6-04/010.00 Criminal Bench Warrant

For the purposes of this Chapter, a criminal bench warrant includes any warrant issued for the arrest of a person who is charged with a crime as defined in Section 15 of the Penal Code. Contempt is a crime punishable by imprisonment and/or fine.

15 PC A crime or public offense is an act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed, upon conviction, either of the following punishments:

1. Death;
2. Imprisonment;
3. Fine;
4. Removal from office; or,
5. Disqualification to hold and enjoy any office of honor, trust, or profit in this State.

• 6-04/010.10 Contempt of Court

The two most commonly used statutes for contempt of court are PC 166 and CCP 1209. A warrant charging contempt of court pursuant to 1209 CCP or 166 PC shall be sent by the court clerk to the County Warrant System for entry into CWS. The Civil Management Bureau (CMB) has no involvement in the processing of these types of warrants. Refer to Court Services Division Manual beginning with 3-15/000.00.

CCP 1209 - Summary Contempt

CCP 1209 through 1222 govern the power of the court to summarily treat a person for contempt. The contemnor (person charged with contempt) has no jury trial right, may be punished by five days in jail and/or a $1,000 fine and cannot appeal. CCP 1209 warrants may be entered in a local wants and warrants database and enforced by any peace officer.

• 6-04/010.20 Criminal Contempt

PC 166 is a misdemeanor punishable by six months in the county jail and/or a $1,000 fine. The procedures for the arrest and prosecution of a defendant are the same as other misdemeanor crimes, including the right to a jury trial and release on a promise to appear (PC 853.6) PC 166 warrants may be entered in a local wants and warrants database and enforced by any peace officer.

• 6-04/010.30 Contempt - Other

There are numerous additional contempt statutes, most of which are prosecuted following the court's summary contempt proceedings delineated in CCP 1209 through 1222 (See 6-

04/030.70 ADDITIONAL CONTEMPT STATUTES)