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9 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

10 PEOPLE OF THE STATE OF
11 CALIFORNIA,

12 Plaintiff,

13 v.

14 DEFENDANTS IN EXHIBIT B,

15 Defendant.

Case No.: EXHIBIT B
Department: Presiding

DEFENSE OBJECTION TO ORDER
#041320-42 (SDSC EMERGENCY BAIL
ORDER 041320); MOTION TO RESET
BAIL PURSUANT TO EMERGENCY
BAIL SCHEDULE FORTHWITH

16 **INTRODUCTION**

17 Under the new Mandatory Emergency Bail Schedule promulgated by the
18 Judicial Council through Emergency Rule 4, bail for all individuals in custody must be
19 reset unless the Constitution allows the trial court to deny bail. (Cal. Const., art. I, § 12,
20 § 28(f); Amendments to the California Rules of Court, Appendix 1, Emergency Rules,
21 Rule 4, subd's (c) & (d), effective April 6, 2020 [hereinafter, *Emergency Rules* and
22 *Emergency Mandatory Bail Schedule*].) In its April 13, 2020 'General Order
23 Emergency Bail Schedule; Order #041320-42' (EXHIBIT A), the San Diego Superior
24 Court set forth a procedure that delays and denies the *mandatory* resetting of bail
25 where the prosecution is opposed and allows only one party to request a bail hearing.
26 At the time of this writing, the District Attorney has identified 176+ cases for which
27 they seek the defendant be held in custody indefinitely or an increase in bail.
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1 (EXHIBIT B) Of those, 44 individuals have been held in custody without ever having
2 seen a Judge or been advised of the charges against them – some for as long as a
3 month. At least seven (7) are facing misdemeanor charges *only*. This order should
4 be rescinded and the Superior Court should proceed with immediate implementation
5 of the Emergency Bail Schedule as mandated by the Judicial Council.

6 First, there is no legal basis to delay the provisions of the Emergency Bail
7 Schedule, to “object” to it, or to carve out exceptions to it. The new schedule is that—
8 mandatory - and makes no provision to object to a different dollar amount. Should the
9 prosecutor seek to review the new order, it is through extraordinary writ. (*In re*
10 *Alberto* (2002) 102 Cal.App.4th 421, 431.)

11 Second, and related, insofar as the prosecution urges a bail amount higher than
12 the emergency bail schedule, the argument is irrelevant and redundant. The Judicial
13 Council did not permit amounts in excess of the Emergency Mandatory Bail Schedule
14 where it applies. Insofar as the prosecution makes “public safety” arguments that do
15 not rise to no-bail findings, they should be ignored. The Judicial Council has already
16 determined the amount of bail that adequately protects public safety during the
17 COVID-19 pandemic. (See Report to the Judicial Council, *Emergency Rules in*
18 *Response to the COVID-19 Pandemic*, dated April 4, 2020, effective April 6, 2020
19 [hereinafter, *Emergency Rules Report*]; Cal. Const., art. I, § 28(f).) For the thirteen
20 enumerated offenses, public safety has already been weighed. Moreover, the
21 “objection” is statutorily insufficient to even trigger this type of hearing. (Pen. Code,
22 §§ 1269c, 1270.1(e) [requiring sworn declarations].)

23 Third, as to any cases on which the prosecution seeks a departure from the
24 mandatory schedule, they bear the burden of making a sufficient showing for the Court
25 to even think the cases fit the limited no-bail exceptions in the constitution. (Cal.
26 Const., art. I, § 12, § 28(f).) Reasons proffered by the prosecution amount to little more
27 than vague statements about the defendant’s prior criminal history and fail to meet the
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1 factual and evidentiary burdens involved. (See EXHIBIT B: “danger”, “alcoholic”,
2 “history”, “crime risk”, “fent” [fentanyl?] are reasons listed as grounds for the
3 objections) (*In re White* (2018) 21 Cal.App.5th 18, 29, review granted, S248125, *In re*
4 *Nordin* (1983) 143 Cal.App.3d 538.) Mere assertion of “danger” or “public safety”
5 cannot meet the constitutional standard. Moreover, in the majority of these cases,
6 defendant’s eligibility for preventive pretrial detention was already addressed.

7 8 **THE STATWIDE EMERGENCY BAIL SCHEDULE**

9 Due to the immediate and ongoing impact of the COVID-19 pandemic, the
10 Judicial Council created a mandatory statewide bail schedule requiring bail to be set at
11 \$0 in all cases unless otherwise enumerated. (See *Emergency Rules Report*;
12 *Emergency Rules*.) The Judicial Council explained that the new bail schedule balances
13 public safety and public health during the COVID-19 pandemic. (*Emergency Rules*
14 *Report*, at p. 9.) In the face of a virus that can infect and kill persons far removed from
15 an original carrier, the Judicial Council recognized that protecting the public means
16 transitioning away from widespread pre-adjudication detention. Specifically, the new
17 rules aim to “reduce jail populations in a manner that protects the health of inmates,
18 jail staff, those who transport defendants to courts, and others as individuals leave jail
19 and returned to their community.” (*Ibid.*) As the Judicial Council explains, in our
20 times, public safety includes protecting the public from COVID-19. (*Ibid.*) As such, the
21 Judicial Council mandated that Courts “must” set bail at \$0 for all felonies and
22 misdemeanors, except for thirteen enumerated offenses. In cases involving those
23 charges, the county bail schedule is maintained, wherein a Judge “retains authority” to
24 reduce the amount of bail. (Emergency Rules 4(d), and 4(e)(2)). The order was
25 adopted by the Council, and ordered to go into effect not later than 5pm Monday, April
26 13, 2020.

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ORDER #041320-42

1 On April 13, 2020, at 5p.m., the Presiding Judge of the San Diego Superior
2 Court issued Order #041320-42, implementing the mandatory emergency bail
3 schedule, but with the following exceptions:
4

- 5 1. The day and time for release of those with \$0 bail will begin at 5pm on
6 April 15, 2020, or “as soon thereafter is feasible.”
- 7 2. The prosecuting agency is allowed to review the Sheriff’s list of individuals
8 entitled to have bail reset at \$0, and delay their release by a phone call.
- 9 3. The parties are ordered to meet and confer regarding the cases wherein the
10 District Attorney objects to reduced bail, and once notified of the results of
11 those negotiations, those cases in dispute will be reviewed by a judicial
12 officer via a “telephone conference as soon as is practical.”

13 All of these exceptions run afoul of the Mandatory Emergency Bail Schedule
14 enacted by the Judicial Council and should be rescinded.

POINTS & AUTHORITIES

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16 With few exceptions, a criminally accused has the right to release pending
17 adjudication subject to sufficient sureties. (Cal. Const., art. I, § 12; Pen. Code, § 1271.)
18 In light of the evolving pandemic, the Judicial Council determined “sufficient
19 sureties” for specified cases to be \$0. (Emergency Rules, Rule 4.) The prosecutor
20 seeks a contrary finding for certain individuals named in Ex. B who otherwise qualify
21 to have their bail reset. First, the new bail schedule is *mandatory* and not
22 presumptive. The courts cannot exceed the new schedule where it applies. Second, the
23 prosecution’s objections do not meet the tests for no-bail as dictated by the California
24 Constitution. Finally, the San Diego Superior Court order delaying the
25 implementation and release of anyone eligible for \$0 bail is null and void.
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1 **I. The Emergency Mandatory Bail Schedule is Mandatory. This**
2 **Court Cannot Require an Amount in Excess Merely Because the**
3 **Governing Body of the Courts Require a Bail Lower than**
4 **Previously Set. Indeed, this Court Cannot Create Exceptions at**
5 **All, Let Alone Exceptions that Allow Only the Prosecuting**
6 **Agency Authority to Delay or Inhibit Its Application.**

7 The Judicial Council and Chief Justice of California, through inherent
8 rulemaking power, has created a *mandatory* bail schedule. (Cal. Const., art. VI, § 6(d).
9 This mandatory, statewide bail schedule is outside of the countywide presumptive bail
10 scheme. Under our constitution, the Judicial Council is the governing body for the
11 courts. Through it, the Chief Justice is required to expedite judicial business and
12 equalize the work of judges. (Cal. Const., art. VI, § 6(e).) Judges across the courts are
13 required to report to the Council as the Chief Justice directs and cooperate with the
14 Council and hold court as assigned. (Cal. Const., art. VI, § 6(f).) In this capacity, the
15 Council weighed public safety concerns surrounding overcrowded jails and COVID-19,
16 and ordered bail be reset in these cases to \$0 or as appropriate for other crimes.
17 (Emergency Rules, Rule 4.) While the Emergency Mandatory Bail Schedule is different
18 than the countywide presumptive bail schedule scheme, the Judicial Council took into
19 consideration the same factors considered in the presumptive bail scheme, including
20 public safety. (*Emergency Report*, pp. 2-3.)

21 The prosecution wants to challenge the Judicial Council's findings and
22 determinations about the appropriate amount of bail in the midst of a global
23 pandemic. But even under the statutory presumptive bail scheme, the prosecution has
24 not shown good cause for requesting bail hearings. The court has received no
25 justification entitling it to disobey the Judicial Council's order. Because the court may
26 not set bail "in a sum that is the functional equivalent of no bail," the former sum
27 represented the determination that defendants could be safely released provided they
28 could afford bond or bail. (*In re Christie* (2001) 92 Cal.App.4th 1005, 1009 [requiring
 court state specific facts justifying departure from the bail schedule]; *In re*

1 *Humphrey*.) Between the Judicial Council and the courts, the law is: the defendant is
2 eligible for bail, and “sufficient sureties” during the pandemic is \$0.

3 The prosecutor’s ability to object to the Judicial Council’s order is without merit,
4 good cause, or even adequate basis under the Penal Code. (Pen. Code, §§ 1269c,
5 1270.1.) To the extent the prosecution relies Penal Code section 1269c, it has specific
6 requirements—that the arrest be without a warrant or for a domestic violence
7 offense—and specific preconditions. (See *Gray v. Superior Court* (2005) 125
8 Cal.App.4th 629, 642; see also, *People v. Lexington National Ins. Corp.* (2015) 242
9 Cal.App.4th 1098, 1103 [discussion describing bail increases].) Indeed, there must be a
10 sworn declaration of sufficient facts justifying the increase before the court may even
11 proceed on the prosecutor’s objections. (Pen. Code, § 1270.1(e).) That has not
12 happened here. Thus, the prosecutor has offered nothing to support their rejection of
13 the new bail schedule and seeks to hold up the process on nothing more than his
14 objection.

15 Even under the statutory presumptive bail scheme, good cause to increase bail
16 must be founded in the least upon changed circumstances relating to the defendant or
17 the proceedings. (Pen. Code, § 1269b [countrywide presumptive bail scheme]; See Pen.
18 Code, § 1129 [bail during pendency of trial], § 1269c [bail setting for arrest without a
19 warrant on domestic violence related offenses], § 1272 [bail upon conviction], § 1289
20 [bail upon arraignment on information or indictment], § 1305 [forfeiture upon failure-
21 to-appear]; see *In re Alberto* (2002) 103 Cal.App.4th 421 [second judge may not reset
22 bail merely because it viewed earlier order was not valid].) On top of changed
23 circumstances, various code sections and constitutional provisions have their own
24 factual and evidentiary tests to determine bail. (E.g., Cal. Const., art. I, § 12; Pen. Code,
25 § 1269c.) Here, there are no changed circumstances from the Judicial Council’s order
26 other than the fact that the circumstances of the times require \$0 bail.
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1 The prosecution’s remedy is not lodging an objection to the mandatory
2 emergency bail schedule imposed by the Judicial Council, but to seek review through
3 extraordinary writ. (*Alberto, supra*, 102 Cal.App.4th at 431.) In *Alberto*, the
4 defendant was first accused of robbery charges and bail was set at \$35,000. Sometime
5 thereafter, a grand jury issued an indictment alleging murder arising out of the same
6 incident. On the arraignment, the court kept the bail as previously set indicating that
7 it was substantively the same case and that the defendant had made nine court
8 appearances. In front of a different judge, the prosecution sought bail review. The
9 second judge indicated that the first judge failed to comply with the statutory
10 requirements in setting bail and fixed bail in accordance with the presumptive
11 schedule. An extraordinary writ was filed in the appellate court.

12 The appellate court explained that the second superior court judge was not so
13 empowered and remanded the case for the lower court to determine if changed
14 circumstances supported reevaluating the first judge’s bail determination. The court
15 explained that even if clearly erroneous, the superior court judge could not undermine
16 the prior orders without good cause and changed circumstances. (*Alberto, supra*, 102
17 Cal.App.4th at 430.) Similarly, this court cannot impose a different bail amount
18 because it disagrees with the Judicial Council’s evaluation of public safety and
19 sufficient sureties.

20 Moreover, the above statutes and the statutes (presumably) relied on by the
21 prosecution are part of the statutory scheme for *presumptive* bail. (Pen. Code, §
22 1269b.)¹ The statutory caveats allowing courts to exceed the statutorily-based
23 presumptive bail schedule do not apply to the Emergency Mandatory Bail
24 Schedule. (See Rule 4(a), “Notwithstanding any other law...”) Here, the Judicial
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26 ¹ While in typical times it is a county’s obligation to craft a *presumptive* bail schedule, there is no statute or
27 principle which prohibits the Judicial Council and Chief Justice from promulgating a mandatory
28 emergency bail schedule. (Cf. Pen. Code, § 1269b and Gov. Code, § 53071 [“It is the intention of the
Legislature to occupy the whole field of regulation of the registration [of firearms]”]; See *In re Robin M.*
(1978) 21 Cal.3d 337 [rule of court plainly conflicted with statute].)

1 Council has ordered bail to be reset to \$0 for all crimes save those listed in
2 subdivision c of Emergency Rule 4. The Judicial Council weighed public safety and
3 the risks to public health presented by maintaining the current jail population and
4 concluded \$0 is appropriate. The Judicial Council did not allow lower courts set
5 bail above the mandatory schedule.

6
7 **II. The Rules of Statutory Construction Are Clear- the Emergency**
8 **Bail Schedule is Mandatory and Must Be Implemented Precisely**
9 **As Written.**

10 **A. The Rule’s Plain Meaning Controls. The Rule explicitly states**
11 **that the Superior Court may reduce bail below the existing**
12 **county schedule for the 13 exceptions, or may deny bail where**
13 **allowed by the Constitution, but the Rule does not allow the**
14 **Superior Court to increase the emergency bail schedule**
15 **amounts, nor does it allow the prosecutor to deny a defendant**
16 **\$0 bail by objecting.**

17 It is well-settled that “plain meaning controls if there is no ambiguity in the
18 statutory language.” (*People v. Cornett* (2012) 53 Cal.4th 1261, 1265.) To be ambiguous,
19 the statutory language must be “susceptible to more than one reasonable
20 interpretation.” (*Hoechst Celanese Corp. v. Franchise Tax Bd.* (2001) 25 Cal.4th 508,
21 519.) Here, the order enacting the Mandatory Bail Schedule could not be more clear:
22 the choice to use terms with precise, unambiguous legal meaning, (i.e., “mandatory”,
23 “must”, “shall”, “notwithstanding any other law”, and “no later than...”) leaves no room
24 for misinterpretation. In no uncertain terms, the Chief Justice ordered that bail “must”
25 be set at \$0 unless certain exceptions apply. (Emergency Rule 4(c)(1-13)) None of the
26 enumerated exceptions apply here.

