days to 12 months; 10 days jail mandatory with probation. Fine: \$500 to \$2,000 plus penalty assessments. Note: Vehicle Code section 14601.3 also constitutes a prior conviction for this offense.
Section	First Offense	Second or Subsequent Offense; Prior Convictions Within 7 Years of Section 14601.3
14601.3	Jail: 30 days. Fine: \$1,000 plus penalty assessments.	Jail: 180 days. Fine: \$2,000 plus penalty assessments.
SENTENCE FOR DRIVING WITHOUT A VALID LICENSE [VEHICLE CODE SECTION 12500(a)]		
Jail: Maximum 6 months. Fine: Maximum \$1,000 plus penalty assessments.		

MISDEMEANOR PLEA ATTACHMENT: VC 14601 PENALTIES

1. **Impound:** I understand that if I am the registered owner of the vehicle used in this offense, the court may impound the vehicle at my own expense for up to 180 days on my first conviction, and up to 12 months for a subsequent conviction. (VC 14602.5, 23592)
2. **Ignition Interlock:** I understand that if I am convicted of violating Vehicle Code section 14601.2 or sections 14601, 14601.1 or 14601.5 as a lesser offense to a charge of section 14601.2, the court must order that I install an ignition interlock device on any vehicle I own or operate for up to 3 years, that such a device will prevent the vehicle from starting if I have alcohol in my body, and that I am responsible for the expense of properly maintaining that device. I also understand that installation of this device does not authorize me to drive without a valid license. (VC 23575)
3. **DMV Actions Separate:** I understand that the DMV may restrict, suspend, or revoke my license, require completion of a drinking driver program and the installation of an ignition interlock device as a result of my arrest or conviction. I understand that these actions are additional to and separate from actions taken by the court.
4. **Vehicle Sale:** I understand that, if I am the registered owner of the vehicle that I drove in committing this offense, the court may declare the vehicle to be a nuisance and order that it be sold if I have been previously convicted of violating Vehicle Code sections 12500(a), 14601, 14601.1, 14601.2, 14601.3, 14601.4 or 14601.5. (VC 14607.6)

I have read and I understand all of the information on these two pages.

Date: _____



(SIGNATURE OF DEFENDANT)

**Misdemeanor
Advisement of Rights,
Waiver and Plea Form
ALA CR-002**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

PEOPLE v. _____ CASE NO.: _____

MISDEMEANOR ADVISEMENT OF RIGHTS, WAIVER AND PLEA FORM

INSTRUCTIONS: Fill out this form if you wish to plead guilty or no contest to the charge(s) against you. **Initial each item** in the boxes to the right if you fully understand and agree with the corresponding statement. If you have any question about the rights you are giving up or the possible consequences of a conviction, ask your attorney or the judge.

CONSTITUTIONAL RIGHTS AND WAIVERS

1. **Right to an attorney:** I understand I have the right to be represented by an attorney throughout the proceedings. If I cannot afford to hire an attorney, the court will appoint one to represent me at public expense. I understand that there are dangers and disadvantages to giving up my right to an attorney, and that it is almost always unwise to represent myself.

1

1a. I give up my right to an attorney, and I choose to represent myself. *(Does not apply if you have an attorney.)*

1a

2. **Right to a jury trial:** I understand I have the right to a speedy, public jury trial. At the trial, I would be presumed innocent, and could not be convicted unless 12 impartial jurors were convinced of my guilt beyond a reasonable doubt.

2

2a. I give up the right to a jury trial.

2a

3. **Right to confront witnesses:** I understand I have the right to confront and cross-examine all witnesses testifying against me.

3

3a. I give up the right to confront and cross-examine witnesses.

3a

4. **Right against self-incrimination:** I understand I have the right to remain silent and not incriminate myself, but that by pleading guilty or no contest, or admitting prior convictions or probation violations, I am incriminating myself.

4

4a. I give up the right against self-incrimination.

4a

5. **Right to produce evidence:** I understand I have the right to present evidence in my own defense at trial, and to have the court issue subpoenas to bring into court witnesses and evidence favorable to me.

5

5a. I give up the right to present evidence in my own defense.

5a

6. *(If applicable)* I give up my right to be sentenced and treated pursuant to Proposition 36.

6

7. **Right to appeal:** I give up my right to appeal from this conviction, including an appeal from the denial of any pretrial motions.

7

8. **Prior convictions, enhancements and probation violations:** *(If applicable)* I understand I have all the rights listed above for all the charges against me, including any charged prior convictions and probation violations. However, for a charge of violating probation, I do not have the right to a jury trial, although I do have the right to a hearing before a judge.

8

**Waiver on Plea of
Guilty/No Contest
(Felony)**

CRM-001

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

THE PEOPLE OF THE STATE OF CALIFORNIA,

No. _____

Plaintiff,

**WAIVER ON PLEA OF GUILTY/NO CONTEST
(FELONY)**

vs.

(Date of Birth: _____)

Defendant

Initial eac

1. My true full name is: _____

1.

and I am represented by attorney: _____

2. I am charged with: _____

2.

_____ and

I am pleading guilty/no contest to: _____

CONSTITUTIONAL RIGHTS3. **Right to an attorney:** I understand that I have the right to be represented by an attorney at all stages of the proceedings, and that if I cannot afford to hire an attorney the Court will provide one for me at public expense.

3.

4. **Right to a jury trial:** I understand that I have the right to a speedy and public trial by jury, but that by entering a plea of guilty or no contest, I will be giving up this right.

4.

4a. I give up my right to a speedy and public trial by jury.

4a.

5. **Right to confront witnesses:** I understand that I have the right to confront the witnesses against me, which includes the right to cross-examine them myself through my attorney, but that by entering a plea of guilty or no contest, I will be giving up this right.

5.

5a. I give up my right to confront the witnesses against me.

