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Please state the scope of representation that you will be providing with the skills learned from this training.

A) Limited Scope Representation

B) Full Scope Representation

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# PRO BONO TRAINING INSTITUTE

# How File a California Expungement Petition

Expungements and Prop 47 Clinic Training  
Training Module 2

Cassandra Goodman,  
Neighborhood Legal Services of Los Angeles County

# Learning Objectives

1. Identify all the information required and how litigants can obtain it.
2. Read and analyze a criminal record from the California Department of Justice (DOJ) or Court Docket.

# Agenda

1. Information Required for an Expungement Petition
2. How to read a DOJ RAP Sheet
3. How to read a Court File

# **1. Required Information for Expungement Petition**

If the client is eligible for expungement, then s/he will need the following information for the petition:

- 1. Court of Conviction**
- 2. Name Under Conviction**
- 3. Case Number**
- 4. Date of Conviction**
- 5. Section Number and Code Violation (e.g. PC 647(b))**
- 6. Sentence for Conviction**
- 7. If Sentenced to Probation, Whether All Terms and Terms and Conditions Were Met.**

# Where to Find the Information

You can get this information from either:

1. **CA Dep't of Justice RAP Sheet:** Statewide information
2. **Court File (aka “docket”):** Local Court information.

## **Best Practice:**

- If your client does not remember all of his/her convictions or has convictions in multiple counties, then use the CA RAP Sheet.
- If your client knows where s/he was convicted, then use the docket.

# **2. How to Read a DOJ “Rap Sheet”**



# Cover Letter & Rap Sheet

KAMALA D. HARRIS  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



BUREAU OF CRIMINAL INFORMATION AND ANALYSIS

P.O. Box 903417

SACRAMENTO, CA 94203-4170

February 09, 2015

John Smith

P.O. Box 2121

MANHATTAN BC, CA 90266

RE: California Criminal History Information

Dear Applicant

This is in response to your record review request concerning the existence of a California criminal history record maintained in the files of the Department of Justice's Bureau of Criminal Information and Analysis. Your fingerprints did identify to an existing California criminal history record and a copy of that record is enclosed. If you wish to challenge the accuracy or completeness of your record, please complete and return the enclosed form (BCIA 8706) and supporting documentation to the address noted above.

Pursuant to California Penal Code section 11121, the purpose of a record review request is to afford an individual with a copy of their record and to refute any erroneous or inaccurate information contained therein. The intent is not to be used for licensing, certification or employment purposes.

Additionally, California Penal Code sections 11125, 11142, and 11143 does not allow for a person or agency to make a request to another person to provide them with a copy of an individual's criminal history or notification that a record does not exist; does not allow an authorized person to furnish the record to an unauthorized person; nor does it allow an unauthorized person to buy, receive or possess the record or information. A violation of these section codes is a misdemeanor.

Sincerely,

Record Review Unit  
Applicant Information and Certification Program  
Bureau of Criminal Information and Analysis

For KAMALA D. HARRIS  
Attorney General

Enclosures  
BCIA 8711 (Rev. 06/10)

4CMTD525207.1H  
RE: OHV CA0349400.09175494.APPUSR. DATE:20150209 TIME:14:22:57  
RESTRICTED-DO NOT USE FOR EMPLOYMENT, LICENSING OR CERTIFICATION PURPOSES  
ATTH:APPUSR

\*\*\*\*\*  
FOR CALIFORNIA AGENCIES ONLY - HAS PREVIOUS QUALIFYING OFFENSE. COLLECT  
DNA IF INCARCERATED, CONFINED, OR ON PROBATION OR PAROLE FOLLOWING ANY  
MISDEMEANOR OR FELONY CONVICTION. REQUEST KITS AND INFO AT (510) 620-  
3300 OR PC296.PC296@DOJ.CA.GOV.  
\*\*\*\*\*

\*\* PALM PRINT ON FILE AT DOJ FOR ADDITIONAL INFORMATION PLEASE E-MAIL  
PALM.PRINT@DOJ.CA.GOV

\*\* III CALIFORNIA ONLY SOURCE RECORD

DOB/19710605 SEX/M RAC/ [REDACTED] POB/MA  
HGT/508 WGT/180 EYE/BRO [REDACTED]  
NAM/001 John, Doe  
NAM/002 Jim, Doe  
FBI/11211212  
DMV/A3213213  
SOC/173456789