27 This “Mandatory” order was to go into effect “no later than 5pm on April 13,
28 2020,” (Emergency Rule 4(b).) The stated purpose of the Rule enacting the Emergency
Bail Schedule is to “establish[] a statewide emergency bail schedule ...to promulgate

1 uniformity in the handling of certain offenses during the ...COVID-19 pandemic.” (Rule
2 4(a)) The Rule also suspends any other laws to the contrary, and therefore any
3 arguments based on those laws. (See Rule 4(a), “Notwithstanding any other law...”)
4 When interpreting statutes, both headings and body are of constructive importance.
5 (See, *People v. Durbin* (1963) 218 Cal.App.2d 846.) This order was styled as having
6 “Mandatory Application” (4(b)), and proscribed the superior courts “must” apply the
7 statewide emergency bail schedule. The meaning of that order is difficult to
8 misconstrue. “The ordinary meaning of “shall” or “must” is of mandatory effect, while
9 the ordinary meaning of “may” is purely permissive in character.”, (*Id* at 849 (quoting
10 27A Words and Phrases (permanent ed.) p. 674); see also *People v. Balt* (1947) 78
11 Cal.App.2d 171.)

12 Further, “insert[ing]” additional language into a statute “violate[s] the cardinal
13 rule of statutory construction that courts must not add provision to statutes. This rule
14 has been codified in California as [Code of Civil Procedure] section 1858, which
15 provides that a court must not ‘insert what has been omitted’ from a statute.” (*People v.*
16 *Guzman* (2005) 35 Cal.4th 577, 587.) Courts have no power to add words to a statute to
17 conform it to an assumed intent that does not appear from the statute’s actual language.
18 (*People v. Eckard* (2011) 195 Cal.App.4th 1241, 1249.) In addition, courts cannot
19 rewrite a statute unless it is “ ‘compelled by necessity and supported by firm evidence of
20 the drafters’ true intent.’ ” (*Guzman, supra*, at p. 587.)

21 By using terms like “mandatory”, “must”, and setting a firm deadline, the Judicial
22 Council made its intent clear – all superior courts are to implement and follow the
23 order setting \$0 bail; while the thirteen enumerated exceptions “maintain” the
24 countywide bail schedule (Rule 4(e)(1)). However, the Judicial Council did not strip a
25 Judge of her constitutional discretion, they carved out two specific judicial exceptions:

- 26 1. The Superior Court “retains authority to reduce amount of bail” (Rule 4(e)(2);
27 and
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1 2. The Superior Court retains the “ability to deny bail as authorized by article I,
2 section 12, or 28(f)(3) of the California Constitution” (Rule 4(d))

3 By explicitly referencing these two actions available to a judge, the Judicial
4 Council’s express provisions exclude other possible choices. The doctrine of *Expresio*
5 *Unius est Exclusio* – that which isn’t included is excluded – is controlling. Or more
6 eloquently, “when one or more things of a class are expressly mentioned, others of the
7 same class are excluded.” If the Judicial Council intended to give judges authority to
8 raise bail amounts, or prosecutors the ability to object to the emergency bail schedule,
9 they would have so stated. They did not, therefore no such exceptions exist.
10

11 **B. *Emergency Rule 4 Supersedes and Suspends All Statutes and***
12 ***Laws That Conflict With Its Plain Meaning.***

13 In light of the State of Emergency declared by Governor Newsom, The Chief
14 Justice of the California Supreme Court, acting in her capacity as the Chair of the
15 Judicial Council, enacted Emergency Rule 4. In so doing, she explicitly suspended
16 any other laws in conflict with the rule. (See Rule 4(a), “Notwithstanding any other
17 law...”) The intention of the order was to create uniformity throughout the state.
18 (Rule 4(a).) Further, the Chief Justice ordered each superior court to apply the
19 emergency bail schedule, and specifically listed what the bail “must be set at.” (Rule
20 4(b),(c).) The Chief Justice gave a superior court discretion only with regard to those
21 offenses that are excepted from the emergency bail schedule, and only to reduce bail
22 for those excepted offenses. (Rule 4(e)(2).) Therefore, reliance on pre-existing Penal
23 Code provisions is misplaced. Specifically, Penal Code 1269c, which normally allows
24 both parties to be heard regarding bail, has been suspended until the sunset
25 provision of the rule. (See also, *Section I, and II (A), infra.*)
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1 **III. The Constitution Limits a No-Bail Finding to “Rare and Unusual**
2 **Cases” that Fit in One of Three Subdivisions.**

3 The Judicial Council did allow one other exception under Article I, section 12
4 of the California Constitution. This section entitles a defendant to bail as a matter
5 of right except for three categories:

- 6 a) Capital crimes when the facts are evident or the
7 presumption great,
- 8 b) Felony offenses involving acts of violence on another
9 person, or felony sexual assault offenses on another
10 person, when the facts are evident or the presumption
11 great and the court finds based upon clear and
12 convincing evidence that there is a substantial likelihood
the person’s release would result in great bodily harm to
others; or,
- 13 c) Felony offenses when the facts are evident or the
14 presumption great and the court finds based on clear and
15 convincing evidence that the person has threatened
16 another with great bodily harm and that there is a
17 substantial likelihood that the person would carry out the
threat if released.

18 (Cal. Const., art I, §§ 12, 28(f).)

19 In conformance with these constitutional principles, the Judicial Council *did*
20 create an exception in the Emergency Mandatory Bail Schedule for crimes that
21 would qualify for “no bail” or for courts to “deny bail.” (Emergency Rule, Rule 4(e).)
22 If the Superior Court’s Order is allowed to go into effect, the prosecutor would have to
23 argue that and cases on which they seek review that would qualify for reduced bail
24 under the Emergency Bail Schedule fit into either Subdivision B or C above. The
25 prosecutor would not have to provide the court with any argument as to which test
26 the court should apply to which case. In this case, the prosecutor can and does
27 include “standalone” **misdemeanor** actions, which is not permissible. The
28 Constitution requires their release on bail regardless of the prosecutor’s reason for

1 objection. (Cal. Const. art. I, § 12 [“felony offenses” and “capital crimes”], § 28(f)
2 [“capital crimes”].)

3 **A. Subdivision B: Felony Offenses Involving Acts of Violence or**
4 **Sexual Assault**

5 The Constitution allows a no-bail finding for felony offenses involving an act of
6 violence against another person or sexual assault provided the facts are evident or the
7 presumption great and the court finds based upon clear and convincing evidence that
8 there is a substantial likelihood the person’s release would result in great bodily harm to
9 others. (Cal. Const., art. I, § 12(b).) However, “it be the ‘rare’ and ‘unusual’ case where a
10 court is able to making this finding.” (*White, supra*, 21 Cal.App.5th at 29.)

11 The standard requires the court find by “clear and convincing evidence that
12 there is a substantial likelihood the person's release would result in great bodily harm
13 to others.” (*White, supra*, 21 Cal.App.5th at 27-28.) “This standard requires more
14 than a mere possibility, and it cannot be based on speculation about the general risk
15 to public safety if a defendant is released. Great bodily harm to others must be a
16 substantial likelihood.” (*Id.* at 28.) The “standard requires more than simply a violent
17 history. The trial court must be convinced that future violence amounts to great
18 bodily injury is substantially *likely* if the defendant were released on bail.” (*Ibid.*
19 [emphasis original].)

20 As the appellate court in *White* explained, not only must the trial court think
21 there is a substantial likelihood of great bodily injury to others, but the finding must
22 be by clear and convincing evidence. “Clear and convincing evidence requires a
23 finding of high probability. The evidence must be ‘so clear as to leave no substantial
24 doubt.’” (*White, supra*, 21 Cal.App.5th at 28 [citations omitted].) “[I]t will be the ‘rare’
25 and ‘unusual’ case where a court is able to make this finding.” (*Id.* at 29.)

26 Based on the procedure outlined in the SDSC Order, it appears only the
27 prosecutor can request a bail hearing, and when they do so, those matters would thereby
28

1 be reviewed through Subdivision B. In meeting this standard, the prosecution must
2 show facts that at least meet the burden articulated in *White*.

3 **B. Subdivision C: Felony Offenses where the Defendant has**
4 **Threatened Another Person**

5 Subdivision C is similar to Subdivision B save for that it applies not to crimes of
6 violence or sexual assault, but to any felony offense where the defendant has threatened
7 another with great bodily injury and there is a substantial likelihood the defendant
8 would carry it out if released. (*In re Nordin* (1983) 143 Cal.App.3d 538.) Again, the
9 Constitution requires a “clear and convincing evidence” standard, which means a high
10 finding of probability and must be so clear as to leave no substantial doubt. (*Id.* at 543
11 citing *Sheehan v. Sullivan* (1899) 126 Cal. 189, 193 and *In re Angelia P.* (1981) 28 Cal.3d
12 908, 919.)

13 For example, in *Nordin*, the defendant was charged with two counts of soliciting
14 murder. The defendant had threatened and intended to murder a sheriff deputy whom
15 he believed degraded the defendant’s wife during the arrest. The defendant had told
16 another person his plans and had put a “down payment” on a contract to kill the
17 deputy, all while the case was pending. (*Nordin, supra*, 143 Cal.App.3d at 542.) The
18 court found the standard met.

19 For each of the cases that would be reviewed through Subdivision C, the
20 prosecution would need to articulate specific facts to meet the aforementioned
21 standard.

22 In these cases, the prosecution must prove by clear and convincing evidence
23 that the defendant threatened someone with great bodily injury and there is a
24 substantial likelihood the defendant will carry the threat out if released. The
25 prosecution is not required to do so in the procedure outlined by the Court. Without
26 demanding the prosecution make *any showing* that these defendants threatened
27 another and would carry out the threat, they cannot and should not have the ability to
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1 delay the enactment of the mandatory bail schedule and the release of eligible
2 individuals.

3
4 **IV. The Superior Court's Procedure Outlined in Order #041320-42 Denies**
5 **Due Process and Equal Protection in Violation of the 4th, 5th, 6th, and**
6 **14th Amendments to the US Constitution, as well as Article 1,**
7 **Sections 14 and 15 of the California Constitution.**

8 The procedure implemented by the San Diego Superior Court in Order #
9 041320-42 allows the agency prosecuting named individuals the exclusive control
10 over their detention and usurps judicial authority. Separation of powers demands
11 these functions be handled by an independent judiciary with transparency and access
12 to justice. Instead, the named individuals are denied notice, a hearing and even the
13 suggestion of due process before they are denied the Judicial Council's mandated \$0
14 bail and held beyond the statutory deadline.

15
16 **V. Delayed Implementation of the Emergency Bail Schedule**
17 **Endangers Public Safety for the Entire Region.**

18 The Judicial Council mandated in Rule 4 that eligible inmates be released no
19 later than 5pm on April 13, 2020. Order #041320-42 disregards that imperative and
20 allowed releases to begin on April 15, 2020 at 5pm or when 'feasible'.

21 Let us not forget The Judicial Council's very rationale for the Emergency
22 Mandatory Bail Schedule underlines the public safety need intrinsic in reducing the jail
23 population. That rationale is further justified by medical professionals who have
24 spoken out about the dangers of the virus spreading in jail settings. (See EXHIBIT C,
25 Affidavit of Dr. Brie Williams, M.D., and "The Challenge of Preventing COVID-19
26 Spread in Correctional Facilities"²). These medical experts agree that the jail system
27 must be

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² Rita Rubin, MA <https://jamanetwork.com/journals/jama/fullarticle/2764379>, accessed April 14, 2020.)

1 reduced to single-cell occupancy, not as a matter of bail reform or criminal justice
2 reform, but as a matter of public safety.

3 These experts give further weight to the public policy decision behind the
4 Judicial Council's order. If there is an outbreak in the jail, it will quickly overwhelm
5 our community's public health system. (*supra*)

6 In setting the new bail schedule, the Honorable Marsha G. Slough, Hon. David
7 M. Rubin, Hon. Kyle S. Brodie, Hon. Marla O. Anderson, and Hon. Harry E. Hull all
8 recommended the Emergency Mandatory Bail Schedule to the Judicial Council "in
9 order to protect the health and safety of the public, court employees, attorneys,
10 litigants, and judicial officers, as well as staff and inmates in detention facilities, and
11 law enforcement during the state of emergency." (*Emergency Rules Report*, p. 2.)
12 These judges explained (and the Judicial Council agreed) that "it is critical to balance
13 the demands on the courts and concerns for the public." (*Ibid.*) Their
14 recommendations ensure the health and safety of the public. (*Ibid.*)

15 In discussing the specific features of courts, the Emergency Rules Report
16 explains that, "A surge of COVID-19 cases is expected in the next two weeks, and the
17 Governor predicts that the state needs another 50,000 hospital beds to accommodate
18 new cases." (*Emergency rules Report*, p. 5.) "[C]ourts are clearly high-risk places
19 during this pandemic because they require gatherings of judicial officers, court staff,
20 litigants, attorneys, witnesses, defendants, law enforcement, and juries in numbers
21 well in excess of what is allowed for gathering under current executive and health
22 orders. Indeed, many court facilities in California are ill-equipped to implement social
23 distancing and satisfy other public health requirements necessary to protect people
24 involved in court proceedings and prevent the further spread of COVID-19."
25 (*Emergency Rules Report*, pp. 5-6.)

26 Specifically, in addressing the rationale behind the new Emergency Mandatory
27 Bail Schedule, the Judicial Council explained that "trial courts have a vital role to play
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1 in balancing public safety and public health by assisting to safely reduce jail
2 populations in a manner that protects the health of inmates, jail staff, those who
3 transport defendants to courts, and others as individuals leave jail and return to their
4 communities.” (*Emergency Rules Report*, p. 9.)

5 The Judicial Council recalled that on March 20, 2020, the Chief Justice of
6 California and Chair of the Judicial Council advised all counties to revise their
7 countywide presumptive bail schedules to \$0 for nearly-all misdemeanors and lower-
8 level felonies. Following the advisory, some courts adopted new schedules and some
9 did not. San Diego did not. In the face of the pandemic and need for uniformity the
10 Judicial Council made the new bail schedule mandatory, and gave counties no later
11 than 5:00 p.m. on April 13, 2020 to apply these rules. (*Emergency Rules Report*, pp.
12 9-10; Emergency Rules, Rule 4(b).) And against these public safety concerns, the
13 prosecutorial agencies in San Diego now have the ability to proffer their “objections,”
14 which fail to rise to the level necessary to trigger the hearing the prosecutor seeks.
15 (Pen. Code, §§ 1269c, 1270.1(e).)

16 Indeed, the Judicial Council’s analysis and rationale comports with the best
17 science in the field. All county jail locations confine numbers of people far beyond what
18 is reasonable considering the emergency, life-saving orders instituted at various levels
19 of government. Moreover, all institutions double-cell or triple-cell confined persons,
20 thereby making the six-foot requirement impossible. To add to the numbers,
21 hundreds of Sheriff’s personnel staff both institutions and have close contact with the
22 inmates. Inmates are raising alarms throughout the County about their unsanitary
23 and risky conditions in the jails.³ Any delay further increases the risk to all San
24 Diegans.

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28 ³ <https://www.sandiegouniontribune.com/news/watchdog/story/2020-04-12/theyre-filthy-inmates-decry-lack-of-clean-masks-testing-conditions-in-san-diego-jails>

1 The Judicial Council has considered the public safety risks of the crimes
2 within the Emergency Mandatory Bail Schedule. The Judicial Council has
3 balanced the risks posed by resetting bail to \$0 and maintain current pretrial
4 detention levels. Continued incarceration of these defendants is not justified in
5 light of the risk. To any degree the Superior Court's order delays the resetting of
6 bail, it is null and void.