5a.

6. **Right to produce evidence:** I understand that I have the right to present evidence in my own defense at trial, including the right to testify in my own behalf and to use the subpoena power of the Court to compel the attendance of witnesses who could testify for me, but that by entering a plea of guilty or no contest, I will be giving up this right.

6.

6a. I give up my right to present evidence in my own defense.

6a.

7. **Right against self-incrimination:** I understand that I have the right to remain silent and cannot be compelled to testify or say anything that might incriminate me, but that by entering a plea of guilty or no contest, I will be giving up this right.

7.

7a. I give up my right to remain silent.

7a.

**Order to Surrender
Firearms in Domestic
Violence Case
CR-162**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

STREET ADDRESS: 24405 AMADOR STREET

MAILING ADDRESS: 24405 AMADOR STREET

CITY AND ZIP CODE: HAYWARD, CA 94544

BRANCH NAME: HAYWARD HALL OF JUSTICE

FOR COURT USE ONLY

PEOPLE OF THE STATE OF CALIFORNIA

VS.

DEFENDANT:

ORDER TO SURRENDER FIREARMS IN DOMESTIC VIOLENCE CASE
(CLETS - CPO)
(Penal Code, §§ 136.2(a)(7)(B))

CASE NUMBER:

PERSON TO SURRENDER FIREARMS (*complete name*):Sex: ☐ M ☐ F Ht.: Wt.: Hair color: Eye color: Race: Age: Date of birth:

- This proceeding was heard
on (*date*): at (*time*): in Dept.: Room:
by judicial officer (*name*):
- This order expires on (*date*): . If no date is listed, this order expires three years from date of issuance.
- ☐ Defendant was personally served with a copy of this order at the court hearing, and no additional proof of service of this order is required.

GOOD CAUSE APPEARING, THE COURT ORDERS THAT THE ABOVE-NAMED DEFENDANT

- must not own, possess, buy or try to buy, receive or try to receive, or otherwise obtain a firearm or ammunition. The defendant must surrender to local law enforcement, or sell to or store with a licensed gun dealer, any firearm owned by the defendant or subject to his or her immediate possession or control within 24 hours after service of this order and must file a receipt with the court showing compliance with this order within 48 hours of receiving this order.
☐ The court finds good cause to believe that the defendant has a firearm within his or her immediate possession or control and sets a review hearing for (*date*): to ascertain whether the defendant has complied with the firearm relinquishment requirements of Code Civ. Proc., § 527.9. (Cal. Rules of Court, rule 4.700.)
☐ The court has made the necessary findings and applies the firearm relinquishment exemption under Code Civ. Proc., § 527.9(f). The defendant is not required to relinquish this firearm (*specify make, model, and serial number of firearm*):

Executed on:

(DATE)

(SIGNATURE OF JUDICIAL OFFICER)

Department/Division:

WARNINGS AND NOTICES

This order is effective as of the date it was issued by the judicial officer and expires as ordered in item 2.

This order is to be used ONLY when the court orders firearms relinquishment but does not make any other protective or restraining orders. Do NOT use in conjunction with other Criminal Protective Orders (form CR-160 or CR-161).

NOTICE REGARDING FIREARMS. Any person subject to a protective order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. The person subject to these orders must relinquish any firearms (by surrendering the firearm to local law enforcement, or by selling or storing it with a licensed gun dealer) and not own or possess any firearms during the period of the protective order. (Pen. Code, § 136.2(d).) Under federal law, the issuance of a protective order after hearing will generally prohibit the restrained person from owning, accepting, transporting, or possessing firearms or ammunition. A violation of this prohibition is a separate federal crime.

Specified defendants may request an exemption from the firearm relinquishment requirements stated in item 4 of this order. *The court must check the box under item 4 to order an exemption from the firearm relinquishment requirements.* If the defendant can show that the firearm is necessary as a condition of continued employment, the court may grant an exemption for a particular firearm to be in the defendant's possession only during work hours and while traveling to and from work. If a peace officer's employment and personal safety depend on the ability to carry a firearm, a court may grant an exemption that allows the officer to carry a firearm on or off duty, but only if the court finds, after a mandatory psychological examination of the peace officer, that the officer does not pose a threat of harm. (Code Civ. Proc., § 527.9(f).)

**Notice of Termination
of Protective Order in
Criminal Proceeding
CR-165**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

STREET ADDRESS: 5151 Gleason Drive
 MAILING ADDRESS: 5151 Gleason Drive
 CITY AND ZIP CODE: Dublin, CA 94568
 BRANCH NAME: East County Hall of Justice

FOR COURT USE ONLY

PEOPLE OF THE STATE OF CALIFORNIA

VS.

DEFENDANT:

**NOTICE OF TERMINATION OF PROTECTIVE ORDER
 IN CRIMINAL PROCEEDING**

(Penal Code, §§ 136.2, 136.2(i)(1), 273.5(j), 368(f), 646.9(k), and 1203.097(a)(2))

CASE NUMBER:

**NOTICE: THIS TERMINATION ORDER DOES NOT TERMINATE ANY EXISTING
 FAMILY, JUVENILE, OR PROBATE COURT ORDERS.**

ORDER

1. THE COURT ORDERS:

Effective (*today's date*): _____, the Protective Order in the above-entitled case and issued on (*date*):
 restraining (*name of restrained person*): _____
 listing as protected person(s): _____

is terminated.

2. This termination order supersedes all prior protective orders in the above-entitled case.

3. The court or its designee must ensure that this order is electronically transmitted to the Department of Justice within one business day by either (*check one*)

- a. ☐ transmitting a physical copy of the order to a local law enforcement agency authorized by the Department of Justice to enter orders into the California Law Enforcement Telecommunications System (CLETS)
 b. ☐ entering the order into CLETS directly, but only with the approval of the Department of Justice.

