



Expungement Reform Movement

955 Deep Valley Drive #3991, Rolling Hills Estates, CA 90274

www.ExpungementReform.com

Blessed are those whose lawless deeds are forgiven,
and whose sins are covered (Romans 4:7).



Letter Writing Campaign Instructions

A letter writing campaign can be a low cost method to accomplish our goals. A letter writing campaign is a method of making our voice heard on issues that are important to us. They are a way of informing elected officials and decision-makers of the implications of their actions and encouraging them to act in accordance with the wishes of their constituencies. A well-timed, informed, and clearly written letters can have an affect on political decisions. Elected officials understand that there are fewer letter writers than voters, but they also understand that those that do write are more likely to vote. If your elected official sees that we are vocal and persistent, s/he will want to listen to our perspective and perhaps even provide aid to our efforts.

1. Pick a good place and time for you to sit down and clearly think about what you want to write in your message. You may also want to invite some friends and family members to help you brainstorm and even join you in writing letters.
2. Find out who your California State Legislative District Representatives are by visiting the Contacts page located at: <http://www.expungementreform.com/contact.html>
3. Address and Write a letter to your California State Legislative District Representatives. Tell your personal story and make it clear why Expungement Reform is important to you and your family, and let them know you would like them to introduce the TABULA RASA Expungement Reform Act as a bill on the respective house floor of the California State Legislature. Include information about expungements and make references to: **ExpungementReform.com**
4. Type in the last name of your California State Legislative District Representative in the appropriate blue highlighted field on the California State Senate or California State Assembly Tabula Rasa Expungement Reform Act and leave the rest blank.
5. Print out the letters and the California State Senate or California State Assembly Tabula Rasa Expungement Reform Act.
6. Place you signature on the letters.
7. Place the letter along with the appropriate California State Senate or California State Assembly Tabula Rasa Expungement Reform Act in an envelope.
8. Put the address of your California State Legislative District Representative on the envelope along with your return address.
9. Apply the required amount of postage to the envelope and mail the package.
10. You may write to all of the California State Legislative Representatives if you'd like, but start with the ones who represent your district first.



The Church of My Faith in God

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www.MyFaithInGod.org

The Just Shall Live By Faith



If we confess our sins, he is faithful and just to forgive us our sins and to cleanse us of all unrighteousness (1 John 1:9).



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State Capitol Room
Sacramento, CA 94249-0054

**RE: CALIFORNIA EXPUNGEMENT LAW
CALIFORNIA PENAL CODE SECTION 1203.4
CALIFORNIA PENAL CODE SECTION 11105**

Dear _____ :

I would first like you to know that it is an honor for me to have the pleasure of writing you this letter, and I want you to know that I look forward to working with you in an effort to satisfy the goals which are presented here.

The Church of My Faith in God has taken it upon itself to address the issue relating to expungement of criminal accusations which have been dismissed by a California Superior Court Judge pursuant to California Penal Code Section 1203.4. This law permits a person who has successfully completed probation in the State of California to withdraw a plea of no contest or guilty and enter a plea of not guilty. A judge will then set aside the verdict and dismiss the accusation against the petitioner. This is what is commonly referred to as an expungement. By definition, an expungement is termed to be a sealing and an erasing of a criminal record but the laws of California have not held to this legal definition. In fact, the record may still be reviewed by any member of the public who visits a courthouse and pulls the record, or by any employer, government or otherwise, who would require fingerprinting as a requisite for employment or for a professional license. California Penal Code Section 11105 fails to add expunged records to a list of records which are not disclosed, and because of this, individuals who have proven themselves worthy for a restoration rights and privileges and who have been deemed so by a California Court of Law face discrimination when it comes to acquiring a means to make a living.



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Some measures have been put into place, in an attempt to ease the burdens of this class of citizens. For example, many Federal, State, and Local government agencies permit applicants to omit such records which the courts have dismissed pursuant to this law, but since all of these agencies also require fingerprinting for background checks, the mere presence of a record even though notations have been made to show a dismissal, is enough to prejudice a hiring manager from hiring such an applicant, leaving that person out of a job.

The purpose of such a law is to fully redeem those who have come under the jurisdiction of the criminal justice system for whatever reason, and give them a chance to become fully integrated into society, but the actions which take place by employers render void the intended purpose of the law. When society fails to integrate all of its members, this causes conflict which may lead to increased rates of crime and recidivism. In turn, prisons become overcrowded and budgets become exhausted.

