

## KINGS COUNTY UNIFORM MISDEMEANOR BAIL SCHEDULE

*January 2006*

### DEFINITIONS

The following terms and/or abbreviations used in this schedule are deemed to have the meaning/interpretations indicated:

**SHERIFF/AGENT** – The Sheriff or authorized deputies, and/or correctional officers are authorized pursuant to G.C. 72301 to accept bail pursuant to the Bail Schedule approved by the Courts.

**INS** – Immigration and Naturalization Service, U.S. Government (also called “BIN” Bureau of Immigration and Naturalization, U.S. Government).

**INS HOLD/BIN HOLD** – A holding order requiring detention of a prisoner under INS or BIN authority.

**HOLD 6 HRS O.R.** – Detain the prisoner six (6) hours, then release upon his written promise to appear on a date/time certain in the appropriate court. The jailer is permitted reasonable discretion with regard to the six (6) hour “holding period”, that is, in cases where the prisoner is still intoxicated or is behaving in a rude and/or belligerent manner the “holding period” may be extended by a reasonable amount of time. Likewise, if the prisoner is sober and is conducting himself/herself reasonably, the jailer may reasonably reduce the “holding period.” At anytime a prisoner may be released to a responsible person after a reasonable “holding period.”

**INTOXICATED** – Shall mean an individual who is, in the reasonable opinion of the jailer, sufficiently under the influence of alcohol, or a combination of alcohol and drugs, or drugs, that his/her faculties are substantially impaired. The jailer shall be permitted reasonable latitude in exercising his discretion in determining who is “intoxicated” as herein defined.

**O.R.** – The prisoner is to be released from custody upon signing a “Written Promise to Appear” on a date/time certain in the appropriate court and upon providing the jailer with proof of identity reasonably satisfactory to the jailer. In all cases where the prisoner is either 1) unable to provide proof of identity reasonably satisfactory to the jailer and/or 2) is subject to an INS or BIN or PAROLE HOLD, then in such event, the prisoner shall be detained until he/she can be brought before the magistrate of an appropriate court at said Court’s next regularly scheduled Criminal Calendar.

No prisoner who is, in the reasonable opinion of the jailer, 1) intoxicated and/or 2) conducting himself/herself in a rude, threatening or belligerent manner, shall be released from custody either on bail or O.R., until ALL of said conditions are no longer present.

**PAROLE HOLD** – Shall mean an order issued under the authority of the California Adult Authority, the California Youth Authority, the California Narcotic Addict Evaluation Authority, a County Probation Department, or other State/County agency having authority to issue such Orders, requiring detention of a prisoner pursuant to such Orders. It shall be the responsibility of the jailer to insure that such “HOLDS” are issued and maintained currently in strict compliance with the issuing authority’s requirements concerning such “HOLDS”.

**FAILURE TO APPEAR** – Prisoners with outstanding Failures to Appear; O.R. bail is revoked, and bail is \$10,000.00

**PROBATION CITATION RELEASE** – Any person detained by either a Bench Warrant or Bail set on a new arrest in an amount not exceeding \$10,000.00 may be, after the Probation Department reviews the defendant’s record and elements of the arrest, released by citation.

Persons who were arrested on warrants will be scheduled to appear in the appropriate court no later than two weeks. New arrests will be scheduled no later than 30 calendar days.