4. ☐ The prosecuting agency is to notify the protected person(s) of this order.

Executed on:

(DATE)

(SIGNATURE OF JUDICIAL OFFICER)

Department/Division:

**Criminal Protective
Order-Other than
Domestic Violence
Case**

CR-161

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 5151 Gleason Drive MAILING ADDRESS: 5151 Gleason Drive CITY AND ZIP CODE: Dublin, CA 94568 BRANCH NAME: East County Hall of Justice	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA VS. DEFENDANT:	
CRIMINAL PROTECTIVE ORDER—OTHER THAN DOMESTIC VIOLENCE (CLETS - CPO) (Pen. Code, §§ 136.2, 136.2(i)(1), and 646.9(k)) <input type="checkbox"/> ORDER UNDER PENAL CODE, § 136.2 <input type="checkbox"/> MODIFICATION ORDER UNDER: <input type="checkbox"/> PENAL CODE, § 136.2(i)(1) <input type="checkbox"/> PENAL CODE, § 646.9(k)	
CASE NUMBER:	

PERSON TO BE RESTRAINED (complete name): _____

Sex: ☐ M ☐ F Ht.: _____ Wt.: _____ Hair color: _____ Eye color: _____ Race: _____ Age: _____ Date of birth: _____

1. This proceeding was heard on (date): _____ at (time): _____ in Dept.: _____ Room: _____
by judicial officer (name): _____
2. **This order expires on (date): _____ . If no date is listed, this order expires three years from date of issuance.**
3. ☐ Defendant was personally served with a copy of this order at the court hearing, and no additional proof of service of this order is required.
4. **FULL NAME, AGE, AND GENDER OF EACH PROTECTED PERSON:**

5. ☐ The court has information that the defendant owns or has a firearm or ammunition, or both.

GOOD CAUSE APPEARING, THE COURT ORDERS THAT THE ABOVE-NAMED DEFENDANT

6. must not harass, strike, threaten, assault (sexually or otherwise), follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movements of the protected persons named above.
7. **must not own, possess, buy or try to buy, receive or try to receive, or otherwise obtain a firearm or ammunition. The defendant must surrender to local law enforcement, or sell to or store with a licensed gun dealer any firearm owned by the defendant or subject to his or her immediate possession or control within 24 hours after service of this order and must file a receipt with the court showing compliance with this order within 48 hours of receiving this order.**

☐ The court has made the necessary findings and applies the firearm relinquishment exemption under Code Civ. Proc., § 527.9(f). The defendant is not required to relinquish this firearm (specify make, model, and serial number of firearm): _____

8. must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person.
9. must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardian unless good cause exists otherwise. ☐ The court finds good cause not to make the order in item 9.
10. ☐ must be placed on electronic monitoring for (specify length of time): _____ . (Not to exceed one year from the date of this order. Pen. Code, § 136.2(a)(1)(G)(iv), and Pen. Code, § 136.2(i)(2).)
11. ☐ must have no personal, electronic, telephonic, or written contact with the protected persons named above.
12. ☐ must have no contact with the protected persons named above through a third party, except an attorney of record.
13. ☐ must not come within _____ yards of the protected persons named above.
14. ☐ may have peaceful contact with the protected persons named above, as an exception to the "no-contact" or "stay-away" provision in item 11, 12, or 13 of this order, only for the safe exchange of children and court-ordered visitation as stated in:
 - a. ☐ the Family, Juvenile, or Probate court order in case number: _____ issued on (date): _____
 - b. ☐ any Family, Juvenile, or Probate court order issued after the date this order is signed.
15. ☐ The protected persons may record any prohibited communications made by the restrained person.
16. Other orders including stay-away orders from specific locations:

Executed on: _____ (DATE) _____ (SIGNATURE OF JUDICIAL OFFICER) Department/Division: _____

**Criminal Protective
Order- Domestic
Violence
CR-160**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

STREET ADDRESS: 5151 Gleason Drive

MAILING ADDRESS: 5151 Gleason Drive

CITY AND ZIP CODE: Dublin, CA 94568

BRANCH NAME: East County Hall of Justice

FOR COURT USE ONLY

PEOPLE OF THE STATE OF CALIFORNIA

VS.

DEFENDANT:

CRIMINAL PROTECTIVE ORDER—DOMESTIC VIOLENCE

(CLETS - CPO) (Pen. Code, §§ 136.2, 1203.097(a)(2),
136.2(i)(1), 273.5(j), 368(f), and 646.9(k))☐ ORDER UNDER PENAL CODE, § 136.2 ☐ MODIFICATION☐ PROBATION CONDITION ORDER (Pen. Code, § 1203.097)ORDER UNDER: ☐ PENAL CODE, § 136.2(i)(1) ☐ PENAL CODE, § 273.5(j)☐ PENAL CODE, § 368(f) ☐ PENAL CODE, § 646.9(k)

CASE NUMBER:

This Order May Take Precedence Over Other Conflicting Orders; See Item 4 on Page 2.PERSON TO BE RESTRAINED (*complete name*):Sex: ☐ M ☐ F Ht.: Wt.: Hair color: Eye color: Race: Age: Date of birth:

1. This proceeding was heard on (date): at (time): in Dept.: Room:
by judicial officer (name):
2. **This order expires on (date): . If no date is listed, this order expires three years from date of issuance.**
3. ☐ Defendant was personally served with a copy of this order at the court hearing, and no additional proof of service of this order is required.
4. **FULL NAME, AGE, AND GENDER OF EACH PROTECTED PERSON:**
5. ☐ For good cause shown, the court grants the protected persons named above the exclusive care, possession, and control of the following animals:
6. ☐ The court has information that the defendant owns or has a firearm or ammunition, or both.
- GOOD CAUSE APPEARING, THE COURT ORDERS THAT THE ABOVE-NAMED DEFENDANT**
 7. must not harass, strike, threaten, assault (sexually or otherwise), follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movements of the protected persons named above.
 8. **must not own, possess, buy or try to buy, receive or try to receive, or otherwise obtain a firearm or ammunition. The defendant must surrender to local law enforcement, or sell to or store with a licensed gun dealer any firearm owned by the defendant or subject to his or her immediate possession or control within 24 hours after service of this order and must file a receipt with the court showing compliance with this order within 48 hours of receiving this order.**
 - ☐ The court finds good cause to believe that the defendant has a firearm within his or her immediate possession or control and sets a review hearing for (date): to ascertain whether the defendant has complied with the firearm relinquishment requirements of Code Civ. Proc., § 527.9. (Cal. Rules of Court, rule 4.700.)
 - ☐ The court has made the necessary findings and applies the firearm relinquishment exemption under Code Civ. Proc., § 527.9(f). The defendant is not required to relinquish this firearm (*specify make, model, and serial number of firearm*):
 9. must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person.
 10. must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardian unless good cause exists otherwise. ☐ The court finds good cause not to make the order in item 10.
 11. ☐ must be placed on electronic monitoring for (*specify length of time*): (Not to exceed 1 year from the date of this order. Pen. Code, § 136.2(a)(1)(G)(iv) and Pen. Code, § 136.2(i)(2).)
 12. ☐ must have no personal, electronic, telephonic, or written contact with the protected persons named above.
 13. ☐ must have no contact with the protected persons named above through a third party, except an attorney of record.
 14. ☐ must not come within yards of the protected persons and animals named above.
 15. ☐ must not take, transfer, sell, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals described in item 5.
 16. ☐ may have peaceful contact with the protected persons named above, as an exception to the "no-contact" or "stay-away" provision in item 12, 13, or 14 of this order, only for the safe exchange of children and court-ordered visitation as stated in:
 - a. ☐ the Family, Juvenile, or Probate court order in case number: issued on (date):
 - b. ☐ any Family, Juvenile, or Probate court order issued *after* the date this order is signed.
 17. ☐ The protected persons may record any prohibited communications made by the restrained person.
 18. ☐ Other orders including stay-away orders from specific locations:

Executed on:

(DATE)

(SIGNATURE OF JUDICIAL OFFICER)

Department/Division:

Page 1 of 2

WARNINGS AND NOTICES

1. **VIOLATION OF THE ORDER IS SUBJECT TO CRIMINAL PROSECUTION.** Violation of this protective order may be punished as a misdemeanor, a felony, or a contempt of court. Taking or concealing a child in violation of this order may be a felony and punishable by confinement in state prison, a fine, or both. Traveling across state or tribal boundaries with the intent to violate the order may be punishable as a federal offense under the Violence Against Women Act, 18 U.S.C. § 2261(a)(1) (1994).
2. **NOTICE REGARDING FIREARMS.** Any person subject to a protective order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. The person subject to these orders must relinquish any firearms (by surrendering the firearm to local law enforcement, or by selling or storing it with a licensed gun dealer) and not own or possess any firearms during the period of the protective order. (Pen. Code, § 136.2(d).) Under federal law, the issuance of a protective order after hearing will generally prohibit the restrained person from owning, accepting, transporting, or possessing firearms or ammunition. A violation of this prohibition is a separate federal crime.

Specified defendants may request an exemption from the firearm relinquishment requirements stated in item 8 on page 1 of this order. *The court must check the box under item 8 to order an exemption from the firearm relinquishment requirements.* If the defendant can show that the firearm is necessary as a condition of continued employment, the court may grant an exemption for a particular firearm to be in the defendant's possession only during work hours and while traveling to and from work. If a peace officer's employment and personal safety depend on the ability to carry a firearm, a court may grant an exemption that allows the officer to carry a firearm on or off duty, but only if the court finds, after a mandatory psychological examination of the peace officer, that the officer does not pose a threat of harm. (Code Civ. Proc., § 527.9(f).)

3. ENFORCING THIS ORDER IN CALIFORNIA

- This order must be enforced in California by any law enforcement agency that has received the order or is shown a copy of the order or has verified its existence on the California Law Enforcement Telecommunications System (CLETS).
- Law enforcement must determine whether the restrained person had notice of the order. If notice cannot be verified, law enforcement must advise the restrained person of the terms of the order and, if the restrained person fails to comply, must enforce it. (Fam. Code, § 6383.)

4. CONFLICTING ORDERS-PRIORITIES FOR ENFORCEMENT

If more than one restraining order has been issued, the orders must be enforced according to the following priorities:

- a. *Emergency Protective Order:* If one of the orders is an Emergency Protective Order (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders. (Pen. Code, § 136.2(c)(1)(A).)
- b. *No-Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
- c. *Criminal Order:* If none of the orders include a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- d. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

5. CERTIFICATE OF COMPLIANCE WITH VIOLENCE AGAINST WOMEN ACT (VAWA).

This protective order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994). This court has jurisdiction over the parties and the subject matter, and the restrained person has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in each jurisdiction throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, and shall be enforced as if it were an order of that jurisdiction.

6. EFFECTIVE DATE AND EXPIRATION DATE OF ORDERS

- These orders are effective as of the date they were issued by a judicial officer.
- These orders expire as ordered in item 2 on page 1 of this order, or as explained below.
- Orders under Penal Code section 136.2(a) are valid as long as the court has jurisdiction over the case. They are not valid after imposition of a county jail or state prison commitment. (See *People v. Stone* (2004) 123 Cal.App.4th 153.)
- Orders issued under Penal Code sections 136.2(i)(1), 273.5(j), 368(l), and 646.9(k) are valid for up to 10 years and may be issued by the court whether the defendant is sentenced to state prison, county jail, or or subject to mandatory supervision or if imposition of sentence is suspended and the defendant is placed on probation.
- Orders under Penal Code section 1203.097(a)(2) are probationary orders, and the court has jurisdiction as long as the defendant is on probation.
- To terminate this protective order, courts should use form CR-165, *Notice of Termination of Protective Order in Criminal Proceeding (CLETS)*.

