Index

911 CALL Prevention, dissuading a witness, 4:64 ABANDONMENT Robbery, 4:47 ACCESS CARDS Fraud, 4:108	ARSON Generally, 4:31 to 4:36 Burning of trash, 4:33 Defined, 4:31 Forest, burning, 4:36 Inhabited dwelling, 4:32 Manufacture of controlled substance, 4:34 Structure, burning, 4:35
ACCESSORY AFTER THE FACT Crimes. theories of liability, 4:199 ACCOMPLICES	ATM Burglary, 4:128 Robbery, 4:45
Hearsay, statements, 3:37 AIDING AND ABETTING Human trafficking, 4:181 Murder generally, 4:17 to 4:22 attempted murder, 4:22 considerations, 4:18 defined, 4:17 first degree murder, 4:19 second degree murder, 4:20 Robbery, 4:46 Theory of liability, 4:193 AMENDMENT	ATTEMPTED MURDER Generally, 4:11 to 4:16 Aiding and abetting, 4:22 Defined, 4:12 Gun, pointing, 4:16 Kill zone, 4:14 Multiple counts, 4:15 Premeditated, deliberated, willful, 4:13 Shooting into crown, multiple counts, 4:15 ATTORNEY FEES Restitution, 8:103
Complaint hearings and courtroom issues, 2:12 new clock, 1:16 to 1:18 ANIMALS Moral support, hearings and courtroom issues, 2:36	AUTHENTICATION Generally, 3:54 to 3:63 Certification (CLETS) re convictions, 3:57 Chain of custody, 3:61 Convictions, 3:57 to 3:60 CLETS, 3:57
ANIMATION Computer, expert testimony generally, 3:77 to 3:80 crime scene reconstruction, 3:78 permanent injury in hit and run, 3:80 shotspotter evidence, 3:79	court records, 3:59 jail records, 3:60 minute orders, 3:59 official records, 3:59 prison records, 3:60 Defined, 3:54 Judicial notice, request, 3:62 Social media, 3:63

AUTHENTICATION—Cont'd

Uncertified conviction records, not admissible, **3:58**

BACK TIME

Sentencing and punishment, 8:1

BAIL

Pretrial release and bail, this index

BAILEY DOCTRINE

Theft, 4:99

BENCH WARRANTS

Notice, **2:22** Pickups, **1:19**

BONDS

Hearings and courtroom issues, defendant on bond, 2:21 Pretrial release and bail, this index

BREAKS

Continuous preliminary hearing, 2:18

BRIBERY

Generally, 4:174

BULLET PROOF VEST

Experts opinions, 3:74

BURDEN OF PROOF

Faretta motions, **10:11** Marsden motions, **10:3**

BURGLARY

Generally, **4:120 to 4:134** ATM, **4:128**

Attempted, **4:129**

Commercial burglary, 4:125

First degree, **4:121 to 4:124**

incidental use of utilities/ consumption of items and specific intent, **4:124**

person present, 4:123

Inhabited dwelling, 4:121

Interior room, 4:127

Not inhabited dwelling, 4:122

Outer boundary, penetration,

4:130

Tools, 4:132 to 4:134

Vehicles, 4:131

BUSINESS RECORDS

Hearsay, Prop. 115, 3:30

CARS

Stolen, preliminary hearing, evidentiary issues, **3:98**

CASH MACHINE

Burglary, **4:128** Robbery, **4:45**

CELL PHONE

Delivery, prison, 4:148

CHAIN OF CUSTODY

Authentication, **3:61** Hearsay, **3:40**

CHECKS

Hearsay, 3:44

CHILD ABUSE

Felony child abuse, this index

CHILD PORNOGRAPHY

Sex crimes, **4:188**

CHILDREN AND MINORS

Statements, hearsay, **3:49** Witness, **2:31**

CHILD SEXUAL ASSAULT ACCOMMODATION SYNDROME

Experts, 3:85

CODEFENDANTS

Hearsay, 3:37

COMPLAINT

Amendment hearing, 2:12

new clock, 1:16 to 1:18

COMPUTER ANIMATION

Expert testimony

generally, 3:77 to 3:80

crime scene reconstruction,

3:78

permanent injury in hit and run, 3:80

shotspotter evidence, 3:79

CONFRONTATION RIGHTS

Hearings and courtroom issues, **2:6**

CONFRONTATION RIGHTS

Ordering witness, take oath, -Cont'd Masks, COVID, 2:7 answer questions, 11:3 domestic violence cases, 11:12 Probation violations, summary sexual assault cases, 11:21 revocation, 8:72 Preliminary finding, 11:2 CONSOLIDATION domestic violence cases, 11:9 Hearings and courtroom issues, sexual assault cases, 11:19 2:12 Sanctions, 11:7 **CONSPIRACY** domestic violence cases, 11:16 Crimes, theories of liability, 4:196 sexual assault cases, 11:25 murder, 4:197 Sexual assault cases Sentencing and punishment, 8:9 generally, 11:19 to 11:27 counsel, appointment, 11:22 **CONSTITUTIONAL LAW** finding in contempt, 11:24 Confrontation, COVID, masks, finding re victim, 11:20 2:7 ordering witness, take oath, Discovery, 3:1 answer questions, 11:21 Pretrial release and bail, California preliminary finding, 11:19 Constitution, 13:12 to 13:15, sanctions, 11:25 13:18 stay of sentence, 11:26 Rights, statement, hearings, 2:5 warning, 11:23 Waiver, felony plea, 7:5 witness eventual cooperation, **CONTEMPT** 11:27 Generally, 11:1 to 11:27 Stay of sentence Counsel, appointment, 11:4 sexual assault cases, 11:26 domestic violence cases, 11:13 Warning, **11:5** sexual assault cases, 11:22 domestic violence cases, 11:14 Domestic violence cases sexual assault cases, 11:23 generally, 11:9 to 11:18 Witness eventual cooperation, counsel, appointment, 11:13 11:8 domestic violence witness, finddomestic violence cases, 11:18 ing, 11:10 sexual assault cases, 11:27 finding in contempt, 11:15 **CONTINUANCES** fine, 11:17 ordering witness, take oath, 60-day rule, 1:29 answer questions, 11:12 Generally, 1:20 to 1:29 preliminary finding, 11:9 Motions and the 10/60-day rules, referral to counselor, 11:11 1:20 sanctions, 11:16 violations, motions to dismiss stay of sentence, 11:17 10-day rule, **1:31 to 1:40** warning, 11:14 custody status, 1:33 witness eventual cooperation, good cause, 1:35 to 1:40 11:18 sequential considerations, Finding in contempt, 11:6 1:32 to 1:40 domestic violence cases, 11:15 solely on complaint, 1:33 sexual assault cases, 11:24 60-day rule, **1:41 to 1:46** Non-domestic violence cases counting the clock, 1:44 generally, 11:2 to 11:8 custody, 1:43

CONTEMPT—Cont'd

CONTINUANCES—Cont'd COUNSEL Motions and the 10/60-day rules, Right to conflict free counsel, 14:1 **1:20**—Cont'd waiver, 14:2 violations, motions to dismiss COUNTERFEITING —Cont'd Generally, **4:104 to 4:107** 60-day rule, 1:41 to 1:46 Currency, **4:107** -Cont'd Equipment, possession, 4:105 no good cause exception, 1:42 Sale of goods, 4:106 tolling, 1:45 COVID-19 generally, 1:30 to 1:47 Masks, confrontation rights, 2:7 limited time waivers, 1:47 three categories of motions, **CRIMES** 1:30 Arson, this index Ten day rule Assault with a deadly or dangerous weapon, Weapons, this generally, 1:21 to 1:28 index continuances within 10-day Bribery, 4:174 period, 1:24 Burglary, this index defendants in custody, 1:26 Criminal threats, this index defendants out of custody, 1:25 Defenses and challenges to case defense motion, defendant generally, 4:190 to 4:219 objection, 1:28 Corpus Delicti, 4:202, 4:203 good cause, people's motion, 1:27 deadly force, property defense, 4:213 Penal Code § 859b, 1:23 to 1:28 defendant as instigator, 4:215 Penal Code § 1050, 1:22 First Amendment, 4:216 statutes, 1:22, 1:23 Home Protection Bill of Rights Presumption, 4:218 **CONTINUOUS PRELIMINARY** intervening cause, 4:219 **HEARING** mistake of fact, 4:212 Generally, 1:13 to 1:15 self-defense, 4:204 to 4:206, One session rule, 1:13 4:210 violation, 1:14, 1:15 unconsciousness, 4:211 Short breaks, 2:18 Violent Victim Rule, 4:217 voluntary intoxication, 4:214 **CONTRABAND** Williamson rule, 4:201 Jail, 4:144 Dissuading a witness, this index Driving under the influence, this **CONVICTIONS** index Authentication, 3:57 to 3:60 Drug crimes, this index Prior, hearsay, 3:39 Eavesdropping, this index **CORONAVIRUS** Felony child abuse, this index Financial white collar crimes, Masks, confrontation rights, 2:7 4:173 **CORPUS DELICTI** Gang offenses, this index Crimes, defenses and challenges Great bodily injury (GBI), this to case, 4:202, 4:203 index

Kidnapping, this index

Preliminary hearing, 3:18

CRIMES—Cont'd	CRIMINAL THREATS—Cont'd
Law enforcement and custody	Absolute, unconditional threat,
related offenses	4:53
generally, 4:135 to 4:150	Attempted, lesser included
assault by public officer, 4:141	offense, 4:58
batter on peace officer,	Context, 4:51
incidental touching, 4:139	Counts, 4:54
cannabis in prison, 4:145 contraband, jail, 4:134	Family members, 4:59 Non-verbal conduct, 4:49
defendant mental state, 4:140	School setting, 4:50
evasion, 4:142	Stalking, 4:55 , 4:56
first amendment, defense, 4:136	Sustained fear, 4:52
gassing, battery, 4:143	,
lesser included offenses, 4:138	CROSS EXAMINATION
methamphetamine paper,	Remote, non-face-to-face, 2:8
prison, 4:146	CURRENCY
obstructing officer, 4:135 to 4:137	Counterfeiting, 4:107
resisting officer, 4:135 to 4:137	CUSTODY
Mayhem, this index	Continuances
Money laundering, 4:173	60-day rule
Murder, this index	motion to dismiss, 1:43
Obstructing officer, 4:135 to	ten-day rule, 1:25, 1:26
4:137	motion to dismiss, 1:33
Prosecutor theories of liability generally, 4:190 to 4:199	Credits, sentencing and punish-
accessory after the fact, 4:199	ment, 8:45 to 8:53, 9:19
aiding and abetting, 4:193 ,	DEFENDANTS
4:198	Disruptive, steps for removal,
attempt, 4:191, 4:192	10:19
conspiracy, 4:196, 4:198	Unruly, hearings and courtroom
murder, 4:197	issues, 2:29
natural and probable conse-	DEMONSTRATIVE EVIDENCE
quences, 4:194	Evidentiary issues, 3:25
aiding and abetting, 4:195 Resisting officer, 4:135 to 4:137	•
Resisting officer, 4:135 to 4:137 Robbery, this index	DEMURRER
Self-defense, 4:204 to 4:218	Hearings and courtroom issues, 2:11
Sex crimes, this index	
Theft, this index	DISCOVERY
Vandalism, this index	Evidentiary issues
Vehicle theft, this index	generally, 3:1 to 3:3
Weapons and firearms, this index	constitutional, not statutory, 3:1
CRIME SCENES	informant disclosure, delayed, 3:3
Reconstruction, experts, computer	prior convictions, 3:2
animation, 3:78	Preliminary hearing, 2:13
CRIMINAL THREATS	DISRUPTIVE DEFENDANTS
Generally, 4:48 to 4:59	Steps for removal, 10:19

EMBEZZLEMENT
Theft, 4:109

Generally, 4:60 to 4:64 **EMERGENCY CALL** Causing a complaint to be sought, Prevention, dissuading a witness, 4:63 4:64 Completed crime, 4:61 **EVASION** Threat of self-harm, 4:62 Law enforcement and custody-DNA EVIDENCE related offenses, 4:142 Expert opinions, 3:82 **EVIDENTIARY ISSUES** Motions/objections, 3:17 Generally, 3:1 to 3:83 **DOCTORS** Authentication, this index Witness statement, hearsay, 3:35 Corpus delicti rule, preliminary hearings, 3:18 **DOGS** Credibility, asking witness, 3:21 Moral support, hearings and Demonstrative evidence, 3:25 courtroom issues, 2:36 Discovery DOMESTIC VIOLENCE generally, **3:1 to 3:3** Contempt, this index constitutional, not statutory, 3:1 **DRIVING UNDER THE** informant disclosure, delayed, **INFLUENCE (DUI)** 3:3 Generally, 4:151 to 4:155 prior convictions, 3:2 Blood draw, **4:153** DNA evidence, 3:17 Experts, this index Fourth Amendment, 4:155 Harvey-Madden rule, 3:7 Experts opinions, 3:75 FST and Fifth Amendment, 4:154 Hearsay, this index Inferences, 3:20 Title 17 compliance, 4:152 Lying, asking witness, 3:21 **DRUG CRIMES** Miranda motions, 3:8 Generally, **4:168 to 4:172** Motions/objections Furnishing controlled substance to generally, 3:4 to 3:26 minor, great bodily injury, Corpus delicti rule, preliminary 4:168 hearings, 3:18 Loaded firearm, 4:169 credibility, asking witness, 3:21 Usable amount, 4:172 demonstrative evidence, 3:25 DNA evidence, 3:17 Cannabis in prison, **4:145**, **4:170** domestic violence and friends Experts opinions, 3:73 with benefits, 3:23 Furnishing, GBI, 3:73 Harvey-Madden rule, 3:7 Methamphetamine paper in prison, inferences, 3:20 4:146, 4:171 lying, asking witness, 3:21 Miranda motions, 3:8 **EAVESDROPPING** quash, **3:4** Expectation of privacy and rap lyrics, 3:24 confidential communication, secondary evidence rule. oral 4:38 testimony contents, Recording conversations, 4:37 writing/video, 3:15 **ELDERS** secretly recorded conversation, Theft from, 4:97 3:16