7
8 **VI. Holding the Named Individuals in Custody Without Resetting Bail to**
9 **\$0, and Without an Opportunity to See a Judge, Under Current**
10 **Conditions, Amounts to Cruel and Unusual Punishment in Violation**
11 **of the 8th Amendment to the US Constitution.**

12 Time is not the main thing - it is the only thing during a pandemic on a global
13 scale. Since April 1, 2020, the United States has documented 26,064 deaths due to
14 COVID-19 and 634,246 Americans have tested positive for the illness.⁴ COVID-19
15 continues to grow exponentially. The Constitution requires confined persons be treated
16 within the minimum civilized norms of society. In the midst of a global pandemic,
17 where preventing the spread of a life-threatening virus requires that we all maintain a
18 safe distance from others, those civilized norms call upon people to remain in their
19 homes, practice good hygiene and sanitation, avoid crowds, and generally stay six feet
20 apart from one another. Those civilized norms are denied to people currently confined
21 in the San Diego County jail system. Hundreds of physicians and medical professionals
22 agree that this jail must reduce its population in view of the pandemic health crisis.

23 By not substantially reducing the jail population, we increase the risk to the
24 entire community.⁵ Balancing that risk against the low risk of releasing the type of
25

26 ⁴ <https://www.worldometers.info/coronavirus/country/us/> accessed April 14, 2020.

27 ⁵ This pandemic health crisis is forcing our justice system to confront over-incarceration, a problem that disproportionately
28 harms impoverished communities and communities of color. There is an existing consent decree already in place because of
over-crowding and inadequate mental health care and accommodations for the disabled. The groups of people we ask this
court to release all are lower risk and can be released without posing an undue risk to our community. The Public Defender is
aware of a not-yet release jail population study that analyzes the public safety risks presented by the population typically

1 defendants discussed herein, there is just one reasonable conclusion: the jail population
2 must be substantially reduced. That is why District Attorneys in Contra Costa and San
3 Francisco Counties—and throughout the United States—are calling for dramatic
4 reductions in jail population. ⁶

5 The jail system is not a closed, sterile environment. The number of inmates
6 within the San Diego County jail system imperils not only the accused and convicted,
7 but law enforcement, medical providers, jail custodians and staff, and the community at
8 large. Because the jail system operates by double- and triple- celling many confined
9 persons, containment is impossible unless the court takes steps to reduce the
10 population. Just as how the public must take steps to “flatten the curve” in their
11 communities, we must flatten the curve within the jail system. Once the virus reaches
12 the jail system, the infectious nature of COVID-19 will quickly overwhelm jail medical
13 staff, forcing the community’s medical infrastructure to provide care for the over 4,000
14 persons who will be near-certain to contract the disease.

15 The jail population must be reduced to a number low enough to allow for
16 necessary social distancing, enable staff to maintain sanitary conditions, and protect the
17 medical infrastructure from destabilization and becoming overwhelmed by the
18 pandemic. Broadly, only those inmates who present a clear and present danger should
19 remain confined. By allowing the jail system to operate at single-cell capacity, the court
20 can save lives. Without precautionary measures, COVID-19 will destabilize the jail
21 system’s emergency medical infrastructure.

22 Under these extreme circumstances, no further delay should be tolerated – any
23 further delay is unconstitutional and should not be countenanced by this Court. The
24 Order must be rescinded.

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26 _____
27 detained by the county’s incarceration policies and procedures. Should the study be relevant, the Public Defender will direct
the court’s attention to it once it is released.

28 ⁶ <https://www.sfchronicle.com/crime/article/Coronavirus-San-Francisco-Contra-Costa-15137291.php>, accessed March 18,
2020.

1 **A. COVID-19 In San Diego County Jails is on the Rise**

2 COVID-19 cases are present on the county jail level. A nurse employed at Las
3 Colinas Detention Facility, tested positive for COVID-19 on March 25, 2020.⁷
4 According to the Sheriff's press release, the nurse reported feeling ill and "has been
5 isolated at home since March 22nd." The Department did not provide the last day she
6 was in contact with inmates before she tested positive. The Department, "identified all
7 inmates and staff who may have come into close contact with this nurse," however the
8 Department did not indicate that they identified people that were in contact with those
9 in contact with the infected nurse. This extra step is vital as those who are
10 asymptomatic or presymptomatic for the disease are still vectors for transferring
11 COVID-19. Additionally, and alarmingly, no inmates identified as being in contact with
12 the infected nurse have been placed in isolation. Since then, 4 other Sheriff employees
13 have tested positive for COVID-19.

14 As of its press release on April 10, 2020, only 69 inmates in San Diego County
15 had been tested for COVID-19, despite a population of roughly 4300 current inmates
16 (less than 1%).⁸ Of those, 3 were confirmed positive, 2 of whom remained in custody, 6
17 do not yet have results. The tests resulted in 61 negative tests. As of April 14, 2020, the
18 Sheriff's Department has not updated any testing or results of inmates in its care. The
19 Sheriff's Department also has not updated how many of its "isolation beds" are being
20 utilized or how many "isolation beds" are needed. The care of inmates in San Diego
21 County is particularly concerning, in light of recent articles by the San Diego Union
22 Tribune, that found San Diego county jails have a significantly higher death rate than all
23 other counties in the state.⁹

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26 ⁷ <https://www.sdsheriff.net/> 3/26/2020 press release, Nurse Tests Positive for COVID-19

27 ⁸ <https://www.sandiegouniontribune.com/news/public-safety/story/2020-03-16/jails-to-release-some-inmates-adjust-booking-criteria-amid-coronavirus-concerns>, accessed April 1, 2020, and <https://www.sdsheriff.net/newsroom/links/dsb-covid19.pdf>,
28 accessed April 14, 2020

⁹ <https://www.sandiegouniontribune.com/news/watchdog/story/2019-11-24/san-diego-has-highest-jail-mortality-rate-among-largest-counties-even-with-new-data>, accessed April 1, 2020.

Mortality rate with city deaths

Deaths per 100,000 inmates

County	Average daily population	10-year average deaths	10-year mortality rate
San Diego	5,211.9	12.8	245.6
Los Angeles	17,060.6	30	175.8
San Bernardino	5,643.5	8.9	157.7
Santa Clara	3,702.3	5.4	145.9
Orange	5,928.6	8.1	136.6
Sacramento	3,942.2	3.7	93.9

With confirmed cases that indicate community spread, the time is now to take action to protect vulnerable populations and the community at large.

CONCLUSION

This Court Should Rescind the Order and Issue an Order Directing Immediate Enactment of the Mandatory Bail Schedule with No Exceptions or Delays.

Some of the cases objected to by the prosecution *might* qualify for a no-bail finding; however, the prosecutor's means of making such an objection is by extraordinary writ. Moreover, mere assertions of "public safety" are an insufficient offer of proof to trigger the hearing. The prosecutor's "objection" is a far cry from the statutory requirements. (Pen. Code, §§ 1269c, 1270.1(e).) This court should reset bail as required by the Emergency Mandatory Bail Schedule for all qualifying cases forthwith.

Dated: April 15, 2020

Respectfully submitted,

Randy Mize
Public Defender, San Diego
County

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EXHIBIT A

1 1. **Previous arrests:** For persons arrested prior to the effective date and time of this order,
2 bail shall be set in accordance with the EBS. However, the court retains the traditional
3 authority in an individual case to depart from the bail schedule or impose conditions of
4 bail to assure the appearance of the defendant or protect public safety. (See Pen. Code §
5 1269c, 1270.1(e).) In that regard:

6 a. Persons whose bail is reduced to zero by the EBS shall be released from custody
7 at 5:00 p.m. on April 15, 2020, or as soon thereafter as is feasible, unless prior to
8 5:00 p.m. on April 15, 2020, the prosecuting agency notifies the Sheriff that it will
9 be requesting an increase in bail, a “no bail” hold, or imposition of conditions of
10 release. The list of the persons for whom an increase in bail, “no bail” hold, or
11 imposition of conditions of release that has been requested by the prosecuting
12 agency shall also be provided to defense counsel by 5:00 p.m. on April 15, 2020.

13 b. Prior to 5:00 p.m. on April 16, 2020, the parties shall meet and confer to
14 determine (1) whether in any of the cases the parties can reach an agreement to
15 modify bail or impose conditions of release; and (2) which cases need to be
16 submitted to a judge for a decision.

17 c. For those cases in which the parties agree bail is to be as set at zero by the EBS,
18 the prosecuting agency shall forthwith notify the Sheriff that the person can be
19 released.

20 d. For those cases in which the parties agree bail shall be increased from the EBS, or
21 that conditions of release shall be imposed, the prosecuting agency shall forthwith
22 notify the Sheriff, and the parties shall provide to the court a stipulation and
23 proposed order. The Sheriff shall note any conditions of release the person’s
24 release papers.

25 e. For disputed cases in which the defendant has not yet been arraigned, the
26 prosecuting agency shall put the matter on the video-court calendar commencing
27 Monday, April 20, 2020, or as soon as practical thereafter, for arraignment and
28 bail review.

1 f. For all other disputed cases, the matter will be reviewed by a judicial officer via
2 telephone conference as soon as practical.¹

3
4 2. **New Arrests:** For persons arrested on or after the effective date and time of this order,
5 bail shall be set in accordance with the EBS. Requests for a modification of the bail
6 amount, or for conditions of release, shall be made to the daytime or after-hours duty
7 judge. If bail is modified, or conditions imposed, the court will notify the Sheriff's
8 Watch Commander at the detention facility where the defendant is housed, and the
9 Sheriff shall note the change on defendant's paperwork, including any release papers.

10
11 The San Diego Superior Court Temporary Emergency Modification to the Bail Schedule
12 adopted April 2, 2020, is rescinded.

13
14 THIS ORDER IS EFFECTIVE AT 5:00 P.M. ON APRIL 13, 2020.

15 IT IS SO ORDERED.

16
17 DATED: _____

4-13-2020



18 HON. LORNA A. ALKSNE
19 PRESIDING JUDGE

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1 The phone number and email of the judge hearing these requests will be provided to counsel by separate email.

