



SAN DIEGO SUPERIOR COURT

---

Standard Sentencing Guidelines  
for Infractions and Misdemeanors

Courtroom Counsel Copy

*6th Edition*  
*Effective January 2015*



# TABLE OF CONTENTS

---

Sentencing Guidelines Overview.....	1
Advisals .....	3
Acronyms.....	4
Standard Sentences Guidelines	
Business and Professions Code Violations.....	5
Health and Safety Code Violations .....	11
Penal Code Violations.....	15
Vehicle Code Violations .....	29
Fish & Game, Harbors & Navigation, San Diego Municipal Code, and Metropolitan Transit District Board Code Violations .....	43
PC 1000 and PC 1210 (Prop 36).....	45
Domestic Violence Offenses.....	47



# SENTENCING GUIDELINES OVERVIEW

---

**The Standard Sentencing Guidelines is a compilation of recommended sentences, including fines and terms and conditions of probation, for the most common misdemeanor and infraction offenses. This document is meant to be used as a guide, and does not intend to remove any discretion from a judicial officer when determining the most appropriate sentence.**

**The following pages provide an overview of the Guide.**

## *Fines and Conditions of Probation*

The sentencing recommendations contain recommended total fines, including all assessments and restitution fines, as well as mandatory and recommended terms and conditions of probation, if applicable. All grants of probation include: a \$150 Restitution Fine, \$40 Court Operations Assessment<sup>1</sup>, a Criminal Conviction Assessment of \$35 for infractions OR \$30 for misdemeanors, and all other applicable fees and assessments. The following are not included in the total fine:

1. The Probation Revocation Restitution Fine (PRRF) in an amount equal to the Restitution Fine, which must be imposed and suspended separately from the total fine due (PC§1202.44).
2. Actual restitution to the victim, which must be determined and ordered separately.
3. Attorney fees if the defendant utilizes the services of appointed counsel (addressed later in this section).

Fine amounts reflected in **red** indicate that the amount is the statutory minimum permitted for the particular violation and that a fine of a lesser amount may not lawfully be imposed.

Conditions of probation with a “(mandatory)” indication directly after the term are minimum conditions required by statute. Conditions of probation indicated in *italics* are optional terms that the judicial officer may want to consider.

## *Payment of Fines, Fees and Assessments*

If the judicial officer grants a request for time to pay the fine, or to make payments in installments, the court has established guidelines for the clerk to administratively set a due date and/or to establish payment plans. The defendant should be made aware that a fee of \$30 or \$35 for time to pay or for an installment plan will be added to the total fine.

---

<sup>1</sup> Formerly called the Court Security Fee (PC 1465.8(a)(1)).

### ***Attorney Fees***

In cases in which the defendant utilizes the services of court-appointed counsel and in cases where the court appoints counsel, attorneys' fees to repay the costs of appointed counsel are assessed against all defendants who can afford to pay them. For example, as indicated in the chart below, if a defendant pleads guilty or no contest at arraignment, the court imposes a \$50 counseling fee. These fees are not imposed as a term or condition of probation and are not included in the recommended sentences. The table below includes the appropriate fees for each event.

<b>EVENT</b>	<b>AMOUNT</b>
<b>Arraignment (counseling)</b> <ul style="list-style-type: none"><li>◆ Case is adjudicated with immediate sentence imposed.</li><li>◆ For multiple cases, only impose one fee.</li><li>◆ No charge if dismissed at arraignment.</li></ul>	\$50
<b>Probation Violation</b> <ul style="list-style-type: none"><li>◆ Admits violation &amp; waives hearing.</li><li>◆ Goes to Evidentiary hearing.</li><li>◆ For multiple cases, only impose one fee.</li></ul>	\$50 \$100
<b>Misdemeanor</b> <ul style="list-style-type: none"><li>◆ Any event after arraignment, even if case is dismissed.</li></ul>	\$100

# # #

## ADVISALS INCLUDED IN THIS DOCUMENT

---

### **4<sup>th</sup> Amendment Waiver**

Submit person, property, place of residence, vehicle, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer.

### **PC 647f (positive HIV test after PC 647(b) conviction)**

“You have been provided the report showing your positive HIV blood test. Do you understand what that positive report means? I am also required to advise you that because of your conviction for this prostitution offense, coupled with the positive results of the HIV test about which you were just informed, if you are later charged with another prostitution offense set forth in Penal Code § 647(b), and this conviction and the informed test results are found true by the trier of fact or are admitted by you, you will be guilty of a felony.”

### **PC 1016.5 advisal**

“I understand that if I am not a U.S. citizen, this plea of guilty/no contest may result in my removal/deportation, exclusion from admission to the U.S., and denial of naturalization. Additionally, if this plea is to any offense listed on the back of the change of plea form, then I **will** be deported, excluded from admission to the U.S., and denied naturalization.”

### **PC 29805**

Pursuant to Penal Code §29805, “any person who has been convicted of a misdemeanor violation for any of the following offenses is prohibited from owning, purchasing, receiving, possessing, or having under his or her custody or control any firearm within 10 years of the conviction: Pen. Code §§ 71, 76, 136.1, 136.5, 140, 148(d), 171b, 171c(a)(1), 171d, 186.28, 240, 241, 242, 243, 243.4, 244.5, 245, 245.5, 246.3, 247, 273.5, 273.6, 417, 417.6, 422, 626.9, 646.9, 830.95, former 12100(a), 17500, 17510, 25300, 25800, 26100(b), 26100(d), 27510, 30315, 32625, or of the conduct punished in § 27590(c), Welf. & Inst. §§ 8100, 8101, or 8103, any firearm-related offense pursuant to Welf. & Inst. §§ 871.5 and 1001.5.”

### **Auto Forfeiture Advisal (AFA)/VC 14607.6**

Pursuant to Vehicle Code §14607.6, “a motor vehicle is subject to forfeiture as a nuisance if it is driven on a highway in this state by a driver with a suspended or revoked license, or by an unlicensed driver, who is a registered owner of the vehicle and has a previous misdemeanor conviction for a violation of subdivision (a) of section 12500 or section 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5.”

### **VC 23593 advisal**

“You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder.”

## ACRONYMS USED IN THIS DOCUMENT

---

<b>AFA</b>	Auto Forfeiture Advisal (VC 14607.6) (see Advisal section)
<b>B&amp;R</b>	Book and Release
<b>BAC</b>	Blood Alcohol Concentration
<b>CCA</b>	Criminal Conviction Assessment
<b>COA</b>	Court Operations Assessment <sup>1</sup>
<b>D</b>	Day(s)
<b>DVRP</b>	Domestic Violence Recovery Program
<b>FCP</b>	First Conviction Alcohol Education Program
<b>H</b>	Hour(s)
<b>HW</b>	Harvey Waiver
<b>IID</b>	Ignition Interlock Device
<b>ILO</b>	In Lieu Of
<b>ISS</b>	Imposition of Sentence Suspended
<b>LIO</b>	Lesser Included Offense
<b>M</b>	Month(s)
<b>MCP (or SB38)</b>	Multiple-Convictions Alcohol Education Program
<b>NVC</b>	No Victim Contact
<b>PRRF</b>	Probation Revocation Restitution Fine
<b>PSP</b>	Probation Department's Public Work Service Program
<b>RF</b>	Restitution Fund Fine
<b>SAAU</b>	Substance Abuse Assessment Unit
<b>SAC</b>	Standard Alcohol Conditions (VC 23600) <ol style="list-style-type: none"><li>1. Not drive with any measurable amount of alcohol in blood.</li><li>2. Submit to any test at the request of a peace officer for detection of alcohol and drugs.</li><li>3. Violate no laws regarding driving a motor vehicles while under the influence or in the possession of alcohol or drugs.</li><li>4. Not drive without a valid license and proof of insurance.</li></ol>
<b>SAO</b>	Stay Away Order
<b>TRO</b>	Temporary Restraining Order
<b>TVS</b>	Traffic Violator School
<b>VNL</b>	Violate no laws, minor traffic infractions excepted
<b>Y</b>	Year(s)

---

<sup>1</sup> Formerly called the Court Security Fee (PC 1465.8(a)(1)).