DISSUADING A WITNESS

911 call prevention, 4:64

Index-6

EVIDENTIARY ISSUES—Cont'd	EXPERTS—Cont'd
Motions/objections—Cont'd	Eyewitness identification, 3:76
speed, 3:22	False confessions, 3:83
suppress identification, 3:9 to 3:12	Fees, hearings and courtroom issues, 2:40
photo array, 3:10	Gang offenses
single person show-up, 3:12	Generally, 5:27 to 5:35
traverse, 3:4	field identification cards, 5:35
U visa, cross examination, 3:19	gang experts, 5:28
venue, change, 3:6	hearsay, case specific, 5:32
venue, lack, 3:5	insufficient evidence, opinion
Quash, 3:4	support, 5:27
Rap lyrics, 3:24	pattern of activity, 5:33, 5:34
Secondary evidence rule. oral	preliminary hearing, 5:31
testimony contents, writing/	Sanchez, 5:28 , 5:31
video, 3:15	Gatekeeper function, 3:68
Secretly recorded conversation,	General standard
3:16	generally, 3:64 to 3:67
Speed, 3:22	Kelly, 3:65
Suppress identification, 3:9 to 3:12	Sargon, 3:67
	Horizontal gaze nystagmus, 3:75
photo array, 3:10	Hypothetical questions, 3:71
single person show-up, 3:12	Lay witness testimony, 3:69
Traverse, 3:4	Opinions
U visa, cross examination, 3:19	generally, 3:72 to 3:92
Venue, change, 3:6	bullet proof vest, 3:74
Venue, lack, 3:5	case specific hearsay, 3:88 to
EXCITED UTTERANCE	3:92
Hearsay, 3:50 , 3:52	Child Sexual Assault Accom-
EXHIBITS	modation Syndrome, 3:85
Hold to answer (HTA), 6:12	computer animation and expert testimony
	generally, 3:77 to 3:80
EX PARTE APPLICATIONS	crime scene reconstruction,
Hearings and courtroom issues, 2:38	3:78
EXPERTS	permanent injury in hit and run, 3:80
Generally, 3:64 to 3:92	shotspotter evidence, 3:79
Bullet proof vest, 3:74	DNA, 3:82
Child Sexual Assault Accom-	driving under the influence,
modation Syndrome, 3:85	3:75
Computer animation and expert	drugs, 3:73
testimony	eyewitness identification, 3:76
generally, 3:77 to 3:80	false confessions, 3:83
crime scene reconstruction,	horizontal gaze nystagmus, 3:75
3:78	matching cartridge case to gun,
permanent injury in hit and run,	3:87
3:80	mold and causation, 3:86
shotspotter evidence, 3:79	preliminary hearings, 3:88 to
Drugs. 3:73	3:92

EXPERTS—Cont'd Opinions—Cont'd Sanchez, 3:88 to 3:92 size of real property lot, 3:92

stun gun, **3:81** tool marks, **3:84**

Prop. 115, 3:29

Reliance on admissible evidence, 3:70

Reports, hearings and courtroom issues, **2:41**

Scientific expert testimony, 3:68

Stun gun, **3:81**

Tool marks, 3:84

EXPUNGEMENT

Postconviction and resentencing, 9:20

EYEWITNESS

IDENTIFICATION

Experts opinions, 3:76

FACTUAL BASIS

Pleas, felony plea script, 7:7, 7:8

FAIR MARKET VALUE

Theft, 4:96

FAIR NOTICE

Strikes, **8:32**

FALSE CONFESSIONS

Experts, 3:83

FAMILY

Criminal threats, 4:54

FARETTA MOTIONS

Generally, 10:9 to 10:18 Burden of proof, 10:11 Court colloquy, 10:14 Critical stages, 10:18 Post-trial motions, 10:17

Procedure, 10:9

Request following Marsden motion denial, **10:15**

Timeliness, 10:16

Timing, 10:10

Waiver, 10:13

FEAR

Sustained, criminal threats, 4:52

FEES AND COSTS

Experts, 2:40

Sentencing and punishment generally, **8:89 to 8:91**

FELONY CHILD ABUSE

Generally, **4:90 to 4:92**Child endangerment, **4:92**Social worker nonfeasance, **4:91**

FELONY MURDER

Generally, 4:5

Actus reus requirement, 4:6

Crime spree, 4:7

Defined, 4:5

Major participant, 4:7

Reckless indifference, 4:7

FELONY PLEA SCRIPT

Pleas, this index

FIFTH AMENDMENT

FST, driving under the influence (DUI), **4:154**Invocation, hearings and

courtroom issues, 2:19, 2:20

FINES

Sentencing and punishment generally, **8:89 to 8:91**

FIRST AMENDMENT

Defense, law enforcement and custody related offenses, 4:136

FOREIGN CONVICTIONS

Sentencing and punishment, 8:34

FOREST

Burning, arson, 4:36

FORGERY

Identity theft, **4:103** Theft, **4:100**

FOURTH AMENDMENT

Blood draw, driving under the influence (DUI), **4:155**Driving under the influence (DUI), blood draw, **4:155**

FRAUD

Sexual battery, 4:184

Index-8

GANG OFFENSES	GANG OFFENSES—Cont'd
Generally, 5:1 to 5:35	Felony committed for benefit of
Active participation, 5:10	criminal street gang—Cont'd
Alternate penalty, misdemeanor to	underlying felony, 5:16
wobbler	Legislation, 5:1
Generally, 5:21 to 5:23	Sentencing, 5:13 Street terrorism, 5:1
alternate penalty, 5:21 sentencing, 5:22	Substantive offense, 5:9
three strikes, 5:23	
Attempted first degree robbery,	GREAT BODILY INJURY (GBI)
5:24	Generally, 4:75 to 4:79
Attempted murder, 5:25	Assault, force likely to produce
Common name or symbol, 5:5	GBI, 4:76 Definition, 4:75
Conspiracy crimes	Drugs, furnishing, 4:79
Generally, 5:24 to 5:26	Furnishing controlled substance to
attempted first degree robbery,	minor, 4:168
5:24	Person other than accomplice,
attempted murder, 5:25	4:77
vagueness, 5:26 Elements	Reckless driving, 4:78
generally, 5:2 to 5:8	GROSS NEGLIGENCE
common name or symbol, 5:5	Vehicular manslaughter, 4:28
pattern of criminal gang activ-	_
ity, 5:7	HANDCUFFING
primary activities, 5:6	Hearings and courtroom issues,
Prunty, 5:8	2:1
Experts	HARVEY-MADDEN RULE
Generally, 5:27 to 5:35	Evidentiary issues, 3:7
field identification cards, 5:35	
	HEADINGS AND COUDTDOOM
gang experts, 5:28	HEARINGS AND COURTROOM ISSUES
hearsay, case specific, 5:32	ISSUES
hearsay, case specific, 5:32 insufficient evidence, opinion	ISSUES Generally, 2:1 to 2:43
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33 , 5:34	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33 , 5:34 preliminary hearing, 5:31	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33 , 5:34	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification,
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33 , 5:34 preliminary hearing, 5:31 Sanchez, 5:28 , 5:31	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33 , 5:34 preliminary hearing, 5:31 Sanchez, 5:28 , 5:31 Felonious criminal conduct, 5:12	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses,
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33, 5:34 preliminary hearing, 5:31 Sanchez, 5:28, 5:31 Felonious criminal conduct, 5:12 Felony committed for benefit of criminal street gang Generally, 5:14 to 5:20	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses, CALCRIM instructions, 2:51
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33, 5:34 preliminary hearing, 5:31 Sanchez, 5:28, 5:31 Felonious criminal conduct, 5:12 Felony committed for benefit of criminal street gang Generally, 5:14 to 5:20 alternate penalties, 5:20	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses, CALCRIM instructions, 2:51 Confrontation rights, 2:6
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33, 5:34 preliminary hearing, 5:31 Sanchez, 5:28, 5:31 Felonious criminal conduct, 5:12 Felony committed for benefit of criminal street gang Generally, 5:14 to 5:20 alternate penalties, 5:20 benefit, direction, association,	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses, CALCRIM instructions, 2:51 Confrontation rights, 2:6 Consolidation, 2:12
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33, 5:34 preliminary hearing, 5:31 Sanchez, 5:28, 5:31 Felonious criminal conduct, 5:12 Felony committed for benefit of criminal street gang Generally, 5:14 to 5:20 alternate penalties, 5:20 benefit, direction, association, 5:15	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses, CALCRIM instructions, 2:51 Confrontation rights, 2:6 Consolidation, 2:12 Constitutional rights, statement,
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33, 5:34 preliminary hearing, 5:31 Sanchez, 5:28, 5:31 Felonious criminal conduct, 5:12 Felony committed for benefit of criminal street gang Generally, 5:14 to 5:20 alternate penalties, 5:20 benefit, direction, association, 5:15 benefit, direction, or associa-	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses, CALCRIM instructions, 2:51 Confrontation rights, 2:6 Consolidation, 2:12 Constitutional rights, statement, 2:5
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33, 5:34 preliminary hearing, 5:31 Sanchez, 5:28, 5:31 Felonious criminal conduct, 5:12 Felony committed for benefit of criminal street gang Generally, 5:14 to 5:20 alternate penalties, 5:20 benefit, direction, association, 5:15 benefit, direction, or association, 5:19	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses, CALCRIM instructions, 2:51 Confrontation rights, 2:6 Consolidation, 2:12 Constitutional rights, statement, 2:5 Continuous preliminary hearing
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33, 5:34 preliminary hearing, 5:31 Sanchez, 5:28, 5:31 Felonious criminal conduct, 5:12 Felony committed for benefit of criminal street gang Generally, 5:14 to 5:20 alternate penalties, 5:20 benefit, direction, association, 5:15 benefit, direction, or association, 5:19 evidence, 5:18	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses, CALCRIM instructions, 2:51 Confrontation rights, 2:6 Consolidation, 2:12 Constitutional rights, statement, 2:5 Continuous preliminary hearing generally, 1:13 to 1:15
hearsay, case specific, 5:32 insufficient evidence, opinion support, 5:27 pattern of activity, 5:33, 5:34 preliminary hearing, 5:31 Sanchez, 5:28, 5:31 Felonious criminal conduct, 5:12 Felony committed for benefit of criminal street gang Generally, 5:14 to 5:20 alternate penalties, 5:20 benefit, direction, association, 5:15 benefit, direction, or association, 5:19	ISSUES Generally, 2:1 to 2:43 Amendment of complaint, 2:12 Ancillary costs, 2:40 Bench officer disqualification, arraignment, 2:44 Bench warrants, notice, 2:22 Calendaring motions, 2:37 Common Penal Code offenses, CALCRIM instructions, 2:51 Confrontation rights, 2:6 Consolidation, 2:12 Constitutional rights, statement, 2:5 Continuous preliminary hearing

HEARINGS AND COURTROOM	HEARINGS AND COURTROOM
ISSUES—Cont'd	ISSUES—Cont'd
Criminal protective orders	Unruly defendant, 2:29
generally, 2:24 to 2:27	Unruly spectator, 2:30
postjudgment orders, 2:26, 2:27	Witnesses, remote, non-face-to-
prejudgment orders, 2:25	face, 2:10
Cross examination, remote, non-	Witness exclusion, 2:28
face-to-face, 2:8	HEARSAY
Defendant on bond, 2:21	Generally, 3:27 to 3:53
Demurrer, 2:11	Accomplice statements, 3:37
Ex parte applications, 2:38	Case specific, experts, 3:88 to
Expert fees, 2:40	3:92
Fifth Amendment invocation,	Chain of custody, 3:40
2:19, 2:20	Checks, 3:44
Guilty plea, joined with insanity plea, 2:50	Child statements, 3:49
Handcuffing, 2:1	Codefendants, 3:37
Intimidating spectator, 2:30	Compilations, 3:32
Involuntary medication, 2:48	Doctors, witness statement to,
Joinder, 2:12	3:35
Magistrate authority, 2:16	Excited utterance, 3:50, 3:52
Moral support person, 2:35	Fresh complaint, 3:53
Motion to quash, 2:45	Identification, 3:40
Motion to traverse, 2:45	logos, 3:41
Oaths, 2:4	prior identification, 3:43
Penal Code § 1368.1, 2:47	Impeachment, 3:51
Police report review, 2:43	Inadmissibility, 3:27
Preliminary hearing	Injuries, 3:34
confrontation right, 2:6	Labels, 3:40
continuous preliminary hearing	Logos, identification, 3:41
generally, 1:13 to 1:15	Loss, vandalism, 4:82
one session rule, 1:13	Medical records, 3:55
violation, 1:14, 1:15	Past recollection recorded, 3:45
not for discovery, 2:13	Police reports, 3:56
script, 2:2	Price tags, 3:33
statutes, 2:52	Prior convictions, 3:39
waiver	Prior identification, 3:43
new charges, 2:14	Prior inconsistent statement,
Recording proceedings, 2:32	substantive evidence, 3:38
Refiling, Code of Civil Procedure	Prop. 115
§ 170.6, 2:46	generally, 3:28 to 3:31
Remote appearance, 2:9	business records, 3:30
Restoration hearing, 2:49	defense, 3:31
Scope of hearing, expansion, 2:23	experts, 3:29
Under seal filings, 2:39	Receipts, 3:42
Self-represented litigants, 2:17	Silence in response to text, 3:47
Severance, 2:12	
	Texting, 3:48 Translators, 3:36
Timeliness, 2:3	•
Transcripts, 2:34	Unavailability exception, 3:46