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EXHIBIT B

COURT	DA	DEFENDANT_NAME	ATTORNEY TYPE	ATTORNEY	DDA	REASON	DISTRICT	DIVISION	UNIT	BOOKING_NUMBER	HIGHEST_CHARGE	ALL_CHARGES_ON_LATEST_COMPLAINT
CE396039	MBT586	BELTRAN, ARTURO	OPD	CAMPBELL, JOSCELYN	DUNN	fl/38kg	East County	Narcotics	Narcotics	19769775A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 3: HS11352(a), transport COUNT 4: HS11351 COUNT 5: HS11366.8(a)
CS313244	BCF962	CARRILLO, JEMA	OPD	CANALOBLO, JONATHON	BLAYLOCK, CHRISTOPH	Flight risk	South County	Narcotics	Narcotics	20909205A	HS11352(a), transport	COUNT 1: HS11352(a), transport -- PC1203.07(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4)
CS312012	BCF594	COMMANDOR, BRIAN	OPD	TANDON, DANESH	PRO, JOHN	dang/skmeth	South County	Narcotics	Narcotics	19774115A	HS11379(a), import	COUNT 1: HS11379(a), import -- PC1203.07(a)(1) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- PC1203.07(a)(1) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i) PRIOR: PC1203(e)(4)
CD284186	AE0892	DELUCA, PIETRO	OPD	ASTIFO, NANCY	EASTMAN	History + won't show	Central	Superior Court	Superior Court	VC2800.2(a)	VC2800.2(a)	COUNT 1: VC2800.2(a) COUNT 2: PC496(a), <= \$950 PRIOR: PC1203(e)(4)
CS310090	BCE974	FERNANDEZ, MARZIO	OPD	SPENCER, SCOTT	PRO, JOHN	Flight risk	South County	Narcotics	Narcotics	19750246A	HS11352(a), import	COUNT 1: HS11352(a), import -- PC1203.07(b)(1) -- HS11370.4(a)(3) -- HS11370.4(a)(2) -- HS11370.4(a)(1) COUNT 2: HS11351 -- PC1203.07(b)(1) -- HS11370.4(a)(3) -- HS11370.4(a)(2) -- HS11370.4(a)(1)
CD283202	AE0047	FIGUEROA, ALEXIS	OPD	ASTIFO, NANCY	EASTMAN	fl/1Kfent/dang	Central	Narcotics	Narcotics		HS11352(a), sell	COUNT 1: HS11352(a), sell COUNT 2: HS11351
CS311546	BCF416	GALINDO, CARMEN	OPD	SPENCER, SCOTT	PRO, JOHN	dang/33kmeth/kid	South County	Narcotics	Narcotics	19767525A	HS11379(a), import	COUNT 1: HS11379(a), import -- PC1203.07(b)(2) -- PC1210(a) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- PC1203.07(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 3: PC273(a)
NC409875	OCN500	GALVEZ, ARTURO	OPD	SCHMIDT, BRIAN	LAZAR	Danger	North County	Narcotics	Narcotics		HS11352(a), import	COUNT 1: HS11379(a), import -- PC1202.1 COUNT 2: HS11352(a), import -- PC1202.1 PRIOR: PC667(b)-(i) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i)
CD275327	AEH254	GARCIA, FRANCISCO	OPD	REMIKER, MARISA	DUNN	REQUEST NO RELEASE HAS 1275.1 ON SB NARCS CASE BCF692 664/187	Central	Insurance Fraud	RATT	18104517A	VC10851(a), >\$950	COUNT 1: VC10851(a), >\$950 COUNT 2: PC496d
CD284991	AEP656	GARCIA, RODRIGO	OPD	SABATINI, LIANN	EASTMAN	continue crime+ won't show up	Central	Superior Court	Superior Court	209066573A	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) PRIOR: PC1170(f)&(h)(3) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i)
CS309507	BCE782	GUTIERREZ, JOHN	OPD	WILSCHKE, ELYSIA	GOCHNOUR	Charged with PC594(a)(b)(1) [06-2019: D takes sledgehammer to car of his ex-girlfriend's mother. Priors: 2016 PC273.5(a) -- D elbows girlfriend in face at gas station and tackles her to ground when she gets out of car. D evades police for 7 miles. Sentenced to 4 years prison / 2010 PC245(a)(1) -- 3-on-1 gang attack. D sentenced to 4 years prison / 2007 PC1202(a)(1) -- D in car with co-d. Loaded gun and 224g of meth in center console. D sentenced to 3 years prison / 2007 PC422 -- D threatens to kill girlfriend's mother over the phone. Girlfriend heard in background pleading with D not to do it. Next day, D threatens to kill girlfriend's aunt and aunt's kids over the phone. Both victims believe D is capable and both afraid. Sentenced to 16m prison	South County	South Bay Branch	South Bay Branch	19741404B	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) PRIOR: PC1170(f)&(h)(3) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i) PRIOR: PC667.5(b)
CE393092	MBS945	HARO, ELY	APD	SOPER, BLAIR	DUNN	fl/116lbsmeth	East County	Narcotics	Narcotics	19745876A	HS11378	COUNT 1: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11351 -- HS11370.4(a)(1)
NC9392584	OCK006	JONES, JAMES	APD	BURNS, BRODY	TRAN	Crime Risk	North County	North County Branch	North County Branch		PC459	COUNT 1: PC459 COUNT 2: PC459 COUNT 3: PC487(a) COUNT 4: PC459 COUNT 5: PC594(a)(b)(1) COUNT 6: PC459 COUNT 7: PC594(a)(b)(1) COUNT 8: PC530.5(c)(3) COUNT 9: PC496(a), <= \$950 COUNT 10: HS11351 COUNT 11: HS11378 COUNT 12: HS11350(a) PRIOR: PC1203(e)(4) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b)
CD284734	AEP396	LOCKMILLER, ALEX	APD	BURNS, BRODY	TRAN	Fent sales	Central	Narcotics	Narcotics	20902141A	HS11351	COUNT 1: HS11351 -- PC1203.07(a)(1) -- PC1203.07(a)(3) COUNT 2: HS11351 -- PC1203.07(a)(3) PRIOR: PC1203(e)(4)
CS313160	BCF944	LOPEZ, RUBEN	OPD	SCHMIDT, BRIAN	LAZAR	BAIL \$50K; MENTAL/SUBSTANCE ABUSE/VIOLENT ON STRANGER (74)	South County	Family Protection	Elder Abuse		PC368(b)(1)	COUNT 1: PC368(b)(1)
CE397925	MBT985	LUNA, KENNETH	OPD	SCHMIDT, BRIAN	LAZAR	fl/5kmeth	East County	Narcotics	Narcotics	20903088A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(2) -- HS11370.4(b)(1) COUNT 2: HS11378 -- HS11370.4(b)(2) -- HS11370.4(b)(1)
CE393092	MBS945	MEDINA, ALEJANDRO	OPD	REMIKER, MARISA	DUNN	fl/116lbsmeth	East County	Narcotics	Narcotics	19745875A	HS11378	COUNT 1: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11351 -- HS11370.4(a)(1) COUNT 3: PC148(a)(1)
CD284195	AE0901	MEDINA, JONATHAN	OPD	SABATINI, LIANN	EASTMAN	fl/76lbs meth	Central	Narcotics	Narcotics	19772690A	HS11379(a), sell/furnish	COUNT 1: HS11379(a), sell/furnish -- HS11370.4(b)(4) -- HS11370.4(b)(3) -- HS11370.4(b)(2)
CD284657	AEP319	MELENDEZ, ERNESTO	OPD	WILSCHKE, ELYSIA	GOCHNOUR	History + won't show	Central	Superior Court	Superior Court	20900381A	VC2800.2(a)	COUNT 1: VC2800.2(a) COUNT 2: HS11377(a) COUNT 3: HS11364 PRIOR: PC1170(f)&(h)(3) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i)
NC9393724	OCK235	MERLOS, CARLOS	RET.	ELLIOTT, KENNETH	GARRISON, DREW	High Crime Risk	North County	North County Branch	North County Branch	18175212A	PC530.5(c)(1)	COUNT 1: PC530.5(c)(1) -- PC530.5(c)(2) COUNT 2: PC470(d), checks and ID theft COUNT 3: PC466 COUNT 4: PC530.5(c)(3) COUNT 5: PC1320.5 -- PC1202.1(b) COUNT 6: PC1320.5 -- PC1202.1(b) PRIOR: PC667.5(b) PRIOR: PC1170(f)&(h)(3)
CD280738	AEL869	MORALES, FRANCISCO	OPD	MALONEY, MARIE	MELGAREJO, NEREIDA	FLOOD CASE	Central	Superior Court	Superior Court	19712148A	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) COUNT 2: PC594(a)(b)(1) COUNT 3: PC594(a)(b)(1) COUNT 4: PC594(a)(b)(1) COUNT 5: PC594(a)(b)(1) COUNT 6: PC594(a)(b)(1) COUNT 7: PC594(a)(b)(1) COUNT 8: PC594(a)(b)(1) COUNT 9: PC594(a)(b)(1) COUNT 10: PC594(a)(b)(1) COUNT 11: PC245(a)(4), force COUNT 12: PC245(a)(4), force COUNT 13: PC245(a)(4), force COUNT 14: PC245(a)(4), force COUNT 15: PC245(a)(4), force COUNT 16: PC245(a)(4), force COUNT 17: PC245(a)(4), force COUNT 18: PC245(a)(4), force COUNT 19: PC245(a)(4), force COUNT 20: PC245(a)(4), force COUNT 21: PC245(a)(4), force COUNT 22: PC245(a)(4), force
NC939407	OCL408	MOTA, FRANCISCO	RET.	BLAIR, PETER	GARRISON, DREW	Crime Risk	North County	North County Branch	North County Branch	19725783A	VC2800.2(a)	COUNT 1: VC2800.2(a) -- PC1202.1(b) -- PC1202.1(b) -- PC1202.1(b) COUNT 2: VC23152(a) COUNT 3: VC23152(b) COUNT 4: HS11350(a) COUNT 5: PC69 -- PC1202.1(b) COUNT 6: HS11350(a) COUNT 7: PC69 COUNT 8: HS11350(a) COUNT 9: HS11550(a) COUNT 10: PC69 COUNT 11: PC602.5(b) COUNT 12: HS11350(a) COUNT 13: HS11364 PRIOR: PC1170(f)&(h)(3) PRIOR: PC1203(e)(4)
NC409299	OCN385	MUNOZ, JUAN	OPD	KINCHEN, CASSANDRA	CHEN, VINCENT	Flight risk	North County	Narcotics	Narcotics	20900911A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(3)
CS307989	BCE257	NOAH, MARIA	RET.	LACHER, PAMELA	BLAYLOCK, CHRISTOPH	danger/flight risk	South County	Narcotics	Narcotics	19723902 & 1973815	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(2) -- HS11370.4(b)(1) -- PC1203.07(b)(2) -- PC12022(c) COUNT 2: HS11378 -- HS11370.4(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(1) -- PC12022(c) COUNT 3: HS11370.1(a) COUNT 4: PC25850(a) -- PC25850(c)(2) -- PC25850(c)(6) COUNT 5: HS11379(a), import -- HS11370.4(b)(1) -- PC1203.07(b)(2) -- PC1202.1(b) COUNT 6: HS11378 -- HS11370.4(b)(1) -- PC1203.07(b)(2) -- PC1202.1(b)
NC9395589	OCK640	PERCELL, ERIC	OPD	WILSCHKE, ELYSIA	GOCHNOUR	Danger/Striker	North County	Narcotics	Narcotics	19703453A	HS11379(a), transport	COUNT 1: HS11379(a), transport COUNT 2: HS11378 COUNT 3: PC21810 COUNT 4: PC4573.6 -- PC1202.1(b) COUNT 5: PC4573 -- PC1202.1(b) COUNT 6: PC1320.5 -- PC1202.1(b) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC1170(f)&(h)(3)
CS310441	BCF083	REAL, OCTAVIO	OPD	ZAVALASOTO, ALONSO	PRO, JOHN	fl/15k meth	South County	Narcotics	Narcotics	19754760A	HS11379(a), import	COUNT 1: HS11379(a), import -- HS11370.4(b)(3) -- HS11370.4(b)(2) -- HS11370.4(b)(1) -- PC1210(a) COUNT 2: HS11378 -- HS11370.4(b)(3) -- HS11370.4(b)(2) -- HS11370.4(b)(1) COUNT 3: HS11352(a), import -- HS11370.4(a)(1) -- PC1210(a) COUNT 4: HS11351 -- HS11370.4(a)(1) PRIOR: PC667(b)-(i) PRIOR: PC1170(f)&(h)(3)
CE396039	MBT586	RODRIGUEZ, CARLOS	APD	KIRCHENSCHLAGER, AME	DUNN	fl/38kg	East County	Narcotics	Narcotics	19769781A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11352(a), transport COUNT 3: HS11351 COUNT 4: HS11351 COUNT 5: HS11366.8(a)
CE396039	MBT586	RODRIGUEZ, RAFAEL	OAC	KERN, MICHAEL	DUNN	fl/38kg	East County	Narcotics	Narcotics	19769774A	HS11378	COUNT 2: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 4: HS11351
CD284818	AEP482	SCHERR, TIMOTHY	APD	BURNS, BRODY	WILLIAMS, HALEY	History + won't show	Central	Superior Court	Superior Court	20903290A	VC2800.2(a)	COUNT 1: VC2800.2(a) COUNT 2: VC10851(a), >\$950 -- PC666.5(a) COUNT 3: PC496d -- PC666.5(a) COUNT 4: PC496(a), >\$950 COUNT 5: VC20002(a) COUNT 6: PC148(a)(1) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i) PRIOR: PC1203(e)(4)
CS313244	BCF962	SOLANO, MARIA	APD	BLAYLOCK, CHRISTOPH		Flight risk	South County	Narcotics	Narcotics	20909206A	HS11352(a), transport	COUNT 1: HS11352(a), transport -- PC1203.07(b)(1) COUNT 2: HS11351 -- PC1203.07(b)(1)
CD284195	AE0901	SOLORIO, FRANCISCO	RET.	LOMBARD, MATTHEW	EASTMAN	fl/76lbs meth	Central	Narcotics	Narcotics	19772688A	HS11379(a), sell/furnish	COUNT 1: HS11379(a), sell/furnish -- HS11370.4(b)(4) -- HS11370.4(b)(3) -- HS11370.4(b)(2)
CS309929	BCE928	VALENCIA, EDGAR	RET.	MURPHY, JUSTIN	EASTMAN	Flight risk	South County	Narcotics	Narcotics	19748375A	HS11352(a), transport	COUNT 1: HS11352(a), transport -- HS11370.4(a)(3) -- HS11370.4(a)(2) -- HS11370.4(a)(1) COUNT 2: HS11378 -- HS11370.4(a)(1) COUNT 3: PC273(a)
CS311360	BCF361	VASQUEZ, ISABEL	RET.	FUQUA, ALEXANDER	WILLIAMS, HALEY	fl/dang/fent/meth	South County	Narcotics	Narcotics	19765958A	HS11379(a), import	COUNT 1: HS11379(a), import -- PC1203.07(b)(2) -- PC1210(a) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- PC1203.07(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 3: HS11352(a), import -- PC1203.07(a)(1) COUNT 4: HS11351 -- PC1203.07(a)(1) -- HS11370.4(a)(1)
CD281280	AEM316	VERNON, ELIAS	RET.	HADDAD, ROLAND	CARR, CLAYTON	Continue crime	Central	Superior Court	Superior Court	19721409A	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) -- PC1202.1(b)
CE389756	MBS181	VIGIL, HAMUK	APD	MILLIOEN, CHARLES	NONE	danger/history	East County	East County Branch	East County Branch	19719130A	VC2800.2(a)	COUNT 1: VC2800.2(a) -- PC1202.1(b) COUNT 2: HS11364 PRIOR: PC1170(f)&(h)(3) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC1203(e)(4)
CD281412	AEM451	VILLELA, ALVARO	RET.	MURPHY, JUSTIN	EASTMAN	fl/236lbsmeth	Central	Narcotics	Narcotics	1971379A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(4) COUNT 2: HS11378 -- HS11370.4(b)(4)
CD280408	AEL639	WIGGILL, IAN	OPD	THORTHON, JEREMY	TRAN	Danger	Central	Special Operations	Special Operations	18159044D	PC76(a), Official or Judge	COUNT 1: PC76(a), Official or Judge COUNT 2: PC76(a), Official or Judge COUNT 3: PC76(a), Official or Judge COUNT 4: PC76(a), Official or Judge COUNT 5: PC76(a), Official or Judge-PC664 COUNT 6: PC76(a), Official or Judge-PC664 PRIOR: PC667.5(b) PRIOR: PC667.5(b)