SC UR ARM-UNKNOWN

ARR/DET/CITE: NAM:001  
19890804 CAPD LOS ANGELES

CMT:001 #2284845P1540791  
470 PC-FORGERY TOC:F

COURT: NAM:002  
19890830 CAMC LOS ANGELES METRO

CMT:001 #9R55555  
470 PC-FORGERY TOC:F

\*DISPO:CONVICTED  
CONV STATUS:MISDEMEANOR  
SEN: 024 MONTHS PROBATION, WORK PROGRAM, IMP SEN SS  
\*\*\*\*\*

ARR/DET/CITE: NAM:001 DOB:19710605  
19950310 CAPD BEVERLY HILLS

CMT:001 #9502426 04433554  
459 PC-BURGLARY TOC:F

CMT:002  
487(A) PC-GRAND THEFT: MONEY/LABOR/PROP TOC:F

CMT:003  
470(A) PC-FORGERY TOC:F

CMT:004  
476 PC-MAKE/PASS FICTITIOUS CHECK TOC:F

COURT: NAM:001  
19951201 CASC LOS ANGELES S MONICA

CMT:001 #SARS2852852  
476 PC-MAKE/PASS FICTITIOUS CHECK TOC:F  
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

# Pulling Out the Relevant Information:

DOB/ 19710605 SEX/ RAC/ [REDACTED]  
HGT/ [REDACTED] WGT/ [REDACTED] EYE/ [REDACTED] HAI/ [REDACTED]  
NAM/001 John, Doe  
NAM/002 Jon, Doe  
FBI/ 1212121212  
DMV/ A3213213  
SOC/ 123456789

[REDACTED] ; SC UR ARM-UNKNOWN

ARR/DET/CITE: NAM:001  
19890804 CAPD LOS ANGELES

CNT:001 [REDACTED]  
470 PC-FORGERY

TOC:F

COURT: NAM:002  
19890830 CAMC LOS ANGELES METRO

CNT:001 99R55555  
470 PC-FORGERY

TOC:F

\*DISPO:CONVICTED  
CONV STATUS:MISDEMEANOR  
SEN: 024 MONTHS PROBATION, WORK PROGRAM, IMP SEN SS  
\* \* \* \*

ARR/DET/CITE: NAM:001 DOB: 19710605  
19950310 CAPD BEVERLY HILLS

CNT:001 [REDACTED]  
459 PC-BURGLARY

TOC:F

CNT:002  
487(A) PC-GRAND THEFT:MONEY/LABOR/PROP

TOC:F

CNT:003  
470(A) PC-FORGERY

TOC:F

CNT:004  
476 PC-MAKE/PASS FICTITIOUS CHECK

TOC:F

COURT: NAM:001  
19951201 CASC LOS ANGELES S MONICA

CNT:001 [REDACTED]  
476 PC-MAKE/PASS FICTITIOUS CHECK  
DISPO:DISMISSED/FURTHERANCE OF JUSTICE

TOC:F

This is all part of one case.

# **3. How to Read a Court File ("Docket")**

NO. 93M321321

THE PEOPLE OF THE STATE OF CALIFORNIA VS.  
DEFENDANT 01: JOHN ALLEN DOE  
LAW ENFORCEMENT AGENCY EFFECTING ARREST: LASD - CARSON STATION

BAIL DATE	APPEARANCE DATE	AMOUNT OF BAIL	DATE POSTED	RECEIPT OR BOND NO.	SURETY COMPANY	REGISTER NUMBER

CASE FILED ON 11/05/93.  
COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING  
COMMITTED, ON OR ABOUT 11/02/93 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING  
OFFENSE(S) OF:

COUNT 01: 12025(A) PC MISD  
COUNT 02: 12031(A) PC MISD

Offenses Charged

NEXT SCHEDULED EVENT:  
12/14/93 830 AM ARRAIGNMENT DIST COMPTON COURTHOUSE DIV 008

ON 12/14/93 AT 830 AM IN COMPTON COURTHOUSE DIV 010

CASE CALLED FOR ARRAIGNMENT  
PARTIES: [REDACTED] (JUDGE) [REDACTED] (CLERK)  
[REDACTED] (REP) [REDACTED] (DA)  
DEFENDANT DEMANDS COUNSEL.  
COURT REFERS DEFENDANT TO THE PUBLIC DEFENDER.  
PUBLIC DEFENDER APPOINTED [REDACTED] - P.D.  
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED [REDACTED] DEPUTY  
PUBLIC DEFENDER  
DEFENDANT STATES HIS/HER TRUE NAME AS CHARGED.