HEAT OF PASSION Defense, manslaughter, 4:25	HOLD TO ANSWER (HTA) —Cont'd
_	Pleading, 6:5 —Cont'd
HIT AND RUN	strikes, 6:8
Experts opinions, injury, computer animation, 3:80	Preliminary transcript, use at trial, 6:22
HOLD TO ANSWER (HTA) Generally, 6:1 to 6:43 Attempted willful, deliberate, and premeditated murder, 6:3	Proceeding on existing complaint, in lieu of dismissal, 6:16 Proof, 6:5 aggravating factors, 6:9
Court adding charge, 6:19 Date setting, arraignment court, 6:11	bail, 6:8 prior as elements, 6:7 priors, 6:8
Degree of murder, 6:2 Exhibits, 6:12 Hearing waiver, new charges, 6:20	special circumstance allegation, 6:6 strikes, 6:8
Holding order, 6:17 review additional charges, 6:33	Special circumstances, 6:4 Sufficient cause, 6:1 Transcript, 6:21
conclusions of law, 6:36 dismissed charges, 6:35 findings of fact, 6:36	HOMICIDE Murder, this index
Penal Code § 995 motion, 6:37 to 6:40 people's appeal, 6:41	HORIZONTAL GAZE NYSTAGMUS (HGN) Experts, 3:75
standard of review, 6:42	Experts opinions, 3:75
standard of review, Superior Court, 6:34 two dismissal rule, 6:43 , 6:44 writ of mandate, petition, 6:32	HUMAN TRAFFICKING Aiding and abetting, 4:181 Consent, 4:179 Hearsay, 4:180 Minor, 4:176 to 4:178
Jurisdiction, 6:17 Misdemeanors, 6:10 Not held to answer and release,	HYPOTHETICAL QUESTIONS Experts, 3:71
6:18 Penal Code, § 1385, 6:14, 6:15 Penal Code § 17(b) Generally, 6:23 to 6:31 appeal, 6:30, 6:31 clock, 6:29 indicated sentence, 6:28 People unable to proceed, 6:13 Pleading, 6:5	Eyewitness, 3:13 Hearsay, 3:40 logos, 3:41 prior identification, 3:43 Motions, suppress, 3:9 to 3:12 photo array, 3:10 single person show-up, 3:12 surveillance video, 3:14
aggravating factors, 6:9 bail, 6:8 prior as elements, 6:7 priors, 6:8	IDENTITY THEFT Forgery, 4:103 Theft, 4:101, 4:102
special circumstance allegation, 6:6	IMPEACHMENT Hearsay, 3:51

IMPERFECT SELF-DEFENSE

Manslaughter, voluntary, 4:26

INFERENCES

Evidentiary issues, 3:20

INFORMANTS

Disclosure, delayed, **3:3**Official information and government informants, this index

INHABITED DWELLING

Burglary, **4:121**

INJURY

Hearsay, 3:34

INTERPRETERS

Records and recordings, 2:3

INVOLUNTARY MANSLAUGHTER

Generally, 4:27

JAIL

Contraband, 4:134

JOINDER

Hearings and courtroom issues, 2:12

JOYRIDING

Vehicle theft, 4:116

JUDGES

Motion to quash, hearings, 2:45

JUDICIAL NOTICE

Request, authentication, 3:62

JURISDICTION

Postconviction and resentencing, 9:1

KELLEY BLUE BOOK

Vandalism, 4:83

KIDNAPPING

Generally, **4:84 to 4:89**Capacity to consent, **4:87**

Deceit, 4:88

Force, **4:88**

Incidental movement, 4:86

Rape, 4:89

Threat, 4:88

Index-12

KILL ZONE

Attempted murder, 4:14

LABELS

Hearsay, 3:40

LAW ENFORCEMENT AND CUSTODY-RELATED OFFENSES

Generally, 4:135 to 4:150

Assault by public officer, 4:141

Batter on peace officer, incidental

touching, 4:139

Cannabis in prison, 4:145

Cell phone delivery, prison, 4:148

Contraband, jail, 4:134

Defendant mental state, 4:140

Evasion, **4:142**

First amendment, defense, 4:136

Gassing, battery, **4:143**

Lesser included offenses, 4:138

Methamphetamine paper, prison,

4:146

Obstructing officer, 4:135 to

4:137

Resisting, delaying, or obstructing officer, **4:137**

Resisting officer, 4:135 to 4:137

LAY WITNESS

Testimony, 3:69

LIABILITY

Prosecutor theories, crimes

generally, 4:190 to 4:199

accessory after the fact, 4:199

aiding and abetting, 4:193,

4:198

attempt, 4:191, 4:192

conspiracy, 4:196, 4:198

murder. 4:197

natural and probable conse-

quences, **4:194**

aiding and abetting, 4:195

LOGOS

Identification, hearsay, 3:41

LOSS

Determination, preliminary hearing, evidentiary issues, **3:93**

to 3:97

business publications and compilations, **3:94**

LOSS—Cont'd

Determination, preliminary hear- ing, evidentiary issues, 3:93 to 3:97—Cont'd hearsay, loss amounts, 3:97 receipts, 3:95 vandalism, 3:96 MACHINE GUNS Strict liability, crimes, 4:163 MAGISTRATES Authority, hearings, 2:16	Sex crimes, 4:189 MAYHEM Generally, 4:93 Crimes, 3:80 Scarring, establishment, 4:94 MEDICAL RECORDS Hearsay, 3:55 MENTAL HEALTH DIVERSION Sentencing and punishment, 8:8
MAIL THEFT Theft, 4:113	MIRANDA Evidentiary issues, motions/ objections, 3:8
MANDATORY SUPERVISION Generally, 8:84 to 8:88 County jail, 8:84, 8:85 Early termination, 8:86 Electronic search condition, 8:86 Finality of judgment, 8:87 MANSLAUGHTER Generally, 4:23 to 4:30 Defined, 4:23 Heat of passion defense, 4:25 Imperfect self-defense, 4:26 Involuntary, 4:27 Vehicular manslaughter generally, 4:28 to 4:30 gross negligence, 4:28 intoxication, 4:30 lesser included offense, 4:29 Voluntary generally, 4:24 to 4:26 heat of passion defense, 4:25 imperfect self-defense, 4:26	MISDEMEANOR PLEA SCRIPT Pleas, this index MISDEMEANORS Hold to answer (HTA), 6:10 MITIGATION Restitution, award despite, 8:110 MONEY LAUNDERING Crimes, 4:173 MORAL SUPPORT DOG Hearings and courtroom issues, 2:36 MORAL SUPPORT PERSON Hearings and courtroom issues, 2:35 MOTIONS Calendaring, 2:37 Continuances motions and the 10/60-day rules, 1:20
MARSDEN MOTIONS Generally, 10:1 to 10:8 Burden of proof, 10:3 Court script, 10:8 Denial, 10:15 Legal landscape, 10:5 Motion to withdraw plea, IAC triggers hearing, 10:6 Procedure, 10:1 Requirements, 10:4 Summary sheet, 10:7 Timing, 10:2	violations, motions to dismiss 10-day rule, 1:31 to 1:40 custody status, 1:33 good cause, 1:35 to 1:40 sequential considerations, 1:32 to 1:40 solely on complaint, 1:33 60-day rule, 1:41 to 1:46 counting the clock, 1:44 custody, 1:43
	Index-13

MAYBERRY DEFENSE

MOTIONS—Cont'd	MURDER—Cont'd
Continuances—Cont'd	Second degree
motions and the 10/60-day	defined, 4:8
rules, 1:20 —Cont'd	implied malice murder, ele-
violations, motions to dismiss	ments, 4:9
—Cont'd	implied malice vehicular mur-
60-day rule, 1:41 to 1:46	der, 4:10
—Cont'd	Substantial concurrent proximate
no good cause excep-	cause, 4:3, 4:4
tion, 1:42	NEGLIGENCE
tolling, 1:45	Vehicular manslaughter, gross
generally, 1:30 to 1:47	negligence, 4:28
limited time waivers, 1:47	
three categories of	OATHS
motions, 1:30	Hearings, 2:4
Official information and govern-	OBSTRUCTING OFFICER
ment informants, this index	Crimes, 4:135 to 4:137
MOTOR VEHICLES	
Stolen cars	OFFICIAL INFORMATION
preliminary hearing, evidentiary	Official information and govern-
issues, 3:98, 3:99	ment informants, this index
Vehicle theft, this index	OFFICIAL INFORMATION AND
Vehicular manslaughter, this index	GOVERNMENT
MURDER	INFORMANTS
_	Informant privilege, 12:4
Aiding and abetting	Motions
generally, 4:17 to 4:22	generally, 12:1 to 12:14
attempted murder, 4:22	disclose official information,
defined, 4:17	prior to or during prelimi-
first degree murder, 4:19	nary hearing, 12:5 , 12:6
second degree implied malice	procedural steps, 12:5
murder, 4:21	script, 12:6
second degree murder, 4:20	informant identity disclosure
Attempted murder	generally, 12:9 to 12:14
generally, 4:11 to 4:16	motion to traverse, 12:13
aiding and abetting, 4:22	procedural steps, 12:9
defined, 4:12	quash, 12:12
kill zone, 4:14	script, 12:10
multiple counts, 4:15	without a warrant, 12:11
shooting into crown, multiple	surveillance site disclosure,
counts, 4:15	12:7, 12:8
Definition, 4:1	procedural steps, 12:7
Felony murder	script, 12:8
crime spree, 4:7	Official information privilege,
defined, 4:5	12:2
major participant, 4:7	Surveillance site disclosure, 12:7,
reckless indifference, 4:7	12:8
First degree, 4:2 to 4:7	procedural steps, 12:7
Manslaughter, this index	script, 12:8

ONE SESSION RULE	PLEAS—Cont'd
Continuous preliminary hearing,	Misdemeanor plea script—Cont'd
1:13	arraignment, amended com-
violation, 1:14 , 1:15	plaint, 7:24
PANDERING	change of plea, 7:25
Sex crimes, 4:182	change of plea script, 7:52 to 7:58
PAROLE/POSTRELEASE	arraignment on amended
COMMUNITY	complaint, 7:52
SUPERVISION (PRCS)	change of plea, 7:53
Generally, 8:80 to 8:83	consequences, 7:54
Excess custody credits, 8:83	counsel, 7:55
Extension, 8:82	findings, 7:57
Obligation to report, 8:81	sentencing, 7:58
Postconviction and resentencing,	take the plea, 7:56
9:24, 9:25 State prison parole, 8:80	voluntariness, 7:54
Time served, 8:81	waiver of rights, 7:54
PAST RECOLLECTION	completed Tahl waiver form, 7:43 to 7:51
Recorded, hearsay, 3:45	consequences, 7:26, 7:27
	counsel, 7:30
PLEADINGS	immediate sentencing, 7:35,
Complaint, amendment, new clock, 1:16 to 1:18	7:36
Clock, 1:10 to 1:18	maximum sentence, 7:25
PLEAS	Prop 63/Penal Code § 29810,
Agreements	advisement and orders,
resentencing, 9:13 , 9:15	7:34
Felony plea script	sentencing, 7:35 to 7:42
generally, 7:1 to 7:23	take the plea, 7:32
alternative script, 7:23	terms of disposition, 7:25
change of plea, 7:1	voluntariness, 7:29
consequences of plea, 7:3	waiver, constitutional rights,
court approval, 7:9	7:28
date of birth, 7:2	West plea, 7:31
factual basis, 7:7, 7:8	POLICE OFFICERS
findings, 7:11	Law enforcement and custody-
maximum sentence, 7:1 Prop 63 advisement and orders,	related offenses
7:12	generally, 4:135 to 4:150
sentencing, 7:13 to 7:22	assault by public officer, 4:141
terms of disposition, 7:1	batter on peace officer,
true name, 7:2	incidental touching, 4:139
voluntariness, 7:6	cannabis in prison, 4:145
waiver, constitutional rights, 7:5	contraband, jail, 4:134
Guilty plea, joined with insanity	defendant mental state, 4:140
plea, 2:50	evasion, 4:142
Indicated sentence script, 7:59	first amendment, defense, 4:13
Misdemeanor plea script	gassing, battery, 4:143
generally, 7:24 to 7:42	lesser included offenses, 4:138