7. CHILD CUSTODY AND VISITATION

- Child custody and visitation orders may be established or modified in Family, Juvenile, or Probate court.
- Unless box a or b in item 16 on page 1 is checked, contact between the restrained and protected persons permitted by a Family, Juvenile, or Probate court order for child custody or visitation must not conflict with the provisions of this order.
- If box a or b in item 16 on page 1 is checked, the restrained and protected persons should always carry a certified copy of the most recent child custody or visitation order issued by the Family, Juvenile, or Probate court.

Fingerprint Form

CR-100

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 5151 Gleason Drive MAILING ADDRESS: 5151 Gleason Drive CITY AND ZIP CODE: Dublin, CA 94568 BRANCH NAME: East County Hall of Justice	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA VS. DEFENDANT:	
FINGERPRINT FORM	CASE NUMBER:

INSTRUCTIONS

In any case in which the defendant is charged with a felony, the court must require the defendant to provide a right thumbprint on this form. Unless the court has obtained the thumbprint at an earlier proceeding, it must do so at the arraignment on the information or indictment, or upon entry of a guilty or no contest plea under Penal Code section 859a. In the event the defendant is convicted, this form is to be attached to the minute order reflecting the defendant's sentence and is permanently maintained in the court file. Please see Penal Code section 992 for further information, including what to do when the defendant is physically unable to give a right thumbprint.

For a proper imprint and durable record, this form should be printed on paper that meets California Department of Justice specifications: a 99-pound white tab card or 100-pound white tab stock 0.0070 inch thick (0.0066 through 0.0074 inch is acceptable). Paper smoothness should be 100–140 Sheffield units. The form should be printed with the grain left to right.

1. The box to the right contains the defendant's

- a. ☐ right thumbprint
- b. ☐ other print (*specify*):

2. The print was taken on (*date*):

3. The print was taken by

- a. Name:
- b. Position:
- c. Badge or serial number:

Terms and Conditions

Conditional Sentence

CR-024

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Agency _____

Defendant: _____
Charge(s): _____

Case No. _____
Court Date: _____

- ☐ Imposition of sentence is suspended. ☐ Execution of sentence is suspended.
☐ Defendant is placed on Conditional Sentence for a period of _____ years / months. Defendant is subject to the following terms and conditions:

JAIL COMMITMENT

- ☐ Serve _____ days / months of said probationary period in the Alameda County Jail.
☐ Credit for time served: _____ Total days (actual: _____ days + good time/work time _____ days).
☐ Defendant is remanded ☐ No County Parole ☐ Commencing forthwith.
☐ Sentence to run: ☐ Concurrent to any other sentence. ☐ Consecutive to sentence in case # _____
☐ Execution of sentence stayed until _____
☐ Defendant is to surrender on _____ at _____
☐ Through Weekend Work Program (SWAP-Sheriff's Weekend Alternative Program).
☐ Surrender day and time: _____ Release day and time: _____
☐ Weekends, commencing _____ and _____ weekends thereafter.
☐ Referred to ESP-Electronic Surveillance Program / Electronic Monitoring.
☐ Said jail sentence is suspended pending the successful completion of probation.
☐ Defendant is released from custody, this action only.

STANDARD CONDITIONS

- OBEY ☐ Obey all laws and be of good conduct.
EMP ☐ Seek and maintain regular employment or attend school or job training.
ADD ☐ Report any change of address to the Court within 7 days in writing.
DNC ☐ Do not change your place of residence, employment, school, or training without approval of the Court.
MTN ☐ Always use your true name, address, and birth date.
RTC ☐ Report to Court when ordered to do so.
M4 ☐ 4 Way Search. Submit to warrantless search and seizure by any law enforcement officer at any time of the day or night, including: person, place of residence, vehicle, and any property under your control.
M3 ☐ 3 Way Search. Submit to warrantless search and seizure by any law enforcement officer at any time of the day or night, including: person, vehicle or any property under your control.

DRUG CONDITIONS

- NDG ☐ Do not own, use, possess or in any way traffic in narcotics or dangerous drugs, and do not associate with any persons using or in any way trafficking in narcotics or dangerous drugs.
SRT ☐ Submit to random drug testing.

EDUCATION / TREATMENT / REGISTRATION

- ECT ☐ Participate in education, counseling, treatments or tests as required by this Court.
AEC ☐ Attend Aids Education classes.
SAT ☐ Submit to AIDS testing pursuant to Penal Code section 1202.1
296 ☐ Submit to Blood and Saliva testing pursuant to Penal Code section 296.
DVC ☐ Referred to Domestic Violence Counseling. Attend and complete _____ weeks of classes.
RDVC ☐ Re-Refered to Domestic Violence Counseling. Attend and complete _____ weeks of classes.
AMC ☐ Enroll/attend and complete _____ weeks of Anger Management counseling/classes.
EAC ☐ Enroll/attend and complete _____ weeks of _____ counseling/classes.
Register as an offender: ☐ Sex (PC 290) ☐ Arson (PC 457.1) ☐ Gang (PC 186.30) ☐ Drug (HS 11590)

RESTRAINING / STAY AWAY ORDERS

- NCP ☐ No contact with the person _____, residence, school and/or place of employment.
CPO ☐ Comply with Protective Order as ordered by the Court.
SAF ☐ Stay at least _____ yards away from _____
SAA ☐ Stay away from the address of _____
HAM ☐ Do not harass, annoy or molest _____

ALCOHOL / DRIVING CONDITIONS

- DDV ☐ Do not drive a motor vehicle with any measurable amount of alcohol in your blood, breath or urine.
- DDA ☐ Do not drink alcoholic beverages. ☐ To Excess ☐ Until 21 years old
- DUIS ☐ Attend & complete the Driving Under the Influence School: ☐ 12 Hour ☐ 3 Month ☐ 6 Month ☐ 9 Month
- DDP ☐ Attend and complete Drinking Driver Program: ☐ 18 Month ☐ 30 Month
- APP ☐ Attend an alcohol/drug program / 12-Step Program at least _____ times per week and provide proof to the Court.
- ASP ☐ Attend and complete other school / program _____
- SAD ☐ Submit to alcohol detection tests as requested by a peace officer.