## BUSINESS & PROFESSIONS CODE

---

<b>BP 4060</b> Possession of controlled substance without a prescription	<b>ISS 3; VNL</b> <b>\$954</b> including \$100 SAAU fee; <b>plus \$150 PRRF suspended</b> <b>Not use or possess controlled substances without a valid prescription</b> <b>4<sup>th</sup> Waiver</b> <b>Refer to SAAU</b> <b>Drug testing when required by SAAU, treatment provider, or any peace officer</b>
<b>BP 7028</b> Contracting without a license	<b>ISS 3; VNL</b> <b>\$532 plus \$150 PRRF suspended</b> <b>Defendant not to act as a contractor without a license</b>  Grant TRO/injunction against acting as a contractor without a license if proper showing is made.
<b>BP 22435.2</b> Shopping cart theft	<b>ISS 3; VNL</b> <b>\$532 plus \$150 PRRF suspended</b> <b>SAO</b>
<b>BP 25620</b> Open container of alcohol ( <i>Infraction</i> )	<b>\$239</b>  [No probation, fine is sentence]
<b>BP 25658(a)</b> Sale to a person under 21	<b>ISS 3; VNL</b> <b>\$4,345 plus \$150 PRRF suspended</b> <b>24H Volunteer work (at alcohol/drug program if available)</b> <b>(mandatory)</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory) [VC 13202.5] and</b> <b>surrender license (mandatory <u>IF</u> not previously surrendered to law enforcement or DMV) [VC 13206]</b>

---

## BUSINESS & PROFESSIONS CODE

---

<b>BP 25658(b)</b> Purchase or consumption by person under 21	<b>ISS 3; VNL</b> <b>\$1,270 plus \$150 PRRF suspended</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  <b>--Alternative Sentence</b> <b>ISS 3; VNL</b> <b>\$245 (RF and fees) plus \$150 PRRF suspended</b> <b>24-32H Volunteer work (at alcohol/drug program if available)</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  Fine <b>OR</b> RF and fees and volunteer work (at alcohol/drug program, if available) <b>(mandatory)</b>
--	--

---

<b>BP 25658(b)</b> Purchase or consumption by person under 21 <b>with one prior</b>	<b>ISS 3; VNL</b> <b>\$2,295 plus \$150 PRRF suspended</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  <b>--Alternative Sentence</b> <b>ISS 3; VNL</b> <b>\$245 (RF and fees) plus \$150 PRRF suspended</b> <b>36-48H Volunteer work (at alcohol/drug program if available)</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  Fine <b>OR</b> RF and fees and volunteer work (at alcohol/drug program if available) <b>(mandatory)</b>
--	---

---

<b>BP 25658(d)</b> Licensee who permits person under 21 consumption	<b>ISS 3; VNL</b> <b>\$1,270 plus \$150 PRRF suspended</b>  <b>--Alternative Sentence</b> <b>ISS 3; VNL</b> <b>\$245 (RF and fees) plus \$150 PRRF suspended</b> <b>24-32H Volunteer work (at alcohol/drug program if available)</b>  Fine <b>OR</b> RF and fees and volunteer work (at alcohol/drug program if available) <b>(mandatory)</b>
--	---

---

## BUSINESS & PROFESSIONS CODE

---

<b>BP 25661</b> Person under 21 in possession of false ID ( <i>Infraction</i> )	<b>\$239</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  [No probation, fine is sentence]
<b>BP 25661</b> Person under 21 in possession of false ID ( <i>Misdemeanor</i> )	<b>ISS 3; VNL</b> <b>\$1,270 plus \$150 PRRF suspended</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  <b>--Alternative Sentence</b> <b>ISS 3; VNL</b> <b>\$245 (RF and fees) plus \$150 PRRF suspended</b> <b>24-32H Volunteer work (at alcohol/drug program if available)</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  Fine <b>OR</b> RF and fees and volunteer work (at alcohol/drug program if available) <b>OR</b> both ( <b>mandatory</b> )
<b>BP 25661</b> Person under 21 in possession of false ID ( <i>Misdemeanor</i> ) <b>with one prior</b>	<b>ISS 3; VNL</b> <b>\$2,295 plus \$150 PRRF suspended</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  <b>--Alternative Sentence</b> <b>ISS 3; VNL</b> <b>\$245 (RF and fees) plus \$150 PRRF suspended</b> <b>36-48H Volunteer work (at alcohol/drug program if available)</b> <b>1Y license suspension (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206]  Fine <b>OR</b> RF and fees and volunteer work (at alcohol/drug program if available) <b>OR</b> both ( <b>mandatory</b> )

---

## BUSINESS & PROFESSIONS CODE

---

**BP 25662(a)**

Person under 21 in possession of alcohol  
(*Infraction*)

**\$239**

**1Y license suspension (mandatory)** [VC 13202.5] and **surrender license (mandatory *IF*)** not previously surrendered to law enforcement or DMV) [VC 13206]

**--Alternative Sentence**

**\$75 (COA & CCA)**

**24-32H Volunteer work (at alcohol/drug program if available)**

**1Y license suspension (mandatory)** [VC 13202.5] and **surrender license (mandatory *IF*)** not previously surrendered to law enforcement or DMV) [VC 13206]

Fine ***OR*** COA, CCA, and volunteer work (at alcohol/drug program if available) (**mandatory**)

[No probation, fine is sentence]

---

**BP 25662(a)**

Person under 21 in possession of alcohol  
(*Infraction*)  
**with one prior**

**\$403**

**1Y license suspension (mandatory)** [VC 13202.5] and **surrender license (mandatory *IF*)** not previously surrendered to law enforcement or DMV) [VC 13206]

**--Alternative Sentence**

**\$75 (COA & CCA)**

**36-48H Volunteer work (at alcohol/drug program if available)**

**1Y license suspension (mandatory)** [VC 13202.5] and **surrender license (mandatory *IF*)** not previously surrendered to law enforcement or DMV) [VC 13206]

Fine ***OR*** COA, CCA, and volunteer work (at alcohol/drug program if available) (**mandatory**)

[No probation, fine is sentence]

---

## BUSINESS & PROFESSIONS CODE

---

**BP 25662(a)**  
Person under 21 in  
possession of alcohol  
(*Misdemeanor*)

**ISS 3; VNL**  
**\$1,270 plus \$150 PRRF suspended**  
**1Y license suspension (mandatory)** [VC 13202.5] and **surrender license**  
(**mandatory IF** not previously surrendered to law enforcement or  
DMV) [VC 13206]

**--Alternative Sentence**

**ISS 3; VNL**  
**\$245 (RF and fees) plus \$150 PRRF suspended**  
**24-32H Volunteer work (at alcohol/drug program if available)**  
**1Y license suspension (mandatory)** [VC 13202.5] and **surrender**  
**license (mandatory IF** not previously surrendered to law  
enforcement or DMV) [VC 13206]

Fine **OR** RF and fees and volunteer work (at alcohol/drug program if  
available) (**mandatory**)

---

**BP 25662(a)**  
Person under 21 in  
possession of alcohol  
(*Misdemeanor*)  
**with one prior**

**ISS 3; VNL**  
**\$2,295 plus \$150 PRRF suspended**  
**1Y license suspension (mandatory)** [VC 13202.5] and **surrender license**  
(**mandatory IF** not previously surrendered to law enforcement or  
DMV) [VC 13206]

**--Alternative Sentence**

**ISS 3; VNL**  
**\$245 (RF and fees) plus \$150 PRRF suspended**  
**36-48H Volunteer work (at alcohol/drug program if available)**  
**1Y license suspension (mandatory)** [VC 13202.5] and **surrender**  
**license (mandatory IF** not previously surrendered to law  
enforcement or DMV) [VC 13206]

Fine **OR** RF and fees and volunteer work (at alcohol/drug program if  
available) **OR** both (**mandatory**)

---

THIS PAGE INTENTIONALLY LEFT BLANK

## HEALTH & SAFETY CODE

---

<b>HS 11350(a)</b> Possession of controlled substance	<b>ISS 3; VNL</b> <b>\$954</b> including \$100 SAAU fee; <b>plus \$150 PRRF suspended</b> <b>Not use or possess controlled substances without a valid prescription</b> <b>4<sup>th</sup> Waiver</b> <b>AIDS education (mandatory)</b> [PC 1001.10] <b>Offer HIV test (mandatory)</b> [PC 1001.10] <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Register as Narcotics Offender (mandatory)</b> [HS 11590] <b>Refer to SAAU</b> <b>Drug testing when required by SAAU or treatment provider</b>  Add 60D custody for each prior. <i>Consider drug rehabilitation program ILO custody.</i>
<b>HS 11357(a)</b> Possession of concentrated cannabis	<b>ISS 3; VNL</b> <b>\$954</b> including \$100 SAAU fee; <b>plus \$150 PRRF suspended</b> <b>Not use or possess controlled substances without a valid prescription</b> <b>4<sup>th</sup> Waiver</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Refer to SAAU</b> <b>Drug testing when required by SAAU or treatment provider</b>
<b>HS 11357(b)</b> Possession of marijuana – 28.5 grams or less ( <i>Infraction</i> )	<b>\$234</b> <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Up to 3Y license revocation if motor vehicle involved (mandatory)</b> [PC 13202]  [No probation, fine is sentence]