POLICE OFFICERS—Cont'd	POSTCONVICTION AND
Law enforcement and custody-	RESENTENCING—Cont'd
related offenses—Cont'd	Resentencing—Cont'd
methamphetamine paper,	veteran, petition, 9:11
prison, 4:146	waiver of appearance, 9:8
obstructing officer, 4:135 to 4:137	Sealing of records, 9:21
resisting officer, 4:135 to 4:137	PRELIMINARY HEARING
Police reports	Continuous preliminary hearing
hearsay, 3:56	generally, 1:13 to 1:15
review, hearings and courtroom	one session rule, 1:13
issues, 2:43	violation, 1:14, 1:15
POLICE REPORTS	Corpus delicti rule, 3:18
Hearsay, 3:56	Evidentiary issues
Review, hearings and courtroom	generally, 3:93 to 3:97
issues, 2:43	loss/value determination, 3:93
POSTCONVICTION AND	to 3:97
RESENTENCING	business publications and compilations, 3:94
Generally, 9:1 to 9:25	hearsay, loss amounts, 3:97
Expungement, 9:20	receipts, 3:95
Finality of judgment, 9:3, 9:4	vandalism, 3:96
probation, 9:4	stolen cars, 3:98, 3:99
Jurisdiction, 9:1	Experts, 3:93 to 3:99
New law, applicability, 9:5, 9:6	Loss/value determination, 3:93 to
Parole	3:97
revocation, 9:24 transfer to PRCS, 9:25	business publications and
Reduction to misdemeanor, 9:22 ,	compilations, 3:94
9:23	hearsay, loss amounts, 3:97
Resentencing	receipts, 3:95
generally, 9:7 to 9:19	vandalism, 3:96
abstract of judgment, correc-	Statutes, 2:52
tion, 9:9	PRETRIAL RELEASE AND
aggravating factors, 9:14	BAIL
custody credits, 9:19	Generally, 13:1 to 13:32
defendant presence at hearing,	Bail bond premium, 13:27
9:7	Bail review
finality of judgment, 9:3, 9:4	generally, 13:1 to 13:10
new law, applicability, 9:5 , 9:6 Penal Code § 1172.1, 9:12	felonies, 13:2, 13:3
plea agreement, 9:13 , 9:15	serious and violent, 13:6 to
postconviction rehabilitative	13:10
conduct considered, 9:18	Brown, 13:19
prior plea agreement, 9:17	Conditions of release, 13:28
remand, 9:14	Defendants on bond ordered back
remand, after, 9:13 to 9:18	for all appearances, 13:26
right to recall and correct, 9:2	Guilty plea, 13:23
stipulated plea agreements, 9:16	Higher bail, motion, 13:19
striking enhancements, 9:10	Humphrey, 13:1, 13:19

PRETRIAL RELEASE AND	PROBATION—Cont'd
BAIL—Cont'd	Violations, summary revocation
Increased bail, procedural posture,	—Cont'd
13:11	due process, 8:74
Jailer set date, 13:31 Kowalczyk, 13:19	event occurs while probation revoked, 8:77
No bail	evidentiary standard, hearing,
generally, 13:12 to 13:18	8:73
California Constitution, 13:12	hearsay, 8:75
to 13:15, 13:18	jurisdiction, 8:79
ruling, 13:16, 13:17	new term, reinstatement or
Pretrial detention, motion, 13:19	imposition, 8:78
Pretrial detention, procedural posture, 13:11	willful violation and deportation, 8:76
Pretrial proceedings, 13:20	DD OD 115
Probation violations, 13:23	PROP. 115
Procedural posture, restrictive	Hearsay
release, 13:11	generally, 3:28 to 3:31
Recall of forfeiture, 13:29	business records, 3:30
Reconsideration, 13:21	defense, 3:31
Restrictive conditions, motion,	experts, 3:29
13:19	PROSECUTORS
Ruling, 13:4, 13:5	Crimes, theories of liability
Sentencing, following, 13:24	generally, 4:190 to 4:199
Sufficient excuse not to forfeit	accessory after the fact, 4:199
bond, 13:32	aiding and abetting, 4:193 ,
PRICE TAGS	4:198
Hearsay, 3:33	attempt, 4:191 , 4:192
PRIOR CONVICTIONS	conspiracy, 4:196, 4:198
Hearsay, 3:39	murder, 4:197
PRIOR INCONSISTENT	natural and probable conse-
STATEMENT	quences, 4:194
Substantive evidence, hearsay,	aiding and abetting, 4:195
3:38	PROTECTIVE ORDERS
PROBATION	Criminal protective orders
Generally, 8:54 to 8:79	generally, 2:24 to 2:27
Conditions, Lent test, 8:61 to 8:67	postjudgment orders, 2:26, 2:27
DV probation, termination, 8:71	prejudgment orders, 2:25
Early termination, 8:69, 8:70	1 3 6
Eligibility, 8:55	RAPE
Finality of judgment, 8:59	Kidnapping, 4:89
Maximum periods, 8:57, 8:58	RECEIPTS
Multiple counts, 8:68	
One year maximum, condition,	Hearsay, 3:42 Loss/walva determination, prolimi
8:56	Loss/value determination, preliminary hearing, 3:95
Violations, summary revocation	, ,
summary, 8:72 to 8:79	RECKLESS DRIVING
confrontation, 8:74	Great bodily injury (GBI), 4:78

RECORDS AND RECORDINGS ROBBERY—Cont'd Fear, by, **4:41** Conviction records, uncertified, 3:58 By force, **4:40** Hearings and courtroom issues, **SANCTIONS** 2:34 Contempt, 11:7 Interpreters, 2:33 domestic violence cases, 11:16 Medical records, hearsay, 3:55 sexual assault cases, 11:25 Police reports, hearsay, 3:56 Separate interpreters required, **SCARS** 2:33 Mayhem, establishment, 4:94 RESENTENCING **SCHOOLS** Postconviction and resentencing, Criminal threats, 4:50 this index SCIENTIFIC EXPERTS RESISTING OFFICER Testimony, 3:68 Crimes, 4:135 to 4:137 **SCRIPTS** RESTITUTION Felony plea script Generally, 8:92 to 8:115 generally, 7:1 to 7:23 Ability to pay, 8:108 alternative script, 7:23 Attorney fees, 8:103 change of plea, 7:1 Cryptocurrency, in-kind restitution consequences of plea, 7:3 for, 8:113 court approval, 7:9 Different judge, imposition by, date of birth, 7:2 8:100 factual basis, 7:7, 7:8 Flight from scene, 8:115 findings, 7:11 Hearing, presence required, 8:109 maximum sentence, 7:1 Human trafficking victims, 8:105 Prop 63 advisement and orders, Insurance companies, 8:114 7:12 Jurisdiction, probation terminasentencing, 7:13 to 7:22 tion, **8:99** terms of disposition, 7:1 Lost resale value, 8:111 true name, 7:2 Mitigation, award despite, 8:110 voluntariness, 7:6 Overcompensating victim, 8:104 waiver, constitutional rights, 7:5 Parents of child victims, 8:101 Indicated sentence script, 7:59 Probation extension, 8:94 Misdemeanor plea script Sentence completion, 8:95 generally, 7:24 to 7:42 Time limits, 8:106 arraignment, amended com-Trip, restitution not for, 8:107 plaint, **7:24** Vandalism, **8:102** change of plea, 7:25 Victim relocation costs, 8:112 change of plea script, 7:52 to 7:58 ROBBERY arraignment on amended Generally, 4:39 to 4:47 complaint, 7:52 Abandonment, 4:47 change of plea, 7:53 Aiding and abetting, **4:46** consequences, 7:54 ATM, 4:45 counsel, 7:55 Defined, 4:39 findings, **7:57** Estes robbery, 4:43 sentencing, 7:58 attempted, 4:44 take the plea, 7:56

SCRIPTS—Cont'd	SENTENCING AND
Misdemeanor plea script—Cont'd	PUNISHMENT—Cont'd
change of plea script, 7:52 to 7:58 —Cont'd	Battery, misdemeanor, registration, 8:12
voluntariness, 7:54	Conspiracy, 8:9
waiver of rights, 7:54	County jail, one year/364 day
completed Tahl waiver form,	limitation, 8:6
7:43 to 7:51	Custody credits
consequences, 7:26 , 7:27	generally, 8:45 to 8:53
counsel, 7:30	calculation, 8:53
immediate sentencing, 7:35, 7:36	electronic monitoring, 8:47 home detention, 8:47
maximum sentence, 7:25	presentence mental health
Prop 63/Penal Code § 29810,	custody credits, 8:45
advisement and orders,	resentencing, 8:51
7:34	serious felonies, 8:49
sentencing, 7:35 to 7:42	two days in custody, four days
take the plea, 7:32 terms of disposition, 7:25	presentence credits, 8:46
voluntariness, 7:29	violent felonies, 8:48
waiver, constitutional rights,	Diagnostic study, 8:7 Enhancements
7:28	
West plea, 7:31	Generally, 8:21 to 8:30 arson, 8:30
Preliminary waiver script, 2:2	firearm enhancements, 8:25 ,
Time waivers, 1:11	8:27
preliminary waiver script and form, 1:12	Penal Code § 1385, dismissal, 8:23
SEALING	prison priors, 8:28 , 8:29
Hearings and courtroom issues,	Status enhancements not subject
under seal filings, 2:39	to 1/3 term limitations,
_	8:24
SEALING OF RECORDS	striking, 8:26 , 8:27
Filings, 2:39	Fines and fees
Postconviction and resentencing,	generally, 8:89 to 8:91
9:21	Foreign convictions, 8:34 Gang activity, 5:13 , 5:20 , 5:22 ,
SELF-DEFENSE	5:23
Crimes, 4:204 to 4:218	Indicated sentence script, 7:59
Imperfect, manslaughter, volun-	Mandatory supervision, this index
tary, 4:26	Mental health diversion, 8:8
SELF-REPRESENTATIO	Multiple cases, 8:11
Hearings and courtroom issues,	Parole/postrelease community
2:17	supervision (PRCS), this index
SENTENCING AND PUNISHMENT	Penal Code § 290 registration, 8:12 to 8:14
Generally, 8:1 to 8:98	Penal Code § 654, 8:5
Aggravating factors, 8:3	Physical presence, 8:4
Attempted crimes, 8:15	Plea agreement
Back time, 8:1	Generally, 8:17 to 8:20

SENTENCING AND SEX CRIMES—Cont'd PUNISHMENT—Cont'd Sexual assault, contempt, this Plea agreement—Cont'd index misadvice, credit limitations, Sexual battery by fraud, 4:185 withdrawal, 8:20 Sexual battery by restraint, 4:184 violation of Cruz waiver. 8:18 Sexual communication with withdrawal, ineffective assisminor, 4:175 tance of counsel, 8:19 Sodomy and oral copulation by Pleas duress, 4:187 felony plea script, 7:13 to 7:22, **SEXUAL ASSAULT** 7:58 Contempt, this index misdemeanor plea script, 7:35 to 7:42 **SHOPLIFTING** Possession of concealed firearm, Stolen check, 4:110 8:10 Theft, 4:109 Postconviction and resentencing, SINGLE LARCENY DOCTRINE this index Theft, 4:99 Probation, this index Restitution, this index SOCIAL MEDIA Sentencing triad, 8:2 Authentication, 3:63 Strikes SOCIAL WORKERS generally, 8:31 to 8:44 Nonfeasance, felony child abuse, foreign state convictions, 8:34 4:91 Gallardo, 8:33 gang enhancement, 8:39 **SPECTATORS** juvenile adjudication, 8:44 Unruly/intimidating, hearings, mandatory state prison, 8:36 2:30 offense reduced to misde-**SPEED** meanor, 8:40 Evidentiary issues, 3:22 probation, diversion, precluded, 8:37 **STALKING** Romero motion, 8:43 Criminal threats, **4:55**, **4:56** serious and violent sentences Intermediaries, use of, 4:57 concurrent, 8:41 STOLEN PROPERTY sex crimes, 8:42 Receipt of, theft, 4:98 **SEVERANCE** STREET TERRORISM Hearings and courtroom issues, Gang offenses, 5:1 2:12 generally, 5:1 to 5:35 SEX CRIMES active participation, 5:10 Generally, 4:175 to 4:189 alternate penalty, misdemeanor Child pornography, 4:188 to wobbler Forcible acts, sexual penetration, Generally, 5:21 to 5:23 4:183 alternate penalty, 5:21 Human trafficking sentencing, 5:22 consent, 4:179 three strikes, 5:23 minor, 4:176 to 4:178 attempted first degree robbery, Mayberry Defense, 4:189 5:24 Pandering, 4:182 attempted murder, 5:25

STREET TERRORISM—Cont'd	STRIKES
Gang offenses, 5:1—Cont'd	Sentencing and punishment
common name or symbol, 5:5	generally, 8:31 to 8:44
conspiracy crimes	fair notice, 8:32
Generally, 5:24 to 5:26	foreign state convictions, 8:34
attempted first degree rob-	Gallardo, 8:33
bery, 5:24	gang enhancement, 8:39
attempted murder, 5:25	juvenile adjudication, 8:44
vagueness, 5:26	mandatory state prison, 8:36
elements	Penal Code § 245 conviction is
generally, 5:2 to 5:8	serious felony, 8:35
common name or symbol, 5:5	prior strike, custody credits, 8:38
pattern of criminal gang activity, 5:7	probation, diversion, precluded 8:37
	Romero motion, 8:43
primary activities, 5:6 Prunty, 5:8	STUN GUN
•	Experts, 3:81
experts	1
Generally, 5:27 to 5:35	SUPERVISION
field identification cards, 5:35	Mandatory supervision, this index
gang experts, 5:28	SURVEILLANCE
hearsay, case specific, 5:32	Official information and govern-
insufficient evidence, opinion support, 5:27	ment informants site disclosure, 12:7 , 12:8
pattern of activity, 5:33, 5:34	procedural steps, 12:7
preliminary hearing, 5:31	script, 12:8
Sanchez, 5:28 , 5:31	•
felonious criminal conduct,	TELEPHONE
5:12	Delivery, prison, 4:148
felony committed for benefit of	TEXTING
criminal street gang	Hearsay, 3:48
Generally, 5:14 to 5:20	THEFT
alternate penalties, 5:20	Generally, 4:95 to 4:113
benefit, direction, association,	Access card fraud, 4:108
5:15	Bailey doctrine, 4:99
benefit, direction, or associa-	Charging limitations, 4:111
tion, 5:19	Counterfeiting
evidence, 5:18	generally, 4:104 to 4:107
proving the enhancement,	currency, 4:107
5:14	equipment, possession, 4:105
sentencing, 5:20	sale of goods, 4:106
specific intent, 5:17	Elder, theft from, 4:97
underlying felony, 5:16	Embezzlement, 4:109
legislation, 5:1	Fair market value, 4:96
sentencing, 5:13	Forgery, 4:100
street terrorism, 5:1	Identity theft, 4:101, 4:102
substantive offense, 5:9	forgery, 4:103

