

IN THE HIGH COURT
of the
REPUBLIC OF THE MARSHALL ISLANDS

IN THE MATTER OF PROMULGATION OF A COURT THE RULE PROVIDING FOR A CASH BAIL SCHEDULE	GENERAL COURT ORDER NO. 2019-004
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CASH BAIL SCHEDULE

Under the authority of Article VI, Subsections 1(2) and 1(3) of the Constitution and Section 263 of the Judiciary Act of 1983, 27 MIRC Chp. 2, and notwithstanding any existing rule of court to the contrary, the High Court hereby adopt and promulgate the following Cash Bail Schedule:

31 MIRC 210.2	Murder	25 years	\$1,000
31 MIRC 210.3	Manslaughter	10 years	\$ 500
31 MIRC 210.4	Neg. Homicide in the 1 st Degree	10 years	\$ 500
31 MIRC 210.5	Neg. Homicide in the 2 nd Degree	35 months	\$ 200
31 MIRC 211.1	Assault	12 months	\$ 100
31 MIRC 211.1	Assault (in a fight by mutual consent)	6 months	\$ 50
31 MIRC 211.2	Assault with a Deadly Weapon	35 months	\$ 200
31 MIRC 211.3	Aggravated Assault	10 years	\$ 500

31 MIRC 211.4	Reckless Endangerment	1 year	\$ 100
31 MIRC 212.1	Kidnapping (felony in 1 st Degree)	25 years	\$1,000
	Kidnapping (felony in 2 nd degree)	10 years	\$ 500
31 MIRC 212.2	Felonious Restraint	35 months	\$ 200
31 MIRC 212.3	False Imprisonment	1 year	\$ 100
31 MIRC 212.4(1)	Interfere with Custody (of child)	1 year	\$ 100
	Interfere with Custody (would cause serious alarm for child)	35 months	\$ 200
31 MIRC 212.4(2)	Interfere with Custody (of a committed person)	1 year	\$ 100
31 MIRC 212.5	Criminal Coercion	1 year	\$ 100
	Criminal Coercion (with threat to commit felony)	35 months	\$ 200
31 MIRC 213.1	Sexual Assault in the 1 st Degree	25 years	\$1,000
31 MIRC 213.2	Sexual Assault in the 2 nd Degree	10 years	\$ 500

31 MIRC 213.3	Sexual Assault in the 3 rd Degree	35 months	\$ 200
31 MIRC 213.4	Sexual Assault in the 4 th Degree	1 year	\$ 100
31 MIRC 213.5	Continuous Sexual Assault of a Minor under 14	25 years	\$1,000
31 MIRC 213.6	Indecent Exposure	6 months	\$ 50
31 MIRC 213.7	Bestiality or Necrophilia	35 months	\$ 200
31 MIRC 220.1	Arson	10 years	\$ 500
31 MIRC 220.2	Aggravated Arson	25 years	\$1,000
31 MIRC 220.3	Reckless Burning or Exploding	35 months	\$ 200
31 MIRC 220.4	Failure to Control or Report Dangerous Fire	1 year	\$ 100
31 MIRC 220.5	Causing Catastrophe (knowingly)	10 years	\$ 500
	Causing Catastrophe (recklessly)	35 months	\$ 200
31 MIRC 220.6	Criminal Mischief	6 months	\$ 50
	Criminal Mischief (in a dwelling at night, etc.)	1 year	\$ 100

31 MIRC 221.1	Burglary (dwelling at night or with . . . bodily injury or with deadly weapon)	10 years	\$ 500
	Burglary (otherwise)	35 months	\$ 200
31 MIRC 221.2	Criminal Trespass	6 months	\$ 50
	Criminal Trespass (dwelling at night)	1 year	\$ 100
31 MIRC 222.1	Robbery	35 months	\$ 200
	Robbery (attempts to kill, . . .)	10 years	\$ 500
31 MIRC 223.2, .3, .4, .5, .6, and .7	Theft by Unlawful Taking . . . ; Deception; Extortion; or Disposition; of Property Lost; of Receiving Stolen Property; or of Services (exceeds \$500, or . . .)	35 months	\$ 200
	Theft . . .(not by threat, or breach of fiduciary obligation)	1 year	\$ 100
	Theft . . .(not by threat, or breach of fiduciary obligation, and less than \$50)	6 months	\$ 50