---

## HEALTH & SAFETY CODE

---

<b>HS 11357(c)</b> Possession of marijuana – more than 28.5 grams	<b>ISS 3; VNL</b> <b>\$795</b> including \$100 SAAU fee; <b>plus \$150 PRRF suspended</b> <b>Not use or possess controlled substances without a valid prescription</b> <b>4<sup>th</sup> Waiver</b> <b>1Y license suspension <u>IF</u></b> under 21 ( <b>mandatory</b> ) [VC 13202.5] and <b>surrender license (<b>mandatory</b> <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Refer to SAAU</b> <b>Up to 3Y license revocation if motor vehicle involved (<b>mandatory</b>)</b> [PC 13202]
<b>HS 11364</b> Possession of drug paraphernalia	<b>ISS 3; VNL</b> <b>\$954</b> including \$100 SAAU fee; <b>plus \$150 PRRF suspended</b> <b>Not use or possess controlled substances without a valid prescription</b> <b>4<sup>th</sup> Waiver</b> <b>1Y license suspension <u>IF</u></b> under 21 ( <b>mandatory</b> ) [VC 13202.5] and <b>surrender license (<b>mandatory</b> <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Refer to SAAU</b>
<b>HS 11377(a)</b> Possession of controlled substance	<b>ISS 3; VNL</b> <b>\$954</b> including \$100 SAAU fee; <b>plus \$150 PRRF suspended</b> <b>Not use or possess controlled substances without a valid prescription</b> <b>4<sup>th</sup> Waiver</b> <b>AIDS education (<b>mandatory</b>)</b> [PC 1001.10] <b>Offer HIV test (<b>mandatory</b>)</b> [PC 1001.10] <b>1Y license suspension <u>IF</u></b> under 21 ( <b>mandatory</b> ) [VC 13202.5] and <b>surrender license (<b>mandatory</b> <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Refer to SAAU</b> <b>Drug testing when required by SAAU or treatment provider</b>  Add 60D custody for each prior. <i>Consider drug rehabilitation program ILO custody.</i>

---

## HEALTH & SAFETY CODE

---

<b>HS 11550(a)</b> Under the influence of a controlled substance	<b>ISS 5; VNL</b> <b>1D custody</b> (mandatory) <b>\$954</b> including \$100 SAAU fee; <b>plus \$150 PRRF suspended</b> <b>Not use or possess controlled substances without a valid</b> <b>prescription</b> <b>4<sup>th</sup> Waiver</b> <b>AIDS education (mandatory)</b> [PC 1001.10] <b>Offer HIV test (mandatory)</b> [PC 1001.10] <b>1Y license suspension <u>IF</u></b> under 21 (mandatory) [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Register as Narcotics Offender (mandatory)</b> [HS 11590] <b>Refer to SAAU</b> <b>Drug testing when required by SAAU, treatment provider, or any</b> <b>peace officer</b>
--	--

Add 60D custody for each prior.

*Consider drug rehabilitation program ILO custody.*

---

THIS PAGE INTENTIONALLY LEFT BLANK

## PENAL CODE

---

<b>PC 148(a)</b> Delaying or resisting arrest	<b>ISS 3; VNL</b> <b>\$655 plus \$150 PRRF suspended</b> <b>5D PSP</b>
<b>PC 148.9(a)</b> False ID to peace officer	<b>ISS 3; VNL</b> <b>\$573 plus \$150 PRRF suspended</b>
<b>PC 240</b> Assault (not DV-related)	<b>ISS 3; VNL</b> <b>\$655 plus \$150 PRRF suspended</b> <b>10-20H Volunteer work -OR- Anger management course</b> <b>PC 29805 advisal (mandatory)</b> <b>NVC; SAO</b>
<b>PC 242/243(a)</b> Simple battery (not DV-related)	<b>ISS 3; VNL</b> <b>\$655 plus \$150 PRRF suspended</b> <b>10-20H Volunteer work -OR- Anger management course</b> <b>PC 29805 advisal (mandatory)</b> <b>NVC; SAO</b>
<b>PC 242/243(b)</b> Battery on a peace officer	<b>ISS 3; VNL</b> <b>\$655 plus \$150 PRRF suspended</b> <b>5D PSP</b> <b>Anger management course</b> <b>PC 29805 advisal (mandatory)</b> <b>NVC; SAO</b>
<b>PC 245(a)(1)</b> Assault with a deadly weapon (not firearm)	<b>ISS 3; VNL</b> <b>\$860 plus \$150 PRRF suspended</b> <b>5D PSP</b> <b>Anger management course</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>PC 29805 advisal (mandatory)</b> <b>NVC; SAO</b>
<b>PC 245(a)(2)</b> Assault with a deadly weapon (firearm)	<b>ISS 3; VNL</b> <b>180D custody (mandatory)</b> <b>\$860 plus \$150 PRRF suspended</b> <b>Anger management course</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>PC 29805 advisal (mandatory)</b> <b>NVC; SAO</b>

---

## PENAL CODE

<p><b>PC 273a(b)</b> Child abuse or endangerment</p>	<p><b>ISS 4; VNL</b> <b>\$714 plus \$150 PRRF suspended</b> <b>Child abuser's counseling program (mandatory)</b> <b>Protective order (mandatory)</b> <b>Refer to SAAU <i>IF</i> substance abuse is involved – add \$100 SAAU fee if referred</b> <b>4<sup>th</sup> waiver <i>IF</i> substance abuse is involved</b></p>
<p><b>PC 273.6</b> Violation of civil restraining order (not DV-related)</p>	<p><b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b> <b>5D PSP</b> <b>PC 29805 advisal (mandatory)</b></p> <p>Also see PC 273.6(h) (probation conditions must be consistent with PC 1203.097)</p>
<p><b>PC 290.018(a)</b> Failure to register as sex offender</p>	<p><b>ISS 3; VNL</b> <b>90D custody (mandatory)</b> <b>\$1,097 plus \$150 PRRF suspended</b> <b>Register per PC 290 forthwith</b></p> <p><i>Consider Probation mini-report</i></p>
<p><b>PC 308</b> Selling tobacco to a person under 18</p>	<p><b>\$1,065</b></p> <p>[No probation, fine is sentence]</p>
<p><b>PC 308</b> Selling tobacco to a person under 18 <b>with one prior</b></p>	<p><b>\$2,295</b></p> <p>[No probation, fine is sentence]</p>
<p><b>PC 308</b> Selling tobacco to a person under 18 <b>with two priors</b></p>	<p><b>\$4,345</b></p> <p>[No probation, fine is sentence]</p>
<p><b>PC 314(1)</b> Indecent exposure</p>	<p><b>ISS 3; VNL</b> <b>\$1,507 plus \$150 PRRF suspended</b> <b>Lifetime registration per PC 290 (mandatory)</b> <b>NVC; SAO</b></p> <p>Refer to Probation Department for SARATSO report</p>

## PENAL CODE

---

<b>PC 372</b> Public nuisance	<b>ISS 3; VNL</b> <b>\$532 plus \$150 PRRF suspended</b> <b>\$200 ordered paid to city or county where violation occurred to be used for their illegal dumping enforcement program (mandatory)</b> <b>Weapon ordered transferred/destroyed <u>IF</u> LIO of weapons charge (mandatory)</b> <b>HW required <u>IF</u> LIO</b>
<b>PC 415(1) or (2)</b> As misdemeanor reduction	<b>ISS 3; VNL</b> <b>\$532 plus \$150 PRRF suspended</b>
<b>PC 415(1) or (2)</b> As infraction reduction	<b>\$239</b>  [No probation, fine is sentence]
<b>PC 415(3)</b> Lewd conduct (Reduction from PC647(a) or (b))	<b>ISS 3; VNL</b> <b>Street conditions [SDSC Form #CRM-234]</b> <b>\$532 plus \$150 PRRF suspended</b> <b>AIDS education</b> <b>Prostitution Impact Panel – Central Division only</b> <b>HW required</b>
<b>PC 417(a)(1)</b> Brandishing a non-firearm	<b>ISS 3; VNL</b> <b>\$532 plus \$150 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>PC 29805 advisal (mandatory)</b>
<b>PC 417(a)(2)</b> Brandishing a firearm	<b>ISS 3; VNL</b> <b>90D custody (mandatory)</b> <b>\$532 plus \$150 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>PC 29805 advisal (mandatory)</b>
<b>PC 422</b> Criminal threats	<b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b> <b>5D PSP</b> <b>PC 29805 advisal (mandatory)</b> <b>NVC; SAO</b>

---

## PENAL CODE

---

<b>PC 459</b> Burglary	<b>ISS 3; VNL</b> <b>Book &amp; Release (1D custody)* <i>IF</i> first theft offense (set out in PC 666(a))</b> <b>\$1,101 plus \$150 PRRF suspended</b> <b>Restitution to victim</b> <b>5D PSP</b> <b>4<sup>th</sup> waiver</b> <b>SAO</b>
---------------------------	--

\*B&R is mandatory to be priorable, which requires having served custody for a qualifying theft conviction, and one of the following: (1) super strike conviction (PC 667(e)(2)(C)(iv)); (2) registration as a sex offender; or (3) PC 368(d) or (e) conviction. [PC 666(a), b]

---

<b>PC 459.5</b> Shoplifting	<b>ISS 3; VNL</b> <b>Book &amp; Release (1D custody)* <i>IF</i> first theft offense (set out in PC 666(a))</b> <b>\$696 plus \$150 PRRF suspended</b> <b>Restitution to victim</b> <b>4<sup>th</sup> waiver</b> <b>SAO</b>
--------------------------------	---

*Consider shoplifting course*

\*B&R is mandatory to be priorable, which requires having served custody for a qualifying theft conviction, and one of the following: (1) super strike conviction (PC 667(e)(2)(C)(iv)); (2) registration as a sex offender; or (3) PC 368(d) or (e) conviction. [PC 666(a), b]