In addition to a contradiction between what is written and what is actually done, such events result in a failure of government to set an example to the rest of society. If the government says in word what it does not do in deed, the social contract becomes void as promises cannot be kept by government or by the other members of society.

Fortunately, we have channels in which we may petition our government for a redress of grievances, and it because of this Constitutional guarantee that we write to you, our government representative. The Church of My Faith in God has drafted the resolution accompanied with this letter, and we would be honored if you would introduce it as a bill on the floor of the California State Assembly. The proposal calls for the sealing of all records that have been expunged by a court pursuant to California Penal Code Section 1203.4 five years after records have been expunged and destroyed three years thereafter. This relief would only be approved by a judge if the petitioner has not had any other convictions since the expungement. The proposal also seeks to modify California Penal Code Section 11105 to restrict disclosure of an arrest and conviction that has been dismissed pursuant to California Penal Code Section 1203.4.



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DRAFT

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Please review the proposal and act on our behalf in the interest of justice, as we are in need of your help to improve the lives of the people who have worked so hard to among the great public servants of this State and Country.

Once again, it has been a pleasure, and I hope to be working with you to accomplish these goals.

Sincerely,



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ASSEMBLY BILL

No. _____

Introduced by Assembly Member _____

An act to amend Chapter 1.6. of Title 8 of Part 2 of the Penal Code and Section 11105 of Article 3 of Chapter 1 of Title 1 of Part 4 of the Penal Code, relating to expungements of criminal records..

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 1.6. of Title 8 of Part 2 of the Penal Code, commencing with section 1212
2 is added to read:

3

4 1212. (a) Any person who has had an accusatory pleading against him or her dismissed
5 by a judge pursuant to California Penal Code Section 1203.4 or 1203.4a and has not been
6 convicted of a felony or a misdemeanor since the accusatory pleading against him or her was
7 dismissed, after five years have passed from the date in which an accusatory pleading against
8 him or her has been dismissed, may petition the court for an order to seal and destroy the record
9 of conviction and other official records in the case, including records of arrests resulting in the
10 criminal proceeding and records relating to other offenses charged in the accusatory pleading,
11 whether the petitioner was acquitted or charges were dismissed.

12

13 (b) If the court finds the petitioner is not then serving a sentence for any offense, on
14 probation for any offense, or charged with the commission of any offense, and it appears that the
15 interests of justice would be served, the court, in its discretion, shall order the clerk of the court,
16 the Department of Justice, and any law enforcement agency which arrested the petitioner or
17 participated in the arrest of the petitioner to seal their record of conviction and other official
18 records in the case, including records of arrests resulting in the criminal proceeding and records
19 relating to other offenses charged in the accusatory pleading, whether the petitioner was
20 acquitted or charges were dismissed, and the court order to seal and destroy the records, for three
21 years from the date of the order and thereafter to destroy their record of conviction and other
22 official records in the case, including records of arrests resulting in the criminal proceeding and
23 records relating to other offenses charged in the accusatory pleading, whether the petitioner was

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1 acquitted or charges were dismissed, and the court order to seal and destroy such records. The
2 court shall also order the law enforcement agency which arrested the petitioner and the clerk of
3 the court, the Department of Justice to request the destruction of any record of conviction and
4 other official records in the case, including records of arrests resulting in the criminal proceeding
5 and records relating to other offenses charged in the accusatory pleading, whether the petitioner
6 was acquitted or charges were dismissed which they have given to any local, state, or federal
7 agency, person or entity. Each state or local agency, person or entity within the State of
8 California receiving such a request shall destroy its record of conviction and other official
9 records in the case, including records of arrests resulting in the criminal proceeding and records
10 relating to other offenses charged in the accusatory pleading, whether the petitioner was
11 acquitted or charges were dismissed and the request to destroy the records. The court shall give
12 to the petitioner a copy of any court order concerning the sealing and destruction of the records
13 and inform the petitioner that he or she may thereafter state that he or she was not arrested or
14 convicted for any charge sealed and destroyed by the order. Thereafter the conviction, arrest, or
15 other proceeding shall be deemed not to have occurred, and the petitioner may answer
16 accordingly any question relating to their occurrence. The petitioner may indicate in response to
17 any question from a Federal, State, County, or Local/City/Town government agency, department,
18 or office, or private company or person concerning the petitioner's prior criminal record that the
19 petitioner was not detained, arrested, convicted, imprisoned, or placed on probation for a charge
20 that has been sealed and destroyed by the order.

