

MAR 22 1985

M E M O R A N D U M

TO: Judge Jackson, Associate Judge  
Judge McConville, Juvenile Judge/Pro-Tem  
Judge Harding  
Gerald Smith, J.S.A.  
Papo Cruz, Parole/Probation  
Paul Minthorn, Tribal Prosecutor  
Angelina DeLaTorre, Legal Aide  
Lt. Sam Sosa, W.S.P.D.  
Raymond Calica, Sr., Chief of Police  
Marcia Soliz, Court Administrator  
Doug McClelland, Fiscal Control Manager  
Mike Clements, Tribal Council  
Larry Calica, Tribal Council  
Bob Jackson, Health Branch Manager  
Howard Arnett, Tribal Attorney  
~~James Noteboom, Tribal Attorney~~  
Dennis Karnopp, Tribal Attorney  
Chele McCool, Deputy Clerk  
Elaine Miller, Deputy Clerk  
Leona Ike, Deputy Clerk  
Eunice Esquiro, Deputy Clerk/Appeals  
Court Administration Staff

FROM: Richard G. Frederick, Chief Judge RGF/cm  
Warm Springs Tribal Court

SUBJECT: Bail/Bond Procedures

DATE: March 19, 1985

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Effective, March 25, 1985, the attached procedures will be used on bail and bonding for defendants appearing in Tribal Court on Criminal charges.

RGF/cm

BAIL/BOND PROCEDURES  
(Revised 3/15/85)

After arrest and prior to arraignment a defendant may post a cash bail in accordance with the bail schedule (revised 3/15/85). Signature bonds before arraignment will be in emergency situations only and will be up to the discretion of the Judge on duty.

If a defendant is unable to post a cash bail before arraignment, then the following procedures will be followed:

- I. Defendant appears for arraignment on the second arraignment date after arrest.
- II. Defendant enters a plea.
  - A. Guilty plea - Sentencing (or)
  - B. Not Guilty plea - Trial scheduled and Defendant served.
- III. Bond or Bail amount will be set.
  - A. Defendant will be required to bring bondsmen to arraignment where the presiding Judge will determine if they are reliable bondsmen. The clerk will call to the receptionist and ask for the rapp cards on the prospective bondsmen. The prosecution and legal aide will be given an opportunity to submit recommendations on whether the bond should be the full amount or reduced. A bond agreement will be signed and copies are distributed (or)
  - B. Defendant will be required to post bail before being released from jail. The prosecutor and legal aide will be given an opportunity to submit recommendations on the bail amount (or)
  - C. Defendant may be released on O.R. bond if it is decided by the presiding Judge.
- IV. The clerk will put on the Jailkeeper Order the type of release that has been Ordered.
  - A. Eligibility for bail or bond will be noted in the Temporary Commitment Section of the Jailkeeper Order by circling bail or bond and putting the bail or bond amount.
  - B. The date and time of the judge or jury trial will be indicated on the Jailkeeper Order in the Temporary Commitment Section and on the bond agreement for the defendant to appear for trial.

V. Defendant will be taken back to jail.

A. Defendant will be released if a bond agreement has been signed (or)

B. Defendant will post cash bail at the jail and will be given a receipt. The bail money will be forwarded to the Court Compliance Clerk pending the disposition of the case and then the defendant may be released pending trial.

BAIL SCHEDULE  
(Revised 3/15/85)

Abduction.....	\$500.00
Assault.....	\$250.00
Assault & Battery.....	\$500.00
Child Abuse.....	\$500.00
Child Abuse - Obligation to Report.....	\$ 75.00
Contributing to the Delinquency of a Minor.....	\$500.00
Extortion.....	\$100.00
Forgery.....	\$180.00
Fraud.....	\$180.00
Negligent Wounding.....	\$500.00
Negotiating a Bad Check.....	\$100.00
Recklessly Endangering.....	\$180.00
Arson.....	\$500.00
Breaking & Entering.....	\$250.00
Embezzlement.....	\$250.00
Injury to Public Property.....	\$250.00
Malicious Mischief.....	\$250.00
Receiving Stolen Property.....	\$150.00
Theft.....	\$500.00
Trespass.....	\$180.00
Adultery.....	\$ 50.00
Carnal Knowledge.....	\$500.00
Fornication.....	\$ 50.00
Prostitution.....	\$250.00
Illicit Cohabitation.....	\$ 50.00
Rape.....	\$500.00
Unnatural Sex Acts.....	\$500.00
Aiding or Abetting an Offender.....	\$250.00

Bribery.....	\$300.00
Bribery - Failure to Report.....	\$ 75.00
Carrying Concealed Weapon.....	\$500.00
Carrying Weapons When Prohibited.....	\$500.00
Child Neglect.....	\$250.00
Cruelty to Animals.....	\$100.00
Custodial Interference.....	\$250.00
Discharge of Weapons.....	\$500.00
Disorderly Conduct.....	\$250.00
Escape.....	\$500.00
Failure to Send Children to School.....	\$100.00
Failure to Support Dependent Persons.....	\$180.00
False Identification.....	\$100.00
False Imprisonment.....	\$500.00
Gambling.....	\$ 50.00
Initiating a False Report.....	\$500.00
Liquor Violation.....	\$100.00
Liquor Violation - Furnishing.....	\$250.00
Littering.....	\$100.00
Maintaining a Public Nuisance.....	\$150.00
Narcotics, Dangerous Drugs, etc.....	\$500.00
Obstructing Justice.....	\$500.00
Perjury.....	\$500.00
Refusing to Aid an Officer.....	\$250.00
Resisting Lawful Arrest.....	\$250.00
Riot - Unlawful Assembly.....	\$250.00
Throwing Away Lighted Material.....	\$500.00
Unlawful Meetings.....	\$100.00
Violation of Approved Tribal Ordinance.....	\$500.00
Contempt of Court.....	\$500.00