Additional penalties for theft-related priors:

# of Prior(s) within 5 years	# of days PSP/Custody
One	10D PSP
Two	15D PSP
Three+	60D custody* for each additional prior

*\*Consider drug rehabilitation program ILO custody, if appropriate.*

**PENAL CODE**

---

<b>PC 466</b> Burglary tools	<b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Forfeit burglary tools</b>
---------------------------------	--

---

<b>PC 470/473</b> Forgery (less than or equal to \$950)	<b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b> <b>10D PSP</b> <b>4<sup>th</sup> waiver</b>  <i>Consider SAO</i>
--	--

---

<b>PC 476a(b)</b> Check fraud (less than or equal to \$950)	<b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b> <b>Restitution to victim</b> <b>10D PSP</b> <b>4<sup>th</sup> waiver</b>  <i>Consider SAO</i>
--	--

---

Additional penalties for theft-related priors:

# of Prior(s) within 5 years	# of days PSP/Custody
One	15D PSP
Two	20D PSP
Three+	60D custody* for each additional prior

*\*Consider drug rehabilitation program ILO custody, if appropriate.*

---

**PENAL CODE**

---

**PC 484(a)-488**  
Petty theft

**ISS 3; VNL**  
**Book & Release (1D custody)\* IF first theft offense (set out in PC 666(a))**  
**\$696 plus \$150 PRRF suspended**  
**Restitution to victim**  
**4<sup>th</sup> waiver**  
**SAO**

*Consider shoplifting course*

\*B&R is mandatory to be priorable, which requires having served custody for a qualifying theft conviction, and one of the following: (1) super strike conviction (PC 667(e)(2)(C)(iv)); (2) registration as a sex offender; or (3) PC 368(d) or (e) conviction. [PC 666(a), b]

Additional penalties for theft-related priors:

<b># of Prior(s) within 5 years</b>	<b># of days PSP/Custody</b>
One	10D PSP
Two	15D PSP
Three+	60D custody* for each additional prior

*\*Consider drug rehabilitation program ILO custody, if appropriate.*

---

**PC 485/488**  
Misappropriation of lost property

**ISS 3; VNL**  
**\$318 plus \$150 PRRF suspended**  
  
*Consider SAO*

**PENAL CODE**

---

**PC 487**  
Grand theft

**ISS 3; VNL**  
**Book & Release (1D custody)\* IF first theft offense (set out in PC 666(a))**  
**\$1,101 plus \$150 PRRF suspended**  
**Restitution to victim**  
**5D PSP**  
**4<sup>th</sup> waiver**  
**SAO**

*Consider theft course*

\*B&R is mandatory to be priorable, which requires having served custody for a qualifying theft conviction, and one of the following: (1) super strike conviction (PC 667(e)(2)(C)(iv)); (2) registration as a sex offender; or (3) PC 368(d) or (e) conviction. [PC 666(a), b]

Additional penalties for theft-related priors:

# of Prior(s) within 5 years	# of days PSP/Custody
One	10D PSP
Two	15D PSP
Three+	60D custody for each additional prior

*Consider drug rehabilitation program ILO custody, if appropriate.*

---

**PC 490.1**  
Petty theft  
(*Infraction*)

**\$239**  
[No probation, fine is sentence]

---

**PC 496(a)**  
Receiving stolen  
property  
(less than or equal to  
\$950)

**ISS 3; VNL**  
**\$696 plus \$150 PRRF suspended**  
**4<sup>th</sup> waiver**  
  
*Consider PSP*

Additional penalties for theft-related priors:

# of Prior(s) within 5 years	# of days PSP/Custody
One	10D PSP
Two	15D PSP
Three+	60D custody for each additional prior

*Consider drug rehabilitation program ILO custody, if appropriate.*

## PENAL CODE

---

<b>PC 593(d)</b> Cable theft	<b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b>
---------------------------------	---

*Consider PSP*

---

<b>PC 594(a)(b)(1)</b> Vandalism (\$400 - \$10,000) (not DV-related)	<b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b> <b>10D PSP*</b> <b>4<sup>th</sup> waiver</b>
---	--

**Anger management course**

**Do not possess weapon or burglary/vandalizing tools**

**Up to 2Y license suspension (mandatory)** [VC 13202.6]

Note: The court can make findings on the record that “a personal or family hardship exists that requires the person to have a driver’s license for his or her own, or a member of his or her family’s employment or medically related purposes.”

If suspended, **surrender license (mandatory IF)** not previously surrendered to law enforcement or DMV) [VC 13206]

**1Y-3Y delay to get license *IF*** defendant does not yet have the privilege to drive **(mandatory)**

**SAO**

**For cases involving defacement of property with graffiti, when appropriate and feasible, court to order defendant to clean up, repair, or replace the damaged property. If graffiti cleanup is inappropriate, court to consider other types of community service, where feasible. (mandatory)**

**\*Central Division only: \$200 to City’s Graffiti Reward Fund and 48H Volunteer work with Alpha Project ILO PSP**

## PENAL CODE

---

<b>PC 594(a)(b)(2)</b> Vandalism (less than \$400) (not DV-related)	<b>ISS 3; VNL</b> <b>\$532 plus \$150 PRRF suspended</b> <b>5D PSP*</b> <b>4<sup>th</sup> waiver</b> <b>Anger management course</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Up to 2Y license suspension (mandatory)</b> [VC 13202.6] Note: The court can make findings on the record that “a personal or family hardship exists that requires the person to have a driver’s license for his or her own, or a member of his or her family’s employment or medically related purposes.” If suspended, <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>1Y-3Y delay to get license <i>IF</i></b> defendant does not yet have the privilege to drive <b>(mandatory)</b> <b>SAO</b> <b>For cases involving defacement of property with graffiti, when appropriate and feasible, court to order defendant to clean up, repair, or replace the damaged property. If graffiti cleanup is inappropriate, court to consider other types of community service, where feasible. (mandatory)</b>
<b>*Central Division only: \$200 to City’s Graffiti Reward Fund and 8H Volunteer work with Alpha Project <u>ILO</u> PSP</b>	
<b>PC 602(k)</b> Trespass (reduction from petty theft)	<b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b> <b>SAO</b>
<b>PC 647(a)</b> Lewd conduct in public	<b>ISS 3; VNL</b> <b>\$696 plus \$150 PRRF suspended</b> <b>AIDS education (mandatory)</b> [PC 1001.10] <b>Offer HIV test (mandatory)</b> [PC 1001.10] <b>SAO</b>  <i>Consider PSP</i>
<b>PC 647(b)</b> Prostitution	<b>ISS 3; VNL</b> <b>Street conditions</b> [SDSC Form #CRM-234] <b>\$696 plus \$150 PRRF suspended</b> <b>AIDS education (mandatory)</b> [PC 1202.6] <b>HIV test (mandatory)</b> [PC 1202.6] <b>Inform defendant of test results. PC 647f advisal if positive (mandatory)</b> [PC 1202.6] <b>Prostitution Impact Panel or SOS program – Central Division only</b>

---

## PENAL CODE

---

<b>PC 647(b)</b> Prostitution with one prior	<b>ISS 3; VNL</b> <b>Street conditions</b> [SDSC Form #CRM-234] <b>45D custody (mandatory)</b> [PC 647(k)] <b>\$696 plus \$150 PRRF suspended</b> <b>HIV test (mandatory)</b> [PC 1202.6] <b>Inform defendant of test results. PC 647f advisal if positive (mandatory)</b> [PC 1202.6]
<b>PC 647(b)</b> Prostitution with two priors	<b>ISS 3; VNL</b> <b>Street conditions</b> [SDSC Form #CRM-234] <b>90D custody (mandatory)</b> [PC 647(k)] <b>\$696 plus \$150 PRRF suspended</b> <b>HIV test (mandatory)</b> [PC 1202.6] <b>Inform defendant of test results. PC 647f advisal if positive (mandatory)</b> [PC 1202.6]
<b>PC 647(e)</b> Illegal lodging	<b>ISS 3; VNL</b> <b>\$277 plus \$150 PRRF suspended</b> <b>SAO</b>  <i>Consider volunteer work</i>
<b>PC 647(f)</b> <b>(drugs)</b> As public intoxication involving drugs as reduction (lesser related offense) from HS 11550(a)	<b>ISS 3; VNL</b> <b>\$377</b> including \$100 SAAU fee, <b>plus \$150 PRRF suspended</b> <b>15D PSP <u>OR</u> 90D drug treatment</b> <b>AIDS education* <u>IF</u> I.V. use of controlled substance involved (mandatory)</b> [PC 1001.10] <b>10 Self-help meetings*</b> <b>Offer HIV test <u>IF</u> I.V. use of controlled substance involved (mandatory)</b> [PC 1001.10] <b>1Y license suspension <u>IF</u> under 21 (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u> not previously surrendered to law enforcement or DMV)</b> [VC 13206] <b>SAO</b> <b>Refer to SAAU</b>  <i>*AIDS education &amp; self-help meetings satisfied if choose treatment</i>  Add 30D custody* for each prior, <i>*Consider drug rehabilitation program ILO custody, if appropriate.</i>

