

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF MENDOCINO**

**FILED**

DEC 28 2016

CLERK OF MENDOCINO COUNTY  
SUPERIOR COURT OF CALIFORNIA

**In Re:**

**THE MENDOCINO COUNTY SHERIFF'S  
PRETRIAL RELEASE PROGRAM  
AUTHORIZATION TO RELEASE SPECIFIED  
DETAINEES PRIOR TO ARRAIGNMENT**

STANDING ORDER  
2017-11

\_\_\_\_\_ /

The Sheriff of Mendocino County is the Correctional Administrator for Mendocino County and is responsible for overseeing the Mendocino County Jail. The Sheriff is charged with managing the population of the Mendocino County Jail in accordance with State and Federal law.

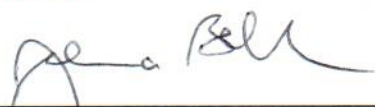
In conjunction with the justice system partners (District Attorney, Public Defender, Probation Department, and Mendocino County Superior Court), the Sheriff has developed a plan to mitigate the impacts of the *2011 realignment Legislation Addressing Public Safety Act* – (AB 109) and the resulting increase in the population of the Mendocino County Jail. That plan includes a Pretrial Release Program with the primary goal of making room in the jail for serious and/or dangerous inmates while, at the same time, ensuring public safety.

The Sheriff's Pretrial Release Program employs an evidence-based risk assessment protocol designated to determine the suitability for release of pretrial detainees determined to be "low risk". The program also utilizes enhanced supervision and monitoring of released inmates to mitigate risks to public safety and insure attendance at court proceedings. The Sheriff has requested standing authority from the Court to release "low risk" detainees on their own recognizance prior to arraignment with imposition of predetermined terms and conditions of release in accordance with section 1318 of the California Penal Code.

**THE COURT DOES HEREBY ORDER** that the Sheriff of Mendocino County, or his designee, has the standing authority, without further authorization of the Court, to release "low risk" detainees, on their own recognizance, from the Mendocino County Jail prior to arraignment with predetermined terms and conditions of release as delineated in "Attachment A" and in accordance with section 1318 of the California Penal Code.

This standing order shall expire on **December 31, 2017**.

Dated: 12/17/16

  
\_\_\_\_\_  
JOHN A. BEHNKE  
Presiding Judge of the Superior Court



**County of Mendocino  
Office Of The Sheriff-Coroner  
OWN RECOGNIZANCE RELEASE AGREEMENT  
(California Penal Code §1318)**

Name:  
Address:  
Agency Case#:  
Charges:  
Basis for Pre-Arrestment O.R.:

Date:  
  
IID/Booking #:

Dated: Declarant:

BY ORDER OF THE MENDOCINO COUNTY SUPERIOR COURT AND IN ACCORDANCE WITH CALIFORNIA PENAL CODE §1318 YOU ARE HEREBY RELEASED ON YOUR OWN RECOGNIZANCE AND UNTIL FURTHER ORDER OF THE COURT YOU ARE RELEASED ON THE FOLLOWING CONDITIONS:

- (1) I will appear at all time and places as ordered;
- (2) I will not violate any laws or conditions of release;
- (3) I will not leave California without the Court's permission;
- (4) If I fail to appear and am apprehended outside the State of California, I hereby waive extradition.
- (5) If I am arrested for a secondary offense while released on bail or own recognizance I may be subject to penalty enhancements up to 2 years in State Prison as pursuant to 12022.1 of the Penal Code.
- (6) I understand if there are any violations of this agreement or any change of circumstances affecting my release, a judge may revoke my release and return me to jail or require that I post bail.
- (7) Other Conditions:

- Submit to search of your person, property, residence, vehicle or any container under your control, at any time, day or night, by any peace officer with or without a warrant of arrest, search warrant, reasonable or probable cause, your then presence or your then consent for the purpose of determining compliance with these conditions for release.
- Not use or possess any illegal drugs.
- Not use or possess any alcohol.
- Submit to drug/alcohol testing at the direction of Pretrial Services.
- Participate in drug/alcohol counseling at the direction of Pretrial Services.
- Attend \_\_\_\_ meetings per week, and provide proof of attendance at subsequent court appearances.
- Not possess any weapons/firearms while this case is pending.
- Stay away: \_\_\_\_
- Reside at: \_\_\_\_
- Other: Electronic Monitoring Authorized at discretion of Sheriff
  - RF       GPS
- Other:

I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT, PURSUANT TO THE PROVISIONS OF SECTION 1318 OF THE PENAL CODE, I HEREBY AGREE TO THE CONDITIONS OF RELEASE SET FORTH ABOVE. I FURTHER DECLARE THAT I HAVE BEEN INFORMED OF THE CONSEQUENCES AND PENALTIES APPLICABLE TO A VIOLATION OF THE CONDITIONS OF MY RELEASE.

Date: Defendant: \_\_\_\_\_

**YOU MUST NOTIFY PRETRIAL SERVICES OF ANY CHANGE IN YOUR ADDRESS OR PHONE.**

**IF YOU HAVE ANY QUESTION, PLEASE CALL PRETRIAL UNIT AT (530) 538-7437.**

YOUR NEXT COURT APPEARANCE: 100 N. State St, Ukiah on \_\_\_\_\_ at \_\_\_\_\_  
DATE TIME INITIALS

Defendant: \_\_\_\_\_ Agency Case #: \_\_\_\_\_

**ORDER FOR RELEASE**

It is hereby ordered that the defendant be released from custody on his/her own recognizance subject to conditions set forth above.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
Superior Court Judge / Commissioner

Verbal Authorization, Judge/Commissioner \_\_\_\_\_

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

Pre-Trial Staff: \_\_\_\_\_ Date: \_\_\_\_\_

**RESIDENCE:** Verified:  Yes  No

Current Address: \_\_\_\_\_ How Long: \_\_\_\_\_  
Prior Address: \_\_\_\_\_ How Long: \_\_\_\_\_ When: \_\_\_\_\_

**EMPLOYMENT/SUPPORT:** Verified:  Yes  No  Unemployed How Long \_\_\_\_\_

Source of Support:  Job  Family  Odd Jobs  Type of Aid

Explain: \_\_\_\_\_

**REFERENCES:**

- Name Address  
Relation How Often Seen Contact
- Name Address  
Relation How Often Seen Contact

Additional Info: \_\_\_\_\_

Victim Contact: \_\_\_\_\_

**Risk Assessment Score:** \_\_\_\_\_