

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BENITO  
EMERGENCY AMENDMENT TO  
SAN BENITO COUNTY SUPERIOR COURT BAIL SCHEDULE  
#3**

WHEREAS, on March 4, 2020, the Governor of the State of California declared a State of Emergency due to the introduction and spread of the international COVID-19 virus. On March 13, 2020 the President of the United States of America declared a National Emergency.

As of March 17, 2020, the San Benito County Public Health Officer issued an Order applicable to all individuals living in the County of San Benito to Shelter in Place and directing all businesses and governmental agencies to cease non-essential operations within the county, and to prohibit all non-essential gatherings of certain numbers of individuals or non-essential travel.

And on March 19, 2020, the Governor of the State of California issued Executive Order N-33-20 ordering all individuals living in the State of California to stay home or their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors.

On April 6, 2020, the Judicial Council of California took certain actions in response to the COVID-19 crisis, including adopting statewide bail regulations.

The federal, state and local officials and agencies have taken these actions to reduce the transmission of the COVID-19 virus in order to protect public health and safety.

Accordingly, the Presiding Judge of the Superior Court of the State of California, County of San Benito hereby amends its Bail Schedule as follows:

1. The following Bail Schedule shall be in effect:

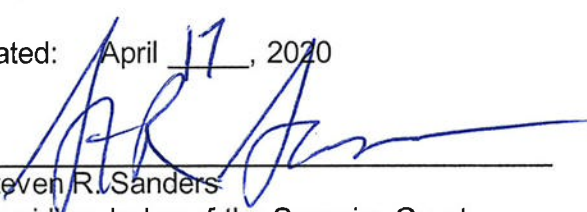
<ul style="list-style-type: none"> <li>• All Misdemeanor and Felony new offenses, with the exceptions specified below.</li> </ul>	Bail = \$0 (Released on own recognizance)
<ul style="list-style-type: none"> <li>• Violation of misdemeanor probation.</li> </ul>	Bail = \$0 (Released on own recognizance)
<ul style="list-style-type: none"> <li>• Violation of felony probation, post release community supervision, or mandatory supervision.</li> </ul>	Bail = \$0 (Released on own recognizance); unless the underlying conviction is for one of the exceptions listed below in which case, bail for the violation shall be the same as the bail for the charges of the underlying conviction.

<b>EXCEPTIONS- TO THE \$0 DOLLAR BAIL</b>	
<ul style="list-style-type: none"> <li>• PC §243(e)(1), misdemeanor</li> </ul>	Bail = \$6,000
<ul style="list-style-type: none"> <li>• PC §273.5, misdemeanor</li> </ul>	Bail = \$6,000