21
22 (c) This section applies to convictions that occurred before, as well as those that occur
23 after, the effective date of this section.

24
25 (d) This section shall not apply to offenses for which registration is required under
26 Section 290.

27
28 (e) A person who petitions for an order sealing a record under this section may be
29 required to reimburse the court for the actual cost of services rendered, whether or not the
30 petition is granted and the records are sealed or expunged, at a rate to be determined by the court
31 not to exceed one hundred twenty dollars (\$120). Ability to make this reimbursement shall be
32 determined by the court using the standards set forth in paragraph (2) of subdivision (g) of
33 Section 987.8 and shall not be a prerequisite to a person's eligibility under this section. The court
34 may order reimbursement in a case in which the petitioner appears to have the ability to pay,
35 without undue hardship, all or any portion of the cost for services established pursuant to this
36 subdivision.

37
38 (f) Relief shall not be granted under this section unless the prosecuting attorney has been
39 given 15 days' notice of the petition for relief. It shall be presumed that the prosecuting attorney
40 has received notice if proof of service is filed with the court.

41
42 (g) If, after receiving notice pursuant to subdivision (f), the prosecuting attorney fails to
43 appear and object to the petition, the prosecuting attorney may not move to set aside or otherwise
44 appeal the grant of that petition.

45
46 (h) The Department of Justice shall furnish forms to be utilized by persons applying for
47 the destruction of their records pursuant to this chapter.

1 SECTION 2. Subdivision (s) of Section 11105 of Article 3 of Chapter 1 of Title 1 of Part 4 of
2 the Penal Code is added to read:

3
4 (s) Whenever state summary criminal history information or federal level criminal history
5 information is furnished pursuant to this chapter, the Department of Justice shall not disseminate
6 the following:

7
8 (1) Any information of a conviction to which records have been ordered by a court to be
9 sealed and destroyed pursuant to section 1212 of the penal code.

10
11 (2) Any other official information in a case to which records have been ordered by a court
12 to be sealed and destroyed pursuant to section 1212 of the penal code.

13
14 (3) Any information of arrests resulting in the criminal proceeding to which records have
15 been ordered by a court to be sealed and destroyed pursuant to section 1212 of the penal code.

16
17 (4) Any information relating to other offenses charged in the accusatory pleading,
18 whether the petitioner was acquitted or charges were dismissed, to which records have been
19 ordered by a court to be sealed and destroyed pursuant to section 1212 of the penal code.

20
21 SECTION 3. SEVERABILITY

22
23 The provisions of this act are severable. If any provision of this act or its application is
24 held invalid, that invalidity shall not affect other provisions or applications that can be given
25 effect without the invalid provision or application.

O

Introduced by Senator _____

An act to amend Chapter 1.6. of Title 8 of Part 2 of the Penal Code and Section 11105 of Article 3 of Chapter 1 of Title 1 of Part 4 of the Penal Code, relating to expungements of criminal records.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 1.6. of Title 8 of Part 2 of the Penal Code, commencing with section 1212
2 is added to read:

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4 1212. (a) Any person who has had an accusatory pleading against him or her dismissed
5 by a judge pursuant to California Penal Code Section 1203.4 or 1203.4a and has not been
6 convicted of a felony or a misdemeanor since the accusatory pleading against him or her was
7 dismissed, after five years have passed from the date in an accusatory pleading against him or her
8 has been dismissed, may petition the court for an order to seal and destroy the record of conviction
9 and other official records in the case, including records of arrests resulting in the criminal
10 proceeding and records relating to other offenses charged in the accusatory pleading, whether the
11 petitioner was acquitted or charges were dismissed.

12
13 (b) If the court finds the petitioner is not then serving a sentence for any offense, on
14 probation for any offense, or charged with the commission of any offense, and it appears that the
15 interests of justice would be served, the court, in its discretion, shall order the clerk of the court,
16 the Department of Justice, and any law enforcement agency which arrested the petitioner or
17 participated in the arrest of the petitioner to seal their record of conviction and other official
18 records in the case, including records of arrests resulting in the criminal proceeding and records
19 relating to other offenses charged in the accusatory pleading, whether the petitioner was
20 acquitted or charges were dismissed, and the court order to seal and destroy the records, for three
21 years from the date of the order and thereafter to destroy their record of conviction and other
22 official records in the case, including records of arrests resulting in the criminal proceeding and
23 records relating to other offenses charged in the accusatory pleading, whether the petitioner was
24 acquitted or charges were dismissed, and the court order to seal and destroy such records. The
25 court shall also order the law enforcement agency which arrested the petitioner and the clerk of
26 the court, the Department of Justice to request the destruction of any record of conviction and
27 other official records in the case, including records of arrests resulting in the criminal proceeding