31 MIRC 223.9	Unauthorized Use of Automobiles and other Vehicles	1 year	\$ 100
31 MIRC 224.1	Forgery (writing re money)	10 years	\$ 500
	Forgery (writing re will, deed, etc.)	35 months	\$ 200
	Forgery (otherwise)	1 year	\$ 100
31 MIRC 224.2	Possession of Counterfeit Material (money, etc.)	1 year	\$ 100
	Possession of Counterfeit Material (plates, etc.)	35 months	\$ 200
31 MIRC 224.3	Criminal Simulation	1 year	\$ 100
31 MIRC 224.4	Fraudulent Destruction, Removal, etc.	35 months	\$ 200
31 MIRC 224.5	Tampering with Records	1 year	\$ 100
31 MIRC 224.6	Bad Checks	1 year	\$ 100
31 MIRC 224.7	Credit Cards	35 months	\$ 200
	Credit Cards	1 year	\$ 100
31 MIRC 224.8	Deceptive Business Practices	1 year	\$ 100

31 MIRC 224.9	Commercial Bribery and Breach of Duty of Acting Disinterestedly	1 year	\$ 100
31 MIRC 224.11	Defrauding Secured Creditors	1 year	\$ 100
31 MIRC 224.12	Fraud in Insolvency	1 year	\$ 100
31 MIRC 224.14	Misapplication of Entrusted Property and Property of Government . . .	1 year	\$ 100
31 MIRC 224.15	Securing Execution of Documents by Deception	1 year	\$ 100
31 MIRC 230.1	Bigamy	35 months	\$ 200
31 MIRC 230.2	Incest	35 months	\$ 200
31 MIRC 230.3	Child Abuse . . .	35 months	\$ 200
31 MIRC 230.4	Endangering the Welfare of a Child	1 year	\$ 100
31 MIRC 240.1	Bribery in Official Matters	10 years	\$ 500
31 MIRC 240.2	Influencing Official Matters By Threat	10 years	\$ 500
31 MIRC 240.3	Unlawful Compensation for Past Official Action	10 years	\$ 500

31 MIRC 240.5	Gifts to Public Servants . . .		
31 MIRC 240.6	Misconduct in Public Office	10 years	\$ 500
	Misconduct in Public Office	35 months	\$ 200
31 MIRC 240.7	Embezzlement, . . . by Public Servants	10 years	\$ 500
31 MIRC 240.8	Illicit Enrichment	10 years	\$ 500
31 MIRC 241.1	Perjury	35 months	\$ 200
31 MIRC 241.2	False Swearing	1 year	\$ 100
31 MIRC 241.3	Unsworn Falsification to Authorities	1 year	\$ 100
31 MIRC 241.4	False Alarms	1 year	\$ 100
31 MIRC 241.5	False Report to Law Enforcement to implicate another	10 years	\$ 500
	False Report of Law Enforcement of offense knowing it did not occur	35 months	\$ 200
31 MIRC 241.6	Tampering with Witnesses . . .	10 years	\$ 500
31 MIRC 241.7	Tampering with or Fabricating Physical Evidence	10 years	\$ 500

31 MIRC 241.8	Tampering with Public Records	1 year	\$ 100
	Tampering with Public Records (with intent to defraud or injure)	10 years	\$ 500
31 MIRC 241.9	Impersonating a Public Servant (if law enforcement)	35 months	\$ 200
		1 year	\$ 100
31 MIRC 242.1	Obstructing Administration of law or Other Govt Function	10 years	\$ 500
31 MIRC 242.2	Resisting Arrest	1 year	\$ 100
31 MIRC 242.3	Hindering Apprehension of Prosecution (of Felony in 1 st or 2 nd Degree)	35 months	\$ 200
	(otherwise)	1 year	\$ 100
31 MIRC 242.4	Aiding Consummation of Crime (if Felony in 1 st or 2 nd Degree)	35 months	\$ 200
	(otherwise)	1 year	\$ 100
31 MIRC 242.5	Compounding	1 year	\$ 100
31 MIRC 242.6	Escape (if detained for a Felony)	35 months	\$ 200

	(otherwise)	1 year	\$ 100
31 MIRC 242.7	Implements of Escape	1 year	\$ 100
31 MIRC 242.8	Bail Jumping (if offense is a Felony)	35 months	\$ 200
	(otherwise)	1 year	\$ 100
31 MIRC 243.1	Official Oppression	10 years	\$ 500
31 MIRC 250.1	Riot;	35 months	\$ 200
	Failure to Disperse	1 year	\$ 100
31 MIRC 250.2	Disorderly Conduct	6 months	\$ 50
31 MIRC 250.3	False Public Alarms	1 year	\$ 100
31 MIRC 250.4	Harassment	6 months	\$ 50
31 MIRC 250.5	Stalking	1 year	\$ 100
31 MIRC 250.7	Public Drunkenness; Drug Incapacitation	6 months	\$ 50
31 MIRC 250.9	Desecration of Public Structures	1 year	\$ 100
31 MIRC 250.10	Abuse of Corpse	1 year	\$ 100
31 MIRC 250.12	Violation of Privacy	1 year	\$ 100