---

## PENAL CODE

---

<b>PC 647(f)</b> Public intoxication	<b>ISS 3; VNL</b> <b>\$377</b> including \$100 SAAU fee, <b>plus \$150 PRRF suspended</b> <b>Abstain from alcohol in public</b> <b>AIDS education <u>IF</u></b> I.V. use of controlled substance involved <b>(mandatory)</b> [PC 1001.10] <b>Offer HIV test <u>IF</u></b> I.V. use of controlled substance involved <b>(mandatory)</b> [PC 1001.10] <b>1Y license suspension <u>IF</u></b> under 21 <b>(mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>SAO</b> <b>Refer to SAAU</b>
<b>PC 647(f)</b> Public intoxication <b>with one prior</b>	<b>ISS 3; VNL</b> <b>30D custody*</b> <b>\$377</b> including \$100 SAAU fee, <b>plus \$150 PRRF suspended</b> <b>Abstain from alcohol</b> <b>AIDS education <u>IF</u></b> I.V. use of controlled substance involved <b>(mandatory)</b> [PC 1001.10] <b>Offer HIV test <u>IF</u></b> I.V. use of controlled substance involved <b>(mandatory)</b> [PC 1001.10] <b>1Y license suspension <u>IF</u></b> under 21 <b>(mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>SAO</b> <b>Refer to SAAU</b>  *Central Division only: <b>Serial Inebriate Program ILO custody</b>
<b>PC 647(f)</b> Public intoxication <b>with two priors</b>	<b>ISS 3; VNL</b> <b>60D custody*</b> <b>\$377</b> including \$100 SAAU fee, <b>plus \$150 PRRF suspended</b> <b>Abstain from alcohol</b> <b>AIDS education <u>IF</u></b> I.V. use of controlled substance involved <b>(mandatory)</b> [PC 1001.10] <b>Offer HIV test <u>IF</u></b> I.V. use of controlled substance involved <b>(mandatory)</b> [PC 1001.10] <b>1Y license suspension <u>IF</u></b> under 21 <b>(mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>SAO</b> <b>Refer to SAAU</b>  *Central Division only: <b>Serial Inebriate Program ILO custody</b>

---

## PENAL CODE

---

<b>PC 647(f)</b> Public intoxication with three or more priors	<b>ISS 3; VNL</b> <b>90D custody*</b> <b>\$377</b> including \$100 SAAU fee, <b>plus \$150 PRRF suspended</b> <b>Abstain from alcohol</b> <b>AIDS education <u>IF</u></b> I.V. use of controlled substance involved <b>(mandatory)</b> [PC 1001.10] <b>Offer HIV test <u>IF</u></b> I.V. use of controlled substance involved <b>(mandatory)</b> [PC 1001.10] <b>1Y license suspension <u>IF</u></b> under 21 <b>(mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <u>IF</u>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>SAO</b> <b>Refer to SAAU</b>
	<p>*Central Division only: <b>Serial Inebriate Program ILO custody</b></p> <p>Add 30D custody for each additional prior.</p>
<b>PC 647.6</b> Annoying or molesting a child	<b>ISS 3; VNL</b> <b>30D custody</b> <b>\$1,507</b> plus \$150 PRRF suspended <b>SAO; NVC</b> <b>Lifetime registration per PC 290 (mandatory)</b> <b>Counseling <i>UNLESS</i></b> the court makes a written statement on the record that counseling would be inappropriate or ineffective <b>(mandatory)</b>
<b>PC 653.22</b> Loitering with intent to commit prostitution	<b>ISS 3; VNL</b> <b>\$507</b> plus \$150 PRRF suspended <b>SAO</b>
<b>PC 853.7</b> Failure to appear ( <i>Infraction</i> )	<b>\$152</b> [No probation, fine is sentence]
<b>PC 24510 or 24610</b> Disguised or undetectable weapon	<b>ISS 3; VNL</b> <b>\$696</b> plus \$150 PRRF suspended <b>10D PSP</b> <b>4<sup>th</sup> waiver</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Weapon ordered transferred/destroyed (mandatory)</b>
<b>PC 25400</b> Concealed firearm	<b>ISS 3; VNL</b> <b>\$696</b> plus \$150 PRRF suspended <b>4<sup>th</sup> waiver</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Weapon ordered transferred/destroyed (mandatory)</b>

---

## PENAL CODE

---

<b>PC 25850</b> Carrying a loaded firearm	<b>ISS 3; VNL</b> <b>\$942 plus \$150 PRRF suspended</b> <b>4<sup>th</sup> waiver</b> <b>Do not possess weapon or burglary/vandalizing tools</b> <b>Weapon ordered transferred/destroyed (mandatory)</b> <b>No firearms/weapons outside of residence</b>
---	---

---

THIS PAGE INTENTIONALLY LEFT BLANK

## VEHICLE CODE

---

<b>VC 2800.1</b> Flight from peace officer	<b>ISS 3; VNL</b> <b>\$701 plus \$150 PRRF suspended</b> <b>10D PSP</b>  <i>Consider up to 6M license suspension [VC 13201(d)]</i>
<b>VC 4000(a)(1)</b> Driving without current registration ( <i>Infraction</i> )	<b>\$285*</b>  [No probation, fine is sentence]  *If proof of registration is provided, valid either before <u>or</u> after the offense, may dismiss the charge. \$25 transaction fee applies.
<b>VC 4454(a)</b> No registration in vehicle ( <i>Infraction</i> )	<b>\$198*</b>  [No probation, fine is sentence]  *If proof of registration is provided, valid either before <u>or</u> after the offense, may dismiss the charge. \$25 transaction fee applies.
<b>VC 4462.5</b> False tabs	<b>ISS 3; VNL</b> <b>\$701 plus \$150 PRRF suspended</b> <b>Destroy false tabs</b>
<b>VC 5200(a)</b> No license plate(s) ( <i>Infraction</i> )	<b>\$198*</b>  [No probation, fine is sentence]  *If proof of correction is provided, may dismiss the charge. \$25 transaction fee applies.
<b>VC 10851(a)</b> Stolen vehicle	<b>ISS 3; VNL</b> <b>Book &amp; Release (1D custody)* <u>IF</u> first theft offense (set out in PC 666(a))</b> <b>\$1,029 plus \$150 PRRF suspended</b> <b>Restitution to victim</b> <b>10D PSP</b> <b>4<sup>th</sup> Waiver</b>  *B&R is mandatory to be priorable, which requires having served custody for a qualifying theft conviction, and one of the following: (1) super strike conviction (PC 667(e)(2)(C)(iv)); (2) registration as a sex offender; or (3) PC 368(d) or (e) conviction. [PC 666(a), b]  <i>Consider license suspension [VC 13357]</i>

---

## VEHICLE CODE

<p><b>VC 10852</b> Tampering w/ a vehicle</p>	<p><b>ISS 3; VNL</b> <b>\$573 plus \$150 PRRF suspended</b> <b>10D PSP</b> <b>4<sup>th</sup> Waiver</b></p>
<p><b>VC 12500(a)</b> Driving without valid driver's license <i>(Infraction)</i></p>	<p><b>\$403*</b></p> <p>[No probation, fine is sentence]</p> <p>*If proof of driver's license is provided, valid on or before the offense, may dismiss the charge. \$25 transaction fee applies.</p>
<p><b>VC 12500(a)</b> Driving without valid driver's license <i>(Infraction)</i> <b>with one prior</b> (w/in 1 year)</p>	<p><b>\$500*</b></p> <p>[No probation, fine is sentence]</p> <p>*If proof of driver's license is provided, valid on or before the offense, may dismiss the charge. \$25 transaction fee applies.</p>
<p><b>VC 12500(a)</b> Driving without valid driver's license <i>(Misdemeanor)</i></p>	<p><b>ISS 3; VNL</b> <b>\$573 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b></p>
<p><b>VC 12951(a)</b> Driver's license not in possession <i>(Infraction)</i></p>	<p><b>\$239</b></p> <p>[No probation, fine is sentence]</p> <p>*If proof of driver's license is provided, valid on or before the offense, may dismiss the charge. \$25 transaction fee applies.</p>
<p><b>VC 14601(a)</b> Negligent operator driving w/ suspended or revoked license</p>	<p><b>ISS 3; VNL</b> <b>\$455 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC 14601.2 (mandatory)</b></p>
<p><b>VC 14601(a)</b> Negligent operator driving w/ suspended or revoked license <b>with prior(s)</b></p>	<p><b>ISS 3; VNL</b> <b>10D custody (mandatory)</b> <b>\$711 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC 14601.2 (mandatory)</b></p>