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1 and records relating to other offenses charged in the accusatory pleading, whether the petitioner
2 was acquitted or charges were dismissed which they have given to any local, state, or federal
3 agency, person or entity. Each state or local agency, person or entity within the State of
4 California receiving such a request shall destroy its record of conviction and other official
5 records in the case, including records of arrests resulting in the criminal proceeding and records
6 relating to other offenses charged in the accusatory pleading, whether the petitioner was
7 acquitted or charges were dismissed and the request to destroy the records. The court shall give
8 to the petitioner a copy of any court order concerning the sealing and destruction of the records
9 and inform the petitioner that he or she may thereafter state that he or she was not arrested or
10 convicted for any charge sealed and destroyed by the order. Thereafter the conviction, arrest, or
11 other proceeding shall be deemed not to have occurred, and the petitioner may answer
12 accordingly any question relating to their occurrence. The petitioner may indicate in response to
13 any question from a Federal, State, County, or Local/City/Town government agency, department,
14 or office, or private company or person concerning the petitioner's prior criminal record that the
15 petitioner was not detained, arrested, convicted, imprisoned, or placed probation for a charge
16 that has been sealed and destroyed by the order.

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18 (c) This section applies to convictions that occurred before, as well as those that occur
19 after, the effective date of this section.

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21 (d) This section shall not apply to offenses for which registration is required under
22 Section 290.

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24 (e) A person who petitions for an order sealing a record under this section may be
25 required to reimburse the court for the actual cost of services rendered, whether or not the
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27 not to exceed one hundred twenty dollars (\$120). Ability to make this reimbursement shall be
28 determined by the court using the standards set forth in paragraph (2) of subdivision (g) of
29 Section 987.8 and shall not be a prerequisite to a person's eligibility under this section. The court
30 may order reimbursement in a case in which the petitioner appears to have the ability to pay,
31 without undue hardship, all or any portion of the cost for services established pursuant to this
32 subdivision.

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34 (f) Relief shall not be granted under this section unless the prosecuting attorney has been
35 given 15 days' notice of the petition for relief. It shall be presumed that the prosecuting attorney
36 has received notice if proof of service is filed with the court.

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38 (g) If, after receiving notice pursuant to subdivision (f), the prosecuting attorney fails to
39 appear and object to the petition, the prosecuting attorney may not move to set aside or otherwise
40 appeal the grant of that petition.

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42 (h) The Department of Justice shall furnish forms to be utilized by persons applying for
43 the destruction of their records pursuant to this chapter.

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The Church of My Faith in God has established The Expungement Reform Movement to propose a resolution that would permit people who have had or those who wish to have expungements the ability to petition the court to have an arrest and conviction record resulting in an expungement sealed after five years from the date of their expungement and destroyed three years after the sealing of an expungement in the similar fashion as the California Penal Code Section 851.8 permits individuals to petition to have their arrest records sealed and destroyed prior to conviction. The proposal also seeks to modify California Penal Code Section 11105 to restrict disclosure of an arrest and conviction that has been dismissed pursuant to California Penal Code Section 1203.4. We have estimated the cost of this movement from human resources to campaign expenses to be at a minimum of \$2 million. We desperately need your help.

We appreciate any and all denominations and types of payment cash, check, cashier's check, money orders, and credit or debit cards. Please, support our cause by making a donation today.

Let each of you look out not for your own interests, but also for the interests of others (Philippians 2:4).

MAKE A DONATION & SUPPORT THE MOVEMENT!

↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓ CUT HERE ↓

I want to help by donating \$10.00 \$20.00 \$50.00 \$100.00 \$ _____

NAME: _____

COMPANY: _____

PHONE: (____) _____

ADDRESS: _____

E-MAIL: _____

STATE: _____ ZIP CODE: _____

Please make checks, cashier's checks, and money orders out to:

THE CHURCH OF MY FAITH IN GOD

You may also submit Donations online via PayPal at www.ExpungementReform.com

Let each one do just as he or she has purposed in his or her heart;
not grudgingly or under compulsion, for God loves a cheerful giver (2 Corinthians 9:7).



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