COURT	DA	REASON	ISSUED AS	DISTRICT	DIVISION	UNIT	DEFENDANT_NAME	BOOKING	ISSUING_DATE	HIGHEST_CHARGE	ALL_CHARGES_ON_LATEST_COMPLAINT
CD285872	AEQ289	Raise bail - D spits on staff, on probation	Felony	Central	Case Issuing/Extraditions	Case Issuing/Extraditions	ALLEN, MATTHEW	20918084A	04/08/20	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1)
CD285853	AEQ270	danger/10K fent pills	Felony	Central	Narcotics	Narcotics	ALVAREZ, ADRIAN	20917885A	04/07/20	HS11352(a), transport	COUNT 1: HS11352(a), transport COUNT 2: HS11351
CS313762	BCG108	Charged with PC594(a)(b)(1) [03-2020]	Felony	South County	South Bay Branch	South Bay Branch	ARCHULETA, GILBERT	20915205A	03/13/20	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1)
S313919		D on felony probation for PC 69 which	Misdemeanor	South County	Family Protection	Domestic Violence	AVILA, JORGE	20917934A	04/07/20	PC594(a)(b)(2)(A)	
CD285896	AEQ313	Raise bail - Def on parole and on fed p	Felony	Central	Case Issuing/Extraditions	Case Issuing/Extraditions	AVITIA, CHRISTIAN	20918270A	04/10/20	VC2800.2(a)	
CD285691	AEQ258	Violent Hist of threats and theft; callous	Felony	Central	Superior Court	Superior Court	BATTLE, KHARI	20901184A	03/17/20	PC245(a)(4), force	COUNT 1: PC245(a)(4), force PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i) PRIOR: PC1170(f)&(h)(3)
C399801		danger	Misdemeanor	East County	East County Branch	East County Branch	BAXTER, RYAN	20917515A	04/02/20	PC148(a)(1)	
CE399829	MBU380	history	Felony	East County	East County Branch	East County Branch	BELTRAN, FERNANDO	20917938A	04/07/20	HS11351	
S313903		D alcoholic with 2 strike priors	Misdemeanor	South County	Family Protection	Elder Abuse	BERNAL, JOEL	20917263A	04/02/20	PC368(c)	
CN412223	OCN942	D on probation for 245(a)(1) out of Riv	Felony	North County	Family Protection	Elder Abuse	BROWN, CHAD	20916444A	03/23/20	PC368(b)(1)	COUNT 1: PC368(b)(1) COUNT 2: PC236/237(a) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i) PRIOR: PC1170(f)&(h)(3)
CN411947	OCN895	flit/4 kilos meth	Felony	North County	Narcotics	Narcotics	CASTRO, EVERADO	20915185A	03/13/20	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(2) COUNT 2: HS11378 -- HS11370.4(b)(2)
CE399728	MBU340	danger	Felony	East County	East County Branch	East County Branch	CAVALLERO, JASON	20916688A	03/25/20	HS11379(a), import	COUNT 1: HS11379(a), import COUNT 2: HS11378 COUNT 3: VC2800.2(a)
CE399770	MBU360	Danger	Felony	East County	Special Operations	Hate Crimes	CLANCY, CATHY	20917417A	04/01/20	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) -- PC422.75(a) COUNT 2: PC422.6(b)
CD285875	AEQ292	Constant reoffender, has prior 2800.2	Felony	Central	Case Issuing/Extraditions	Case Issuing/Extraditions	COFFMAN, THOMAS	0918195A&20917800	04/08/20	VC2800.2(a)	COUNT 1: VC2800.2(a) -- PC1202.1(b) COUNT 2: VC10851(a), >\$950 -- PC1202.1(b) -- PC666.5(a) COUNT 3: PC496d -- PC1202.1(b) -- PC666.5(a) COUNT 4: VC10851(a), >\$950 -- PC666.5(a) COUNT 5: PC496d -- PC666.5(a) PRIOR: PC1170(f)&(h)(3) PRIOR: PC1203(e)(4)
CN412483	OCN997	Crime Risk	Felony	North County	North County Branch	North County Branch	CORONA, JOSE	20917459A	04/01/20	PC236/237(a)	COUNT 1: PC236/237(a) COUNT 2: PC594(a)(b)(1)
CE399812	MBU372	danger	Felony	East County	East County Branch	East County Branch	DAMAS, DONTE	20917878A	04/07/20	PC30305(a)(1)	COUNT 1: PC30305(a)(1) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i) PRIOR: PC1170(f)&(h)(3)
CN411963	OCN904	Crime Risk	Felony	North County	North County Branch	North County Branch	DAO, THY	20914230C	03/13/20	PC487(a)	COUNT 1: PC487(a)
CD285852	AEQ269	Raise bail - Def causes \$74K damage,	Felony	Central	Case Issuing/Extraditions	Case Issuing/Extraditions	DOERING, EDUARDO	20917884A	04/07/20	PC463(a)	COUNT 1: PC463(a) COUNT 2: PC459 COUNT 3: PC148(d) COUNT 4: PC69 COUNT 5: PC594(a)(b)(1) COUNT 6: PC600(a), charge
CE399756	MBU352	danger	Felony	East County	East County Branch	East County Branch	FAKHOURY, RAMI	20916603A	03/24/20	PC246.3(a)	COUNT 1: PC246.3(a) PRIOR: PC1170(f)&(h)(3)
CN412433		Violence Risk	Misdemeanor	North County	North County Branch	North County Branch	FONSECA, JOSE	20917098A	03/27/20	PC417(a)(1), exhibit weapon	COUNT 1: PC417(a)(1), exhibit weapon
CN412516		80 years old father and elderly landlord ar	Misdemeanor	North County	Family Protection	Elder Abuse	GERMAN, AMANDA	20917365A	04/02/20	PC368(c)	COUNT 1: PC368(c) COUNT 2: PC242
CD285630	AEQ197	danger	Felony	Central	Narcotics	Narcotics	HARPER, ROBERT	20917004A	03/27/20	HS11352(a), sell	COUNT 1: HS11352(a), sell COUNT 2: HS11352(a), sell
CD285667	AEQ234	Holding down and hitting mom, having	Felony	Central	Case Issuing/Extraditions	Case Issuing/Extraditions	JOHNSON, KEVIN	20917149A	04/02/20	PC236/237(a)	COUNT 1: PC236/237(a) COUNT 2: PC242 COUNT 3: PC594(a)(b)(2)(A) PRIOR: PC667(b)-(i) PRIOR: PC1170(f)&(h)(3)
CD285864	AEQ281	REQUEST NO RELEASE GOT RE-AR	Felony	Central	Insurance Fraud	Insurance Fraud	JOHNSON, MICHAEL	20917910A	04/08/20	VC10851(a), drive only	COUNT 1: VC10851(a), drive only -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) -- PC1202.1(b) COUNT 2: PC496d -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) -- PC1202.1(b) PRIOR: PC1203(e)(4)
CD285656	AEQ223	danger/fent/striker	Felony	Central	Narcotics	Narcotics	KIOLBASA, ADAM	20917465A	04/01/20	HS11352(a), transport	COUNT 1: HS11352(a), transport COUNT 2: HS11351 COUNT 3: PC530.5(a) PRIOR: PC667(b)-(i)
CD285656	AEQ223	danger/fent/striker	Felony	Central	Narcotics	Narcotics	KIOLBASA, ADAM	20917465A	04/01/20	HS11352(a), transport	COUNT 1: HS11352(a), transport COUNT 2: HS11351 COUNT 3: PC530.5(a) PRIOR: PC667(b)-(i)
CD285581	AEQ148	danger/fent/gun	Felony	Central	Narcotics	Narcotics	MAYNARD, ALICE	20916312A	03/20/20	HS11351	COUNT 1: HS11351 -- PC12022(c) COUNT 2: HS11351 -- PC12022(c) COUNT 3: HS11378 -- PC12022(c)
CD285581	AEQ148	danger/fent/gun	Felony	Central	Narcotics	Narcotics	MAYNARD, CRAIG	20916311A	03/20/20	HS11351	COUNT 1: HS11351 -- PC12022(c) COUNT 2: HS11351 -- PC12022(c) COUNT 3: HS11378 -- PC12022(c) COUNT 4: PC29800(a)(1)
CD285637	AEQ204	High with explosives- danger to commu	Felony	Central	Case Issuing/Extraditions	Case Issuing/Extraditions	MEJIA, JAZIEL	20916983A	03/27/20	PC18715(a)	COUNT 1: PC18715(a) COUNT 2: PC148(a)(1)
C399706		D on parole for PC 273.5 from 2018 co	Misdemeanor	East County	Family Protection	Elder Abuse	MOORE, HENNAN	20916289A	03/24/20	PC594(a)(b)(2)(A)	COUNT 1: PC594(a)(b)(2)(A)
CS313840	BCG128	danger/10lbs met/fent	Felony	South County	Narcotics	Narcotics	OSUNA, GERARDO	20916329A	03/24/20	HS11379(a), transport	
CS313824	BCG123	Charged with PC245(a)(4) x3 + PC594	Felony	South County	South Bay Branch	South Bay Branch	PEREA, JOSE	20916264A	03/23/20	PC245(a)(4), force	
CD285684	AEQ251	Dangerous - Pending Assault case ther	Felony	Central	Case Issuing/Extraditions	Case Issuing/Extraditions	QUIROZ, FERNANDO		03/15/20	PC243.9(a)	COUNT 1: PC243.9(a) PRIOR: PC1203(e)(4)
CN412145	OCN927	3 prior recent convictions for elder abuse	Felony	North County	Family Protection	Elder Abuse	RALEY, ANDREA	20915665A	03/18/20	PC368(b)(1)	COUNT 1: PC368(b)(1) COUNT 2: PC368(b)(1)
CD285686	AEQ253	D has Poway attempt rape case open as w	Felony	Central	Family Protection	Financial	RASMUSSEN, RYAN	20917498B	04/03/20	PC368(d), >\$950	COUNT 1: PC368(d), >\$950 COUNT 2: PC530.5(a) COUNT 3: PC470(d), checks > \$950 COUNT 4: PC470(a), forgery and ID Theft COUNT 5: PC487(a)
CD285606	AEQ173	attacking homeless; history of violence	Felony	Central	Case Issuing/Extraditions	Case Issuing/Extraditions	RODRIGUEZ, NICK	20916583A	03/25/20	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) COUNT 2: PC242 PRIOR: PC1170(f)&(h)(3) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i)
CD313801	BCG115	flight risk	Felony	South County	Narcotics	Narcotics	RODRIGUEZ, RUBEN	20915883A	03/18/20	HS11352(a)	
CN411941	OCN890	NEGLECT/DEATH; ARREST WARRANT	Felony	North County	Family Protection	Elder Abuse	ROTHCHILD, ELISHA	20916306	3/18/2020	PC368(b)(1)	COUNT 1: PC368(b)(1) PC368(b)(3)(B), 70+

CD284195	AEO901	YNZUNZA, FRANCISCO	APD	NGUYEN, DAVID	EASTMAN	fl/76lbs meth	Central	Narcotics	Narcotics	19772689A	HS11379(a), sell/furnish	COUNT 1: HS11379(a), sell/furnish -- HS11370.4(b)(4) -- HS11370.4(b)(3) -- HS11370.4(b)(2)
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COURT	DA	DEFENDANT_NAME	ATTORNEY TYPE	ATTORNEY	DDA	REASON	DISTRICT	DIVISION	UNIT	BOOKING_NUMBER	HIGHEST_CHARGE	ALL_CHARGES_ON_LATEST_COMPLAINT
CS311762	BCF483	ACHOY, CECILIA	APD	BASIC, CHRISTINE	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	19778279A	HS11352(a), import	COUNT 4: HS11352(a), import -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4) COUNT 5: HS11351 -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4) COUNT 6: HS11366.8(a)
CS313533	BCG688	ALEMAN, ALLEN	APD	PENALOSA, MIGUEL	SELLWOOD, MICHELLE	Charged with HS11370.1(a) + HS11379 [02-2020. D has 242.61g meth + cutting agent + scale + 2 modified shotguns + shotgun ammo]. Prior: 2011 PC496d	South County	South Bay Branch	South Bay Branch	20912558A	HS11370.1(a)	COUNT 1: HS11370.1(a) COUNT 2: HS11378 COUNT 3: PC23900 COUNT 4: PC33215 COUNT 5: PC30305(a)(1) COUNT 6: HS11364 PRIOR: PC1203(e)(4) PRIOR: PC1170(f)(h)(3)
CS313404	BCG007	ALVAREZ, EDGAR	OPD		PRO, JOHN	danger/fert/coke/K	South County	Narcotics	Narcotics	20911155A	HS11351	COUNT 1: HS11351 COUNT 2: HS11351 COUNT 3: HS11375(b)(1) PRIOR: PC1170(f)(h)(3) PRIOR: PC667(b)-(i)
CS313762	BCG108	ARCHULETA, GILBERT	OPD	NO NAME	SELLWOOD, MICHELLE	Charged with PC594(a)(b)(1) [03-2020. D throws rocks at passing people and cars. D hits one person and breaks windshield of car.] Priors: 2015 PC243(e)(1) -- D shows girlfriend at fast food restaurant, grabs her arm and forces her to leave. 3d party calls police.	South County	South Bay Branch	South Bay Branch	20915205A	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1)
CD283843	AE0645	AYALA, JUAN	OPD	SLATTERY, STEPHANIE	EASTMAN, CHRISTINA	Danger	Central	Narcotics	Narcotics	19767346A	HS11370.6(a)	COUNT 1: HS11370.6(a) COUNT 2: HS11370.9(a) COUNT 3: PC273a(e) PRIOR: PC1203(e)(4)
CN409495	OCN423	BALBOA, PETER	OPD	Hallare, Joseph	CHEN, VINCENT	50kg/ft risk/danger	North County	Narcotics	Narcotics	20902072A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(4)
CN411278	OCN761	BARRON, GUSTAVO	OPD	KINCHEN, CASSANDRA	NGUYEN, STEVEN	Crime Risk	North County	North County Branch	North County Branch	20911882A & E	VC2800.2(a)	COUNT 1: VC2800.2(a) COUNT 2: HS11377(a) COUNT 3: HS11364 PRIOR: PC1170(f)(h)(3)
CS313575	BCG065	BECK, JOHN	OPD	ZAVALASOTO, ALONSO	PRO, JOHN	ft/danger/40kg meth	South County	Narcotics	Narcotics	20913242A	HS11379(a), import	COUNT 1: HS11379(a), import -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) -- PC1210(a) COUNT 2: HS11378 -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4)
CE393803	MBT111	BERGSTROM, PAUL	OPD	HATHAWAY, KELSEY	WALLER, SHANE	Danger	East County	East County Branch	East County Branch	19749959B	PC148.1(c)	COUNT 1: PC148.1(c)
CN409385	OCN408	BLANCO, SCOTT	RET.	GREENE, SAMANTHA	OCAMPO, MELISSA	Flight Risk	North County	North County Branch	North County Branch		PC192(c)(1), unlawful act	COUNT 1: PC192(c)(1), unlawful act PRIOR: PC1170(f)(h)(3)
CE398980	MBU197	BRYANT, DORIAN	OPD	SCHMIDT, BRIAN	TELLESEN, DANA	History	East County	East County Branch	East County Branch	20910925A	VC2800.2	COUNT 1: VC2800.2 COUNT 2: PC496d PRIOR: PC1170(f)(h)(3) PRIOR: PC667(b)-(i)
CS313641	BCG067	CAMERON, JOHN	OPD	PORTER, GRANT	PENA, AGUSTIN	BAIL \$100k; MENTAL/VIOLENCE/STRIKE PRIOR	South County	Family Protection	Elder Abuse	20913766A	PC368(b)(1)	COUNT 1: PC368(b)(1) PRIOR: PC1170(f)(h)(3) PRIOR: PC667(b)-(i)
CS312558	BCF759	CASIAN, MARNA	OPD	CONGE, JASON	BLAYLOCK, CHRIS	Flight Risk	East County	Narcotics	Narcotics	20901438A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) -- HS11370.4(b)(1) COUNT 2: HS11378 -- HS11370.4(b)(4) -- HS11370.4(b)(3) -- HS11370.4(b)(2) -- HS11370.4(b)(1)
CS313060	BCF904	CASTILLO, MARCO	RET.	Bickford, James	RHOADS	Res 211	South County	Gang Prosecution	Gang Prosecution	20906703A	PC182(a)(1)	COUNT 1: PC182(a)(1) -- PC12022(a)(1), vicariou COUNT 2: PC182(a)(1) -- PC12022(a)(1), vicariou
CS311873	BCF544	CEJA, ADRIAN	NO ATTORNEY TYPE	GARRICK, SARAH	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	20904562A	HS11352(a), transport	COUNT 5: PC182(a)(1) COUNT 6: HS11352(a), transport -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4) COUNT 7: HS11351 -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4)
CS312988	BCF889	CESENA, MIRIAM	APD	PENALOSA, MIGUEL	BLAYLOCK, CHRIS	danger/2kg fert	South County	Narcotics	Narcotics	20906088A	HS11352(a), transport	COUNT 1: HS11352(a), transport -- HS11370.4(a)(1) COUNT 2: HS11351 -- HS11370.4(a)(1) COUNT 3: HS11352(a), transport COUNT 4: HS11351 -- HS11370.4(a)(1) -- HS11370.4(a)(1) COUNT 7: PC182(a)(1)
CN404073	OCM368	CHAVEZ, WONG	APD	PATTERSON, JOHN	GOCHNOUR, DANIEL	Flight Risk	North County	Narcotics	Narcotics	19752597A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(4) COUNT 2: HS11352(a), transport -- HS11370.4(a)(4)
CS312678	BCF779	CISNEROS, LUIS	APD	BASIC, CHRISTINE	SOMERVILLE, CHERIE	Charged with PC245(a)(4) [11-2019. D and companion attack another, smaller inmate while in custody, punching him 30+ times.] Priors: 2019 PC245(a)(4) + PC12022.1(b) -- D ripped metal handle off security door of market then uses metal handle to smash out taillights of witness who was reporting the crime. D threatens witness with metal handle. 2019 PC21310 -- Police respond to suspicious person call and find D. D attempts to discard 7" fixed blade knife. Also has meth pipe. / 2016 hot prow residential burglary (Juv)	South County	South Bay Branch	South Bay Branch		PC245(a)(4), force	COUNT 1: PC245(a)(4), force
CS313729	BCG086	CONRAD, JACKSON	OPD	NO NAME	SELLWOOD, MICHELLE	Charged with PC594(a)(b)(1) [03-2020. D attempts to enter victim's home. Leaves but returns 10 minutes later, angry, and throws basketball through victim's window where she is standing. Victim is terrified and says D repeatedly tries to enter her home. D has open PC273.5(a) and open PC148(a)(1). Priors: 2017 PC273.5(a).	South County	South Bay Branch	South Bay Branch	20914598A	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1)
CS313060	BCF904	CRUZ, IGNACIO	OAC	Dutley, Patrick	RHOADS	Res 211	South County	Gang Prosecution	Gang Prosecution	20906699A	PC182(a)(1)	COUNT 1: PC182(a)(1) -- PC12022(a)(1), vicariou COUNT 2: PC182(a)(1) -- PC12022(a)(1), vicariou PRIOR: PC1170(f)(h)(3)
CN402901	OCM140	CRUZ, JOSE	RET.	DICKS, JAMES	GOCHNOUR, DANIEL	Flight Risk	North County	Narcotics	Narcotics	19746295A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(4) COUNT 2: HS11378 -- PC1203.073(b)(2) -- HS11370.4(b)(4)
CS311873	BCF544	DANISON, RAYMOND	RET.	BAKER, DAVID	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	19772270A	HS11352(a), import	COUNT 1: HS11352(a), import -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) COUNT 3: HS11351 -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) COUNT 5: PC182(a)(1)
CN411859	OCN882	DAO, THY	OPD	NO NAME	WOODWARD, PAIGE	Crime Risk	North County	North County Branch	North County Branch	20914230A	PC530.5(a)	COUNT 1: PC530.5(a) COUNT 2: PC530.5(c)(2)
CN411963	OCN804	DAO, THY	OPD	NO NAME	WOODWARD, PAIGE	Crime Risk	North County	North County Branch	North County Branch	20914230C	PC487(a)	COUNT 1: PC487(a)
CD285381	AEF948	DAVIS, BROOKS	OPD	WADDLE, AMANDA	FELS, IAN	No. prior VOL 15 years, huge drug record, breaking windows in current case and out of control	Central	Superior Court	Superior Court	20907799C	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i) PRIOR: PC1170(f)(h)(3)

