



1021 I STREET, SUITE 201
P.O. BOX 3428
MODESTO, CALIFORNIA 95353-3428
Phone: (209) 525-4200
Fax: (209) 525-4244

OFFICE OF
THE PUBLIC DEFENDER
LAURA B. ARNOLD
PUBLIC DEFENDER

TO: Court Partners & the Public
FROM: Laura Arnold, Public Defender
DATE: May 29, 2020
RE: PD's Covid-19 CCR policy

The Public Defender's duty to represent a defendant in a criminal case, grounded in the state and federal constitutions and codified in Government Code section 27706, begins at appointment/reappointment and ends at sentencing/dismissal or acquittal/sentencing after revocation or reinstatement of supervision, once duties required to perfect a requested appeal have been performed. The Public Defender also has the discretion to undertake representation of an indigent defendant in criminal and appellate court proceedings, upon a defendant's request. In light of reduced court operations and the Judicial Council's statewide \$0-bail schedule, during the period of judicial emergency and for 60 days thereafter (until 30 days prior to end of \$0 bail schedule), the PD's office will process CCR's in the following circumstances:

1. CCR's for current PD clients, defined as those with pending criminal cases or revocation proceedings in which PD has been appointed or, with manager approval, has undertaken representation, including cases in which proceedings have been suspended pursuant to PC 1368, etc. If the request involves recalling a bench warrant due to a client's failure to appear, a CCR will be approved and submitted only if the client is charged with (or has been convicted of and is on supervision for) a \$0 bail-excepted offense, including:

- A serious felony, enumerated in PC 1192.7(c) or a violent felony, enumerated in PC 667.5(c)
- A felony violation of PC 69
- A violation of PC 166(c)(1)
- A violation of PC 136.1 with a PC 136.1(c) allegation
- A violation of PC 262
- A violation of PC 243(e)(1) or 273.5
- A violation of PC 273.6, if the current offense involves D going to the protected person's home or workplace or the making of threats to kill or harm or a new act of violence,
- A felony violation of PC 422
- A violation of PC 646.9
- A violation of a crime enumerated in PC 290(c)
- A violation of Vehicle Code section 23152 or 23153
- A felony violation of Penal Code section 463, and
- A violation of PC 29800

If you *are* not currently charged with any of these offenses *and* are *not* on supervision for any of these offenses, the Public Defender will not process your CCR at this time. We recommend that you go to the courthouse to request that your matter be added to the court's calendar and then call our main number, at 209-525-4200, to notify us of your new court date. Beginning June 1, 2020, the court clerk's office will be open to the public from 8:15 to 12:15, Monday through Friday.

Please be aware that the court is requiring all who enter the courthouse to wear facial covering and to comply with safe social distancing. If you do not have facial covering, the court will provide it to you at no cost.