## VEHICLE CODE

<p><b>VC 14601.1(a)</b> Driving w/ suspended or revoked license (<i>Infraction</i>)</p>	<p><b>\$695</b>  [No probation, fine is sentence]</p>
<p><b>VC 14601.1(a)</b> Driving w/ suspended or revoked license (<i>Infraction</i>) <b>with one prior</b></p>	<p><b>\$1,156</b>  [No probation, fine is sentence]</p>
<p><b>VC 14601.1(a)</b> Driving w/ suspended or revoked license (<i>Misdemeanor</i>)</p>	<p><b>ISS 3; VNL</b> <b>\$455 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC 14601.2 (mandatory)</b></p>
<p><b>VC 14601.1(a)</b> Driving w/ suspended or revoked license <b>with one prior</b> (w/in 5 years)</p>	<p><b>ISS 3; VNL</b> <b>\$711 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC 14601.2 (mandatory)</b></p> <p style="text-align: center;"><i>Consider revoking probation on prior and imposing additional custody.</i></p>
<p><b>VC 14601.1(a)</b> Driving w/ suspended or revoked license <b>with two priors</b> (w/in 5 years)</p>	<p><b>ISS 3; VNL</b> <b>\$1,121 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC 14601.2 (mandatory)</b></p>
<p>If three or more priors, increase fine and/or custody at court's discretion.</p>	
<p><b>VC 14601.2(a)</b> Driving after VC23152 or 23153 suspension or revocation</p>	<p><b>ISS 3; VNL</b> <b>10D custody (mandatory)</b> <b>\$660 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) (mandatory if prior to 7/1/09). On or after 7/1/09,</b> <b>DMV addresses.</b></p>

## VEHICLE CODE

---

<b>VC 14601.2(a)</b> Driving after VC23152 or 23153 suspension or revocation <b>with one prior</b> (w/in 5 years)	<b>ISS 3; VNL</b> <b>30D custody (mandatory)</b> <b>\$1,121 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) (mandatory if prior to 7/1/09).</b> On or after 7/1/09, DMV addresses.
<b>VC 14601.3(a)</b> Habitual traffic offender	<b>30D custody (mandatory)</b> <b>\$4,350</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b>  [No probation]
<b>VC 14601.3(a)</b> Habitual offender <b>with one prior</b> (w/in 7 years)	<b>180D custody (mandatory)</b> <b>\$8,501</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b>  [No probation]
<b>VC 14601.5(a)</b> Driving w/ suspended or revoked license for failure to submit to test	<b>ISS 3; VNL</b> <b>\$660 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC 14601.2 (mandatory)</b> On or after 7/1/09, if the defendant has a prior VC 14601.2, 14601.4, 14601.5, 23103.5, 23152, or 23153 within 10 years, <b>mandatory</b> , but DMV addresses.
<b>VC 14601.5(a)</b> Driving w/ suspended or revoked license for failure to submit to test <b>with one prior</b> (w/in 5 years)	<b>ISS 3; VNL</b> <b>10D custody</b> <b>\$1,121 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>AFA/VC 14607.6 advisal (mandatory)</b> <b>IID (max term 3Y) <u>IF</u> LIO VC 14601.2 (mandatory)</b> On or after 7/1/09, if the defendant has a prior VC 14601.2, 14601.4, 14601.5, 23103.5, 23152, or 23153 within 10 years, <b>mandatory</b> , but DMV addresses.

---

## VEHICLE CODE

---

<b>VC 16028(a)</b> Driving w/o proof of insurance ( <i>Infraction</i> )	<b>\$900*</b>  [No probation, fine is sentence]  *If insurance was valid <u>on or before</u> the date of the offense, dismiss charge. \$25 transaction fee applies. If insurance was valid <u>after</u> date of offense and proof is provided to the court within 60 days of first scheduled appearance, reduce to <b>\$490.**</b>  **The fine may not be waived, suspended, or reduced below this amount unless the court in its discretion reduces or waives the fine based on the defendant's ability to pay.
<b>VC 16028(a)</b> Driving w/o proof of insurance ( <i>Infraction</i> ) <b>with one prior</b>	<b>\$1,115*</b>  [No probation, fine is sentence]  *If insurance was valid <u>on or before</u> the date of the offense, dismiss charge. \$25 transaction fee applies. If insurance was valid <u>after</u> date of offense and proof is provided to the court within 60 days of first scheduled appearance, reduce to <b>\$910.**</b>  **The fine may not be waived, suspended, or reduced below this amount unless the court in its discretion reduces or waives the fine based on the defendant's ability to pay.
<b>VC 20002(a)</b> Hit and run	<b>ISS 3; VNL</b> <b>\$906 plus \$150 PRRF suspended</b> <b>Restitution to victim</b> <b>7D PSP</b> <b>Do not drive without valid license and liability insurance</b>  If no insurance, add \$100 & 5D PSP  <i>Consider up to 6M license suspension [VC 13201(a)] and classroom-based 16-hour Behavior Modification (Traffic) class</i>
<b>VC 21453(a)</b> Failure to stop at red light ( <i>Infraction</i> )	<b>\$490</b>  [No probation, fine is sentence]
<b>VC 21461(a)</b> Failure to obey sign, signal, device ( <i>Infraction</i> )	<b>\$239</b>  [No probation, fine is sentence]

---

## VEHICLE CODE

<p><b>VC 21655.5(b)</b> Car pool lane violation (<i>Infraction</i>)</p>	<p><b>\$490</b></p>	<p>[No probation, fine is sentence]</p>								
<p><b>VC 21655.5(b)</b> Car pool lane violation (<i>Infraction</i>) <b>with one prior</b> (w/in 1 year)</p>	<p><b>\$705</b></p>	<p>[No probation, fine is sentence]</p>								
<p><b>VC 21655.5(b)</b> Car pool lane violation (<i>Infraction</i>) <b>with two priors</b> (w/in 2 years)</p>	<p><b>\$1,115</b></p>	<p>[No probation, fine is sentence]</p>								
<p><b>VC 22101(d)</b> Illegal turn at intersection (<i>Infraction</i>)</p>	<p><b>\$239</b></p>	<p>[No probation, fine is sentence]</p>								
<p><b>VC 22348(b)</b> Speed over 100 MPH (<i>Infraction</i>)</p>	<p><b>\$1,310</b></p>	<p><b>Classroom-based 16-hour behavior modification (Traffic) class</b>  [No probation, fine is sentence]</p>								
<p><b>VC 22349(a)</b> Driving in excess of 65 MPH (<i>Infraction</i>)</p>	<p><b>\$235 - 480 depending on speed. See speed chart.</b></p>	<table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr> <th colspan="2">Speed Chart</th> </tr> <tr> <td><b>1-15 MPH over limit</b></td> <td><b>\$239</b></td> </tr> <tr> <td><b>16-25 MPH over limit</b></td> <td><b>\$367</b></td> </tr> <tr> <td><b>26+ MPH over limit</b></td> <td><b>\$490</b></td> </tr> </table> <p>[No probation, fine is sentence]</p>	Speed Chart		<b>1-15 MPH over limit</b>	<b>\$239</b>	<b>16-25 MPH over limit</b>	<b>\$367</b>	<b>26+ MPH over limit</b>	<b>\$490</b>
Speed Chart										
<b>1-15 MPH over limit</b>	<b>\$239</b>									
<b>16-25 MPH over limit</b>	<b>\$367</b>									
<b>26+ MPH over limit</b>	<b>\$490</b>									
<p><b>VC 22350</b> Unsafe speed for conditions (<i>Infraction</i>)</p>	<p><b>\$235 - 480 depending on speed. See speed chart.</b></p>	<table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr> <th colspan="2">Speed Chart</th> </tr> <tr> <td><b>1-15 MPH over stated safe speed</b></td> <td><b>\$239</b></td> </tr> <tr> <td><b>16-25 MPH over stated safe speed</b></td> <td><b>\$367</b></td> </tr> <tr> <td><b>26+ MPH over stated safe speed</b></td> <td><b>\$490</b></td> </tr> </table> <p>[No probation, fine is sentence]</p>	Speed Chart		<b>1-15 MPH over stated safe speed</b>	<b>\$239</b>	<b>16-25 MPH over stated safe speed</b>	<b>\$367</b>	<b>26+ MPH over stated safe speed</b>	<b>\$490</b>
Speed Chart										
<b>1-15 MPH over stated safe speed</b>	<b>\$239</b>									
<b>16-25 MPH over stated safe speed</b>	<b>\$367</b>									
<b>26+ MPH over stated safe speed</b>	<b>\$490</b>									

