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# Expungement (Cleaning up a Criminal Record): Understanding Sacramento Court's Expungement Packet

This guide contains samples with instructions for all of the expungement forms include in the Sacramento County Superior Court's [Expungement / Dismissal Information and Petition Packet](https://www.saccourt.ca.gov/home/showpublisheddocument/777/639160119012070000) (<https://www.saccourt.ca.gov/home/showpublisheddocument/777/639160119012070000>).

This packet also includes the Petition and Order Pursuant to Penal Code 1203.3, 17(b) (Sac Local Form CR-9), which is used to terminate probation early. If you do not need to do this, skip that form.

The court also offers additional information on their [Expungement / Dismissal](https://www.saccourt.ca.gov/self-help/expungement) (<https://www.saccourt.ca.gov/self-help/expungement>) page, and a presentation guiding you step by step on how to fill the forms out.

## California Conservation Camp/County Hand Crew (Firefighters) Packet

If you participated in firefighting while incarcerated, either through the Conservation Camp or a county hand crew, you may qualify for dismissal prior to completion of probation, parole, or supervised release. Use the [packet for Incarcerated Individual Hand Crew or Institutional Firehouse Participant](https://www.saccourt.ca.gov/home/showpublisheddocument/783/639099445785000000) (<https://www.saccourt.ca.gov/home/showpublisheddocument/783/639099445785000000>) instead of this packet.

Other types of relief may be available for:

- people convicted before 2014 of certain theft and drug felonies ([Prop 47 petition](https://www.saccourt.ca.gov/home/showpublisheddocument/1020/639161689053570000)) (<https://www.saccourt.ca.gov/home/showpublisheddocument/1020/639161689053570000>)
- people convicted before November 2016 of some marijuana-related offenses ([Prop 64 petition](https://www.saccourt.ca.gov/home/showpublisheddocument/779/639161689525800000)) (<https://www.saccourt.ca.gov/home/showpublisheddocument/779/639161689525800000>)

The court's Self Help Services offers an online guide to filling the forms out at [Petition Information and Instructions Related to Penal Code §§17\(b\), 1203.3, 1203.4, 1203.4a, 1203.41, 1203.42, and](#)

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[1203.43](https://www.saccourt.ca.gov/home/showpublisheddocument/777/639160119012070000) (<https://www.saccourt.ca.gov/home/showpublisheddocument/777/639160119012070000>)

## Templates and Forms

- [Sacramento Superior Court Criminal Dismissal \(Expungement\) Process Guide](https://www.saccourt.ca.gov/home/showpublisheddocument/777/639160119012070000)  
(<https://www.saccourt.ca.gov/home/showpublisheddocument/777/639160119012070000>)

### Free Video!

[Criminal Records Expungement Video](https://www.saclaw.org/resource_library/expungement-cleaning-up-a-criminal-record-understanding-sacramento-courts-expungement-packet/) ([https://www.saclaw.org/resource\\_library/expungement-cleaning-up-a-criminal-record-understanding-sacramento-courts-expungement-packet/](https://www.saclaw.org/resource_library/expungement-cleaning-up-a-criminal-record-understanding-sacramento-courts-expungement-packet/))

This video is a joint project of the Sacramento County Public Law Library and the former Voluntary Legal Services Program. It explains how to ask the court to dismiss your convictions and expunge your record.

*Note: The forms referred to in this video have been updated since it was recorded. However, the information in the video may still be helpful for those trying to expunge their own record. Make sure you are using the most updated forms included in the [Sacramento Superior Court Criminal \(Expungement\) Dismissal Process](https://www.saccourt.ca.gov/home/showpublisheddocument/777/639160119012070000) (<https://www.saccourt.ca.gov/home/showpublisheddocument/777/639160119012070000>) guide.*

## For More Information

### On the Web:

[California Courts Self Help Website: “Clean your record”](https://selfhelp.courts.ca.gov/clean-your-record/) (<https://selfhelp.courts.ca.gov/clean-your-record/>)

This website includes a section with information and instructions on cleaning up your criminal record.