DEFENDANT ADVISED OF THE FOLLOWING RIGHTS ORALLY:  
THE RIGHT TO BE REPRESENTED BY A LAWYER AT ALL STAGES OF THE PROCEEDINGS,  
INCLUDING THE RIGHT, IF QUALIFIED, TO BE REPRESENTED BY A LAWYER AT PUBLIC  
EXPENSE;  
IN ANY CASE IN WHICH YOU ARE FURNISHED A LAWYER, EITHER THROUGH THE PUBLIC  
DEFENDER OR PRIVATE COUNSEL APPOINTED BY THE COURT, UPON CONCLUSION OF THE  
CRIMINAL PROCEEDINGS IN THE TRIAL COURT, THE COURT SHALL MAKE A  
DETERMINATION OF YOUR PRESENT ABILITY TO PAY ALL OR A PORTION OF THE COST OF  
COUNSEL. IF THE COURT DETERMINES THAT YOU HAVE THE PRESENT ABILITY TO PAY

Transcript of Case

ALL OR PART OF THE COST, IT SHALL ORDER YOU TO PAY THE SUM TO THE COUNTY IN  
ANY INSTALLMENTS AND MANNER WHICH IT BELIEVES REASONABLE AND COMPATIBLE WITH  
YOUR FINANCIAL ABILITY. EXECUTION MAY BE ISSUED ON THE ORDER IN THE SAME  
MANNER AS ON A JUDGMENT IN A CIVIL ACTION;  
THE RIGHT TO REPRESENT YOURSELF, IF YOU KNOWINGLY, INTELLIGENTLY,  
UNDERSTANDINGLY, AND EXPLICITLY WAIVE YOUR RIGHT TO A LAWYER AND UNDERSTAND  
THE DANGERS AND DISADVANTAGES OF SELF-REPRESENTATION; THE RIGHT TO A  
REASONABLE CONTINUANCE BEFORE ENTERING A PLEA;  
YOU MAY PLEAD GUILTY, NOT GUILTY OR, WITH THE CONCURRENCE OF THE COURT, NOLO  
CONTENDERE TO THE CHARGES IN THE COMPLAINT;  
A PLEA OF NOLO CONTENDERE SHALL BE CONSIDERED THE SAME AS A PLEA OF GUILTY.  
FOR THE PURPOSES OF THE CRIMINAL PROCEEDING, IT IS AN ADMISSION OF GUILT BUT  
CANNOT BE USED AGAINST YOU AS AN ADMISSION OF FAULT IN A CIVIL PROCEEDINGS  
ARISING OUT OF THE INCIDENT THAT CAUSED CRIMINAL PROCEEDINGS TO BE BROUGHT;  
IF YOU PLEAD NOT GUILTY, YOU ARE ENTITLED TO A SPEEDY AND PUBLIC TRIAL;

COURT FINDS THAT EACH SUCH WAIVER IS KNOWINGLY, UNDERSTANDINGLY, AND EXPLICITLY MADE;

THE DEFENDANT WITH THE COURTS APPROVAL, PLEADS NOLO CONTENDERE TO COUNT 01 A VIOLATION OF SECTION 12025(A) PC. THE COURT FINDS THE DEFENDANT GUILTY.

COUNT (01) : DISPOSITION: CONVICTED

THE DEFENDANT WITH THE COURTS APPROVAL, PLEADS NOLO CONTENDERE TO COUNT 02 A VIOLATION OF SECTION 12031(A) PC. THE COURT FINDS THE DEFENDANT GUILTY.

COUNT (02) : DISPOSITION: CONVICTED

DEFENDANT IS ADVISED OF HIS RIGHT TO A SPEEDY TRIAL AND WAIVES STATUTORY TIME FOR TRIAL.

COURT FINDS THAT THERE IS A FACTUAL BASIS FOR DEFENDANT'S PLEA, AND COURT ACCEPTS PLEA.

