

What Can You Do About Your Criminal Record?

Conviction	Situation	What You Should Do	Outcome
1 You were convicted of a misdemeanor	→ You were never placed on probation and have not been arrested for one-year period.	→ File a PC § 1203.4(a) form to get the conviction dismissed.	→ Expungement is Mandatory
2 You were convicted of a misdemeanor or felony without a sentence to state prison	→ You successfully completed probation or Probation was terminated early. (even if you violated probation)	→ File a PC § 1203.4 to get conviction dismissed.	→ Expungement is Mandatory (This does not apply for certain serious sex offenses)
3 You were convicted of a misdemeanor or felony without a sentence to state prison	→ You are still on probation.	(1) File a PC § 1203.3 form to be released from probation early (2) File a PC § 1203.4 to get conviction dismissed.	→ Expungement is Mandatory (This does not apply for certain serious sex offenses)
4 You were convicted of a misdemeanor or felony nonviolent drug offense and sentenced under Proposition 36 or Deferred Entry of Judgment	→ You successfully complete the drug program sentenced by the court.	→ Nothing to file.	→ The expungement is mandatory.
5 You were convicted of a misdemeanor or felony without a sentence to state prison	→ You violated probation but have now completed probation.	(1) File a PC § 1203.4(a) to get conviction dismissed. (2) If you were convicted of a felony, you may file a PC § 177(b) motion to get the felony reduced to a misdemeanor. (3) Get letters of support from community (4) Work with EBCLC to write a declaration (a statement describing how you have changed since your conviction.)	→ Expungement is up to Court's discretion. The more ways you can prove to the court that you have been rehabilitated, the better.
6 You were convicted of a felony and sentence to state prison or California Department of Corrections	→	→ File a petition for a Certificate of Rehabilitation and Pardon.	→ Certain time requirements apply. See the public defender in the county where you live (not where the arrest took place.) No record expungement is available
7 You were convicted of a misdemeanor or felony without a sentence to state prison	→ You are still on probation.	(1) File a PC § 1203.3 to be released from probation early (2) Fill out a 1203.4 to get the conviction dismissed.	→
8 As a juvenile, you were convicted as an adult and sentenced to the California Youth Authority	→ You served a sentence at CYA (without any county jail or state prison time) and were honorably discharged.	(1) File a Welfare and Institutions Code §1772 (2) Get letters of support from community (3) Work with EBCLC to write a declaration (a statement describing how you have changed since your conviction.)	→ Expungement is up to Court's discretion. The more ways you can prove to the court that you have been rehabilitated, the better.
9 As juvenile, you were adjudicated a juvenile "delinquent."	→ Your charge was not a PC § 707(b) crime.	(1) File Welfare and Institution Code § S389 petition to seal your record	→ Record Sealing is mandatory