[Criminal Justice and Employment Initiative, Cornell University: “How to Read a California Department of Justice Criminal History Report \(RAP Sheet\)”](https://cjei.cornell.edu/sites/default/files/inline-files/How%20to%20Read%20a%20California%20Department%20of%20Justice%20Criminal%20History%20Report%20%28RAP%20Sheet%20.pdf)  
([https://cjei.cornell.edu/sites/default/files/inline-](https://cjei.cornell.edu/sites/default/files/inline-files/How%20to%20Read%20a%20California%20Department%20of%20Justice%20Criminal%20History%20Report%20%28RAP%20Sheet%20.pdf)

[files/How%20to%20Read%20a%20California%20Department%20of%20Justice%20Criminal%20History%20Report%20%28RAP%20Sheet%20.pdf](https://cjei.cornell.edu/sites/default/files/inline-files/How%20to%20Read%20a%20California%20Department%20of%20Justice%20Criminal%20History%20Report%20%28RAP%20Sheet%20.pdf))

This short guide includes an image of a California RAP sheet with notations on what the different

components represent.

## **At the Law Library:**

### **How to Seal Your Juvenile and Criminal Records in California**

KFC 1194 .Z9 S53 (Self-Help)

### **California Criminal Defense Practice**

KFC 1155 .C342 Chap. 103

Electronic Access: On the Law Library's computers, using *LexisAdvance*.


### **California Criminal Law Procedure and Practice**

KFC 1155 .C35 Chap. 4

Electronic Access: On the Law Library's computers, using *OnLaw*.

# Samples

## Petition to End Probation Early (Local Form CR-9)

 <b>Sacramento Superior Court</b> , 720 Ninth Street, Sacramento, California 95814	
Attorney or Party Without Attorney (Name, Address and Telephone): Paul Sample 1234 Main Street Sacramento, CA 95811 916-555-1432	<b>FOR COURT USE ONLY</b> Your name, address, and phone number. "In Pro Per" means you are representing yourself.
Attorney for: Paul Sample, In Pro Per	Case number for the conviction you are trying to expunge and birthdate
<b>THE PEOPLE OF THE STATE OF CALIFORNIA</b> vs. Paul Sample, In Pro Per Defendant Name	<b>PETITION AND ORDER PURSUANT TO          PENAL CODE SECTION 1203.3, 17(b)</b>
Your name	Check box for defendant
Date of conviction	Check felony or misdemeanor
<input type="checkbox"/> I am the named defendant <input checked="" type="checkbox"/> I am the defendant in the above entitled action	
who was convicted on <u>03/05/2005</u> (Month / Day / Year) of <input checked="" type="checkbox"/> felony offense(s) <input checked="" type="checkbox"/> misdemeanor offense(s)	
of the violation section(s) <u>PENAL CODE 594</u> Code and Section you were convicted of violating	
The defendant requests: <input type="checkbox"/> the charge(s) be reduced to a misdemeanor pursuant to Penal Code 17b. <input type="checkbox"/> probation be terminated pursuant to Penal Code 1203.3. The defendant has fulfilled the condition of Penal Code Section 1203.3.	
Either check if reducing to a misdemeanor per 17b , or terminating probation per PC 1203.3.	
I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.	
Executed on <u>06/22/2011</u> (Month / Day / Year) at <u>Sacramento</u> (City), California	Signature of petitioner: <u>Paul Sample</u> Print name of petitioner: <u>Paul Sample</u>
<b>HEARING - FOR COURT USE ONLY</b> <input type="checkbox"/> Petition will be submitted on _____ at _____ A.M./P.M. in Department _____ (Month / Day / Year) (Time)	
<b>ORDER - FOR COURT USE ONLY</b> <input type="checkbox"/> The court <b>GRANTS/ DENIES</b> the petition to terminate probation pursuant to Penal Code 1203.3. <input type="checkbox"/> The court <b>GRANTS/DENIES</b> the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b). Dated: _____ _____ Judge of the Superior Court	
CR-9 (Effective: January 2018)	