DRIVER'S LICENSE

- DDL ☐ Do not drive any motor vehicle unless lawfully licensed and insured.
- DLR ☐ Driver's privilege and license is restricted by the Court for _____ months except that defendant is authorized to drive to and from _____ in the course of employment.
- DLS ☐ Driver's privilege and license is suspended / revoked by the Court for _____ months / years.
- SLC ☐ Surrender Driver's License to the Court. License to be: ☐ Sent to DMV ☐ held at Court
- IID ☐ Ignition Interlock Device (IID) ordered for _____ months. Do not drive a vehicle unless IID installed.
- IMP ☐ Car is impounded ☐ _____ days ☐ Suspended

RESTITUTION

- PRV ☐ Restitution is to be paid in the amount of \$ _____ to: ☐ Victim _____ /Court
☐ Restitution is to be paid through Central Collections ☐ on or before _____
- ☐ Proof of payment (receipt) must be provided to Court by _____
- RDC ☐ Restitution to be determined by the Court (PC 1202.4(f)). RES ☐ Restitution reserved.

FINES / FEES

- PF ☐ Pay fine of \$ _____
- COA ☐ Pay Court Operations Assessment of \$ _____ (PC 1465.8(a)(1))
- LAF ☐ Pay Criminal Lab Analysis fee of \$ _____ (HS 11372.5).
- BWS ☐ Pay to Battered Women's Shelter \$ _____
☐ \$ _____ seized at the time of arrest is ordered: ☐ Applied to fine/fees ☐ Forfeited
- PS ☐ Payment of \$ _____ is suspended for _____ months.
- RF ☐ Pay restitution fine in the amount of \$ _____ (PC 1202.4).
- CCA ☐ Pay a Criminal Conviction Assessment fee of \$ _____ (GC 70373).
- DPF ☐ Pay Drug Program fee of \$ _____ (HS 11372.7).
- DVF ☐ Pay Domestic Violence fee of \$ _____ (PC 1203.097(a)(5)).
- AEF ☐ Pay Alcohol Education fee of \$ _____
- PVRF ☐ Probation Violation Revocation Restitution fine in the amount of \$ _____ suspended (PC 1202.44)
- Pay all fines and fees: ☐ Forthwith ☐ On or before _____
☐ Directly to the Court ☐ through Central Collections

FURTHER CONDITIONS

- FDW ☐ Do not own, use, or possess any firearm or other dangerous or deadly weapon ☐ for 10 years (PC 12021)
- WOD ☐ Weapon is ordered destroyed (*specify type*): _____
- PVS ☐ Perform _____ hours/days volunteer services for any non-profit agency to be completed by _____ or with a Progress Report on _____ ☐ In lieu of fine.
- ☐ Defendant is excused by Court if: ☐ Fine/Fees are paid as directed above
☐ Restitution paid and proof submitted ☐ Proof of volunteer work is submitted.

FC _____

☐ See Attached ☐ Continued to: _____ Time: _____ Dept.: _____ Proc: _____

I understand and agree to perform these conditions of probation and understand that if I fail to do so, my probation may be revoked and I may be sentenced to jail.

Date _____ Signature _____ Phone # _____

Mailing Address _____ City _____ State _____ Zip Code _____

Terms and Conditions

Probation

CR-021

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Defendant: _____
Charge(s): _____

Case No. _____
Court Date: _____

- ☐ Execution of prison sentence is suspended; **FORMAL PROBATION** for a period of _____ years is granted, during which time the defendant is placed under the care, custody and control of the Probation Officer of Alameda County, subject to the terms and conditions as indicated below.
- ☐ Imposition of sentence is suspended; **FORMAL PROBATION** for a period of _____ years is granted, during which time the defendant is placed under the care, custody and control of the Probation Officer of Alameda County, subject to the terms and conditions as indicated below.
- ☐ Upon release from custody, or today if no additional custody time is imposed, you will be placed on **MANDATORY SUPERVISION** for a period of _____ days / months / years, or until otherwise ordered by the court, during which time you will be placed under the care, custody and control of the Probation Officer of Alameda County, subject to the terms and conditions as indicated below.

JAIL COMMITMENT

- ☐ Serve the first _____ days / months / year of said **PROBATIONARY** period in the **ALAMEDA COUNTY JAIL**.
 - ☐ Serve the first _____ days / months / years of your **SPLIT SENTENCE** in the **ALAMEDA COUNTY JAIL** pursuant to Penal Code Section 1170(h)(5).
 - ☐ Credit for time served: _____ Total days (actual: _____ days plus good time/work time _____ days)
 - ☐ Not eligible for county parole.
 - ☐ Defendant is remanded into the custody of the Sheriff of Alameda County.
 - ☐ Released from custody, this action only.
- Referred to: ☐ Work Furlough ☐ ESP/Electronic Monitoring ☐ Weekender Work Program