THEFT—Cont'd Mail theft, 4:113 Receipt of stolen property, 4:98, 4:112 Shoplifting, 4:110 Single larceny doctrine, 4:99 THEORIES Prosecutor theories, liability, crimes generally, 4:190 to 4:199 accessory after the fact, 4:199 aiding and abetting, 4:193, 4:198 attempt, 4:191, 4:192 conspiracy, 4:196, 4:198	TRANSLATORS Hearsay, 3:36 TRASH Burning, arson, 4:33 UNAVAILABILITY Hearsay exception, 3:46 UNRULY DEFENDANT Hearings and courtroom issues, 2:29 VALUE Determination, preliminary hearing, evidentiary issues, 3:93 to 3:97
murder, 4:196, 4:198 murder, 4:197 natural and probable consequences, 4:194 aiding and abetting, 4:195	business publications and compilations, 3:94 hearsay, loss amounts, 3:97 receipts, 3:85 vandalism, 3:96
THREATS Criminal threats, this index	VANDALISM Generally, 4:80 to 4:84 Damage/loss amounts, 4:81
Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4	hearsay, 4:82 Intoxication, defense, 4:84 Kelley Blue Book, 4:83 Loss/value determination, preliminary hearing, 3:96 Restitution, 8:102
Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 Penal Code § 1368, 1:6 Personal waiver by defendant, 1:9 Revocability, 1:5 Scripts, 1:11	VEHICLE THEFT Generally, 4:114 to 4:119 Joyriding, 4:116 Posttheft driving, 4:115 Stolen vehicle, buying or receiving, 4:117 Vehicle, defined, 4:118 VIN tampering, 4:119
preliminary waiver script and form, 1:12	VEHICULAR MANSLAUGHTER
TOOL MARKS Experts, 3:84	Generally, 4:28 to 4:30 Gross negligence, 4:28 Intoxication, 4:30 Lesser included offense, 4:29
TOOLS Burglary, 4:132 to 4:134	VENUE
TRANSCRIPTS Hearings and courtroom issues, 2:34	Motions/objections change, 3:6 lack, 3:5

VESTS	WEAPONS AND FIREARMS
Bullet proof vest, experts	—Cont'd
opinions, 3:74	Assault with a deadly or danger-
WAIVER	ous weapon—Cont'd
	enhancement, 4:70 , 4:71
Constitutional rights	examples, not inherently deadly
felony plea, 7:5	or dangerous, 4:73
misdemeanor plea, 7:28	imminence and present ability,
Faretta waiver, 10:13	4:68
Preliminary hearing	lesser included offenses, 4:72
new charges, 2:14	not used as deadly or danger-
Right to conflict free counsel, 14:2	ous, 4:73
WAIVERS	specific intent, 4:67
Time waivers	victim awareness, 4:69
generally, 1:1 to 1:12	Crimes
competency, 1:6	generally, 4:156 to 4:167
defendant's agreement, 1:1	Bruen, 4:156
general time waivers, 1:3, 1:8	commission of crime, 4:157
limited time waivers, 1:4	concealed firearm, possession,
Penal Code § 859b, 1:2, 1:7	4:164
personal waiver requirement,	constructive possession, fire- arms, 4:161
1:10	controlled substance, armed,
violation, 1:7	loaded firearm, 4:166
Penal Code § 977(b), 1:10	dirk and dagger, 4:158
Penal Code § 1368, 1:6	discharging firearm from vehi-
personal waiver by defendant, 1:9	cle, 4:167
revocability, 1:5	machine gun, strict liability,
scripts, 1:11	4:163
preliminary waiver script and	personal use, 4:160
form, 1:12	possession of firearm, armed
,	with firearm, 4:165
WARRANTS	sawed-off shotgun, 4:162
Bench warrants pickups, 1:19	ten year enhancement, 4:159
WEAPONS AND FIREARMS	Sentencing, concealed firearm possession, 8:10
Assault with a deadly or danger-	WITNESSES
ous weapon	Contempt, this index
generally, 4:65 to 4:74	Dissuading a witness, this index
capable to produce death, great	Exclusion, hearings, 2:28
bodily injury, 4:66	Minor child, 2:31
duplicate counts, 4:71	Remote appearances, 2:10

Index

911 CALL Prevention, dissuading a witness, 4:44	ATM Burglary, 4:101 Robbery, 4:33
ABANDONMENT Robbery, 4:34 ACCESS CARDS Fraud, 4:84	ATTEMPTED MURDER Generally, 4:5 to 4:8 Aiding and abetting, 4:12 Defined, 4:5 Kill zone, 4:6
ACCESSORY AFTER THE FACT Crimes. theories of liability, 4:160 ACCOMPLICES Hearsay, statements, 3:32 AIDING AND ABETTING	Multiple counts, 4:7 Shooting into crown, multiple counts, 4:7 Specific v. random targets, 4:8 ATTORNEY FEES Restitution, 8:75
Murder generally, 4:9 to 4:12 attempted murder, 4:12 defined, 4:9 first degree murder, 4:10 second degree murder, 4:11 Theory of liability, 4:155 AMENDMENT Complaint hearings and courtroom issues, 2:8 new clock, 1:17 ANIMATION Computer, expert testimony generally, 3:65 to 3:68	AUTHENTICATION Generally, 3:46 to 3:52 Certification (CLETS) re convictions, 3:47 Chain of custody, 3:51 Convictions, 3:47 to 3:50 CLETS, 3:47 court records, 3:49 jail records, 3:50 minute orders, 3:49 official records, 3:49 prison records, 3:50 Defined, 3:46 Judicial notice, request, 3:52 Uncertified conviction records, not admissible, 3:48
crime scene reconstruction, 3:66 permanent injury in hit and run, 3:68 shotspotter evidence, 3:67 ARSON	BACK TIME Sentencing and punishment, 8:1 BAIL Pretrial release and bail, this index
Generally, 4:21 to 4:24 Burning of trash, 4:22 Defined, 4:21 Forest, burning, 4:24 Structure, burning, 4:23	BAILEY DOCTRINE Theft, 4:76 BENCH WARRANTS Notice, 2:16 Pickups, 1:18

BONDS

Hearings and courtroom issues, defendant on bond, 2:15 Pretrial release and bail, this index

BREAKS

Continuous preliminary hearing, **2:13**

BULLET PROOF VEST

Experts opinions, 3:62

BURDEN OF PROOF

Faretta motions, **10:11** Marsden motions, **10:3**

BURGLARY

Generally, **4:94 to 4:108**ATM, **4:101**Attempted, **4:103**Commercial burglary, **4:99**, **4:100**First degree, **4:95**Inhabited dwelling, **4:95**, **4:98**Interior room, **4:102**Outer boundary, penetration,

4:104
Tools, 4:106 to 4:108
Vehicle in underground garage,

4:96 Vehicles, **4:105**

BUSINESS RECORDS

Hearsay, Prop. 115, 3:26

CARS

Stolen, preliminary hearing, evidentiary issues, **3:79**, **3:80**

CASH MACHINE

Burglary, **4:101**Robbery, **4:33**

CHAIN OF CUSTODY

Authentication, **3:51** Hearsay, **3:35**

CHECKS

Hearsay, 3:39

CHILD ABUSE

Felony child abuse, this index

CHILDREN AND MINORS

Statements, hearsay, **3:44** Witness, **2:25**

Index-2

CODEFENDANTS

Hearsay, 3:32

COMPLAINT

Amendment hearing, 2:8 new clock, 1:17

COMPUTER ANIMATION

Expert testimony
generally, 3:65 to 3:68
crime scene reconstruction,
3:66
permanent injury in hit and run,
3:68
shotspotter evidence, 3:67

CONFRONTATION RIGHTS

Hearings and courtroom issues, 2:5 Probation violations, summary revocation, 8:57

CONSOLIDATION

Hearings and courtroom issues, **2:8**

CONSPIRACY

Crimes, theories of liability, **4:157** murder, **4:158**Sentencing and punishment, **8:7**

CONSTITUTIONAL LAW

Generally, 11:1 to 11:27

Discovery, **3:1**Pretrial release and

Pretrial release and bail, California Constitution, 13:12 to 13:14, 13:17

Rights, statement, hearings, **2:4** Waiver, felony plea, **7:5**

CONTEMPT

Counsel, appointment, 11:4
domestic violence cases, 11:13
sexual assault cases, 11:22
Domestic violence cases
generally, 11:9 to 11:18
counsel, appointment, 11:13
domestic violence witness, finding, 11:10
finding in contempt, 11:15
fine, 11:17

CONTEMPT—Cont'd	CONTINUANCES
Domestic violence cases—Cont'd	60-day rule, 1:28
ordering witness, take oath,	Generally, 1:19 to 1:28
answer questions, 11:12	Motions and the 10/60-day rules,
preliminary finding, 11:9	1:19
referral to counselor, 11:11	violations, motions to dismiss
sanctions, 11:16	10-day rule, 1:30 to 1:39
stay of sentence, 11:17	custody status, 1:32
warning, 11:14	good cause, 1:34 to 1:39
witness eventual cooperation, 11:18	sequential considerations, 1:31 to 1:39
Finding in contempt, 11:6	solely on complaint, 1:32
domestic violence cases, 11:15	60-day rule, 1:40 to 1:45
sexual assault cases, 11:24	counting the clock, 1:43
Non-domestic violence cases	custody, 1:42
generally, 11:2 to 11:8	no good cause exception,
Ordering witness, take oath,	1:41
answer questions, 11:3	tolling, 1:44
domestic violence cases, 11:12	generally, 1:29 to 1:46
sexual assault cases, 11:21	limited time waivers, 1:46
Preliminary finding, 11:2	three categories of motions,
domestic violence cases, 11:9	1:29
sexual assault cases, 11:19	Ten day rule
Sanctions, 11:7	generally, 1:20 to 1:27
domestic violence cases, 11:16	continuances within 10-day
sexual assault cases, 11:25	period, 1:23
Sexual assault cases	defendants in custody, 1:25
generally, 11:19 to 11:27	defendants out of custody, 1:24
counsel, appointment, 11:22	defense motion, defendant
finding in contempt, 11:24	objection, 1:27
finding re victim, 11:20	good cause, people's motion,
ordering witness, take oath,	1:26
answer questions, 11:21	Penal Code 859b, 1:22 to 1:27
preliminary finding, 11:19	Penal Code 1050, 1:21
sanctions, 11:25	statutes, 1:21, 1:22
stay of sentence, 11:26	CONTINUOUS PRELIMINARY
warning, 11:23	HEARING
witness eventual cooperation,	Generally, 1:14 to 1:16
11:27	One session rule, 1:14
Stay of sentence sexual assault cases, 11:26	violation, 1:15, 1:16
	Short breaks, 2:13
Warning, 11:5	CONTRADAND
domestic violence cases, 11:14 sexual assault cases, 11:23	CONTRABAND
Witness eventual cooperation,	Jail, 4:118
11:8	CONVICTIONS
domestic violence cases, 11:18	Authentication, 3:47 to 3:50
sexual assault cases, 11:13	Prior, hearsay, 3:34
Serial assume cases, II.	