31 MIRC 251.1	Engaging in Prostitution	35 months	\$ 200
31 MIRC 251.2	Patronizing Prostitution	35 months	\$ 200
31 MIRC 251.3	Promoting Prostitution in the 1 st Degree	10 year	\$ 500
31 MIRC 251.4	Promoting Prostitution in the 2 nd Degree	1 year	\$ 100
31 MIRC 252.1	Tampering with Mail	6 months	\$ 50
31 MIRC 252.2	Unauthorized Disposition of Certain Food	6 months	\$ 50
31 MIRC 252.3	Duty to Report Wounds or Deaths	1 year	\$ 100
31 MIRC 252.4	Possession or Removal of Government Property	6 months	\$ 50
31 MIRC 252.5	Injuring or Altering Electric Meter	6 months	\$ 50
31 MIRC 252.6	Altering, Damaging, or Contaminating a Water . . .	6 months	\$ 50
	Altering, Damaging, or Contaminating a Water . . . (Second Offense)	1 year	\$ 100

31 MIRC 252.7	Altering, Tampering with, Damaging . . . Telephone . . .	6 months	\$ 50
	Altering, Tampering with, Damaging . . . Telephone . . . (Second Offense)	1 year	\$ 100
7 MIRC 909(1)(a)	Possession of Marijuana (1 oz or less)	1 year	\$ 100
7 MIRC 909(1)(b)	Possession of Marijuana (more than 1 oz or 2 nd Offense 1 oz or less)	5 years	\$ 300
7 MIRC 909(1)(c)	Possession of Marijuana (2 nd Offense of more than 1 oz)	15 years	\$ 700
7 MIRC 909(2)(a)	Possession of Controlled Substance (less than 1/4 oz)	15 years	\$ 700
7 MIRC 909(2)(b)	Possession of Controlled Substance (more than 1/4 oz, but less than 1/2 oz, or 2 nd offense less than 1/4 oz)	25 years	\$1,000

7 MIRC 909(2)(c)	Possession of Controlled Substance ($\frac{1}{2}$ oz or more or subsequent offense less than $\frac{1}{4}$)	25 years	\$1,000
7 MIRC 912(1)	Selling Marijuana to a Minor	15 years	\$ 700
7 MIRC 912(2)	Selling Controlled Substance a Minor	25 years	\$1,000
7 MIRC 1329(1)	Failure to Comply with Carrying Firearms Provision	3 months	\$ 25
7 MIRC 1329(2)	Willful Weapons Violation	5 years	\$ 300
13 MIRC 109	Failure to Register a Motor Vehicle	n/a	\$ 50
13 MIRC 111	Driving Without a License	n/a	\$ 50
13 MIRC 138	Driving Over the Speed Limit	n/a	\$ 50
13 MIRC 139(1)	Negligent Driving	6 months	\$ 50
13 MIRC 139(2)	Reckless Driving	1 year	\$ 100
13 MIRC 139(2)	Reckless Driving (with injury to another)	10 years	\$ 500

13 MIRC 146	Operating Vehicle Without Owner's Consent or Proper Authorization	n/a	\$ 50
13 MIRC 148	Duties of Drivers in Accidents Resulting in Injury	n/a	\$ 50
13 MIRC 170	Obligations of Insured	n/a	\$ 50
13 MIRC 308(1)	DUI	1 year	\$ 100
13 MIRC 308(4)	DUI with Injury	3 years	\$ 200

APPLICATION OF SCHEDULE

1. Other Offenses. For any offense not listed the following bail amounts apply:

<u>Maximum Penalty</u>	<u>Bail Amount</u>
3 months	\$ 25.00
6 months	50.00
1 year	100.00
35 months	200.00
10 years	500.00
25 Years	1,000.00

2. Bail for Attempt. The presumed bail for any Attempt pursuant to 31 MIRC § 5.01 will be ½ the presumed bail for the underlying offense.

3. Transients and Convicted Felons. Transients, short-time residents who have no job or real ties with the Marshall Islands, and previously convicted felons are required to put up twice the amount of cash bail as indicated and will normally be required to surrender their passport to the court.

4. Use of Presumptive Amounts. The amounts listed are presumptive amounts and may be raised or lowered by a judge at his or her discretion. These presumptive amounts may and shall be used by police and jail officials if and when a judge cannot be located.

Ordered and Entered: November 29, 2019.

A handwritten signature in black ink, consisting of a large, stylized initial 'C' followed by the name 'B. Ingram' in a cursive script.

Carl B. Ingram
Chief Justice, High Court