NEXT SCHEDULED EVENT:

SENTENCING

DEFENDANT WAIVES ARRAIGNMENT FOR JUDGMENT AND STATES THERE IS NO LEGAL CAUSE WHY SENTENCE SHOULD NOT BE PRONOUNCED. THE COURT ORDERED THE FOLLOWING

JUDGMENT:

AS TO COUNT (01), (02):

IMPOSITION OF SENTENCE SUSPENDED

DEFENDANT PLACED ON SUMMARY PROBATION

FOR A PERIOD OF 001 YEARS UNDER THE FOLLOWING TERMS AND CONDITIONS:

PERFORM 10 DAYS OF CAL TRANS, AND FILE PROOF OF COMPLETION WITH THE CLERK'S OFFICE BY 02/28/94;

IN ADDITION:

-NOT OWN, USE OR POSSESS ANY DANGEROUS OR DEADLY WEAPONS, INCLUDING ANY FIREARMS, KNIVES OR OTHER CONCEALABLE WEAPONS.

-THE WEAPON INVOLVED IN THIS CASE IS ORDERED CONFISCATED AND DESTROYED BY THE ARRESTING AGENCY.

-NOT COMMIT ANY CRIMINAL OFFENSE.

-OBEY ALL LAWS AND ORDERS OF THE COURT.

-DEFENDANT REFERRED TO FINANCIAL OFFICER FOR DETERMINATION OF VALUE OF SERVICES RENDERED AND ABILITY TO PAY COSTS OF COURT APPOINTED COUNSEL OR PUBLIC DEFENDER.

COUNT 2 - 12031(A)PC STAYED PURSUANT TO 654 PC.

DEFENDANT ORDERED TO REPORT TO FINANCIAL EVALUATOR IMMEDIATELY. CONFISCATION ORDER ISSUED TO CARSON SHERIFF.

COUNT (01): DISPOSITION: CONVICTED

COUNT (02): DISPOSITION: CONVICTED

DMV ABSTRACT NOT REQUIRED

NEXT SCHEDULED EVENT:

02/28/94 830 AM PROOF OF CAL TRANS DIST COMPTON COURTHOUSE DIV 010

Sentence

Conviction

Now a client comes to you and requests the dismissal relief for a conviction in Compton on February 3, 2010. What bracket has that information?

- A) Blue Bracket
- B) Green Bracket
- C) Red Bracket

```
ARR/DET/CITE:          NAM:002  DOB:19860131
20091206      CACJ LOS ANGELES

CNT:001      #2154021-30656401
215(A) PC-CARJACKING                                TOC:F
ARR BY:CASO LA COMPTON

CNT:002
496(A) PC-RECEIVE/ETC KNOWN STOLEN PROPERTY        TOC:F
ADR:20091206 (9334,MAPLE ST, ,E,BELL FLOWER,CA,90706)
COM: PHOTO AVAILABLE
SCN:M20C3400006
* * * *

ARR/DET/CITE:          NAM:004  DOB:19870131
20100201      CACJ LOS ANGELES

CNT:001      #2214008-30656401
11377(A) HS-POSSESS CONTROLLED SUBSTANCE           TOC:F
ARR BY:CASO LA COMPTON

CNT:002
-WARRANT
11377(A) HS-POSSESS CONTROLLED SUBSTANCE
DISPO:DISPO SEE MATCH ARR/DET/CITE NUMB(FDSMN)
WARRANT      #COMTA123456789
ADR:20100201 (9334,MAPLE STREET, , ,BELLFLOWER,CA, , )
COM: PHOTO AVAILABLE
SCN:M06D0320005

-----
COURT:          NAM:001
20100203      CASC COMPTON

CNT:001      #COMTA8675309
11377(A) HS-POSSESS CONTROLLED SUBSTANCE           TOC:F
*DISPO:CONVICTED
CONV STATUS:FELONY
SEN: 036 MONTHS PROBATION, 030 DAYS JAIL, IMP SEN 3S

20100203
DISPO:CONDITION OF PROB-FIREARM RESTRICTION
```

Your answer

The correct answer is:

Submit

Clear

# Quiz

<b>Your Score</b>	{score}
<b>Max Score</b>	{max-score}
<b>Number of Quiz Attempts</b>	{total-attempts}

Question Feedback/Review Information Will  
Appear Here

Continue

Review Quiz