CORONAVIRUS

Time waivers, Penal Code § 977(b), 1:11

CORPUS DELICTI

Crimes, defenses and challenges to case, **4:163**, **4:164**Preliminary hearing, **3:17**

COUNSEL

Right to conflict free counsel, **14:1** waiver. **14:2**

COUNTERFEITING

Generally, **4:80 to 4:83** Currency, **4:83** Equipment, possession, **4:81** Sale of goods, **4:82**

COVID-19

Time waivers, Penal Code § 977(b), 1:11

CRIMES

Arson, this index Assault with a deadly or dangerous weapon, weapons, this index Burglary, this index Criminal threats, this index Defenses and challenges to case generally, 4:161 to 4:176 Corpus Delicti, 4:163, 4:164 self-defense, 4:165 to 4:167 Williamson rule, 4:162 Dissuading a witness, this index Driving under the influence, this index Drug crimes, this index Eavesdropping, this index

Felony child abuse, this index
Financial white collar crimes,
4:141
Gang offenses, this index

Great bodily injury (GBI), this index
Kidnapping, this index

Law enforcement and custody related offenses generally, **4:109 to 4:121** assault by public officer, **4:114**

CRIMES—Cont'd

Law enforcement and custody related offenses—Cont'd batter on peace officer, incidental touching, 4:113 cannabis in prison, 4:119 contraband, jail, 4:118 defendant mental state, 4:115 evasion, 4:109 first amendment, defense, 4:110 gassing, battery, 4:117 lesser included offenses, 4:112 methamphetamine paper, prison, 4:120 obstructing officer, 4:109 resisting officer, **4:109** Mayhem, this index Money laundering, 4:141 Murder, this index Obstructing officer, **4:109** Prosecutor theories of liability generally, 4:151 to 4:160 accessory after the fact, 4:160 aiding and abetting, 4:155, 4:159 attempt, 4:152, 4:153 first degree robbery, 4:154 conspiracy, **4:157**, **4:159** murder, 4:158 natural and probable consequences, 4:156 Resisting officer, 4:109 Robbery, this index Self-defense, 4:165 to 4:176 Sex crimes, this index Theft, this index

CRIME SCENES

Reconstruction, experts, computer animation, **3:66**

Weapons and firearms, this index

CRIMINAL THREATS

Vandalism, this index

Vehicle theft, this index

Generally, **4:35 to 4:41** Counts, **4:39** Family members, **4:41** Non-verbal conduct, **4:36** School setting, **4:37**

DNA EVIDENCE

Motions/objections, 3:16

CRIMINAL THREATS—Cont'd **DOCTORS** Stalking, **4:40** Witness statement, hearsay, 3:30 Sustained fear, 4:38 DOMESTIC VIOLENCE **CROSS EXAMINATION** Contempt, this index Remote, non-face-to-face, 2:6 DRIVING UNDER THE **CURRENCY INFLUENCE (DUI)** Generally, 4:122 to 4:126 Counterfeiting, 4:83 Blood draw, 4:124 **CUSTODY** Fourth Amendment, 4:126 Continuances Experts opinions, 3:63 60-day rule FST and Fifth Amendment, 4:125 motion to dismiss, 1:42 Title 17 compliance, 4:123 ten-day rule, 1:24, 1:25 DRUG CRIMES motion to dismiss, 1:32 Credits, sentencing and punish-Generally, **4:136 to 4:140** ment, 8:34 to 8:40 Furnishing controlled substance to minor, great bodily injury, **CUSTODY CREDITS** 4:136 Resentencing, 9:9 Loaded firearm, 4:137 **DEFENDANTS DRUGS** Disruptive, steps for removal, Cannabis in prison, **4:119**, **4:137** 10:18 Experts opinions, 3:61 Unruly, hearings and courtroom Furnishing, GBI, 3:61 issues, **2:23** Methamphetamine paper in prison, 4:120, 4:139 DEMONSTRATIVE EVIDENCE Evidentiary issues, 3:22 **EAVESDROPPING** Expectation of privacy and **DEMURRER** confidential communication, Hearings and courtroom issues, 4:26 2:7 Recording conversations, 4:25 **DISCOVERY ELDERS** Evidentiary issues Theft from, 4:74 generally, 3:1 to 3:3 constitutional, not statutory, 3:1 **EMBEZZLEMENT** informant disclosure, delayed, Theft, 4:85 3:3 **EMERGENCY CALL** prior convictions, 3:2 Prevention, dissuading a witness, Preliminary hearing, 2:9 4:44 **DISRUPTIVE DEFENDANTS EVIDENTIARY ISSUES** Steps for removal, 10:18 Generally, 3:1 to 3:80 Authentication, this index **DISSUADING A WITNESS** Corpus delicti rule, preliminary 911 call prevention, 4:44 hearings, 3:17 Generally, 4:42 to 4:44 Credibility, asking witness, 3:20 Completed crime, 4:43 Demonstrative evidence, 3:22

Discovery

generally, 3:1 to 3:3

EVIDENTIARY ISSUES—Cont'd	EVIDENTIARY ISSUES—Cont'd
Discovery—Cont'd	Traverse, 3:4
constitutional, not statutory, 3:1	U visa, cross examination, 3:18
informant disclosure, delayed,	Venue, change, 3:6
3:3	Venue, lack, 3:5
prior convictions, 3:2	EXCITED UTTERANCE
DNA evidence, 3:16	Hearsay, 3:45
Experts, this index	•
Harvey-Madden rule, 3:7	EXHIBITS
Hearsay, this index	Hold to answer (HTA), 6:8
Inferences, 3:19	EX PARTE APPLICATIONS
Lying, asking witness, 3:20	Hearings and courtroom issues,
Miranda motions, 3:8	2:30
Motions/objections	EVDEDTC
generally, 3:4 to 3:22	EXPERTS
Corpus delicti rule, preliminary	Generally, 3:53 to 3:73
hearings, 3:17	Bullet proof vest, 3:62
credibility, asking witness, 3:20 demonstrative evidence, 3:22	Computer animation and expert testimony
DNA evidence, 3:16	generally, 3:65 to 3:68
Harvey-Madden rule, 3:7	crime scene reconstruction,
inferences, 3:19	3:66
lying, asking witness, 3:20	permanent injury in hit and run
Miranda motions, 3:8	3:68
quash, 3:4	shotspotter evidence, 3:67
secondary evidence rule. oral	Drugs, 3:61
testimony contents,	Eyewitness identification, 3:64
writing/video, 3:14	Fees, hearings and courtroom
secretly recorded conversation,	issues, 2:32
3:15	Gatekeeper function, 3:56
speed, 3:21	General standard
suppress identification, 3:9 to	generally, 3:53 to 3:55
3:11	Kelly, 3:54
photo array, 3:10	Sargon, 3:55
single person show-up, 3:11	Horizontal gaze nystagmus, 3:63
traverse, 3:4	Hypothetical questions, 3:59
U visa, cross examination, 3:18	Lay witness testimony, 3:57
venue, change, 3:6	Opinions
venue, lack, 3:5	generally, 3:60 to 3:69
Quash, 3:4	bullet proof vest, 3:62
Secondary evidence rule. oral	case specific hearsay, 3:70 to
testimony contents, writing/	3:73
video, 3:14 Secretly recorded conversation,	computer animation and expert
3:15	testimony
Speed, 3:21	generally, 3:65 to 3:68
Suppress identification, 3:9 to	crime scene reconstruction, 3:66
3:11	permanent injury in hit and
photo array, 3:10	run, 3:68
single person show-up, 3:11	shotspotter evidence, 3:67

EXPERTS—Cont'd Opinions—Cont'd driving under the influence,	FEES AND COSTS—Cont'd Sentencing and punishment generally, 8:68 to 8:70
3:63 drugs, 3:61 eyewitness identification, 3:64 horizontal gaze nystagmus, 3:63	FELONY CHILD ABUSE Generally, 4:68, 4:69 Social worker nonfeasance, 4:69
preliminary hearings, 3:70 to 3:73 Sanchez, 3:70 to 3:73 Prop. 115, 3:25 Reliance on admissible evidence,	FELONY MURDER Generally, 4:3, 4:4 Crime spree, 4:4 Defined, 4:3 Major participant, 4:4
3:58 Reports, hearings and courtroom issues, 2:33	Reckless indifference, 4:4 FELONY PLEA SCRIPT
Scientific expert testimony, 3:56	Pleas, this index
Stun gun, 3:60	FIFTH AMENDMENT
EXPUNGEMENT Postconviction and resentencing, 9:10	FST, driving under the influence (DUI), 4:125 Invocation, hearings and
	courtroom issues, 2:14
EYEWITNESS IDENTIFICATION	FINES
Experts opinions, 3:64	Sentencing and punishment generally, 8:68 to 8:70
FACTUAL BASIS	FIRST AMENDMENT
Pleas, felony plea script, 7:7, 7:8	Defense, law enforcement and
FAIR MARKET VALUE Theft, 4:73	custody related offenses, 4:110
FAMILY	FOREIGN CONVICTIONS
Criminal threats, 4:41	Sentencing and punishment, 8:10, 8:26
FARETTA MOTIONS	FOREST
Generally, 10:9 to 10:17	Burning, arson, 4:24
Burden of proof, 10:11 Court colloquy, 10:13	
Critical stages, 10:17	FORGERY Identity theft, 4:79
Post-trial motions, 10:16	•
Procedure, 10:9	FOURTH AMENDMENT
Request following Marsden motion denial, 10:14 Timeliness, 10:15	Blood draw, driving under the influence (DUI), 4:126 Driving under the influence (DUI),
Timing, 10:10	blood draw, 4:126
Waiver, 10:12	FRAUD
,	Sexual battery, 4:149
FEAR	GANG OFFENSES
Sustained, criminal threats, 4:38	Generally, 5:1 to 5:15
FEES AND COSTS	Alternate penalty, 5:14
Experts, 2:32	Conspiracy crimes, 5:15

GANG OFFENSES—Cont'd	HEARINGS AND COURTROOM
Definitions, 5:5	ISSUES—Cont'd
Experts and evidence, 5:6 to 5:12	Criminal protective orders
Gang enhancement allegation, 5:2	generally, 2:18 to 2:21
to 5:4	postjudgment orders, 2:20, 2:21
Street terrorism, 5:1	prejudgment orders, 2:19
Subsets, gangs, 5:13	Cross examination, remote, non-
GARAGES	face-to-face, 2:6
Burglary, detached garage, 4:97	Defendant on bond, 2:15
GREAT BODILY INJURY (GBI)	Demurrer, 2:7
Generally, 4:53 to 4:57	Ex parte applications, 2:30
Assault, force likely to produce	Expert fees, 2:32
GBI, 4:54	Fifth Amendment invocation, 2:14
Definition, 4:53	Guilty plea, joined with insanity
Drugs, furnishing, 4:57	plea, 2:40
Furnishing controlled substance to	Handcuffing, 2:1 Intimidating spectator, 2:24
minor, 4:136	Joinder, 2:8
Person other than accomplice,	,
4:55	Magistrate authority, 2:12
Reckless driving, 4:56	Moral support person, 2:28
GROSS NEGLIGENCE	Motion to quash, 2:37
Vehicular manslaughter, 4:18	Motion to traverse, 2:37
HANDCUFFING	Oaths, 2:3
Hearings and courtroom issues,	Penal Code 0167 1368.1, 2:39
2:1	Police report review, 2:35
	Preliminary hearing
HARVEY-MADDEN RULE	confrontation right, 2:5
Evidentiary issues, 3:7	continuous preliminary hearing generally, 1:14 to 1:16
HEARINGS AND COURTROOM	one session rule, 1:14
ISSUES	violation, 1:15 , 1:16
Generally, 2:1 to 2:42	
Amendment of complaint, 2:8	not for discovery, 2:9
Ancillary costs, 2:32	script, 2:2
Bench officer disqualification,	statutes, 2:42
arraignment, 2:36	waiver
Bench warrants, notice, 2:16	new charges, 2:10
Calendaring motions, 2:29 Common Penal Code offenses,	Recording proceedings, 2:26
CALCRIM instructions, 2:41	Refiling, Code of Civil Procedure 0167 170.6, 2:38
Confrontation rights, 2:5	Restitution, 8:76
Consolidation, 2:8	Scope of hearing, expansion, 2:17
Constitutional rights, statement,	Under seal filings, 2:31
2:4	Severance, 2:8
Continuous preliminary hearing generally, 1:14 to 1:16	Transcripts, 2:27
one session rule, 1:14	Unruly defendant, 2:23
violation, 1:15, 1:16	Unruly spectator, 2:24
short breaks, 2:13	Witness exclusion, 2:22
, 	· · · · · · · · · · · · · · · · · · ·

HEARSAY	HOLD TO ANSWER (HTA)
Generally, 3:23 to 3:45	—Cont'd
Accomplice statements, 3:32	Degree of murder, 6:2
Case specific, experts, 3:70 to	Enhancements, 6:5
3:73	Exhibits, 6:8
Chain of custody, 3:35	Hearing waiver, new charges, 6:16
Checks, 3:39	Holding order, 6:13
Child statements, 3:44	review, 6:23 to 6:31
Codefendants, 3:32	additional charges, 6:25
Compilations, 3:28	conclusions of law, 6:27
Doctors, witness statement to,	findings of fact, 6:27
3:30	Penal Code 995 motion, 6:24
Excited utterance, 3:45	standard of review, 6:29
Identification, 3:35	two dismissal rule, 6:30 , 6:31
logos, 3:36	writ of mandate, petition,
prior identification, 3:38	6:28
Inadmissibility, 3:23	Jurisdiction, 6:13
Injuries, 3:29	Misdemeanors, 6:6
Labels, 3:35	Not held to answer and release,
Logos, identification, 3:36	6:14
Loss, vandalism, 4:60	Penal Code, 1385, 6:10 , 6:11
Past recollection recorded, 3:40	Penal Code 17(B), 6:17 to 6:22
Prior convictions, 3:34	People unable to proceed, 6:9
Prior identification, 3:38	Priors, 6:5
Prior inconsistent statement,	Proceeding on existing complaint,
substantive evidence, 3:33	in lieu of dismissal, 6:12
Prop. 115	Special circumstances, 6:4
generally, 3:24 to 3:27	Sufficient cause, 6:1
business records, 3:26	HOMICIDE
defense, 3:27	Murder, this index
experts, 3:25	HORIZONTAL GAZE
Receipts, 3:37	NYSTAGMUS (HGN)
Silence in response to text, 3:42	Experts, 3:63
Texting, 3:43	Experts opinions, 3:63
Translators, 3:31	1 1
Unavailability exception, 3:41	HUMAN TRAFFICKING
HEAT OF PASSION	Consent, 4:146
Defense, manslaughter, 4:15	Minor, 4:143 to 4:145
HIT AND RUN	HYPOTHETICAL QUESTIONS
Experts opinions, injury, computer	Experts, 3:59
animation, 3:68	•
	IDENTIFICATION 2.12
HOLD TO ANSWER (HTA)	Eyewitness, 3:12
Generally, 6:1 to 6:31	Hearsay, 3:35
Attempted willful, deliberate, and	logos, 3:36
premeditated murder, 6:3	prior identification, 3:38
Court adding charge, 6:15	Motions, suppress, 3:9 to 3:11
Date setting, arraignment court,	photo array, 3:10
6:7	single person show-up, 3:11