## VEHICLE CODE

<p><b>VC 22450(a)</b> Failure to stop at stop sign (<i>Infraction</i>)</p>	<p><b>\$239</b>  [No probation, fine is sentence]</p>
<p><b>VC 23103(a) or (b)</b> Reckless driving – non-alcohol no injury</p>	<p><b>ISS 3; VNL</b> <b>\$983 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b>  <i>Consider PSP and classroom-based 16-hour behavior modification (Traffic) class</i></p>
<p><b>VC 23103(a) per 23103.5</b> Wet reckless (reduced from VC23152) no injury</p>	<p><b>ISS 3; VNL</b> <b>\$1,324</b> including \$100 SAAU fee, <b>plus \$150 PRRF suspended</b> <b>SAC</b> [VC 23600] <b>FCP if BAC is 08% or above; 12H course if less than .08% or drugs</b> (FCP <b>mandatory</b>) <b>Driving under the influence victim impact panel (MADD)</b> <b>Do not drive without valid license and liability insurance</b> <b>1Y license suspension <i>IF</i> under 21 (mandatory)</b> [VC 13202.5] and <b>surrender license (mandatory <i>IF</i>)</b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Refer to SAAU</b> <b>VC 23593 advisal (mandatory)</b></p>
<p><b>VC 23109(a)</b> Speed contest no injury</p>	<p><b>ISS 3; VNL</b> <b>\$865 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>3-6M license suspension/restriction – discretionary</b>  <i>Consider PSP</i></p>
<p><b>VC 23109(a)</b> Speed contest no injury <b>with one prior</b></p>	<p><b>ISS 3; VNL</b> <b>2D custody (mandatory)</b> <b>\$1,326 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>6M license suspension/restriction (mandatory)</b> and <b>surrender license</b> (<b>mandatory <i>IF</i></b> not previously surrendered to law enforcement or DMV) [VC 13206]</p>
<p><b>VC 23109(a)</b> Speed contest with injury</p>	<p><b>ISS 3; VNL</b> <b>\$1,275 plus \$150 PRRF suspended</b> <b>5D PSP</b> <b>Do not drive without valid license and liability insurance</b> <b>3-6M license suspension/restriction – discretionary</b></p>

## VEHICLE CODE

---

<b>VC 23109(a)</b> Speed contest with injury with one prior	<b>ISS 3; VNL</b> <b>2D custody (mandatory)</b> <b>\$1,736 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b> <b>6M license suspension/restriction (mandatory) and surrender license</b> <b>(mandatory <i>IF</i> not previously surrendered to law enforcement or</b> <b>DMV) [VC 13206]</b>
<b>VC 23109(c)</b> Exhibition of speed	<b>ISS 3; VNL</b> <b>\$701 plus \$150 PRRF suspended</b> <b>Do not drive without valid license and liability insurance</b>
<b>VC 23111</b> Throwing lighted substance on highway ( <i>Infraction</i> )	<b>\$490</b> <b>1D PSP (litter pick-up or graffiti removal) (mandatory) [VC 42001.7]</b>  <b>No portion of the fine or PSP may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PSP for every \$100 suspended. (mandatory) [VC 42001.7]</b>  [No probation, fine and PSP is sentence]
<b>VC 23111</b> Throwing lighted substance on highway ( <i>Infraction</i> ) with one prior	<b>\$2,140</b> <b>2D PSP (litter pick-up or graffiti removal) (mandatory) [VC 42001.7]</b>  <b>No portion of the fine or PSP may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PSP for every \$100 suspended. (mandatory) [VC 42001.7]</b>  [No probation, fine and PSP is sentence]
<b>VC 23111</b> Throwing lighted substance on highway ( <i>Infraction</i> ) with two priors	<b>\$3,165</b> <b>3D PSP (litter pick-up or graffiti removal) (mandatory) [VC 42001.7]</b>  <b>No portion of the fine or PSP may be suspended except in unusual cases where the interest of justice would best be served. If the court suspends any portion of the fine, it shall, as a condition of that suspension, require the offender to complete 1D PSP for every \$100 suspended. (mandatory) [VC 42001.7]</b>  [No probation, fine and PSP is sentence]

---

## VEHICLE CODE

---

<b>VC 23136</b> Person under 21 with BAC .01% or greater - zero tolerance ( <i>Infraction</i> )	<b>\$490</b> (stay \$100 90D pending proof of driving under the influence victim impact panel [MADD]) <b>12H FCP</b> <b>Abstain from alcohol</b>  [No probation]
<b>VC 23140</b> Person under 21 with BAC .05% ( <i>Infraction</i> )	<b>\$490</b> (stay \$100 90D pending proof of driving under the influence victim impact panel [MADD]) <b>12H FCP (mandatory)</b> [VC 23502] <b>1Y license suspension (mandatory)</b> and <b>surrender license (mandatory</b> <b><i>IF</i></b> not previously surrendered to law enforcement or DMV) [VC 13206] <b>Advise that driving privilege will not be reinstated until FCP</b> <b>program is completed (mandatory)</b> [VC 23502]  [No probation]

---

## VEHICLE CODE

**VC 23152(a) or (b)**  
Driving under the  
influence

**ISS 5; VNL**

**\$2,133** including \$100 SAAU fee, **plus \$150 PRRF suspended PSP** as high blood alcohol concentration (BAC) enhancement:

BAC	# of Days PSP
.15% to .19%	5 Days
.20% to .24%	10 Days
.25% and above	15 Days

**Standard Alcohol Conditions (SAC) (mandatory)** [VC 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. Submit to any test at the request of a peace officer for detection of alcohol and drugs.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

**FCP (mandatory)**

BAC	Minimum length of FCP program
.19% or below	3M
.20% or higher	6M if offense prior to 1/1/06 9M if offense on or after 1/1/06
Test refusal	6M if offense prior to 1/1/06 9M if offense on or after 1/1/06

**Driving under the influence victim impact panel (MADD)**

**3M license suspension/restriction** (if offense prior to 9/20/05). If offense on or after 9/20/05, DMV addresses.

**1Y license suspension IF** under 21 (mandatory) [VC 13202.5]

**Surrender license (mandatory IF)** not previously surrendered to law enforcement or DMV) [VC 13206]

**Refer to SAAU**

**VC 23593 advisal (mandatory)**

*Give "heightened consideration" to IID if BAC greater than .15%*  
(mandatory) [VC 23575]

**Driving Under the Influence Special Allegations**  
**Conditions are In Addition to Other Terms of Probation (mandatory)**

**VC 23572** DUI Child Endangerment – passenger under 14  
**48H custody (mandatory)**

**VC 23577** DUI test refusal  
**48H custody (mandatory)**

**VC 23582** Reckless driving (30+ MPH freeway; 20+ MPH street)  
**60D custody (mandatory)**

## VEHICLE CODE

**VC 23152 (a) or (b)**  
Driving under the  
influence  
with one prior

**ISS 5; VNL**

**96H custody (mandatory)**

**\$2,635** including \$100 SAAU fee, **plus \$150 PRRF suspended PSP** as high blood alcohol concentration (BAC) enhancement:

<b>BAC</b>	<b># of Days PSP</b>
Up to .14%	5 Days
.15% to .19%	10 Days
.20% to .24%	20 Days
.25% and above	30 Days

**Standard Alcohol Conditions (SAC) (mandatory)** [VC 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. Submit to any test at the request of a peace officer for detection of alcohol and drugs.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

**MCP (mandatory)**

**Driving under the influence victim impact panel (MADD)**

**24M License suspension/restriction** (if offense prior to 9/20/05). If offense on or after 9/20/05, DMV addresses.

**1Y license suspension IF under 21 (mandatory)** [VC 13202.5]

**Surrender license (mandatory IF)** not previously surrendered to law enforcement or DMV) [VC 13206]

**Refer to SAAU (mandatory)** [VC 23646]

**1-30D vehicle impound (mandatory IF)** prior w/in 5 years and admitted or found to be true) [VC 23594]

**VC 23593 advisal (mandatory)**

**Driving Under the Influence Special Allegations**  
Conditions are **In Addition to Other Terms of Probation** (mandatory)

**VC 23572 DUI Child Endangerment – passenger under 14**  
**10D custody (mandatory)**

**VC 23577 DUI test refusal**  
**96H custody (mandatory)**

**VC 23582 Reckless driving (30+ MPH freeway; 20+ MPH street)**  
**60D custody (mandatory)**

## VEHICLE CODE

---

**VC 23152(a) or (b)**  
Driving under the  
influence  
with two priors

**ISS 5; VNL**

**120D custody (mandatory)**

**\$2,922** including \$100 SAAU fee, **plus \$150 PRRF suspended**

**Standard Alcohol Conditions (SAC) (mandatory)** [VC 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. Submit to any test at the request of a peace officer for detection of alcohol and drugs.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

**MCP (mandatory)**

**Driving under the influence victim impact panel (MADD)**

**Advise defendant that DMV will revoke license for 3Y**

**1Y license suspension IF under 21 (mandatory)** [VC 13202.5]

**Surrender license (mandatory IF not previously surrendered to law enforcement or DMV)** [VC 13206]

**1-90D vehicle impound (mandatory IF priors w/in 5 years and admitted or found to be true)** [VC 23594]

**Designate as habitual offender for 3Y (mandatory)** [VC 23546(b)]

**Refer to SAAU (mandatory)** [VC 23646]

**VC 23593 advisal (mandatory)**

*Consider IID (max term 3Y)*

**Driving Under the Influence Special Allegations**  
**Conditions are In Addition to Other Terms of Probation (mandatory)**

**VC 23572 DUI Child Endangerment – passenger under 14**  
**30D custody (mandatory)**

**VC 23577 DUI test refusal**  
**10D custody (mandatory)**

**VC 23582 Reckless driving (30+ MPH freeway; 20+ MPH street)**  
**60D custody (mandatory)**

---

## VEHICLE CODE

**VC 23153**  
DUI with injury

**ISS 5; VNL**

**5D custody (mandatory)**

**\$2,584** including \$100 SAAU fee, **plus \$150 PRRF suspended**

**Restitution to victim**

**PSP** as high blood alcohol concentration (BAC) enhancement:

<b>BAC</b>	<b># of Days PSP</b>
.15% to .19%	5 Days
.20% to .24%	10 Days
.25% and above	15 Days

**Standard Alcohol Conditions (SAC) (mandatory)** [VC 23600]

1. Not drive with any measurable amount of alcohol in blood.
2. Submit to any test at the request of a peace officer for detection of alcohol and drugs.
3. Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol or drugs.
4. Not drive without a valid license and proof of insurance.

