



JUVENILE RECORD SEALING INFORMATION

APPLYING TO GET YOUR JUVENILE RECORDS SEALED

The Probation Department will supply you with a form, **Request to Seal Juvenile Records**, that YOU ARE RESPONSIBLE to complete. ***IMPORTANT!*** *The Court can only seal records it knows about.* Make sure you list ALL of the agencies you have had contact with or who might have records of you. If you fail to report a contact or agency, it may be omitted from the sealing process and continue as a record of you.

Please complete both pages 5 & 6 of the **Request to Seal Juvenile Records** and return to:

Contra Costa County Probation Department
50 Douglas Drive, Suite 200
Martinez, CA 94553

If you have any **questions regarding your eligibility**, please call the Probation Department at (925) 313-4000 and ask to speak with the Juvenile Officer of the Day.

*****IMPORTANT*****

DO NOT APPLY NOW if you are on probation or parole, or if you have:

- Active citations for not going to Court when ordered (failure to appear).
- An active case in Adult Criminal Court.
- An active case in Civil Court related to something you did wrong when you were under 18.

You DO NOT QUALIFY if you were convicted as an adult for a felony offense or misdemeanor offense involving moral turpitude.

TIMELINES FOR APPLICATION

781 WIC

If you are 17 years of age or younger:

- It has been at least five (5) years since: You were taken before any officer of a Law Enforcement agency, cited to appear before a Probation Officer, or your probation was terminated by the Juvenile Court

If you are 18 years of age or older:

- You must not have been convicted of a felony since attaining the age of 18
- You must not have been convicted of a misdemeanor since attaining the age of 18 involving moral turpitude

If you were adjudicated for a 707(b) WIC Offense AND sent to the Division of Juvenile Justice (DJJ) after 14 Years of age:

- You must not have been convicted of a felony since attaining the age of 18
- You must not have been convicted of a misdemeanor since attaining the age of 18 involving moral turpitude
- You must be at least 21 years old

If you were adjudicated for a 707(b) WIC Offense, but not committed to DJJ:

- You must not have been convicted of a felony since attaining the age of 18
- You must not have been convicted of a misdemeanor since attaining the age of 18 involving moral turpitude
- You must be at least 18 years old

(1) Murder.	(23) Torture as described in Sections 206 and 206.1 of the Penal Code.
(2) Arson, as provided in subdivision (a) or (b) of Section 451 of the Penal Code.	(24) Aggravated mayhem, as described in Section 205 of the Penal Code.
(3) Robbery.	(25) Carjacking, as described in Section 215 of the Penal Code, while armed with a dangerous or deadly weapon.
(4) Rape with force, violence, or threat of great bodily harm.	(26) Kidnapping for purposes of sexual assault, as punishable in subdivision (b) of Section 209 of the Penal Code.
(5) Sodomy by force, violence, duress, menace, or threat of great bodily harm.	(27) Kidnapping as punishable in Section 209.5 of the Penal Code.
(6) A lewd or lascivious act as provided in subdivision (b) of Section 288 of the Penal Code.	(28) The offense described in subdivision (c) of Section 26100 of the Penal Code.
(7) Oral copulation by force, violence, duress, menace, or threat of great bodily harm.	(29) The offense described in Section 18745 of the Penal Code.
(8) An offense specified in subdivision (a) of Section 289 of the Penal Code.	(30) Voluntary manslaughter, as described in subdivision (a) of Section 192 of the Penal Code.
(9) Kidnapping for ransom.	
(10) Kidnapping for purposes of robbery.	
(11) Kidnapping with bodily harm.	
(12) Attempted murder.	
(13) Assault with a firearm or destructive device.	
(14) Assault by any means of force likely to produce great bodily injury.	
(15) Discharge of a firearm into an inhabited or occupied building.	
(16) An offense described in Section 1203.09 of the Penal Code.	
(17) An offense described in Section 12022.5 or 12022.53 of the Penal Code.	
(18) A felony offense in which the minor personally used a weapon described in any provision listed in Section 16590 of the Penal Code.	
(19) A felony offense described in Section 136.1 or 137 of the Penal Code.	
(20) Manufacturing, compounding, or selling one-half ounce or more of a salt or solution of a controlled substance specified in subdivision (e) of Section 11055 of the Health and Safety Code.	
(21) A violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code, which also would constitute a felony violation of subdivision (b) of Section 186.22 of the Penal Code.	
(22) Escape, by the use of force or violence, from a county juvenile hall, home, ranch, camp, or forestry camp in violation of subdivision (b) of Section 871 if great bodily injury is intentionally inflicted upon an employee of the juvenile facility during the commission of the escape.	

781.5 WIC

If you are under the age of 18 and were arrested or cited, but no petition was filed with the court:

- You may request in writing that the law enforcement agency and Probation Officer having jurisdiction over the offense destroy their records of the arrest or citation. A copy of the request shall be served upon the District Attorney. Upon a determination that you are factually innocent, the law enforcement agency and Probation Officer shall seal their records with respect to your request for relief for three years from the date of the arrest or citation and thereafter destroy the records and the request.

