

Chapter 18. Bail Schedule
Amended

Legislative History.

This chapter was originally enacted by the Tribal Council on September 19, 1988, and amended to adjust to the new revised criminal offenses code, Chapter 7, and is a major revision of the past cash bail schedules. This effort is made to simplify the method of police and jailers to determine the case bail in a particular case.

Sec. 1. Cash Bail; Exceptions.

In any charged tribal offense of the Law and Order Code of the Fort McDermitt Paiute and Shoshone Tribe, Chapter 7, any judge of the Fort McDermitt Tribal Court hearing the arraignment shall hereby be empowered to either require a higher bail, which will satisfy the court that the defendant charged shall show for his scheduled trial date, or deny bail if the judge, citing specific circumstances or justification, believes the charged defendant is likely to flee the jurisdiction.

- a. For charges involving Offenses Against Persons, the Bail will be set at 20% the maximum imposed fine for the offense classified below:

For any Class B Offense:	\$300.00
For any Class C Offense:	\$500.00
For any Class D Offense:	\$700.00
For any Class E Offense:	\$1,000.00

- b. For charges involving Offenses Against the Person – Sex Related, the Bail will be set at 20% the maximum imposed fine for the offense classified below:

For any Class B Offense:	\$300.00
For any Class C Offense:	\$500.00
For any Class D Offense:	\$700.00
For any Class E Offense:	\$1,000.00

- c. For charges involving Offenses Against Property – Destruction and Intrusion, the Bail will be set at 10% the maximum imposed fine for the offense classified below:

For any Class B Offense:	\$150.00
For any Class C Offense:	\$250.00
For any Class D Offense:	\$350.00
For any Class E Offense:	\$500.00

d. For charges of Offenses involving Unlawful Takings, the Bail will be set at 10% the maximum imposed fine for the offense classified below:

For any Class B Offense: \$150.00

For any Class C Offense: \$250.00

For any Class D Offense: \$350.00

For any Class E Offense: \$500.00

e. For charges of Forgery and other Fraud Offenses, the Bail will be set at 10% of the maximum imposed fine for the offense classified below:

For any Class B Offense: \$150.00

For any Class C Offense: \$250.00

For any Class D Offense: \$350.00

For any Class E Offense: \$500.00

f. For charges of Offenses Involving Children and Dependent Persons, the Bail is set at 10% of the maximum imposed fine for the offense classified below:

For any Class B Offense: \$150.00

For any Class C Offense: \$250.00

For any Class D Offense: \$350.00

For any Class E Offense: \$500.00

g. For charges of Offenses Against the Public Peace and Order, the Bail will be set at 10% of the maximum imposed fine for the offense classified below:

For any Class B Offense: \$150.00

For any Class C Offense: \$250.00

For any Class D Offense: \$350.00

For any Class E Offense: \$500.00

h. For charges of offenses Against Public Justice and Administration, the Bail will be set at 10% of the maximum imposed fine for the offense classified below:

For any Class B Offense: \$150.00

For any Class C Offense: \$250.00

For any Class D Offense: \$350.00

For any Class E Offense: \$500.00

- i. For charges involving Drug Offenses, the Bail will be set at 30% of the maximum imposed for the offense classified below:

For any Class B Offense:	\$450.00
For any Class C Offense:	\$750.00
For any Class D Offense:	\$1,050.00
For any Class E Offense:	\$1,500.00

- j. (1) For charges involving Alcohol Offenses, the Bail will be set at 20% of the maximum imposed fine for the offense classified below:

For any Class B Offense:	\$300.00
For any Class C Offense:	\$500.00
For any Class D Offense:	\$700.00
For any Class E Offense:	\$1,000.00

- (2) For the charges involving Unlawful Possession of Alcohol, the Bail will be set at 5% the maximum imposed fine for the offense classified below:

For any Class B Offense:	\$75.00
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- k. For charges involving Inchoate Crimes, the Bail will be set at the percentage rate set for an attempted offense required for commission of an offense as it is listed in any of the sub-sections above.

Sec. 2. Administrative Assessment Fee.

A non-refundable administrative assessment fee is hereby established in the amount of fifteen dollars (\$15) to be deposited into the Tribal Court Fund for each charged offense. The defendant at his request, may have such fee deducted from his bail.