CS313110	BCF930	DEANDA, BRIDGET	OPD	BOLEY, DOMINIQUE	STEHR, JESSICA	Charged with PC4532(b)(1) + PC243(b) [01-2020. D pled guilty in separate case to PC69 + PC459. After court, D complained of having had a seizure and taken by SDSO to Scripps. At Scripps, D rps out her IV and tries to leave the hospital. Deputy has to physically restrain her and D gets violent. splis directly in deputy's face.] Priors: 2020 PC69 + PC459 - This is the offense D had just pled guilty to. In this case, D was arrested after stealing over \$1K of property from an unlocked car. D gets in a violent struggle with police, kicking one officer in the groin and scratching another officer's neck	South County	South Bay Branch	South Bay Branch	20902951D	PC4532(b)(1), no force	COUNT 1: PC4532(b)(1), no force COUNT 2: PC148(a)(1) COUNT 3: PC243(b)
CS311781	BCF496	DEITASERRANO, JOSE	RET.	NASSERI, SAMAN	PRO, JOHN	ft/15kg coke	South County	Narcotics	Narcotics	19770575A	HS11352(a), import	COUNT 1: HS11352(a), import -- PC1203.07(b)(1) -- HS11370.4(a)(1) -- HS11370.4(b)(2) -- HS11370.4(a)(3) COUNT 2: HS11351 -- PC1203.07(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) COUNT 3: PC22210
CE392935	MBS896	DAZ, TANNER	RET.	NASSERI, SAMAN	PRO, JOHN	Danger	East County	East County Branch	East County Branch	19744316A	PC29815	COUNT 1: PC29815 -- PC12022.1(b) COUNT 2: PC25400(a)(1) COUNT 3: HS11359(b) PRIOR: PC1170(f)&(h)(3)
CN410905	OCN702	DOMANSKI, DANIEL	RET.	GEDULIN, GEORGE	GOCHNOUR, DANIEL	dang/meth/heroin	North County	Narcotics	Narcotics	20910257A	HS11352(a), transport	COUNT 1: HS11352(a), transport -- PC1203.07(a)(2) COUNT 2: HS11351 -- PC1203.07(a)(1) -- PC1203.07(a)(3) COUNT 3: HS11379(a), transport COUNT 4: HS11378 COUNT 5: HS11350(a) COUNT 6: VC14601.1(a) COUNT 7: HS11364 PRIOR: PC1203(e)(4)
CD284998	AEP663	DUNN, KEITH	RET.	Gedulin, George	Denton	Danger based on underlying DV PV + DV hx	Central	Economic Crimes	Economic Crimes	19778844	PCS30.5c2	
CS312558	BCF759	ESPINO, OLGA	RET.	SIDELL, GEORGE	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	20903132A	HS11379(a), transport	COUNT 3: HS11379(a), transport -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 4: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4)
CD285518	AEQ085	GARCIA, JORGE	OPD	NO NAME	FULBRIGHT, KALEB	No, stabbing air on colleg campus, armed, prior battery and possession of weapons	Central	Superior Court	Superior Court	20915005A	PC626.10(a)(1)	COUNT 1: PC626.10(a)(1) COUNT 2: PC21310
CD285493	AEQ060	GIACOBBE, MATTHEW	OPD	NO NAME	POYHONEN, ALEXANDER	No, gigantic theft record, prior strike (20k rres burg from 2017) Two open unadjudicated felony cases	Central	Superior Court	Superior Court	20912603E	PC530.5(a)	COUNT 1: PC530.5(a) COUNT 2: PC530.5(a) PRIOR: PC1203(e)(4) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i)
CD284408	AEP066	GIUNTI, JOHN	OPD	OPD	Jimenez	Danger +Flight - \$1M loss &repeat conduct	Central	Economic Crimes	Economic Crimes	20901223	CC25401 &25540	
CS312583	BCF788	GONZALEZ, JONATAN	RET.	KELLEY, CHRIS	PRO, JOHN	ft/dang/19k meth	South County	Narcotics	Narcotics	20901622A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- PC1203.07(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) COUNT 2: HS11378 -- PC1203.07(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3)
CS312988	BCF889	GUILLEN, RAUL	OPD	BOLLINGER, ANDRE	MENDEZ, LUIS	dang/2kg fent	South County	Narcotics	Narcotics	20906098A	HS11352(a), transport	COUNT 5: HS11352(a), transport COUNT 6: HS11351 COUNT 7: PC182(a)(1)
CN401074	OCL743	GUTIERREZ, RAFAEL	OPD	HOLLAND, JACOB	CHEN, VINCENT	dang/1900 fent pills	North County	Narcotics	Narcotics		HS11352(a), transport	COUNT 1: HS11352(a), transport COUNT 2: HS11351 COUNT 3: VC2800.1(a) COUNT 4: VC14601.1(a) COUNT 5: PC135
CN410692	OCN655	HALL, JEFFREY	OPD	NO NAME	LAYON, MARNIE	BAIL INCREAT \$50k TO \$100K; STRANGULATION + PRIOR DV/STRANGULATION + THREATS	North County	Family Protection	Domestic Violence	20907760A	PC245(a)(4), force	COUNT 1: PC245(a)(4), force COUNT 2: PC236/237(a) COUNT 3: PC245(a)(4), force
CS313060	BCF904	HALL, MARIO	OAC	Leahy, Jerry	RHOADS	Res 211	South County	Gang Prosecution	Gang Prosecution	20906704A	PC182(a)(1)	COUNT 1: PC182(a)(1) -- PC12022(a)(1), vicariou COUNT 2: PC182(a)(1) -- PC12022(a)(1), vicariou
CE393676	MBT080	HERNANDEZ, DAVID	PRO PER		RYAN, VALERIE	danger	East County	East County Branch	East County Branch	19750775B	VC2800.2(a)	COUNT 1: VC2800.2(a) COUNT 2: VC20001(a) COUNT 3: PC10851(a), >950 -- PC666.5(a) -- PC666.5(a) COUNT 4: PC496d -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i)
CD283255	AE0100	HOLDER, DUSTIN	APD	BABCOCK, RUSSELL	WALTER, STEVE	Crime Risk	Central	Insurance Fraud	Insurance Fraud	19755683A	VC10851(a), >950	COUNT 1: VC10851(a), >950 -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) COUNT 2: PC496d -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) COUNT 3: PC496d -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) PRIOR: PC1203(e)(4) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b)
CD284040	AE0742	HOLDER, DUSTIN	APD	BALFE, AMY	WALTER, STEVE	Crime Risk	Central	Superior Court	Superior Court	PC459	PC459	COUNT 1: PC459 -- PC12022.1(b) COUNT 2: PC459 -- PC12022.1(b) COUNT 3: PC459 -- PC12022.1(b) COUNT 4: PC459 -- PC12022.1(b) COUNT 5: PC459 -- PC12022.1(b) COUNT 6: PC459 -- PC12022.1(b) COUNT 25: PC459 -- PC12022.1(b) COUNT 26: PC459 -- PC12022.1(b) PRIOR: PC1203(e)(4)
CS312725	BCF082	HOLDER, DUSTIN	APD	BALFE, AMY	SELLWOOD, MICHELLE	Crime Risk	South County	South Bay Branch	South Bay Branch	20901997A	VC10851(a), >950	COUNT 1: VC10851(a), >950 -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) -- PC12022.1(b) -- PC12022.1(b) COUNT 2: PC496d -- PC12022.1(b) -- PC12022.1(b) PRIOR: PC1203(e)(4)
CD284334	AEP040	HOMOKI, STEVE	RET.	SLATTERY, THOMAS	PATRICK, WENDY	Danger	Central	Special Operations	Special Operations	19775485A	PC273a(a)	COUNT 1: PC273a(a) COUNT 2: PC273a(a) COUNT 3: PC273a(a) COUNT 4: PC30605(a) COUNT 5: PC30605(a) COUNT 6: PC30605(a)
CE397876	MBT971	JIMENEZ, ALLYSSA	OPD	WEBB, AVERY	TELLEFSEN, DANA	other case res burg AEP611	East County	East County Branch	East County Branch		PC459	COUNT 1: PC459
CE391291	MBS541	JOHNSON, CHANNEL	OPD	SUWCZINSKY, LIZA	SCOTT, TIFFANY	Danger	East County	East County Branch	East County Branch		PC243.9(a)	COUNT 1: PC243.9(a) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i)
CD284848	AEP512	JOHNSON, MICHAEL	OPD	CARTER, MONIQUE	WALTER, STEVE	REQUEST NO RELEASE GOT RE-ARRESTED ON NEW CASE AEO281 WHILE OUT ON BAIL	Central	Insurance Fraud	RATT	20903691A	VC10851(a), >950	COUNT 1: VC10851(a), >950 -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) COUNT 2: PC459 COUNT 3: PC459 COUNT 4: PC487(d)(1), auto->950 -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) COUNT 5: VC10851(a), drive only -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) COUNT 6: PC496d -- PC666.5(a) -- PC666.5(a) -- PC666.5(a) PRIOR: PC1203(e)(4)
CE397651	MBT915	LONG, JOSEPH	OPD	Garber, Madeleine	OWEN, MEI	Danger	East County	East County Branch	East County Branch	20900990A	PC245(a)(4), force	COUNT 1: PC245(a)(4), force -- PC667(e)(2)(C)(iv), 3 strikes PRIOR: PC667(b)-(i)
CD283179	AE0023	LOPEZ, CHRISTIAN	OPD	BOLLINGER, ANDRE	OJEL, PATRICK	No, on probation for 245, new offence jewelry high value rpoof, juve 245, and staff asult in CYA.	Central	Superior Court	Superior Court	19755356A	PC487(a)	COUNT 1: PC487(a) COUNT 2: PC459 COUNT 3: PC487(c), > 950 COUNT 4: PC459 PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i)
CN411944	OCN893	MAGANA, NESTOR	APD	NO NAME	GOCHNOUR, DANIEL	Flight Risk	North County	Narcotics	Narcotics	20915199A	HS11352(a), transport	COUNT 1: HS11352(a), transport -- HS11370.4(a)(2) COUNT 2: HS11351 -- PC1203.07(a)(1) -- HS11370.4(a)(2)
CS312558	BCF759	MANRIQUEZ, JUAN	APD	PENALOSA, MIGUEL	BLAYLOCK, CHRIS	Flight Risk	East County	Narcotics	Narcotics	20901444A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(4) -- HS11370.4(b)(3) -- HS11370.4(b)(2) -- HS11370.4(b)(1) COUNT 2: HS11378 -- HS11370.4(b)(4) -- HS11370.4(b)(3) -- HS11370.4(b)(2) -- HS11370.4(b)(1)
CS311873	BCF544	MARTINEZ, SELSO	RET.	RUAN, CARLOS	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	19772271A	HS11352(a), transport	COUNT 2: HS11352(a), transport -- PC1203.07(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) COUNT 3: HS11351 -- PC1203.07(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) COUNT 4: PC273a(a) COUNT 5: PC182(a)(1)
CN410633	OCN638	MAXEY, STEVEN	OPD	NO NAME	MASKAL, ERIKA	BAIL INCREASE \$100k to \$500K; STRANGER ATTACK ON 76 YO FEMALE + STRIKE PRIOR	North County	Family Protection	Elder Abuse	20908379A	PC368(b)(1)	COUNT 1: PC368(b)(1) COUNT 2: PC148(a)(1) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i)
CS313555	BCG045	MEAVE, RICARDO	OPD	ROSE-WEBER, EMILY	BLAYLOCK, CHRIS	ft/dang/22kmeth	South County	Narcotics	Narcotics	20912561A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4)