THE EFFECT OF SEALING YOUR RECORD

1. If a petition to seal records is granted, all records, reports, exhibits, documents, etc., listed with Contra Costa County law enforcement agencies and the Juvenile Court will be ordered sealed. This in essence means that the Court, Probation Department, law enforcement agencies, and any other agency (except the federal government) having information regarding any type of behavior classified as criminal or delinquent, will physically seal those records and thereafter respond to any request for information, that they have no records.
2. If you were last under the jurisdiction of the Court in Contra Costa County, law enforcement agencies in counties other than Contra Costa will be ordered to seal records that have been identified. If your only contact was in another county and there was no Court action in Contra Costa County, you should apply in that county.
3. The Court may see your records, if you are a witness or involved in a defamation case.
4. If you apply for benefits as a non-minor dependent, the Court may see your records.
5. The Department of Motor Vehicles will be notified of the Court's order to seal all records relating to past violations and convictions as a juvenile. This sealing, however, will not seal financial responsibility reports. Also, any insurance carrier can obtain your complete traffic history, including citations issued, conviction dates, accidents, and Court dispositions. Insurance carriers have access to this information from sources other than the Department of Motor Vehicles. Your eligibility for insurance and your insurance rate may be affected by the information they obtain from these other agencies.
6. The federal government, including all branches of the military service and recruiters, DO NOT recognize the sealing of Juvenile Records pursuant to Section 781 of the California Welfare and Institutions Code. You may be asked to divulge your record, even if sealed, when applying for a job or position requiring a federal government security clearance, or employment with a private company doing business with the federal government. **To not divulge your prior record to these designated agencies is to possibly face criminal prosecution, loss of employment and/or discharge from the military, if the existence of those arrests and convictions becomes known by those agencies.**

Note: When you receive notification from the County Clerk's Office that your Juvenile Record has been ordered sealed, you may thereafter, legally respond to any inquiry that you have "no Juvenile Record" **(with the exceptions noted in number 6 above)**.

Sex Offender Registration (Penal Code 290)

If the Court seals a record that required you to register as a sex offender, the order will say you DO NOT have to continue to register.

BRIEF EXPLANATION OF THE JUVENILE RECORD SEAL PROCESS

Your Petition and Request to Seal Juvenile Records will be assigned to a Deputy Probation Officer to complete a report and provide the Court with a recommendation regarding your request to seal your Juvenile records.

If the Contra Costa County Probation Department is recommending sealing of your records, we will consult with the District Attorney's Office. If the District Attorney will no contest the sealing, your petition for sealing and Probation report will be sent to the Court for review. If the Court grants the petition, you will be notified of the successful seal by mail. If the District Attorney contests the petition, or the Court does not initially grant the request, you will be notified of your hearing date by mail. You are entitled to legal representation at your hearing.

If your Record Seal petition is granted by the court:

1. The Probation Department has 60 days to comply with the order and seal your Contra Costa County Juvenile Probation record.
2. The Probation Department will notify you in writing when your Juvenile Probation record with Contra Costa County Probation Department has been sealed.

**The Probation Department cannot verify the compliance timeline of other agencies that were included on the order to seal your juvenile record.

3. Contra Costa County Superior Court **may** be able to provide details on the Court's compliance process by other agencies, as well as the Court's sealing of Juvenile Court records.

If your Record Seal petition is denied by the court:

1. There will be no future hearing dates associated with your case.
2. The Probation Department will notify you with a copy of the Record Seal minute order. The reason for the denial may or may not be explained on the Record Seal minute order, and re-calendaring your case for an explanation is not an option. Therefore, although the hearing notice you receive may not indicate your appearance is mandatory, this may be your only opportunity to ask questions regarding the Record Seal decision.

CONTRA COSTA COUNTY PROBATION DEPARTMENT
REQUEST TO SEAL JUVENILE RECORDS

IN THE MATTER OF (NAME))
)
)
)
_____)
(LAST) (FIRST) (MIDDLE))
)
)
)
BIRTH DATE: _____)
(MONTH) (DAY) (YEAR))

I, THE UNDERSIGNED, SAY:

- (1) I AM THE PERSON WHO IS THE SUBJECT OF THE ABOVE-TITLED MATTER.
- (2) PURSUANT TO SECTION 781 OF THE CALIFORNIA WELFARE AND INSTITUTIONS CODES, I REQUEST THAT A PETITION BE FILED IN THE JUVENILE COURT TO ORDER ALL MY RECORDS SEALED IN THE POSSESSION OF THIS JUVENILE COURT AND ENTERED ON DOCKETS, AND OTHER RECORDS RELATED TO THIS MATTER IN THE CUSTODY OF ALL OTHER AGENCIES AND OFFICES.
- (3) I STATE UNDER PENALTY OF PERJURY THAT SINCE:
(A) I WAS TAKEN BEFORE ANY OFFICER OF A LAW ENFORCEMENT AGENCY;
(B) I WAS CITED INTO A PROBATION DEPARTMENT;
(C) I WAS TAKEN BEFORE A PROBATION OFFICER PURSUANT TO SECTION 626 OF THE WELFARE AND INSTITUTIONS CODE; OR,
(D) THE JURISDICTION OF THE JUVENILE COURT TERMINATED, I HAVE NOT BEEN CONVICTED OF A FELONY OR OF ANY MISDEMEANOR INVOLVING MORAL TURPITUDE.
- (4) I UNDERSTAND THAT I HAVE A RIGHT TO BE NOTIFIED OF THE TIME AND PLACE OF THE HEARING IN THIS MATTER.

SIGNATURE: _____ DATE: _____

WITNESS: _____ DATE: _____
(If under 18 yrs.) _____
(PARENT – GUARDIAN – FRIEND)

THIS FORM CAN ONLY BE FILED BY THE PROBATION DEPARTMENT