Petition and Order Pursuant to Penal Code 1203.3, 17(b) (Sac Local Form CR-9)

Petition for Dismissal (CR-180)

**CR-180**

ATTORNEY OR PARTY WITHOUT ATTORNEY  
 NAME: Paul Sample  
 FIRM NAME:  
 STREET ADDRESS: 1234 Main Street  
 CITY: Sacramento STATE: CA ZIP CODE: 95814  
 TELEPHONE NO.: 916-555-1432 FAX NO.:  
 EMAIL ADDRESS: paulsample100@email.com  
 ATTORNEY FOR (name): Paul Sample, in Pro Per

USE ONLY

CASE NUMBER: 05M012345

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO  
 STREET ADDRESS: 720 9th Street  
 MAILING ADDRESS:  
 CITY AND ZIP CODE:

PEOPLE OF THE STATE OF CALIFORNIA  
 v.  
 DEFENDANT: PAUL SAMPLE, in Pro Per

FOR COURT USE ONLY

**PETITION FOR DISMISSAL**  
 (Pen. Code, §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43, 1203.49)

DATE:  
 TIME:  
 DEPARTMENT:

I, the undersigned, have already been automatically dismissed by the California Department of Justice (DOJ) and, therefore, this petition may be unnecessary—but there may be additional benefits to filing it with the court, including felony reduction under Penal Code § 17(b) and misdemeanor reduction under Penal Code § 17(d)(2). If you have already been dismissed, you can request your Record of Arrest and Convictions (RAAC) from the DOJ.

1. On (date): 03/05/2005, the petitioner was convicted of a violation of the following offenses or was granted deferred entry or judgment for the following offenses.

Code (Penal, Vehicle, etc.)	Section	Type of offense (felony, misdemeanor, or infraction)	Eligible for reduction to misdemeanor under Penal Code, § 17(b) (yes or no)	Eligible for reduction to infraction under Penal Code, § 17(d)(2) (yes or no)
Penal	594	Misdemeanor	Yes	

If additional space is needed for listing offenses, attach a separate sheet.

2.  **Felony or misdemeanor with probation granted (Pen. Code, § 1203.4)**  
 Probation was granted on the terms and conditions stated in the docket of the above-entitled court; the petitioner is not serving a sentence for any offense, on probation for any offense, or currently charged with committing any crime, and the petitioner (check all that apply)

a.  has fulfilled the conditions of probation for the entire period thereof.  
 b.  has been discharged from probation prior to the termination of the period thereof.  
 c.  should be granted relief in the interests of justice. (Please note: You may explain why granting a dismissal would be in the interests of justice. You can provide that information by writing in the space below, or by attaching a letter or other relevant documents. If you need more space for your writing, you can use Attachment (form MC-025) or Attached Declaration (form MC-031) (which is signed under penalty of perjury) and attach it to this petition.)

If probation was ordered in your case, check the box next to 2. Then check box a, b, or c, depending on which best describes your situation.

Page 1 of 3

Form Approved for Optional Use  
 Judicial Council of California  
 CR-180 [Rev. January 1, 2024]

**PETITION FOR DISMISSAL**

Penal Code, §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43, and 1203.49  
 www.courts.ca.gov

Petition for Dismissal (CR-180) (page 1)





CR-180

Your name and case number

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: PAUL SAMPLE, in Pro Per	CASE NUMBER: 05M012345
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6.  **Felony prison sentence that would have been eligible for a felony county jail sentence after 2011 under Penal Code section 1170(h)(5) (Pen. Code, § 1203.42)**  
 Petitioner is not under supervision and is not serving a sentence for, on probation for, or currently charged with committing any crime more than two years have elapsed since petitioner completed the felony prison sentence; and petitioner should be granted relief in the interests of justice.  
 (Please note: You may explain why granting a dismissal would be in the interests of justice. You can provide that information by writing in the space below or by attaching a letter or other relevant documents. If you need more space for your writing, you can use Attachment (form MC-025) or Attached Declaration (form MC-031) (which is signed under penalty of perjury) and attach it to this petition.)