CE38830	MBU02	MICK, RORY	RET.	BEKKEN, MARTHA	PRO, JOHN	History	East County	East County Branch	East County Branch	20907132A	HS11352(a), transport	COUNT 1: HS11352(a), transport COUNT 2: HS11352(a), import COUNT 3: HS11352(a), transport COUNT 4: HS11352(a), import COUNT 5: HS11351 COUNT 6: HS11351 COUNT 7: HS11379(a), transport COUNT 8: HS11379(a), transport COUNT 9: HS11378 PRIOR: PC667(b)-(i)
CS313702	BCG076	MILLER, ROBERT	RET.	BEKKEN, MARTHA	PRO, JOHN	ft/dang/50 lb meth	South County	Narcotics	Narcotics	20914188A	HS11379(a), import	COUNT 1: HS11379(a), import -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 3: HS11350(a) -- HS11370.4(b)(4)
CE397286	MBT810	MORA, BENNY	APD	SOPER, BLAIR	GUILLEN, MELANIE	History	East County	East County Branch	East County Branch	19778156A	PC496d	COUNT 1: PC496d -- PC1202.1(b) COUNT 2: HS11377(a) COUNT 3: PC466 PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i) PRIOR: PC1170(f)&(h)(3)
CD282311	AEN276	MURPHY, THOMAS	OPD	NO NAME	CUNNINGHAM, PHILIPPA	No. out on bail offense, huge theft record, 2800.2 history	Central	Superior Court	Superior Court	20909432F	VC10851(a), >\$950	COUNT 1: VC10851(a), >\$950 -- PC1202.1(b) COUNT 2: PC459 -- PC1202.1(b) COUNT 3: PC487(a), real property -- PC1202.1(b) COUNT 4: PC594(a)(b)(1) -- PC1202.1(b) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b) PRIOR: PC667.5(b)
CE388015	MBR843	MYERS, ANDREW	RET.	BLAIR, PETER	TAG, MATTHEW	Danger	East County	East County Branch	East County Branch	19706896A&B	PC459	COUNT 1: HS11379.8(a) COUNT 2: PC459 COUNT 3: PC459-PC684 COUNT 4: PC459 COUNT 5: PC459 COUNT 6: PC459 COUNT 7: PC459 COUNT 8: PC459-PC684 COUNT 9: PC459 COUNT 10: PC459 COUNT 13: PC459 COUNT 14: PC459 COUNT 15: PC459 COUNT 18: PC459 COUNT 19: PC459 COUNT 20: PC459 COUNT 26: PC459 COUNT 27: PC459 COUNT 33: PC459 PRIOR: PC1170(f)&(h)(3) PRIOR: PC1203(e)(4) PRIOR: PC667(b)-(i)
CS313702	BCG076	OLEA, MIKE	APD	PENALOSA, MIGUEL	PRO, JOHN	ft/dang/50 lb meth	South County	Narcotics	Narcotics	20914189A	HS11379(a), import	COUNT 1: HS11379(a), import -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4)
ON409029	OCN328	OREA, RICARDO	RET.	WESSEL, JAMES	WOODWARD, PAIGE	Crime Risk	North County	North County Branch	North County Branch	19779568A	VC10851(a), >\$950	COUNT 1: VC10851(a), >\$950 COUNT 2: PC496d COUNT 3: VC10851(a), >\$950 COUNT 4: PC496d COUNT 5: VC20002(a) PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i)
CE388126	MBU038	OVERSTREET, JAMES	RET.	FILICIA, THOMAS	GUILLEN, MELANIE	Danger	East County	East County Branch	East County Branch	20904778A	HS11378	COUNT 1: HS11378 -- PC1202.1(b) PRIOR: PC1170(f)&(h)(3)
CS312558	BCF759	PARRASILLAS, BRAULIO	RET.	BAKER, DAVID	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	20903147A	HS11379(a), transport	COUNT 3: HS11379(a), transport -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 4: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4)
CS313052	BCF900	PEPPARD, VINCENT	OPD	FUENTES, VARGAS	LABUFF, JACOB	Charged with PC245(a)(4) while out on bail for PC245(a)(1) [01-2020. D repeatedly punches his 56yo mother in the face causing laceration that requires sutures. D was on bail in case in which he repeatedly strikes victim with his skateboard after victim confronts D about shoplifting. Priors: 2015 PC245(a)(1)/PC1170(b)(4) + PC417 + PC242 - City Attorney DV case	South County	South Bay Branch	South Bay Branch		PC245(a)(4), force	COUNT 1: PC245(a)(4), force -- PC1202.1(b) PRIOR: PC1170(f)&(h)(3)
ON407928	OCN113	PEREZ, ELISEO	OPD	VALDOVINOS, PATRICIA	LAWRENSON, CASSANDRA	strike pend/gun	North County	Narcotics	Narcotics	19772710A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- PC1202.1(b) COUNT 2: HS11378 -- PC1203.073(b)(2) -- PC1202.1(b)
CS311873	BCF544	PEREZ, REBECA	RET.	RAMOS, GEORGE	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	20904615A	HS11352(a), transport	COUNT 5: PC182(a)(1) COUNT 6: HS11352(a), transport -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4) COUNT 7: HS11351 -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4)
CD281932	AEM930	POWELL, GERALD	OAC	BADILLO, JOSE	MCREYNOLDS, STACEY	Crime Risk	Central	Insurance Fraud	RATT	19736306A	PC186.10(a)	
CD281933	AEM381	POWELL, GERALD	OAC	BADILLO, JOSE	MCREYNOLDS, STACEY	Crime Risk	Central	Insurance Fraud	RATT	19736306A	PC186.10(a)	
CS313060	BCF904	RAMIREZ, TOMAS	OPD	Tandon, Danesh	RHOADS	Res 211	South County	Gang Prosecution	Gang Prosecution	20906700A	PC182(a)(1)	COUNT 1: PC182(a)(1) -- PC12022(a)(1), vicariou COUNT 2: PC182(a)(1) -- PC12022(a)(1), vicariou
CS313703	BCG077	REYES, GAYTAN	OPD		BLAYLOCK, CHRIS	ft/rent	South County	Narcotics	Narcotics	20914354A	HS11379(a), import	COUNT 1: HS11379(a), import -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 3: HS11352(a), import -- HS11370.4(a)(1) COUNT 4: HS11351 -- HS11370.4(a)(1) COUNT 5: HS11352(a), import COUNT 6: HS11351 COUNT 7: PC273a(a)
ON411681	OCN825	RUIZ, RODOLFO	RET.	SEVILLA III, EDGAR	GOCHNOUR, DANIEL	Feni/Danger	North County	Narcotics	Narcotics	20913755A	HS11352(a), transport	COUNT 1: HS11352(a), transport -- HS11370.4(a)(4) COUNT 2: HS11352(a), transport -- HS11370.4(a)(1)
ON409254	OCN378	SALAS, STEVEN	OPD	LOPEZ, ADELAI DA	WOODWARD, PAIGE	Flight Risk	North County	North County Branch	North County Branch	20900676A	VC2800.2(a)	COUNT 1: VC2800.2(a) COUNT 2: VC2800.4 COUNT 3: PC21810 COUNT 4: PC22210 COUNT 5: PC22610(a) PRIOR: PC1170(f)&(h)(3)
ON410979	OCN716	SANCHEZ, VIRGEN	OPD	FLEMMING, MICHAEL	REISCHL, JENNIFER	BAIL INCREASE \$50K TO \$60K	North County	Family Protection	Domestic Violence	20910599B & C	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) COUNT 2: PC484 PRIOR: PC667(b)-(i)
CS313060	BCF904	SHAW, NICHOLAS	RET.	Sparks, William	RHOADS	Res 211	South County	Gang Prosecution	Gang Prosecution	20906701A	PC182(a)(1)	COUNT 1: PC182(a)(1) -- PC12022(a)(1) COUNT 2: PC182(a)(1) -- PC12022(a)(1)
CS310000	BCE946	STEWART, EDWARD	OPD	CANLOBO, JONATHAN	BLAYLOCK, CHRIS	ft/dang/52kgmeth	South County	Narcotics	Narcotics		HS11379(a), import	COUNT 1: HS11379(a), import -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- PC1203.073(b)(2) -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 3: HS11352(a), import -- HS11370.4(a)(1) COUNT 4: HS11351 -- HS11370.4(a)(1) COUNT 5: HS11352(a), import COUNT 6: HS11351 COUNT 7: PC273a(a)
ON408064	OCN149	TAPIA, ESTEFANA	OPD	GONZALEZ, ALVARO	GOCHNOUR, DANIEL	Flight Risk	North County	Narcotics	Narcotics	19775095A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(1) COUNT 2: HS11378 -- PC1203.073(b)(2) -- HS11370.4(b)(3) COUNT 3: PC273a(a)
CS312558	BCF759	TECAUPA, CARLOS	OAC	MERCER, LINSEY	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	20903148A	HS11379(a), transport	COUNT 3: HS11379(a), transport -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 4: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4)
CD285437	AEQ004	TELLO, JORGE	OPD	NO NAME	GRECO, MATTHEW	No. Murder 1368	Central	Superior Court	Superior Court	20913737A	PC245(a)(4), force	COUNT 1: PC245(a)(4), force COUNT 2: PC243.9(a) COUNT 3: PC242 COUNT 4: PC243(b), physician, nurse COUNT 5: PC243(b), physician, nurse COUNT 6: PC243(b), physician, nurse COUNT 7: PC243(b), physician, nurse
CS313060	BCF904	TORRES, JESUS	OAC	Cremans, Jill	RHOADS	Res 211	South County	Gang Prosecution	Gang Prosecution	20906689A	PC182(a)(1)	COUNT 1: PC182(a)(1) -- PC12022(a)(1), vicariou COUNT 2: PC182(a)(1) -- PC12022(a)(1), vicariou PRIOR: PC1170(f)&(h)(3)
ON411411	OCN777	TORRES, SALVADOR	OPD	VALDOVINOS, PATRICIA	GOCHNOUR, DANIEL	3kg meth/danger	North County	Narcotics	Narcotics	20912494A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(1)
CE399538	MBU294	TOWNSEND, VICTOR	OPD	NO NAME	RUPP, RENEE	BAIL \$100K: MENTAL ILLNES/SUBSTANCE ABUSE/VIOLENCE	East County	Family Protection	Elder Abuse	20914837A	PC368(b)(1)	COUNT 1: PC368(b)(1) COUNT 2: PC245(a)(4), force COUNT 3: PC236237(a) COUNT 4: PC594(a)(b)(1) COUNT 5: PC148(a)(1)
CE397352	MBT834	TYLER, RODNEY	OPD	WEBB, AVERY	KIMBLE, MERIDETH	History	East County	East County Branch	East County Branch		PC470(d), checks and ID theft	COUNT 1: PC530.5(c)(3) COUNT 2: PC470(d), checks and ID theft PRIOR: PC1170(f)&(h)(3) PRIOR: PC667(b)-(i) PRIOR: PC1203(e)(4)
ON404073	OCM368	URREA, CHRISTIAN	RET.	BABCOCK, RUSSELL	GOCHNOUR, DANIEL	Flight Risk	North County	Narcotics	Narcotics	19752556A	HS11379(a), transport	COUNT 1: HS11379(a), transport COUNT 2: HS11352(a), transport
CS313706	BCG078	VALENZUELA, JOSE	OPD	FUENTES, LEONEL	PRO, JOHN	selling feni/danger	South County	Narcotics	Narcotics	20914190A	HS11352(a), sell	COUNT 1: HS11352(a), sell COUNT 2: HS11351 COUNT 3: HS11352(a), sell COUNT 4: HS11351 COUNT 5: HS11352(a), sell COUNT 6: HS11351

CD284863	AEP527	VALENZULA, LUIS	RET.	WHITE, STEPHEN	TRAN, ERIC	Flight Risk	Central	Narcotics	Narcotics	20904608A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4) COUNT 2: HS11378 -- HS11370.4(b)(1) -- HS11370.4(b)(2) -- HS11370.4(b)(3) -- HS11370.4(b)(4)
CS311762	BCF483	VASQUEZ, ERIC	RET.	TEGHELIA, RYAN	BLAYLOCK, CHRIS	Flight Risk	South County	Narcotics	Narcotics	19770135A	HS11352(a), import	COUNT 1: HS11352(a), import -- PC1203.073(b)(1) -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4) COUNT 2: HS11351 -- HS11370.4(a)(1) -- HS11370.4(a)(2) -- HS11370.4(a)(3) -- HS11370.4(a)(4) COUNT 3: HS11366.8(a)
CN409738	OCN469	VASQUEZ, SALVADOR	RET.	EZQUERRO, FERNANDA	LOGAN, DEAN CAL	Danger/Flight Risk	North County	Narcotics	Narcotics	20903339A	HS11379(a), transport	COUNT 1: HS11379(a), transport -- HS11370.4(b)(4) COUNT 2: HS11378 -- HS11370.4(b)(4) PRIOR: PC667(b)-(i)
CN411944	OCN893	VAZQUEZ, JARED	OPD	NO NAME	GOCHNOUR, DANIEL	Flight Risk	North County	Narcotics	Narcotics	20915197A	HS11352(a), transport	COUNT 1: HS11352(a), transport -- HS11370.4(a)(2) COUNT 2: HS11351 -- PC1203.07(a)(1) -- HS11370.4(a)(2)
CD284323	AEP029	VERNON, ELIAS	RET.	FUQUA, ALEXANDER	FELS, IAN	No. 594 same victim while out on bail	Central	Superior Court	Superior Court	19768493A	PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) -- PC12022.1(b) PRIOR: PC1203(e)(4)
CD284324	AEP030	VERNON, ELIAS	RET.	FUQUA, ALEXANDER	FELS, IAN	No. 594 same victim while out on bail. 245 history.	Central	Superior Court	Superior Court		PC594(a)(b)(1)	COUNT 1: PC594(a)(b)(1) -- PC12022.1(b) COUNT 2: PC594(a)(b)(1) -- PC12022.1(b) COUNT 3: PC594(a)(b)(1) -- PC12022.1(b) PRIOR: PC1203(e)(4)
CN389776	OCJ437	VO, NHAT	OPD	Hallare, Joseph	Coleman	Mental issues/danger	North County	Family Protection	Animal Cruelty	18150983A	PC597(a)	COUNT 1: PC597(a) PC 12022(b)(1); COUNT 2: PC594(a)(b)(2)(A) COUNT 3: PC602(m)
CD283155	AEN998	WATERS, JIMMY	RET.	Orsatti, Victor	Tanney	Danger + flight - \$1.6M loss repeat conduct	Central	Economic Crimes	Economic Crimes	19764841	PC530.5(a)	
CN409574	OCN444	WAY, BRIAN	OPD	ITZHAKI, LINDSAY	GOCHNOUR, DANIEL	drug/gun/meth	North County	Narcotics	Narcotics	19739738A	HS11370.1(a)	COUNT 1: HS11370.1(a) COUNT 2: HS11378 -- PC1203.073(b)(2) -- PC1203.07(a)(1) -- PC12022(c) -- HS11370.4(b)(1) COUNT 3: PC29800(a)(1) COUNT 4: PC30305(a)(1) COUNT 5: PC18710(a) COUNT 6: HS11378 PRIOR: PC1170(f)&(h)(3) PRIOR: PC1203(a)(4) PRIOR: PC667(b)-(i)
CE399280	MBU247	WENBOURNE, BRETT	OPD	WEINTRE, JAMES	CHEN, VINCENT	danger/history	East County	East County Branch	East County Branch	20910692F	PC530.5(c)(3)	COUNT 1: PC530.5(c)(3) COUNT 2: HS11377(a) COUNT 3: HS11364 PRIOR: PC1170(f)&(h)(3)

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EXHIBIT C

4. I submit this affidavit in support of any defendant seeking release from custody during the COVID-19 pandemic, so long as such release does not jeopardize public safety and the inmate can be released to a residence in which the inmate can comply with CDC social distancing guidelines. The statements in this affidavit are based only on the current state of emergency and the circumstances described below.

The Risk of Infection and Accelerated Transmission of COVID-19 within Jails and Prisons is Extraordinarily High.

5. Prisons and jails are not actually isolated from our communities: hundreds of thousands of correctional officers and correctional healthcare workers enter these facilities every day, returning to their families and to our communities at the end of their shifts, bringing back and forth to their families and neighbors and to incarcerated patients any exposures they have had during the day. Access to testing for correctional staff has been “extremely limited,” guards have reported a “short supply” of protective equipment, and prisons are not routinely or consistently screening correctional officers for symptoms.¹

6. The risk of exposure is particularly acute in pre-trial facilities where the inmate populations shift frequently.² For example, despite the federal government’s guidance to stay

¹ Keegan Hamilton, *Sick Staff, Inmate Transfers, and No Tests: How the U.S. Is Failing Federal Inmates as Coronavirus Hits*, Vice (Mar. 24, 2020), https://www.vice.com/en_ca/article/jge4vg/sick-staff-inmate-transfers-and-no-tests-how-the-us-is-failing-federal-inmates-as-coronavirus-hits.

See also Daniel A. Gross, “*It Spreads Like Wildfire*”: *The Coronavirus Comes to New York’s Prisons*, The New Yorker (Mar. 24, 2020), <https://www.newyorker.com/news/news-desk/it-spreads-like-wildfire-covid-19-comes-to-new-yorks-prisons>; Josiah Bates, ‘*We Feel Like All of Us Are Gonna Get Corona.*’ *Anticipating COVID-19 Outbreaks, Rikers Island Offers Warning for U.S. Jails, Prisons*, Time (Mar. 24, 2020), <https://time.com/5808020/rikers-island-coronavirus/>; Sadie Gurman, *Bureau of Prisons Imposes 14-Day Quarantine to Contain Coronavirus*, WSJ (Mar. 24, 2020), <https://www.wsj.com/articles/bureau-of-prisons-imposes-14-day-quarantine-to-contain-coronavirus-11585093075>; Cassidy McDonald, *Federal Prison Workers Say Conflicting Orders on Coronavirus Response Is Putting Lives at Risk*, CBS News (Mar. 19, 2020), <https://www.cbsnews.com/news/coronavirus-prison-federal-employees-say-conflicting-orders-putting-lives-at-risk-2020-03-19/>.

