e when arrest and release is appropriate, rather person before a magistrate. The county shall lop the protocol, consisting of, at a minimum, the T within the jurisdiction, the district attorney representatives from domestic violence shelters nd other relevant community agencies.

shall be construed to affect a defendant's ability is or her own recognizance.

erson, the time specified in the notice to appear arrest if the duplicate notice is to be filed by the

he notice shall be the court of the magistrate ld be taken if the requirement of taking an trate were complied with, or shall be an officer eive a deposit of bail.

me copy of the notice to appear to the arrested , in order to secure release, shall give his or her ourt as specified in the notice by signing the 3 retained by the officer, and the officer may he or she has no satisfactory identification, to off thumbprint or fingerprint if the person has umb, on the notice to appear. Except for law to the identity of the arrestee, no person or the distribution of, include in a database, or .. Upon the signing of the duplicate notice, the ly release the person arrested from custody. as practicable, file the duplicate notice, as

magistrate if the offense charged is an

magistrate if the prosecuting attorney has

inderlying police reports in support of the ith the prosecuting attorney in cases other

h the prosecuting attorney, he or she, within prosecution by filing the notice or a formal cified in the duplicate notice within 25 days ecution is not to be initiated, the prosecutor sted at the address on the notice to appear. e the notice or formal complaint within 25 hall not bar further prosecution of the to appear. However, any further prosecul separate citation or an arrest warrant. the magistrate by the officer, or the filing the prosecutor, the magistrate may fix the

ning in 1992, additions. * * * indicate omissions.

s set forth in this chapter, unless the arresting amount of bail that in his or her judgment, in accordance with Section 1275, is not a reasonable likelihood that it are sting amount of bail that in his or her judgment, in accordance with Section 1275, is is not a reasonable likelihood that the arresting amount of ball that in his of her junginent, in the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall it the safety of persons or property is not a reasonable and sufficient for the appearance of the defendant and shall be appearance of the defendant and the safety of the safet it the safety of persons or property would be endorse upon the notice a statement signed by him or her in the form set forth release of the person arrested. Prior to adopting in Section 815a. The defendant may, prior to the date upon which he or she ounty, or city and county shall denote the adopting in Section 815a. The defendant may, prior to the date upon which he or she oromised to appear in court, deposit with the magistrate the amount of bail set by the magistrate. At the time the case is called for arraignment before the magistrate, if the defendant does not appear, either in person or by counsel, the magistrate may declare the bail forfeited, and may, in his or her discretion, order that no further proceedings shall be had in the case, unless the defendant has been charged with a violation of Section 374.3 or 374.7 of this code or of Section 11357, 11360, or 13002 of the Health and Safety Code, or a violation punishable under Section 5008.7 of the Public Resources Code, and he or she has previously been convicted of a violation of that section or a violation that is punishable under that section, except in cases where the magistrate finds that undue hardship will be imposed upon the defendant by requiring him or her to appear, the magistrate may declare the bail forfeited and order that no further proceedings be had in the case.

> Upon the making of the order that no further proceedings be had, all sums deposited as bail shall immediately be paid into the county treasury for distribution pursuant to Section 1463.

- (f) No warrant shall be issued for the arrest of a person who has given a written promise to appear in court, unless and until he or she has violated that promise or has failed to deposit bail, to appear for arraignment, trial, or judgment or to comply with the terms and provisions of the judgment, as required by law.
- (g) The officer may book the arrested person prior to release or indicate on the citation that the arrested person shall appear at the arresting agency to be booked or indicate on the citation that the arrested person shall appear at the arresting agency to be fingerprinted prior to the date the arrested person appears in court. If it is indicated on the citation that the arrested person shall be booked or fingerprinted prior to the date of the person's court appearance, the arresting agency at the time of booking or fingerprinting shall provide the arrested person with verification of the booking or fingerprinting by making an entry on the citation. If it is indicated on the citation that the arrested person is to be booked or fingerprinted, the magistrate, judge, or court shall, before the proceedings begin, order the defendant to provide verification that he or she was booked or fingerprinted by the arresting agency. If the defendant cannot produce the verification, the magistrate, judge, or court shall require that the defendant be booked or fingerprinted by the arresting agency before the next court appearance, and that the defendant provide the verification at the next court appearance unless both parties stipulate that booking or fingerprinting is not necessary.
- (h) A peace officer shall use the written notice to appear procedure set forth in this section for any misdemeanor offense in which the officer has arrested a person without a warrant pursuant to Section 836 or in which he or she has taken custody of a person pursuant to Section 847.
- (i) Whenever any person is arrested by a peace officer for a misdemeanor, that person shall be released according to the procedures set forth by this chapter unless one of the following is a reason for nonrelease, in which case the arresting officer may release the person, or the arresting officer shall indicate,