If you were sentenced prior to the 2011 Realignment Legislation, per PC 1203.42.

7.  **Deferred entry of judgment (Pen. Code, § 1203.43)**  
 Petitioner performed satisfactorily during the period in which deferred entry of judgment was granted. The criminal charge(s) were dismissed under former Penal Code section 1000.3 on (date): . Furthermore (check one),

a.  court records are available showing the case resolution; or

b.  petitioner declares under penalty of perjury that the charges were dismissed after petitioner completed the requirements for deferred entry of judgment. Petitioner (check one)

(1)  has

(2)  has not

attached a copy of petitioner's state summary criminal history in

If you performed satisfactorily during the period in which deferred entry of judgment was granted and can establish dismissal was granted under PC 1000.3. Include the date of the dismissal.

8. Petitioner requests that the eligible felony offenses listed above be reduced to misdemeanors and the eligible misdemeanor offenses be reduced to infractions under Penal Code section 17(d)(2).

9. Petitioner requests that petitioner be permitted to withdraw the plea of guilty, or that the verdict or finding of guilt be set aside and a plea of not guilty be entered and the court dismiss this action under the Penal Code section(s) noted above.

8 & 9 reinforces what you are requesting the court to do, leave blank

Print Sign, and Date

Date: 05/22/2011

PAUL SAMPLE \_\_\_\_\_  
(TYPE OR PRINT NAME)

*Paul Sample* \_\_\_\_\_  
(SIGNATURE OF PETITIONER OR ATTORNEY)

CR-180 [Rev. January 1, 2024] **PETITION FOR DISMISSAL** Page 3 of 3

Petition for Dismissal (CR-180) (page 3 of 3)



Parties in the original case

Case number for the conviction you are trying to expunge

PLAINTIFF/PETITIONER: People of the State of California DEFENDANT/RESPONDENT: Paul Sample	<div style="text-align: right;"><b>MC-031</b></div> CASE NUMBER: 05M012345
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**DECLARATION**

*(This form must be attached to another form or court paper before it can be filed in court.)*

At the time of my conviction in 2005, I was only 19 years old, I had dropped out of high school, and was not working. I had too much time on my hands and was hanging out with people who were a bad influence. This led me to getting in trouble.

After the birth of my daughter in 2007, I realized that I needed to get my life back on track, so that I could support her. With the help of my parents, I got my GED, and enrolled at UniTech to study Automotive Technology. I worked part time at an auto parts store while going to school part time, so I could support my daughter and help my parents with bills, since they were letting me stay with them. I finished my schooling in January 2011. Since then, I've been trying to find full time work as an Automotive Technician or Smog Technician, but am having a hard time. There are not a lot of jobs available right now, and having a conviction on my record puts me at a disadvantage against other applicants.

In your own words, tell the court why you want to expunge your conviction. Consider including information like:

- Your plans for the future;
- The reasons you offended, and how your life is different today than it was when you offended;
- How the conviction has hurt your employment chances;
- If you have received any training or education since your conviction;
- Any occurrence in your life that changed how you interact with your community; and
- Any 12-step or religious affiliations you have.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/22/2011

Date, print name, and sign

Paul Sample \_\_\_\_\_

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

Attorney for
  Plaintiff
  Petitioner
  Defendant
  Respondent
  Other (Specify): \_\_\_\_\_

**ATTACHED DECLARATION**

Check "Defendant"

Petition for Dismissal Attached Declaration (MC-31)