² Emma Grey Ellis, *Covid-19 Poses a Heightened Threat in Jails and Prisons*, Wired (Mar. 24, 2020), <https://www.wired.com/story/coronavirus-covid-19-jails-prisons/>.

inside and many states' stay-in-place orders, many prosecutors are still arresting individuals and seeking detention.³ Pre-trial detention facilities are still accepting new inmates who are coming from communities where COVID-19 infection is rampant. As of today's date, the Bureau of Prisons is still moving inmates from facility to facility, including prisoners in New York.⁴

7. Because inmates live in close quarters, there is an extraordinarily high risk of accelerated transmission of COVID-19 within jails and prisons. Inmates share small cells, eat together and use the same bathrooms and sinks. They eat together at small tables that are cleaned only irregularly. Some are not given tissues or sufficient hygiene supplies.⁵ Effective social distancing in most facilities is virtually impossible, and crowding problems are often compounded by inadequate sanitation, such as a lack of hand sanitizer or sufficient opportunities to wash hands.⁶

Inmate Populations Also Have the Highest Risk of Acute Illness and Poor Health Outcomes if Infected with COVID-19.

8. There are more than 2.3 million people incarcerated in the United States⁷

³ Stephen Rex Brown, *'Business as Usual' For Federal Prosecutors Despite Coronavirus, Nadler Writes, Calling for Release of Inmates*, N.Y. Daily News (Mar. 20, 2020), <https://www.nydailynews.com/new-york/ny-nadler-doj-inmates-20200320-d6hbdjcu5aitppi3ui2xz7tjy-story.html>.

⁴ Courtney Bubl , *Lawmakers, Union Urge Halt to All Prison Inmate Transfers*, Government Executive (Mar. 25, 2020), <https://www.govexec.com/management/2020/03/lawmakers-union-urge-halt-all-prison-inmate-transfers/164104/>; Hamilton, *Sick Staff, Inmate Transfers*; Luke Barr, *Despite Coronavirus Warnings, Federal Bureau of Prisons Still Transporting Inmates*, ABC News (Mar. 23, 2020), <https://abcnews.go.com/Health/warnings-bureau-prisons-transporting-inmates-sources/story?id=69747416>.

⁵ Justine van der Leun, *The Incarcerated Person Who Knows How Bad It Can Get*, Medium (Mar. 19, 2020), <https://gen.medium.com/what-its-like-to-be-in-prison-during-the-coronavirus-pandemic-1e770d0ca3c5> ("If you don't have money, you don't have soap or tissues."); Keri Blakinger and Beth Schwartzapfel, *How Can Prisons Contain Coronavirus When Purrell Is a Contraband?*, ABA Journal (Mar. 13, 2020), <https://www.abajournal.com/news/article/when-purrell-is-contraband-how-can-prisons-contain-coronavirus>.

⁶ Rosa Schwartzburg, *The Only Plan the Prison Has Is to Leave Us To Die in Our Beds*, The Nation (Mar. 25, 2020), <https://www.thenation.com/article/society/coronavirus-jails-mdc/>.

⁷ Kimberly Kindy et al., *'Disaster Waiting to Happen': Thousands of Inmates Released as Jails and Prisons Face Coronavirus Threat*, Washington Post (Mar. 25, 2020), https://www.washingtonpost.com/national/disaster-waiting-to-happen-thousands-of-inmates-released-as-jails-face-coronavirus-threat/2020/03/24/761c2d84-6b8c-11ea-b313-df458622c2cc_story.html.

approximately 16% of whom are age 50 or older.⁸ The risk of coronavirus to incarcerated seniors is high. “Their advanced age, coupled with the challenges of practicing even the most basic disease prevention measures in prison, is a potentially lethal combination.”⁹ To make matters worse, correctional facilities are often ill-equipped to care for aging prisoners, who are more likely to suffer from chronic health conditions than the general public.

9. An estimated 39-43% of all prisoners, and over 70% of older prisoners, have at least one chronic condition, some of the most common of which are diabetes, hypertension, and heart problems.¹⁰ According to the CDC, each of these conditions—as well as chronic bronchitis, emphysema, heart failure, blood disorders, chronic kidney disease, chronic liver disease, any condition or treatment that weakens the immune response, current or recent pregnancy in the last two weeks, inherited metabolic disorders and mitochondrial disorders, heart disease, lung disease, and certain neurological and neurologic and neurodevelopment conditions¹¹—puts them at a “high-risk for severe illness from COVID-19.”¹²

⁸ Brie Williams *et al.*, *Strategies to Optimize the Use of Compassionate Release from US Prisons*, 110 *AJPH* S1, S28 (2020), available at <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2019.305434>; Kimberly A. Skarupski, *The Health of America’s Aging Prison Population*, 40 *Epidemiologic Rev.* 157, 157 (2018), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5982810/>.

⁹ Weihua Li and Nicole Lewis, *This Chart Shows Why the Prison Population is So Vulnerable to COVID-19*, The Marshall Project (Mar. 19, 2020), <https://www.themarshallproject.org/2020/03/19/this-chart-shows-why-the-prison-population-is-so-vulnerable-to-covid-19>.

¹⁰ Brie A. Williams *et al.*, *How Health Care Reform Can Transform the Health of Criminal Justice-Involved Individuals*, 33 *Health Affairs* 462-67 (2014), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4034754/>; Brie A. Williams *et al.*, *Coming Home: Health Status and Homelessness Risk of Older Pre-release Prisoners*, 25 *J. Gen. Internal Med.* 1038-44 (2010), available at <https://link.springer.com/content/pdf/10.1007/s11606-010-1416-8.pdf>; Laura M. Maruschak *et al.*, *Medical Problems of State and Federal Prisoners and Jail Inmates, 2011-12*, U.S. Dept of Justice (Oct. 4, 2016), at 5, available at <https://www.bjs.gov/content/pub/pdf/mpsfj1112.pdf>.

¹¹ Harvard Health Publishing, *Coronavirus Research Center*, Harvard Medical School (Mar. 25, 2020), <https://www.health.harvard.edu/diseases-and-conditions/coronavirus-resource-center>.

¹² Centers for Disease Control and Prevention, *Coronavirus Disease 2019: People Who Are at Higher Risk*, <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/people-at-higher-risk.html> (last updated Mar. 22, 2020).

10. However, even many young federal prisoners suffer from asthma, rendering them also very vulnerable to coronavirus.¹³

11. But it is not only the elderly, or those with preexisting medical conditions that are at risk of coronavirus in a correctional setting. As of March 23, 2020, New York City reported that “[p]eople ranging in ages from 18 to 44 have accounted for 46 percent of positive tests.”¹⁴ Across the United States, 38% of those hospitalized are between the ages of 20 and 54 and 12% of the intensive care patients are between 20 and 44.¹⁵

12. This data is of particular concern for inmate populations, since prisoners’ physiological age *averages 10 to 15 years older* than their chronological age.¹⁶ Therefore, the consensus of those who study correctional health is that inmates are considered “geriatric, by the age of 50 or 55 years.”¹⁷ It is not clear that prison health care administrations are taking accelerated ageing into account when determining the eligibility criteria for age-related screening tools and medical care protocols for coronavirus, potentially leaving large swathes of the prison population at risk.¹⁸

¹³ Laura Maruschak, *Medical Problems of Jail Inmates*, Dep’t of Justice (Nov. 2006), at p. 2, available at <https://www.bjs.gov/content/pub/pdf/mpji.pdf>.

¹⁴ Kimiko de Freytas-Tamura, *20-Somethings Now Realizing That They Can Get Coronavirus, Too*, N.Y. Times (Mar. 23, 2020), <https://www.nytimes.com/2020/03/23/nyregion/nyc-coronavirus-young.html>.

¹⁵ *Id.*

¹⁶ Brie A. Williams *et al.*, *Aging in Correctional Custody: Setting a Policy Agenda for Older Prisoner Health Care*, 102 Am. J. Public Health 1475-81 (2012), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3464842/>; see also Brie Williams *et al.*, *Detained and Distressed: Persistent Distressing Symptoms in a Population of Older Jail Inmates*, 64 J. Am. Geriatrics Soc. 2349-55 (2016), <https://onlinelibrary.wiley.com/doi/pdf/10.1111/jgs.14310> (“For example, older jail inmates with an average age of 60 in this study reported poor or fair health [and] chronic lung disease . . . at rates similar to those reported by community-based lower income older adults with an average age of 72.”).

¹⁷ Brie A. Williams *et al.*, *The Older Prisoner and Complex Chronic Medical Care* 165-70 in World Health Organization, *Prisons and Health* (2014), <https://pdfs.semanticscholar.org/64aa/10d3cff6800ed42dd152fcf4e13440b6f139.pdf>.

13. In one study, we found that inmates who died in hospitals were, on average, nearly two decades younger than non-incarcerated decedents, had significantly shorter hospitalizations, and had higher rates of several chronic conditions including cancer, liver disease and/or hepatitis, mental health conditions, and HIV/AIDS.”¹⁹

The Entire Community is at Risk If Prison Populations Are Not Reduced

14. As the World Health Organization has warned, prisons around the world can expect “huge mortality rates” from Covid-19 unless they take immediate action including screening for the disease.²⁰

15. As of March 24, 2020, at least 38 people involved in the New York City correctional system have tested positive for Covid-19.²¹ Already, three inmates and three staff at federal correctional facilities across the United States have tested positive for the coronavirus, according to the Federal Bureau of Prisons.²²

16. Jails and prisons are fundamentally ill-equipped to handle a pandemic.

17. Medical treatment capacity is not at the same level in a correctional setting as it is in a hospital. Some correctional facilities have no formal medical ward and no place to quarantine

¹⁸ Brie A. Williams *et al.*, *Differences Between Incarcerated and Non-Incarcerated Patients Who Die in Community Hospitals Highlight the Need For Palliative Care Services For Seriously Ill Prisoners in Correctional Facilities and in Community Hospitals: a Cross-Sectional Study*, 32 *J. Palliative Med.* 17-22 (2018), available at <https://journals.sagepub.com/doi/pdf/10.1177/0269216317731547>.

¹⁹ *Id.* at 20.

²⁰ Hannah Summers, ‘Everyone Will Be Contaminated’: Prisons Face Strict Coronavirus Controls, *The Guardian* (Mar. 23, 2020), <https://www.theguardian.com/global-development/2020/mar/23/everyone-will-be-contaminated-prisons-face-strict-coronavirus-controls>.

²¹ Ellis, *Covid-19 Poses a Heightened Threat in Jails and Prisons*.

²² Ryan Lucas, *As COVID-19 Spreads, Calls Grow to Protect Inmates in Federal Prisons*, NPR (Mar. 24, 2020), <https://www.npr.org/sections/coronavirus-live-updates/2020/03/24/820618140/as-covid-19-spreads-calls-grow-to-protect-inmates-in-federal-prisons>.

sick inmates, other than the facilities' Special Housing Unit (SHU).²³ While the cells in the SHU have solid doors to minimize the threat of viral spread in otherwise overcrowded facilities, they rarely have intercoms or other ways for sick inmates to contact officers in an emergency.²⁴ This is particularly dangerous for those with COVID-19 infection since many patients with COVID-19 descend suddenly and rapidly into respiratory distress.²⁵

18. Even those facilities that do have healthcare centers can only treat relatively mild types of respiratory problems for a very limited number of people.²⁶ This means that people who become seriously ill while in prisons and jails will be transferred to community hospitals for care. At present, access to palliative care in prison is also limited.

19. Corrections officers may also be particularly vulnerable to coronavirus due to documented high rates of diabetes and heart disease.²⁷ Prison staff in Pennsylvania, Michigan, New York and Washington state have tested positive for the virus, resulting in inmate quarantines. In Washington, D.C., a U.S. marshal who works in proximity to new arrestees tested positive for the virus, meaning dozens of defendants headed for jail could have been exposed.²⁸ In New York,

²³ MCC New York COVID 19 Policy Memo, Mar. 19, 2020, <https://www.documentcloud.org/documents/6818073-MCC-New-York-COVID-19-Policy-Memo.html>; Danielle Ivory, *'We Are Not a Hospital': A Prison Braces for the Coronavirus*, N.Y. Times (Mar. 17, 2020), <https://www.nytimes.com/2020/03/17/us/coronavirus-prisons-jails.html>.

²⁴ Brie Williams *et al.*, *Correctional Facilities in the Shadow of COVID-19: Unique Challenges and Proposed Solutions*, Health Affairs (Mar. 26, 2020), <https://www.healthaffairs.org/doi/10.1377/hblog20200324.784502/full/>.

²⁵ Lizzie Presser, *A Medical Worker Describes Terrifying Lung Failure From COVID-19—Even in His Young Patients*, ProPublica (Mar. 21, 2020), <https://www.propublica.org/article/a-medical-worker-describes--terrifying-lung-failure-from-covid19-even-in-his-young-patients>.

²⁶ Ellis, *Covid-19 Poses a Heightened Threat in Jails and Prisons*; Li and Lewis, *This Chart Shows Why the Prison Population is So Vulnerable to COVID-19*.

²⁷ Brie Williams, *Role of US-Norway Exchange in Placing Health and Well-Being at the Center of US Prison Reform*, <https://ajph.aphapublications.org/doi/10.2105/AJPH.2019.305444> (published Jan. 22, 2020).

²⁸ Zusha Elinson and Deanna Paul, *Jails Release Prisoners, Fearing Coronavirus Outbreak*, WSJ (Mar. 22, 2020), <https://www.wsj.com/articles/jails-release-prisoners-fearing-coronavirus-outbreak-11584885600> (“We’re all headed for some dire consequences,” said Daniel Vasquez, a former warden of San Quentin and Soledad state prisons in

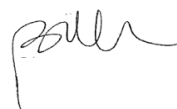
236 members of the New York Police Department have tested positive for coronavirus and 3,200 employees are sick, triple the normal sick rate.²⁹ Two federal prison staffers have also tested positive.³⁰

20. For this reason, correctional health is public health. Decreasing risk in prisons and jails decreases risk to our communities.

21. Reducing the overall population within correctional facilities will also help medical professionals spread their clinical care services throughout the remaining population more efficiently. With a smaller population to manage and care for, healthcare and correctional leadership will be better able to institute shelter in place and quarantine protocols for those who remain. This will serve to protect the health of both inmates as well as correctional and healthcare staff.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: San Francisco, California
March 27, 2020



Dr. Brie Williams

California. “They’re in such close quarters—some double- and triple-celled—I think it’s going to be impossible to stop it from spreading.”).

²⁹ Erin Durkin, *Thousands of NYPD Officers Out Sick Amid Coronavirus Crisis*, Politico (Mar. 25, 2020), <https://www.politico.com/states/new-york/albany/story/2020/03/25/thousands-of-nypd-officers-out-sick-amid-coronavirus-crisis-1268960>.

³⁰ Elinson and Paul, *Jails Release Prisoners, Fearing Coronavirus Outbreak*.

PROOF OF SERVICE

Case Name: People v. EXHIBIT B

Case No.: EXHIBIT B

I am a citizen of the United States and a resident of the County of San Diego, State of California. I am over the age of 18 years and not a party to the within action. My office address is 450 "B" Street, Suite 900, San Diego, California 92101

On the date of execution of this document, I served the *foregoing* **DEFENSE OBJECTION TO ORDER #041320-42 (SDSC EMERGENCY BAIL ORDER 041320); MOTION TO RESET BAIL PURSUANT TO EMERGENCY BAIL SCHEDULE FORTHWITH**, to the following in the manner stated:

I declare under penalty of perjury that the foregoing is true and correct.

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Hon. Michael Smyth, Judge
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Executed on April 15, 2020 , at San Diego, California.

Whitney N. Antrim, Declarant