STANDARD CONDITIONS

- RPO** ☐ Report forthwith (or immediately upon release from custody) to the Probation Officer and thereafter as directed by the Probation Officer and follow all directives of Probation Officer.
- OBEY** ☐ Obey all laws of the community and be of good conduct.
- FEMP** ☐ Seek and maintain regular employment and/or schooling; if change of employment or residence, notify Probation Office of any change.
- FTN** ☐ If arrested, give true name, correct address and accurate birthdate to arresting officer and report in writing to Probation Officer within 7 days of said arrest.
- FLEA** ☐ Do not leave the State of California without permission from Probation.
- F4** ☐ Submit to search and seizure by any Probation Officer or any other law enforcement officer at any time of the day or night with or without a search warrant, including: vehicle, residence, person or any other property under your control.
- ESC** ☐ Electronic Search Clause: _____

DRUG CONDITIONS

- NDG** ☐ Do not use, possess or in any way traffic in narcotics or dangerous drugs, and do not associate with any persons using or in any way trafficking in narcotics or dangerous drugs.
- FECT** ☐ Submit to such education, counseling, treatments or tests as directed by Probation Officer including, but not limited to, urinalysis.

PROHIBITIONS / RESTRICTIONS

- DNA** ☐ Do not associate with _____
- FFDW** ☐ Do not own, use, or possess any firearms, ammunition, or any other deadly or dangerous weapons or explosives.
- TAM** ☐ Do not threaten, annoy, molest, harass or stalk or commit any acts of violence, sexual abuse or harassment against _____
- SAP** ☐ Stay at least _____ yards away from the person, residence, school, and/or place of employment of _____
- SAL** ☐ Stay at least _____ yards away from the following location/area: _____
- RID** ☐ Do not return to the United States illegally, if deported.
- ICC** ☐ Do not possess any identification, checks, credit cards or other instruments of credit in any name other than your own.
- BURG** ☐ Do not own, use or possess burglary tools, jingle keys and spark plugs or their ceramic casings.
- ACL** ☐ Abide by curfew limits set by Probation or Court (10 p.m. to 6 a.m.).

EDUCATION / TREATMENT / REGISTRATION

- BTP** ☐ Satisfactorily complete _____ sessions of Batterers' Treatment Program by _____ (PC 1203.097).
- STP** ☐ Participate in a recognized treatment program for sex offenders (PC 1203.066).
- 296** ☐ Submit to blood/saliva sampling for DNA testing (PC 296).
- SAT** ☐ Submit to AIDS testing (PC 1202.1).
- AEP** ☐ Participate in AIDS Education Program.

Defendant: _____ Case No. _____

Court Date: _____

EDUCATION / TREATMENT / REGISTRATION (continued)

- MHT ☐ Enter or continue mental health treatment, follow all treatment directives of therapist, including taking medication if prescribed, and do not end treatment without permission of therapist, Probation Officer and the Court.
- ☐ Register as an offender: ☐ Sex (PC 290) ☐ Arson (PC 457.1) ☐ Gang (PC 186.30) ☐ Drug (HS 11590)
- FAPP ☐ Attend Narcotics Anonymous / Alcoholics Anonymous / 12-Step Program at least _____ times per week and provide proof to Probation Officer.

ALCOHOL / DRIVING CONDITIONS

- DDA ☐ Do not drink alcoholic beverages
- ☐ Do not drink: **DEX** ☐ alcoholic beverages to excess **D21** ☐ alcoholic beverages until 21 years old
- SBU ☐ Submit to blood, breath or urine testing as directed by Probation Officer or Peace Officer.
- DAS ☐ Do not drive with any amount of alcohol in your system.
- DDL ☐ Do not drive a vehicle unless lawfully licensed and insured.
- DDE ☐ Do not drive a vehicle during period of probation unless in the course of legal verified employment.
- DUIS ☐ Attend & complete: Driving Under the Influence School _____
- DDP ☐ Attend & complete: Drinking Driver Program _____
- FIID ☐ Install an ignition interlock device on any vehicle you own or operate.

GANG CONDITIONS

- GAA ☐ Do not belong to any gang, or act in furtherance of, in association with, or for the benefit of any gang.
- GAM ☐ Do not associate with any person known to you as a gang member; do not frequent areas known by you to be locations where gang members gather and/or gang activity occurs.
- GAC ☐ Do not wear or possess any clothing/item or display any hand signs or insignia with gang significance.
- GAP ☐ Do not possess any graffiti materials, including spray paint, marker pens, and liquid shoe polish.
- GSG ☐ Do not enter school grounds unless enrolled in that school or with prior administrative approval.
- GTP ☐ Do not obtain new tattoos, brands, burns, piercings or voluntary scarring; submit to photographing of existing markings.
- GSA ☐ Stay out of buildings, vehicles and places where any dangerous/deadly weapons, firearms or ammunition are present.

RESTITUTION

- RF ☐ Pay Restitution Fine of \$ _____ (PC 1202.4(b)).
- PVRF ☐ Probation violation revocation restitution fine in the amount of \$ _____ be suspended (PC 1202.44).
- PRV ☐ Pay restitution to victim _____ in the amount of \$ _____ ☐ Payable to victim/court ☐ through Central Collections
- PRP ☐ Pay restitution as determined by the Probation Officer, the Court reserving jurisdiction to review such determination
- RES ☐ Restitution is reserved
- RDC ☐ Restitution to be determined by the Court (PC 1202.4(f)).

FINES / FEES (payable through Probation Officer as directed)

- PF ☐ Pay a fine in the amount of \$ _____
- DPF ☐ Pay Drug Program fee of \$ _____ (HS 11372.7).
- LAF ☐ Pay Criminal Lab Analysis fee of \$ _____ (HS 11372.5).
- DVF ☐ Pay Domestic Violence fee of \$ _____ (PC 1203.097(a)(5)).
- AEF ☐ Pay Alcohol Education fee of \$ _____
- BWS ☐ Pay to Battered Women's Shelter \$ _____
- COA ☐ Pay Court Operations Assessment of \$ _____ (PC 1465.8(a)(1)).
- CCA ☐ Pay Criminal Conviction Assessment of \$ _____ (GC 70373).
- PIF ☐ Pay Probation Investigation fee of \$ _____ (PC1203.1b).
- PSF ☐ Pay Probation Supervision fee of \$ _____ per month (PC1203.1b).
- MSF ☐ Money seized at the time of arrest in the amount of \$ _____ is forfeited.