## Order for Dismissal (CR-181)

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Paul Sample FIRM NAME: STREET ADDRESS: 1234 Main Street CITY: Sacramento TELEPHONE NO.: 916-555-1234 EMAIL ADDRESS: paulsample100@email.com ATTORNEY FOR (name): Paul Sample, in Pro Per</p> <p>STATE: CA ZIP CODE: 95814 FAX NO.:</p> <p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO</b> STREET ADDRESS: 720 9th St. MAILING ADDRESS: 720 9th St. CITY AND ZIP CODE: Sacramento, CA 95814</p> <p>PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: PAUL SAMPLE, in Pro Per</p>	<p><b>CR-181</b></p> <p>FOR COURT USE ONLY</p> <p>CASE NUMBER: 05M012345</p>	
<p><b>ORDER FOR DISMISSAL</b> (Pen. Code, §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43, 1203.49)</p>		
<p>From the petition filed in this matter, the records of the court, and any other evidence presented in this matter, the court orders as follows:</p> <p>1. <input type="checkbox"/> The court <b>GRANTS</b> the petition for reduction of a felony to a misdemeanor (maximum punishment of 364 days per Pen. Code, § 17(b)) and/or for reduction of a misdemeanor to an infraction under Penal Code section 17(d)(2) for</p> <div style="border: 2px solid red; padding: 5px; text-align: center; margin: 10px 0;"> <p><b>LEAVE THE REST OF THIS FORM BLANK!</b> The judge will complete this form after reviewing your petition.</p> </div> <p>c. <input type="checkbox"/> only the following convictions in the above-entitled action (specify charges and date of conviction):</p> <p>2. <input type="checkbox"/> The court <b>DENIES</b> the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b) and/or for reduction of a misdemeanor to an infraction under Penal Code section 17(d)(2) for</p> <p>a. <input type="checkbox"/> ALL FELONY CONVICTIONS in the above-entitled action. b. <input type="checkbox"/> ALL MISDEMEANOR CONVICTIONS in the above-entitled action. c. <input type="checkbox"/> only the following convictions in the above-entitled action (specify charges and date of conviction):</p> <p>3. <input type="checkbox"/> The court <b>GRANTS</b> the petition for dismissal regarding the following convictions under Penal Code (check all that apply)  <input type="checkbox"/> § 1203.4 <input type="checkbox"/> § 1203.4a <input type="checkbox"/> § 1203.41 <input type="checkbox"/> § 1203.42 <input type="checkbox"/> § 1203.43 <input type="checkbox"/> § 1203.49  and it is ordered that the pleas of guilty or nolo contendere or verdicts or findings of guilt be set aside and vacated and a plea of not guilty be entered and that the complaint or information be, and is hereby, dismissed for (check one)</p> <p>a. <input type="checkbox"/> ALL CONVICTIONS OR PLEAS FOR DEFERRED ENTRY OF JUDGMENT in the above-entitled action. b. <input type="checkbox"/> only the following convictions or pleas for deferred entry of judgment in the above-entitled action (specify charges and date of conviction or plea for deferred entry of judgment):</p>		
<p>Form Approved for Optional Use Judicial Council of California CR-181 [Rev. January 1, 2024]</p>	<p>ORDER FOR DISMISSAL</p>	<p>Page 1 of 2 Penal Code, §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43, and 1203.49 www.courts.ca.gov</p>

Order for Dismissal (CR-181) (page 1 of 2)



Your name, and case number

**CR-181**

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: PAUL SAMPLE, in Pro Per	CASE NUMBER: 05M012345
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4.  The court **DENIES** the petition for dismissal under Penal Code (*check all that apply*)  
 § 1203.4  § 1203.4a  § 1203.41  § 1203.42  § 1203.43  § 1203.49 for (*check one*)  
a.  ALL CONVICTIONS OR PLEAS FOR DEFERRED ENTRY OF JUDGMENT in the above-entitled action.  
b.  only the following convictions or pleas for deferred entry of judgment in the above-entitled action (*specify charges and date of conviction or plea for deferred entry of judgment*):

**LEAVE THE REST OF THIS FORM BLANK!**  
The judge will complete this form after reviewing your petition.

5.  In granting this order under the provisions of Penal Code section 1203.49, the court finds that the petitioner was a victim of human trafficking when petitioner committed the crime.  
a. The court orders (*check one*):  
(1)  the relief described in section 1203.4.  
(2)  the relief described in section 1203.4, with the following exceptions (*specify*):  
b. The Department of Justice is hereby notified that petitioner was a victim of human trafficking when petitioner committed the crime, and notified of the relief ordered.

