



## Court Ordered Amnesty For Sheriff's Work Program Sentences Between March 17, 2020 and May 1, 2021

On Thursday, January 13, 2022, the Criminal Supervising Judge Eric Geffon [granted amnesty](#) to approximately 1,600 individuals who had been ordered to report to the Sheriff's Work Program between March 17, 2020, and May 1, 2021.

### Background:

On March 16, 2020, the Health Officer of the County of Santa Clara issued a "shelter-in-place" order, effective March 17, 2020. The order required county residents of Santa Clara to remain within their homes, except when engaging in permitted activities. As a result of the Health Officer's order, The Sheriff's Office decided to close the Sheriff's Work Program (SWP) on March 17, 2020. The Sheriff's Work Program allows defendants sentenced to county jail to satisfy their sentence by performing community service. The vast majority of the individuals ordered to the Sheriff's Work Program are serving sentences for misdemeanor cases.

### Order of the Court:

As a result of the Health Orders of 2020, The Sheriff's Office decided to close the Sheriff's Work Program on March 17, 2020. The Sheriff's Work Program remained closed until May 1, 2021. Therefore, individuals scheduled to participate in the Sheriff's Work Program between March 17, 2020, and May 1, 2021, were not able to complete their sentences. Based on the public health crisis and intent of the SWP deferment orders, the Superior Court made the following order for individuals sentenced between March 17, 2020, through May 1, 2021.

1. Effective immediately, all persons scheduled to pre-book and/or surrender to the custody of the County of Santa Clara Sheriff with a recommendation for the Sheriff's Work Program from March 17, 2020, through May 1, 2021, shall have their sentences deemed served.
2. Effective immediately, all persons who had already pre-booked, surrendered to the custody of the Santa Clara County Sheriff, and were in the process of completing their Sheriff's Work Program sentence between March 17, 2020, and May 1, 2021, but were unable to do so because the program was not operating, shall have their sentences deemed served and completed. These individuals were granted credit by the Sheriff based on the authority given to her in this Court's previous orders. These persons will not appear on the Inventory List.
3. Effective immediately, bench warrants premised on a failure to pre-book and/or surrender for the Sheriff's Work Program sentences from March 17, 2020, through May 1, 2021, shall

not issue. To the extent that any bench warrants have been issued for any individual in this group for failure to appear for the Sheriff's Work Program, they are hereby withdrawn.

4. Effective immediately, bench warrants shall not issue for individuals who pre-booked and surrendered for the Sheriff's Work Program prior to March 17, 2020, and were in the process of completing their Sheriff's Work Program sentence between March 17, 2020, and May 1, 2021, but were unable to do so because the program was not operating. To the extent that any bench warrants have been issued for any individual in this group for failure to appear for the Sheriff's Work Program, they are hereby withdrawn.

5. This order applies to all above-defined eligible persons, regardless of whether they are recorded on the Inventory List.

6. This order does not apply to those persons sentenced to straight time in county jail and ordered to surrender directly to the county jail between March 17, 2020, and May 1, 2021.

[A list of persons with pre-book and/or surrender dates](#) from March 17, 2020, through May 1, 2021, whose sentences have been deleted under the SWP Deferment Orders is attached to the Order of the Court (located on page 22 of 36). If you have questions about the status of your criminal sentence, please consult with your attorney.

"The Superior Court greatly appreciates the collaborative efforts of the District Attorney's Office, The Office of the Public Defender, Independent Defender's Office, County Counsel, and the Department of Pretrial Services for their agreement on this issue and their assistance to make this possible," said Criminal Supervising Judge Eric Geffon.