FURTHER CONDITIONS (FC)

FURTHER ORDERS

- WD ☐ Weapon to be destroyed (PC 12022(b)(3)).
- DPD ☐ Drugs and paraphernalia seized to be destroyed.
- ☐ Continued to: Date: _____ Time: _____ Dept.: _____ Proc: _____

**Order for Mental
Health Care
CRM-009**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

<input type="checkbox"/> Allen E. Broussard Justice Center 600 Washington Street, Oakland, CA 94607	<input type="checkbox"/> Berkeley Courthouse 2000 Center Street, Berkeley, CA 94704	<input type="checkbox"/> Berkeley Courthouse 2120 Martin Luther King, Jr. Way, Berkeley 94704
<input type="checkbox"/> Fremont Hall of Justice 39439 Paseo Padre Parkway, Fremont, CA 94538	<input type="checkbox"/> Gale/Schenone Hall of Justice 5672 Stoneridge Drive, Pleasanton, CA 94588	<input type="checkbox"/> George E. McDonald Hall of Justice 2233 Shoreline Drive, Alameda, CA 94501
<input type="checkbox"/> Hayward Hall of Justice 24405 Amador Street, Hayward, CA 94544	<input type="checkbox"/> René C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	<input type="checkbox"/> Wiley W. Manuel Courthouse 661 Washington Street, Oakland, CA 94607

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff

vs.

_____, Defendant

Case No.: _____

PFN: _____

CEN: _____

Dept. No.: _____

**ORDER FOR MENTAL HEALTH CARE
PURSUANT TO PENAL CODE
SECTION 4011.6**

Mental Health Referral: It is hereby ordered that the defendant be taken forthwith to be examined and treated at the Criminal Justice Mental Health Clinic, North County Jail and thereafter be returned to this Court.

The above-named defendant, charged with violation of section(s) _____ of the _____ Code, a: ☐ felony ☐ misdemeanor, is being referred for the following reasons (illness, injury or actions): _____

Attachments: ☐ Arrest Report ☐ Other _____

☐ It is further ordered that a legible evaluation of the defendant's mental condition and a recommendation, if any, as to defendant's treatment or custody status be submitted to this Court.

☐ No written report is required.

It is further ordered that the case be continued to the date of _____ at the hour of _____ in Department No. _____.

Return the following documents: _____

Dated: _____

JUDGE OF THE SUPERIOR COURT

(Original: Mental Health)

(Copy: Court)

(Copy: Defense Counsel)

Order for O.R./Bail

Status

CRM-014

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

<input type="checkbox"/> Fremont Hall of Justice 39439 Paseo Padre Parkway, Fremont, CA 94538	<input type="checkbox"/> East County Hall of Justice 5151 Gleason Drive, Dublin, CA 94568
<input type="checkbox"/> René C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612	<input type="checkbox"/> Wiley W. Manuel Courthouse 661 Washington Street, Oakland, CA 94607

ORDER RE O.R./BAIL STATUS

THE PEOPLE OF THE STATE OF CALIFORNIA

vs.

DOB: _____

CASE NO. _____

PFN NO. _____

CEN NO. _____

ARREST NO. _____ RPT. NO. _____

OFFENSE(S) _____

By Order of JUDGE _____ Dept. No. _____

☐ Defendant is Released on Own Recognizance ☐ Bail is Set in the Amount of _____

AND DEFENDANT SHALL APPEAR IN DEPT. NO. _____ on _____, at _____, for _____

AT THE FOLLOWING COURT LOCATION: _____

Dated: _____ By: _____ Title: _____

AGREEMENT TO APPEAR AND OBEY CONDITIONS (If Applicable)

An Order having been made by the above entitled court releasing me on my own recognizance, I hereby agree:

☐ 1. That I will appear at all times and places as ordered by any court or magistrate. That I will not depart this State without leave of the Court. That if I fail to appear and am apprehended outside the State of California, I hereby waive extradition. I understand that any court of competent jurisdiction may revoke this order of release and either return me to custody or require that I give bail or other assurance for my appearance. I further understand that if I fail to appear when required to do so by the Court I may be charged with the additional crime checked below, to wit:

☐ a MISDEMEANOR, violation of Section 1320(a) PC. I further understand that punishment following conviction is imprisonment in the county jail not exceeding six months, or by fine not exceeding One Thousand Dollars (\$1000) or by both.

☐ a FELONY, violation of Section 1320(b) PC. I further understand that punishment following conviction is by fine not exceeding Five Thousand Dollars (\$5000), or imprisonment in state prison, or in the county jail for not more than one year, or by both such fine and imprisonment.

☐ a. Submit to _____ treatment at _____
(Drug, Alcohol, Psychiatric, Other) (Name of Program)

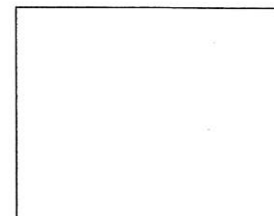
☐ b. Have no contact with: _____

☐ c. Not to threaten, annoy or molest _____

☐ d. Not use or possess any () alcohol; () narcotics or unprescribed drugs; () weapons.

☐ e. Be of good conduct and obey all laws.

☐ f. _____



Right Thumb Print

Dated: _____ Defendant's Signature _____

Address _____ City _____ State _____ Phone _____

Name of Witness to Signature: _____ Title of Witness: _____

(Jailer, Marshal, Clerk)