**FCP (mandatory)**

<b>BAC</b>	<b>Minimum length of FCP program</b>
.19% or below	3M
.20% or higher	6M if offense prior to 1/1/06 9M if offense on or after 1/1/06
Test refusal	6M if offense prior to 1/1/06 9M if offense on or after 1/1/06

**Driving under the influence victim impact panel (MADD)**

**12M License suspension/restriction** (if offense prior to 9/20/05). If offense on or after 9/20/05, DMV addresses.

**1Y license suspension *IF* under 21 (mandatory)** [VC 13202.5]

**Surrender license (mandatory *IF*)** not previously surrendered to law enforcement or DMV) [VC 13206]

**Refer to SAAU (mandatory)** [VC 23646]

**VC 23593 advisal (mandatory)**

*Give "heightened consideration" to IID if BAC greater than .15% (mandatory)* [VC 23575]

**Driving Under the Influence Special Allegations**  
**Conditions are In Addition to Other Terms of Probation (mandatory)**

**VC 23572** DUI Child Endangerment – passenger under 14

**48H custody (mandatory)**

**VC 23577** DUI test refusal

**48H custody (mandatory)**

**VC 23582** Reckless driving (30+ MPH freeway; 20+ MPH street)

**60D custody (mandatory)**

## VEHICLE CODE

<p><b>VC 23222(b)</b>            Marijuana in vehicle            while driving  <i>(Infraction)</i></p>	<p><b>\$244</b>  <b>1Y license suspension <u>IF</u></b> under 21 (<b>mandatory</b>) [VC 13202.5] and  <b>surrender license (<b>mandatory</b> <u>IF</u>)</b> not previously surrendered to law            enforcement or DMV) [VC 13206]</p> <p>[No probation, fine is sentence]</p>
<p><b>VC 26708(a)</b>            Tinted windows OR            material obstructing            view  <i>(Infraction)</i></p>	<p><b>\$198*</b></p> <p>[No probation, fine is sentence]</p> <p>*If proof of correction is provided, may dismiss the charge. \$25            transaction fee applies.</p>
<p><b>VC 27315(d)</b>            Driving w/o wearing            seatbelt  <i>(Infraction)</i></p>	<p><b>\$162*</b></p> <p>*May order TVS <u>ILO</u> fine</p> <p>[No probation, fine is sentence]</p>
<p><b>VC 27315(d)</b>            Driving w/o wearing            seatbelt  <i>(Infraction)</i>  <b>with one prior</b></p>	<p><b>\$295</b></p> <p>[No probation, fine is sentence]</p>
<p><b>VC 27360</b>            Child passenger restraint            violation  <i>(Infraction)</i></p>	<p><b>\$490*</b></p> <p>*Reduce to <b>\$285</b> if attend Child Safety Seat Class</p> <p>[No probation, fine is sentence]</p>
<p><b>VC 27360</b>            Child passenger restraint            violation  <i>(Infraction)</i>  <b>with one prior</b></p>	<p><b>\$1,156*</b></p> <p>*Reduce to <b>\$659</b> if attend Child Safety Seat Class</p> <p>[No probation, fine is sentence]</p>

**FISH & GAME, HARBORS & NAVIGATION, SAN DIEGO MUNICIPAL CODE,  
AND METROPOLITAN TRANSIT DISTRICT BOARD CODES**

<b>FG 7145</b> Fishing without a license ( <i>Infraction</i> )	<b>\$485*</b> *Reduce to <b>\$193</b> with proof of license valid on date and time of violation  [No probation, fine is sentence]										
<b>FG 7145</b> Fishing without a license ( <i>Infraction</i> ) <b>with one prior</b> (w/in 5 years)	<b>\$1,305*</b> *Reduce to <b>\$193</b> with proof of license valid on date and time of violation  [No probation, fine is sentence]										
<b>HN 655(b) &amp; (c)</b> Boating under the influence	<b>ISS 3; VNL</b> <b>\$1,159</b> including SAAU fee, <b>plus \$150 PRRF suspended</b> <b>PSP</b> as high blood alcohol concentration (BAC) enhancement: <table border="1"> <thead> <tr> <th>BAC</th> <th># of Days PSP</th> </tr> </thead> <tbody> <tr> <td>.15% to .19%</td> <td>5 Days</td> </tr> <tr> <td>.20% to .24%</td> <td>10 Days</td> </tr> <tr> <td>.25% to .29%</td> <td>15 Days</td> </tr> <tr> <td>.30% and above</td> <td>court's discretion</td> </tr> </tbody> </table> <b>Coastguard boating safety class (mandatory)</b> <b>Refer to SAAU</b>  <i>Consider FCP</i>	BAC	# of Days PSP	.15% to .19%	5 Days	.20% to .24%	10 Days	.25% to .29%	15 Days	.30% and above	court's discretion
BAC	# of Days PSP										
.15% to .19%	5 Days										
.20% to .24%	10 Days										
.25% to .29%	15 Days										
.30% and above	court's discretion										
<b>SDMC 56.61</b> Person under 21 consuming alcohol in public ( <i>Infraction</i> )	<b>\$485</b>  [No probation, fine is sentence]										
<b>SDMC 56.61</b> Person under 21 consuming alcohol in public ( <i>Infraction</i> ) <b>with one prior</b>	<b>\$895</b>  [No probation, fine is sentence]										
<b>MTDB Ord. 2</b> Trolley fare evasion ( <i>Infraction</i> )	<b>\$193</b>  [No probation, fine is sentence]										

THIS PAGE INTENTIONALLY LEFT BLANK

## PC 1000 AND PC 1210 (PROP 36)

---

**PC 1000**  
Deferred entry of  
judgment

**\$200**  
Refer to SAAU

With the agreement of the prosecuting attorney, defense counsel and the court, the defendant pleads guilty and entry of judgment is deferred for 18 months to allow the defendant to successfully complete a qualified drug treatment program. The defendant is charged a \$200 fee and referred to SAAU.

The defendant should be advised by the court that if he/she successfully completes the rehab program and stays drug-free and law abiding for 18 months, the charges are dismissed.

*Reinstatement to Program: \$50 Deferred Entry of Judgment  
Administrative Fee*

---

**PC 1210**  
Proposition 36

**ISS 3 or ISS 5 *IF* HS 11550**  
**\$867 plus \$150 PRRF suspended**  
**Long Form Drug Conditions**

- a. Not use or possess any controlled substances unless prescribed for you by a licensed physician.
- b. Submit your person, property, personal effects, vehicle and residence to search at any time of the day or night by probation officer or law enforcement officer with or without a search warrant and with or without reasonable cause.
- c. Submit to testing for the use of controlled substances whenever required by any probation officer or law enforcement officer.
- d. Not associate with known users or traffickers in controlled substances.

**Comply with alcohol conditions**

- a. Totally abstain from the use of alcohol.
- b. Take Antabuse if physically able to do so for the period of probation or present proof to the court of medical inability to do so.
- c. Participate in any program of alcohol/drug treatment or rehabilitation, as directed.

**Register per HS 11590 *IF* HS 11550**

Set Review Hearing in Appropriate Department.

---

THIS PAGE INTENTIONALLY LEFT BLANK

## DOMESTIC VIOLENCE OFFENSES

---

**Standard sentence for all domestic violence-related offenses on which probation is granted, pursuant to PC §1203.097:**

**ISS 3; VNL (3 years mandatory)** [PC1203.097(a)(1)]

**1D custody – may be satisfied by B&R (mandatory if not previously booked)**  
[PC1203.097(a)(4)]

**\$874** including \$500 domestic violence fund fee\*, **plus \$150 PRRF suspended Restitution to the victim**

**5D PSP OR volunteer work** (“specified amount” **mandatory**) [PC1203.097(a)(8)]

**52-week DVRP**, or if none is available, another appropriate counseling program designated by the court, for a period not less than one year. (**mandatory**)  
[PC 1203.097(a)(6)]

**Protective order - consider stay away provision (mandatory)** [PC1203.097(a)(2)]

**PC 29805 advisal (mandatory)** except for violations of PC §§ 166 & 594

**Federal firearms prohibition (mandatory)** [18 USC § 922(g)(9)]

*Consider restitution to Battered Women’s Shelter*

**\*If court finds the defendant does not have the ability to pay, may reduce or waive the domestic violence fund fee, but must state the reasons for waiver/reduction on the record.**

**Note: The recommended fine of \$874 consists only of RF and fees; none of which can be satisfied by custody or stayed.**

---



SAN DIEGO SUPERIOR COURT  
**Standard Sentencing Guidelines**  
for Infractions and Misdemeanors

Courtroom Counsel Copy