IDENTIFICATION—Cont'd

Motions, suppress, **3:9 to 3:11**—Cont'd surveillance video, **3:13**

IDENTITY THEFT

Forgery, **4:79** Theft, **4:78**

IMPERFECT SELF-DEFENSE

Manslaughter, voluntary, 4:16

INFERENCES

Evidentiary issues, 3:19

INFORMANTS

Disclosure, delayed, **3:3**Official information and government informants, this index

INHABITED DWELLING

Burglary, 4:95, 4:98

INJURY

Hearsay, 3:29

INTOXICATION

Vandalism, defense, 3:19

INVOLUNTARY

MANSLAUGHTER

Generally, 4:17

JAIL

Contraband, 4:118

JOINDER

Hearings and courtroom issues, **2:8**

JOYRIDING

Vehicle theft, 4:91

JUDGES

Motion to quash, hearings, 2:37

JUDICIAL NOTICE

Request, authentication, 3:52

JURISDICTION

Postconviction and resentencing, **9:1**

KELLEY BLUE BOOK

Vandalism, 4:61

Index-10

KIDNAPPING

Generally, 4:63 to 4:67 Capacity to consent, 4:65 Deceit, 4:66 Force, 4:66 Incidental movement, 4:64 Rape, 4:67 Threat, 4:66

KILL ZONE

Attempted murder, 4:6

LABELS

Hearsay, 3:35

LAW ENFORCEMENT AND CUSTODY-RELATED OFFENSES

Generally, 4:109 to 4:121
Assault by public officer, 4:114
Batter on peace officer, incidental touching, 4:113
Cannabis in prison, 4:119
Contraband, jail, 4:118
Defendant mental state, 4:115
Evasion, 4:109
First amendment, defense, 4:110
Gassing, battery, 4:117
Lesser included offenses, 4:112
Methamphetamine paper, prison, 4:120
Obstructing officer, 4:109
Resisting officer, 4:109

LAY WITNESS

Testimony, 3:57

LIABILITY

generally, 4:151 to 4:160
accessory after the fact, 4:160
aiding and abetting, 4:155,
4:159
attempt, 4:152, 4:153
first degree robbery, 4:154
conspiracy, 4:157, 4:159
murder, 4:158
natural and probable consequences, 4:156

Prosecutor theories, crimes

LOGOS

Identification, hearsay, 3:36

LOSS	MAYBERRY DEFENSE
Determination, preliminary hear-	Sex crimes, 4:150
ing, evidentiary issues, 3:74 to 3:78	MAYHEM
business publications and	Crimes, 3:70, 3:71
compilations, 3:75	Scarring, establishment, 4:71
hearsay, loss amounts, 3:78	MENTAL HEALTH DIVERSION
receipts, 3:76	Sentencing and punishment, 8:6
vandalism, 3:77	MIRANDA
MACHINE GUNS	Evidentiary issues, motions/
Strict liability, crimes, 4:132	objections, 3:8
MAGISTRATES	MISDEMEANOR PLEA SCRIPT
Authority, hearings, 2:12	Pleas, this index
MANDATORY SUPERVISION	MISDEMEANORS
Generally, 8:63 to 8:67	Hold to answer (HTA), 6:6
County jail, 8:63, 8:64	MITIGATION
Early termination, 8:67	Restitution, award despite, 8:78
Electronic search condition, 8:65	-
Finality of judgment, 8:66 Supervised release condition, 8:65	MONEY LAUNDERING
	Crimes, 4:141
MANSLAUGHTER	MORAL SUPPORT PERSON
Generally, 4:13 to 4:20 Defined, 4:13	Hearings and courtroom issues, 2:28
Heat of passion defense, 4:15	_,
Imperfect self-defense, 4:16	MOTIONS
Involuntary, 4:17	Calendaring, 2:29
Vehicular manslaughter	Continuances
generally, 4:18 to 4:20	motions and the 10/60-day rules, 1:19
gross negligence, 4:18	violations, motions to dismiss
intoxication, 4:20	10-day rule, 1:30 to 1:39
lesser included offense, 4:19	custody status, 1:32
Voluntary	good cause, 1:34 to 1:39
generally, 4:14 to 4:16 heat of passion defense, 4:15	sequential
imperfect self-defense, 4:16	considerations,
,	1:31 to 1:39
MARSDEN MOTIONS	solely on complaint, 1:32
Generally, 10:1 to 10:8	60-day rule, 1:40 to 1:45
Burden of proof, 10:3 Court script, 10:8	counting the clock, 1:43
Denial, 10:14	custody, 1:42
Legal landscape, 10:5	no good cause excep-
Motion to withdraw plea, IAC	tion, 1:41
triggers hearing, 10:6	tolling, 1:44
Procedure, 10:1	generally, 1:29 to 1:46
Requirements, 10:4	limited time waivers, 1:46
Summary sheet, 10:7	three categories of
Timing, 10:2	motions, 1:29

OFFICIAL INFORMATION AND MOTIONS—Cont'd Official information and govern-GOVERNMENT ment informants, this index **INFORMANTS** Informant privilege, 12:3 **MOTOR VEHICLES** Motions Stolen cars generally, 12:1 to 12:13 preliminary hearing, evidentiary disclose official information, issues, 3:79, 3:80 prior to or during prelimi-Vehicle theft, this index nary hearing, 12:4, 12:5 Vehicular manslaughter, this index procedural steps, 12:4 script, 12:5 **MURDER** informant identity disclosure Aiding and abetting generally, 12:8 to 12:13, 12:9 generally, 4:9 to 4:12 motion to traverse, 12:12 attempted murder, 4:12 procedural steps, 12:8 defined, 4:9 quash, 12:11 first degree murder, 4:10 script, 12:9 second degree murder, 4:11 without a warrant, 12:10 Attempted murder surveillance site disclosure, generally, 4:5 to 4:8 12:6, 12:7 aiding and abetting, 4:12 procedural steps, 12:6 defined, 4:5 script, 12:7 kill zone, 4:6 Official information privilege, multiple counts, 4:7 12:2 shooting into crown, multiple Surveillance site disclosure, 12:6, counts, **4:7** 12:7 specific v. random targets, 4:8 procedural steps, 12:6 Definition, 4:1 script, 12:7 Degrees, 4:2 ONE SESSION RULE Felony murder Continuous preliminary hearing, crime spree, 4:4 1:14 defined, 4:3 violation, 1:15, 1:16 major participant, 4:4 **PANDERING** reckless indifference, 4:4 Sex crimes, **4:147** Manslaughter, this index PAROLE/POSTRELEASE **NEGLIGENCE COMMUNITY** Vehicular manslaughter, gross SUPERVISION (PRCS) negligence, 4:18 Generally, 8:60 to 8:62 Extension, 8:62 **OATHS** Obligation to report, 8:61 Hearings, 2:3 Postconviction and resentencing, **OBSTRUCTING OFFICER** 9:16, 9:17 State prison parole, 8:60 Crimes, 4:109 Time served, 8:61 OFFICIAL INFORMATION PAST RECOLLECTION Official information and government informants, this index Recorded, hearsay, 3:40

PLEADINGS	PLEAS—Cont'd
Complaint, amendment, new	Misdemeanor plea script—Cont'd
clock, 1:17	immediate sentencing, 7:35,
PLEAS	7:36
Agreements	maximum sentence, 7:25 Prop 63/Penal Code 29810,
resentencing, 9:6, 9:7	advisement and orders,
sentencing, 8:8	7:34
Felony plea script	sentencing, 7:35 to 7:42
generally, 7:1 to 7:23	take the plea, 7:32
alternative script, 7:23	terms of disposition, 7:25
change of plea, 7:1	voluntariness, 7:29
consequences of plea, 7:3	waiver, constitutional rights,
court approval, 7:9	7:28
date of birth, 7:2	West plea, 7:31
factual basis, 7:7, 7:8	Withdrawal, 8:9, 8:11
findings, 7:11	POLICE OFFICERS
maximum sentence, 7:1	Law enforcement and custody-
Prop 63 advisement and orders, 7:12	related offenses
sentencing, 7:13 to 7:22	generally, 4:109 to 4:121
terms of disposition, 7:1	assault by public officer, 4:114
true name, 7:2	batter on peace officer,
voluntariness, 7:6	incidental touching, 4:113
waiver, constitutional rights, 7:5	cannabis in prison, 4:119
Guilty plea, joined with insanity	contraband, jail, 4:118
plea, 2:40	defendant mental state, 4:115 evasion, 4:109
Indicated sentence script, 7:59	first amendment, defense, 4:110
Misdemeanor plea script	gassing, battery, 4:117
generally, 7:24 to 7:42	lesser included offenses, 4:112
arraignment, amended com-	methamphetamine paper,
plaint, 7:24	prison, 4:120
change of plea, 7:25	obstructing officer, 4:109
change of plea script, 7:52 to 7:58	resisting officer, 4:109
arraignment on amended	POLICE REPORTS
complaint, 7:52	Review, hearings and courtroom
change of plea, 7:53	issues, 2:35
consequences, 7:54	POSTCONVICTION AND
counsel, 7:55	RESENTENCING
findings, 7:57	Generally, 9:1 to 9:17
sentencing, 7:58	Expungement, 9:10
take the plea, 7:56	Finality of judgment, 9:2, 9:3
voluntariness, 7:54	Jurisdiction, 9:1
waiver of rights, 7:54	Parole
completed Tahl waiver form,	revocation, 9:16
7:43 to 7:51	transfer to PRCS, 9:17
consequences, 7:26, 7:27	Reduction to misdemeanor, 9:12,
counsel, 7:30	9:13

POSTCONVICTION AND	PRETRIAL RELEASE AND		
RESENTENCING—Cont'd	BAIL—Cont'd		
Resentencing	Bail review—Cont'd		
generally, 9:4 to 9:9	felonies, 13:2, 13:3		
abstract of judgment, correction, 9:5	serious and violent, 13:6 to 13:10		
custody credits, 9:9	Conditions of release, 13:25		
defendant presence at hearing, 9:4	Defendants on bond ordered back for all appearances, 13:23		
plea agreement, 9:6, 9:7	Guilty plea, 13:20		
postconviction rehabilitative	Humphrey, 13:1 Jailer set date, 13:27		
conduct considered, 9:8	No bail		
recall, 9:15	generally, 13:12 to 13:17		
remand, after, 9:6 to 9:8	California Constitution, 13:12		
Sealing of records, 9:11	to 13:14, 13:17		
Veteran, petition, 9:14	Pretrial proceedings, 13:18		
PRELIMINARY HEARING	Probation violations, 13:20		
Continuous preliminary hearing	Recall of forfeiture, 13:26		
generally, 1:14 to 1:16	Reconsideration, 13:19		
one session rule, 1:14	Ruling, 13:4, 13:5		
violation, 1:15 , 1:16	Sentencing, following, 13:21		
Corpus delicti rule, 3:17	Sufficient excuse not to forfeit		
Evidentiary issues	bond, 13:28		
generally, 3:74 to 3:80	PRIOR CONVICTIONS		
loss/value determination, 3:74 to 3:78	Hearsay, 3:34		
business publications and compilations, 3:75	PRIOR INCONSISTENT STATEMENT		
hearsay, loss amounts, 3:78 receipts, 3:76	Substantive evidence, hearsay, 3:33		
vandalism, 3:77	PROBATION		
stolen cars, 3:79 , 3:80	Generally, 8:41 to 8:59		
Experts, 3:70 to 3:73	Conditions, Lent test, 8:47 to 8:50		
Loss/value determination, 3:74 to	DV probation, termination, 8:54		
3:78	Early termination, 8:53		
business publications and	Eligibility, 8:41		
compilations, 3:75	Finality of judgment, 8:45		
hearsay, loss amounts, 3:78	Maximum periods, 8:43, 8:44		
receipts, 3:76	Multiple counts, 8:52		
vandalism, 3:77	One year maximum, condition,		
Statutes, 2:42	8:42		
PRETRIAL RELEASE AND	Retroactive application, max term, 8:46		
BAIL	Revocation, 8:51		
Generally, 13:1 to 13:28	Violations, summary revocation		
Bail bond premium, 13:24	summary, 8:55 to 8:59		
Bail review	confrontation, 8:57		
generally, 13:1 to 13:10	due process, 8:57		
J,			

