

# Your chance for a Clean Slate

Office of the District Attorney  
Alameda County



## Clean Slate and Propositions 47 & 64 Resentencing

The Alameda County District Attorney's Office offers you the possibility of cleaning up your criminal history. You may either file petitions on your own (pro per) or seek the assistance of a pro bono or low-cost law agency to file them on your behalf.

- **Petition for Early Termination of Probation (PC Sec. 1203.3):** If you are currently on probation and are in good standing, paid your fines and restitution and have reformed your behavior, you can petition the court to terminate your probation early. The form you need to fill out is available at the Superior Court Clerk's Office.
- **Petition for Withdrawal of Plea and Dismissal (PC Secs. 1203.4, 1203.4a, and 17(b)):** If you have completed your term of probation and are not currently on any probation or facing any active charges, you may petition to reduce certain felonies to misdemeanors and to withdraw your plea and receive a dismissal of your conviction. The forms you need to fill out and file are Judicial Council forms CR-180 and CR-181.
- **Factual Finding of Innocence and Sealing of arrest record (PC Secs. 851.8 and 851.91):** If you were arrested but never charged with a crime and can show that you were innocent of the crime for which you were arrested you can have your arrest record sealed by petitioning the law enforcement agency responsible for the arrest, as well as the District Attorney's Office. The form you need to fill out and file is BCII8270.
- **Reduction of some Theft and Drug Possession Felonies to Misdemeanors: (PC Sec. 1170.18(f)):** Per the passage of Prop 47, if you were convicted of certain felony theft offenses that were for goods under \$950, or possession of drugs, you can petition to have these felonies reduced to misdemeanors. The form you need to fill out and file are Superior Court of Alameda County CRM- 051.
- **Reduction of some Marijuana Sales and Possession Felonies to Misdemeanors and withdrawals of pleas. (H&S Sec. 11361.8.)** The District Attorney's Office is currently seeking to reduce, dismiss, and/or seal any past convictions for marijuana possession or sales from the criminal records of those people who qualify under Proposition 64. While Prop 64 requires a person file an application with the court, the District Attorney's Office intends to move forward in obtaining Prop 64 relief even absent a specific application. If you would like to assist us in this effort and expedite the process of removing or reducing your prior qualifying conviction please fill out and file Judicial Council forms CR-400, CR-401, CR-402, and CR-403.

All petitions must be filed at the Superior Court Clerk's office. You should serve the District Attorney's Office with a copy of what you filed with the court after you filed and received a court date.

If you have any questions, please contact the District Attorney's Office at (510) 272-6222.