6. If this order is granted under the provisions of Penal Code section 1203.4, 1203.41, or 1203.42,  
a. the petitioner is required to disclose the above conviction in response to any direct question contained in any questionnaire or application for public office, or for licensure by any state or local agency (or, under Penal Code section 1203.41, for licensure by a federally recognized tribe or for enrollment as a provider of in-home supportive services and "waiver personal care services" (see Welf. & Inst. Code, §§ 12300-12318, 14132.95, 14132.952, 14132.956, 14132.97)), or for contracting with the California State Lottery Commission; and  
b. dismissal of the conviction does not *automatically* relieve petitioner from the requirement to register as a sex offender. (See, e.g., Pen. Code, § 290.5.)

7. If this order is granted under the provisions of Penal Code section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.49, the petitioner is released from all penalties and disabilities resulting from the offense except as provided in Penal Code sections 29800 and 29900 (formerly sections 12021 and 12021.1) and Vehicle Code section 13555. In any subsequent prosecution of the petitioner for any other offense, the prior conviction may be pleaded and proved and shall have the same effect as if probation had not been granted or the accusation or information dismissed. The dismissal does not permit a person to own, possess, or have in their control a firearm if prevented by Penal Code section 29800 or 29900 (formerly sections 12021 and 12021.1). Dismissal of a conviction does not permit a person prohibited from holding public office as a result of that conviction to hold public office.

8. Dismissal under Penal Code section 1203.4 or 1203.4a does not release petitioner from the terms and conditions of any unexpired criminal protective order issued under Penal Code section 136.2(i)(1), 273.5(j), 368(f), or 646.9(k).

9. In addition, as required by Penal Code section 299(f), relief under Penal Code section 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.49 does *not* release petitioner from the separate administrative duty to provide specimens, samples, or print impressions under the DNA and Forensic Identification Database and Data Bank Act (Pen. Code, § 295 et seq.) if petitioner was found guilty by a trier of fact, not guilty by reason of insanity, or pled no contest to a qualifying offense as defined in Penal Code section 296(a).

10. The basis for an order of dismissal granted under the provisions of Penal Code section 1203.43 is the invalidity of petitioner's prior plea due to misinformation in former Penal Code section 1000.4 regarding the actual consequences of making a plea and successful completion of a deferred entry of judgment program.

11. Notice: Except as provided in Penal Code section 1203.425(a)(4), if this order is granted under Penal Code section 1203.4, 1203.4a, 1203.41, or 1203.42, the court must not disclose information concerning a conviction granted relief to any person or entity, in any format, except to the person whose conviction was granted relief or to a criminal justice agency.

FOR COURT USE ONLY

Date: \_\_\_\_\_

\_\_\_\_\_  
(JUDICIAL OFFICER)

CR-181 [Rev. January 1, 2024] **ORDER FOR DISMISSAL** Page 2 of 2

Order for Dismissal (CR-181) (page 2 of 2)

## Criminal History Transcript (Rap Sheet)

California Department of Justice  
Criminal History Transcript

CRIMINAL HISTORY TRANSCRIPT

DATE	AGENCY/FILE NUMBER	COUNT	ACTION
ARREST/DETAINED/CITED 19980922	CASOSACRAMENTO DOB: 19751020 01	01	-ATTEMPTED 187 PC MURDER ARRESTED BY CAPDSACRAMENTO
COURT ACTION 19990612	CASACRAMENTO 98F01234	01	-245 (C) PC-ADW -DISMISSED
		02	69 PC OBSTRUCTION/RESISTING EXECUTIVE OFFICER -CONVICTED - PROBATION FELONY
			SEN: 003 YEARS PROBATION, WORK PROGRAM

Annotations:  
 - Date of Arrest: 19980922  
 - Date format is YYYYMMDD  
 - Date of Conviction: 19990612  
 - Your Case Number: 98F01234  
 - Code section you were convicted of violating: 69 PC  
 - Your sentence: 003 YEARS PROBATION, WORK PROGRAM

Cal. DOJ Criminal History Transcript

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