<ul style="list-style-type: none"> <li>• PC §273.5, felony</li> </ul>	Bail = \$50,000
<ul style="list-style-type: none"> <li>• PC §273.6, if the detained person made threats to kill or harm, or has engaged in violence against, or has gone to the residence or workplace of the protected party, misdemeanor</li> </ul>	Bail = \$8,000
<ul style="list-style-type: none"> <li>• PC §273.6, if the detained person made threats to kill or harm, or has engaged in violence against, or has gone to the residence or workplace of the protected party, felony</li> </ul>	Bail = \$50,000
<ul style="list-style-type: none"> <li>• A serious felony, as defined in Penal Code §1192.7(c), or a violent felony, as defined in Penal Code §667.5(c)</li> </ul>	Bail = remain as previously scheduled [July 1, 2011, Bail Schedule]
<ul style="list-style-type: none"> <li>• A felony violation of Penal Code §69</li> </ul>	Bail = \$20,000
<ul style="list-style-type: none"> <li>• Penal Code §166(c)(1), misdemeanor</li> </ul>	Bail = \$6,000
<ul style="list-style-type: none"> <li>• Penal Code §166(c)(1), pursuant to Penal Code §166(c)(4), felony</li> </ul>	Bail = \$10,000
<ul style="list-style-type: none"> <li>• Penal Code §136.1 when punishment is imposed under § 136.1(c), felony</li> </ul>	Bail = \$50,000
<ul style="list-style-type: none"> <li>• Penal Code §262</li> </ul>	Bail = \$100,000
<ul style="list-style-type: none"> <li>• Penal Code §649.9, misdemeanor</li> </ul>	Bail = \$10,000
<ul style="list-style-type: none"> <li>• Penal Code §649.9, felony</li> </ul>	Bail = \$100,000
<ul style="list-style-type: none"> <li>• A violation of an offense cited in Penal Code §290(c), misdemeanor</li> </ul>	Bail = \$6,000
<ul style="list-style-type: none"> <li>• A violation of an offense cited in Penal Code §290(c), felony</li> </ul>	Bail = \$100,000
<ul style="list-style-type: none"> <li>• Penal Code §463, as a felony</li> </ul>	Bail = \$10,000
<ul style="list-style-type: none"> <li>• Penal Code §29800</li> </ul>	Bail = \$10,000
<ul style="list-style-type: none"> <li>• Misdemeanor violation of VC §23152, §23153; no prior conviction of VC §§23152, 23153, or 23103.5</li> </ul>	Bail = \$0 (Released on own recognizance)
<ul style="list-style-type: none"> <li>• Misdemeanor violation of VC §23152; with one prior conviction of VC §§23152, 23153, or 23103.5</li> </ul>	Bail = \$0 (Released on own recognizance with substance abuse counseling)
<ul style="list-style-type: none"> <li>• Misdemeanor violation of §23153; with one prior conviction of VC §23152, 23153, or 23103.5</li> </ul>	Bail = \$8,000
<ul style="list-style-type: none"> <li>• Misdemeanor violations of VC §23152, §23153; with two or more prior convictions of VC §§23152, 23153, or 23103.5</li> </ul>	Bail = \$11,000
<ul style="list-style-type: none"> <li>• Felony violation of VC §23152</li> </ul>	Bail = \$100,000
<ul style="list-style-type: none"> <li>• Felony violation of VD §23153, no prior conviction of VC §§23152, 23153, or 23103.5</li> </ul>	Bail = \$100,000
<ul style="list-style-type: none"> <li>• Felony violation of VC §23153, with one prior conviction of VC §§23152, 23153, or 23103.5</li> </ul>	Bail = \$150,000
<ul style="list-style-type: none"> <li>• Felony violation of VC §23153, with two or more prior conviction of VC §§23152, 23153, or 23103.5</li> </ul>	Bail = \$200,000

3. Anyone taken into custody pursuant to a warrant issued before April 13, 2020, for a misdemeanor violation of probation shall be cited and released on their own recognizance (\$-0- bail).
4. Anyone taken into custody pursuant to a warrant issued before April 13, 2020, for a violation of felony probation, parole, post-release community supervision, or mandatory supervision, bail shall be set in accord with the Statewide Bail Schedule adopted by the Judicial Council of California; e.g. -\$-0-, released on own recognizance; unless the underlying conviction is for one of exceptions specified in the Exceptions Table above. In such a case, the bail shall be as stated in this Emergency Bail Schedule of San Benito County.
5. Nothing in this order or in this San Benito County Emergency Bail Schedule shall restrict the ability of the court to deny bail as authorized by Article I, section 12, or 28(f) of the California Constitution.
6. This Bail Schedule shall be effective April 13, 2020, nunc pro tunc, and shall remain in effect for ninety (90) days after the State of Emergency declared by Governor Gavin Newsome on March 4, 2020, ends, or until this Bail Schedule is amended or rescinded.

Dated: April 17, 2020

  
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Steven R. Sanders  
Presiding Judge of the Superior Court

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J. Omar Rodriguez  
Judge of the Superior Court

2. The bail for anyone taken into custody pursuant to a warrant issued before April 13, 2020, for any of the exceptions specified in the above table remains as stated on the face of the warrant.
3. Anyone taken into custody pursuant to a warrant issued before April 13, 2020, for a misdemeanor violation of probation shall be cited and released on their own recognizance (\$-0- bail).
4. Anyone taken into custody pursuant to a warrant issued before April 13, 2020, for a violation of felony probation, parole, post-release community supervision, or mandatory supervision, bail shall be set in accord with the Statewide Bail Schedule adopted by the Judicial Council of California; e.g.-\$-0-, released on own recognizance; unless the underlying conviction is for one of exceptions specified in the Exceptions Table above. In such a case, the bail shall be as stated in this Emergency Bail Schedule of San Benito County.
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Dated: April \_\_\_\_\_, 2020

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Steven R. Sanders  
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