PROBATION—Cont'd

Violations, summary revocation Postconviction and resentencing, —Cont'd this index evidentiary standard, hearing, RESISTING OFFICER 8:56 Crimes, 4:109 new term, reinstatement or imposition, 8:59 RESTITUTION willful violation and deporta-Generally, 8:71 to 8:78 tion, 8:58 Ability to pay, 8:76 Attorney fees, 8:75 PROP. 115 Hearing, presence required, 8:77 Hearsay Mitigation, award despite, 8:78 generally, 3:24 to 3:27 Parents of child victims, 8:73 business records, 3:26 Probation extension, 8:71 defense, 3:27 Sentence completion, 8:72 experts, 3:25 Vandalism, 8:74 **PROSECUTORS ROBBERY** Crimes, theories of liability Generally, 4:27 to 4:34 generally, 4:151 to 4:160 Abandonment, 4:34 accessory after the fact, 4:160 ATM. 4:33 aiding and abetting, 4:155, Defined, 4:27 4:159 Estes robbery, 4:31 attempt, 4:152, 4:153 attempted, 4:32 first degree robbery, 4:154 Fear, by, 4:29, 4:30 conspiracy, 4:157, 4:159 By force, **4:28** murder. 4:158 SANCTIONS natural and probable conse-Contempt, 11:7 quences, 4:156 domestic violence cases. 11:16 PROTECTIVE ORDERS sexual assault cases, 11:25 Criminal protective orders **SCARS** generally, 2:18 to 2:21 Mayhem, establishment, 4:71 postjudgment orders, 2:20, 2:21 prejudgment orders, 2:19 **SCHOOLS** Criminal threats, 4:37 **RAPE** SCIENTIFIC EXPERTS Kidnapping, 4:67 Testimony, 3:56 RECEIPTS **SCRIPTS** Hearsay, 3:37 Felony plea script Loss/value determination, prelimigenerally, 7:1 to 7:23 nary hearing, 3:76 alternative script, 7:23 RECKLESS DRIVING change of plea, 7:1 Great bodily injury (GBI), 4:56 consequences of plea, 7:3 court approval, 7:9 RECORDS AND RECORDINGS date of birth, 7:2 Conviction records, uncertified, factual basis, 7:7, 7:8 3:48 findings, 7:11 Hearings and courtroom issues, 2:26 maximum sentence, 7:1

RESENTENCING

SCRIPTS—Cont'd	SEALING
Felony plea script—Cont'd	Hearings and courtroom issues,
Prop 63 advisement and orders,	under seal filings, 2:31
7:12	SEALING OF RECORDS
sentencing, 7:13 to 7:22	Filings, 2:31
terms of disposition, 7:1	Postconviction and resentencing,
true name, 7:2 voluntariness, 7:6	9:11
waiver, constitutional rights, 7:5	SELF-DEFENSE
Indicated sentence script, 7:59	Crimes, 4:165 to 4:176
Misdemeanor plea script	Imperfect, manslaughter, volun-
generally, 7:24 to 7:42	tary, 4:16
arraignment, amended com-	SENTENCING AND
plaint, 7:24	PUNISHMENT
change of plea, 7:25	Generally, 8:1 to 8:78
change of plea script, 7:52 to	Back time, 8:1
7:58	Battery, misdemeanor, registra-
arraignment on amended	tion, 8:15
complaint, 7:52	Conspiracy, 8:7
change of plea, 7:53	County jail, one year/364 day
consequences, 7:54	limitation, 8:4
counsel, 7:55	Custody credits
findings, 7:57	generally, 8:34 to 8:40 Diagnostic study, 8:5
sentencing, 7:58	Enhancements, 8:18 to 8:23
take the plea, 7:56	Fines and fees
voluntariness, 7:54	generally, 8:68 to 8:70
waiver of rights, 7:54	Foreign convictions, 8:10, 8:26
completed Tahl waiver form, 7:43 to 7:51	Indicated sentence script, 7:59
consequences, 7:26 , 7:27	Mandatory supervision, this index
counsel, 7:30	Mental health diversion, 8:6
immediate sentencing, 7:35 ,	Multiple cases, 8:13
7:36	Parole/postrelease community
maximum sentence, 7:25	supervision (PRCS), this
Prop 63/Penal Code 29810,	index
advisement and orders,	Penal Code 654, 8:3 Plea agreements, 8:8
7:34	Pleas
sentencing, 7:35 to 7:42	agreements, 8:8
take the plea, 7:32	felony plea script, 7:13 to 7:22
terms of disposition, 7:25	7:58
voluntariness, 7:29	misdemeanor plea script, 7:35
waiver, constitutional rights,	to 7:42
7:28	withdrawal, 8:9, 8:11
West plea, 7:31	Possession of concealed firearm,
Preliminary waiver script, 2:2	8:12
Time waivers, 1:12	Postconviction and resentencing,
preliminary waiver script and	this index
form, 1:13	Prison priors, 8:16, 8:17

SENTENCING AND PUNISHMENT—Cont'd	SPECTATORS Unruly/intimidating, hearings,
Probation, this index	2:24
Restitution, this index	SPEED
Sentencing triad, 8:2	Evidentiary issues, 3:21
Serious and violent sentences,	STALKING
8:14 Strikes	Criminal threats, 4:40
generally, 8:24 to 8:33	STOLEN PROPERTY
foreign state convictions, 8:26	Receipt of, theft, 4:75
Gallardo, 8:25	STREET TERRORISM
gang enhancement, 8:30	Gang offenses, 5:1
juvenile adjudication, 8:33 mandatory state prison, 8:28	
probation, diversion, precluded,	STRIKES Sentencing and munichment
8:29	Sentencing and punishment generally, 8:24 to 8:33
Romero motion, 8:32	foreign state convictions, 8:26
Withdrawal of plea, 8:9, 8:11	Gallardo, 8:25
• • • •	gang enhancement, 8:30
SEVERANCE	juvenile adjudication, 8:33
Hearings and courtroom issues, 2:8	mandatory state prison, 8:28
2.0	probation, diversion, precluded,
SEX CRIMES	8:29 Romero motion, 8:32
Generally, 4:142 to 4:150	Rolliero illottoli, 8:32
Forcible acts, sexual penetration, 4:148	STUN GUN Experts, 3:60
Forcible acts, sexual penetration, 4:148 Human trafficking	Experts, 3:60
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146	Experts, 3:60 SUPERVISION
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145	Experts, 3:60 SUPERVISION Mandatory supervision, this index
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and govern-
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6 , 12:7
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142 SEXUAL ASSAULT	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43 THEFT
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142 SEXUAL ASSAULT	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43 THEFT Generally, 4:72 to 4:88
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142 SEXUAL ASSAULT Contempt, this index	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43 THEFT Generally, 4:72 to 4:88 Access card fraud, 4:84
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142 SEXUAL ASSAULT Contempt, this index SHOPLIFTING Theft, 4:86	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43 THEFT Generally, 4:72 to 4:88 Access card fraud, 4:84 Bailey doctrine, 4:76
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142 SEXUAL ASSAULT Contempt, this index SHOPLIFTING Theft, 4:86 SINGLE LARCENY DOCTRINE	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43 THEFT Generally, 4:72 to 4:88 Access card fraud, 4:84 Bailey doctrine, 4:76 Charging limitations, 4:87
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142 SEXUAL ASSAULT Contempt, this index SHOPLIFTING Theft, 4:86	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43 THEFT Generally, 4:72 to 4:88 Access card fraud, 4:84 Bailey doctrine, 4:76 Charging limitations, 4:87 Counterfeiting
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142 SEXUAL ASSAULT Contempt, this index SHOPLIFTING Theft, 4:86 SINGLE LARCENY DOCTRINE	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43 THEFT Generally, 4:72 to 4:88 Access card fraud, 4:84 Bailey doctrine, 4:76 Charging limitations, 4:87 Counterfeiting generally, 4:80 to 4:83
Forcible acts, sexual penetration, 4:148 Human trafficking consent, 4:146 minor, 4:143 to 4:145 Mayberry Defense, 4:150 Pandering, 4:147 Sexual assault, contempt, this index Sexual battery by fraud, 4:149 Sexual communication with minor, 4:142 SEXUAL ASSAULT Contempt, this index SHOPLIFTING Theft, 4:86 SINGLE LARCENY DOCTRINE Theft, 4:76	Experts, 3:60 SUPERVISION Mandatory supervision, this index SURVEILLANCE Official information and government informants site disclosure, 12:6, 12:7 procedural steps, 12:6 script, 12:7 TEXTING Hearsay, 3:42, 3:43 THEFT Generally, 4:72 to 4:88 Access card fraud, 4:84 Bailey doctrine, 4:76 Charging limitations, 4:87 Counterfeiting

THEFT—Cont'd	TRANSCRIPTS		
Elder, theft from, 4:74	Hearings and courtroom issues,		
Embezzlement, 4:85	2:27		
Fair market value, 4:73	TD ANCI ATODO		
Identity theft, 4:78	TRANSLATORS		
forgery, 4:79	Hearsay, 3:31		
Receipt of stolen property, 4:75 ,	TRASH		
4:88	Burning, arson, 4:22		
Shoplifting, 4:86	Durming, arson, 4.22		
Single larceny doctrine, 4:76	UNAVAILABILITY		
	Hearsay exception, 3:41		
THEORIES			
Prosecutor theories, liability,	UNRULY DEFENDANT		
crimes	Hearings and courtroom issues,		
generally, 4:151 to 4:160	2:23		
accessory after the fact, 4:160	VALUE		
aiding and abetting, 4:155 ,	Determination, preliminary hear-		
4:159	ing, evidentiary issues, 3:74		
attempt, 4:152 , 4:153	to 3:78		
first degree robbery, 4:154	business publications and		
conspiracy, 4:157 , 4:159	compilations, 3:75		
murder, 4:158	hearsay, loss amounts, 3:78		
natural and probable conse-	receipts, 3:76		
quences, 4:156	vandalism, 3:77		
THREATS			
THREATS Criminal threats, this index	VANDALISM		
THREATS Criminal threats, this index	Generally, 4:58 to 4:62		
·-	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59		
Criminal threats, this index TIME WAIVERS	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, prelimi-		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, prelimi-		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement,	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiv-		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11 Penal Code § 1368, 1:6	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiving, 4:92		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11 Penal Code § 1368, 1:6 Personal waiver by defendant, 1:9	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiv-		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11 Penal Code § 1368, 1:6 Personal waiver by defendant, 1:9 Revocability, 1:5	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiving, 4:92 Vehicle, defined, 4:93		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11 Penal Code § 1368, 1:6 Personal waiver by defendant, 1:9 Revocability, 1:5 Scripts, 1:12	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiving, 4:92 Vehicle, defined, 4:93 VEHICULAR		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11 Penal Code § 1368, 1:6 Personal waiver by defendant, 1:9 Revocability, 1:5 Scripts, 1:12 preliminary waiver script and	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiving, 4:92 Vehicle, defined, 4:93 VEHICULAR MANSLAUGHTER		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11 Penal Code § 1368, 1:6 Personal waiver by defendant, 1:9 Revocability, 1:5 Scripts, 1:12	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiving, 4:92 Vehicle, defined, 4:93 VEHICULAR MANSLAUGHTER Generally, 4:18 to 4:20		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11 Penal Code § 1368, 1:6 Personal waiver by defendant, 1:9 Revocability, 1:5 Scripts, 1:12 preliminary waiver script and form, 1:13	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiving, 4:92 Vehicle, defined, 4:93 VEHICULAR MANSLAUGHTER Generally, 4:18 to 4:20 Gross negligence, 4:18		
Criminal threats, this index TIME WAIVERS Generally, 1:1 to 1:13 Competency, 1:6 Defendant's agreement, 1:1 General time waivers, 1:3, 1:8 Limited time waivers, 1:4 Penal Code § 859b, 1:2, 1:7 personal waiver requirement, 1:10 violation, 1:7 Penal Code § 977(b), 1:10 COVID-19, 1:11 Penal Code § 1368, 1:6 Personal waiver by defendant, 1:9 Revocability, 1:5 Scripts, 1:12 preliminary waiver script and	Generally, 4:58 to 4:62 Damage/loss amounts, 4:59 hearsay, 4:60 Intoxication, defense, 4:62 Kelley Blue Book, 4:61 Loss/value determination, preliminary hearing, 3:77 Restitution, 8:74 VEHICLE THEFT Generally, 4:89 to 4:93 Joyriding, 4:91 Posttheft driving, 4:90 Stolen vehicle, buying or receiving, 4:92 Vehicle, defined, 4:93 VEHICULAR MANSLAUGHTER Generally, 4:18 to 4:20		

VENUE	WEAPONS AND FIREARMS			
Motions/objections	Assault with a deadly or danger-			
change, 3:6	ous weapon			
lack, 3:5	generally, 4:45 to 4:52			
VESTS	capable to produce death, great bodily injury, 4:46			
Bullet proof vest, experts	duplicate counts, 4:50			
opinions, 3:62	enhancement, 4:49 , 4:50			
WAIVER	examples, not inherently deadly			
Constitutional rights	or dangerous, 4:51			
felony plea, 7:5	imminence and present ability,			
misdemeanor plea, 7:28	4:48			
Faretta waiver, 10:12	not used as deadly or danger-			
Preliminary hearing	ous, 4:52			
new charges, 2:10	specific intent, 4:47			
Right to conflict free counsel, 14:2	Crimes			
WAIVERS	generally, 4:127 to 4:135			
Time waivers	concealed firearm, possession,			
generally, 1:1 to 1:13	4:133			
competency, 1:6	constructive possession, fire-			
defendant's agreement, 1:1	arms, 4:130			
general time waivers, 1:3, 1:8	controlled substance, armed,			
limited time waivers, 1:4	loaded firearm, 4:135			
Penal Code § 859b, 1:2, 1:7	dirk and dagger, 4:127			
personal waiver requirement,	machine gun, strict liability, 4:132			
1:10				
violation, 1:7	personal use, 4:129			
Penal Code § 977(b), 1:10	possession of firearm, armed with firearm, 4:134			
COVID-19, 1:11	sawed-off shotgun, 4:131			
Penal Code § 1368, 1:6	ten year enhancement, 4:128			
personal waiver by defendant,	Sentencing, concealed firearm			
1:9	possession, 8:12			
revocability, 1:5				
scripts, 1:12	WITNESSES			
preliminary waiver script and	Contempt, this index			
form, 1:13	Dissuading a witness, this index			
WARRANTS	Exclusion, hearings, 2:22			
Bench warrants pickups, 1:18	Minor child, 2:25			