



RECORD SEALING INFORMATION SHEET

Dear Applicant:

You are applying for the sealing of your juvenile record, that is, any case in which you were cited to appear and/or did appear before a Police Officer, Probation Officer, or the Juvenile Court in Marin County for any violation which occurred prior to your eighteenth birthday. Marin County does not charge any fees for the record sealing process.

It is important that all of your contacts with police agencies be reported, as all agencies that have your record will be sent an order for sealing of your juvenile records. If you should fail to report a contact, it is possible that part of your record may not be sealed. Be careful to list all law enforcement agencies, Probation Departments and Courts with which you have had contact.

***It is in your best interest to include a detailed letter updating the Court of your current status and rehabilitation in order to help the Court make a decision on the sealing of your record.**

Once your application is received by the Probation Department, approximately 4-6 months will be required to complete the sealing process. During this time, information regarding the status of the sealing application will only be released to the applicant.

To start the Record Sealing Process, please send the signed/dated sealing application to:

**Marin County Probation Department
Attn: Juvenile Sealing Clerk
4 Jeannette Prandi Way
San Rafael, CA 94903**

ELIGIBILITY REQUIREMENTS (Please read this information carefully):

1. If you are under 18 years of age when you apply to seal your record:
 - a. Five (5) years must have elapsed since you were taken before any officer of a Law Enforcement agency, cited to appear before a Probation Officer, or you were terminated by the Juvenile Court.
2. If you are 18 years of age or over when you apply to seal your juvenile record:
 - a. You must not be on any type of probation or parole, or have any pending court matter.
 - b. All traffic matters must be cleared (no unpaid fines, failure to appear, etc.)
 - c. Your driver's license must not now be suspended or revoked.
 - d. You must not have been convicted of a felony since attaining the age of 18.

- e. You must not have been convicted of a misdemeanor involving moral turpitude (i.e theft, fraud, or sexual offenses) since attaining the age of 18.
 - f. If you have “attained rehabilitation to the satisfaction of the Court” to which your request for sealing is made, then the court will seal your record.
3. If you have been charged with certain serious offenses which falls under Section 707(b) of the Welfare and Institutions Code (serious felonies involving violence), your record will not be eligible for sealing. See attachment for a list of W&I 707(b) offenses.
 4. Rehabilitation has been attained to the satisfaction of the court which means the following:
 - a. It has been at least **Six Months** since the court’s jurisdiction terminated for non-violent misdemeanor cases.
 - b. It has been at least **One Year** since the court’s jurisdiction ended for multiple misdemeanors, misdemeanors involving violence or the threat of violence, or non-violent felonies

BENEFITS OF SEALING RECORDS:

All records, reports, exhibits, documents, etc. listed on the Marin County Order for Sealing are directed sealed. This means that the Court, Probation Department, Police Agencies and any other agency (except the Federal Government) having information regarding the individual must physically seal the record and respond to any request for information that they have no record.

Please note the following exceptions:

1. The Department of Motor Vehicles will be notified to seal their public records of juvenile traffic convictions. However, it will allow access of these records to the subject of the record and to his/her insurance company. The insuring company may use the information contained in the record for purposes of determining eligibility for insurance and insurance rates. The information may not be used for any other purposes nor be disclosed by the insurer to any other person or party not having access to the record.
2. The Federal Government, including all branches of the military service, has indicated that they might not recognize the sealing of a juvenile record pursuant to Section 781 of the Welfare and Institutions Code. All juvenile records must be reported, even though sealed, when applying for a security clearance, or employment with a private company that does business with the Federal Government.

Questions regarding the procedure for juvenile record sealing or eligibility requirements should be directed to the Juvenile Record Sealing Clerk at (415) 473-6659.

Applications may be downloaded from the Marin County Website at www.marincounty.org/depts/pb/forms.

W&I 707(b) OFFENSES

11055(c) H&S – Manufacturing/Selling ½ oz or more of any salt/solution of a controlled substance

11055(e) H&S – Manufacturing/Compound/Sell ½ oz or more of any salt/solution of controlled substance/depressant

12020(a) PC – Any Felony offense in which the minor personally used a weapon

12022.5 – 12022.53 PC – Discharge Firearm at vehicle/GBI/death

12034(c) PC – Discharge Firearm from motor vehicle at another person not in a motor vehicle

1203.09 PC – Crime against persons sixty (60) years or older / blind / Paraplegics / Quadriplegics

12308 PC – Attempt to explode/Ignite destructive device/explosive with intent to murder

136.1 – 137 PC – Intimidation of witnesses/victims

187-189 PC – Murder

192(a) PC – Voluntary Manslaughter

205 PC – Aggravated Mayhem

206 and 206.1 PC – Torture

207 PC – Kidnapping

208 PC – Kidnapping victim under 14 years of age

208(d) PC – Kidnapping with intent to commit rape/oral copulation/sodomy

209(a) - 209(b) PC – Kidnaping for ransom/reward/extortion/robbery or bodily harm

209(b)(1) PC – Kidnapping during carjacking

211 PC – Robbery while armed with dangerous/deadly weapon

212.5 PC – Robbery

215 PC – Carjacking while armed with dangerous/deadly weapon

245(a)(1) - 245(a)(2) PC – Assault with a firearm or destructive device

245(b)(1) PC – Assault by any means of force likely to produce great bodily injury

W&I 707(b) OFFENSES-Continued

246 PC – Discharge of a firearm into an inhabited or occupied building

261(a)(2) PC – Rape/Rape of spouse by force or threat

261(2) PC – Rape with force or violence or threat of great bodily harm

286(c) PC – Sodomy by force/violence

286(c)(2) PC – Sodomy by force, violence, duress, menace, or threat of great bodily harm

288 A(c) PC – Oral copulation by force/violence

288 A(c)(2) PC – Oral copulation by force, violence, duress, menace or threat of great bodily harm

288(b) PC – Crimes against children/lascivious with force/violence

289(a) PC – Sexual penetration with foreign object by force/violence

451(a) - 451(b) PC – Arson causing great bodily harm/arson of inhabited structure/property

664/187 - 189 PC – Attempted murder

667.5(c) - 186.22(b) PC – Any violent felony related to participation in criminal street gang

871(b) PC – Escape by use of force or violence inflicted upon Juvenile Facility Employee



PROBATION DEPARTMENT

4 Jeannette Prandi Way • San Rafael, CA 94903 415-473-6659 • Fax 415-473-6978

Michael D. Daly
Chief Probation Officer

Mariano Zamudio
Chief Deputy Probation Officer

RECORD SEALING APPLICATION

PLEASE TYPE OR PRINT LEGIBLY TO AVOID DELAYS IN PROCESSING.

NAME: _____
Last First Middle

OTHER NAMES: _____
(AKA's, Maiden Name, etc.)

MAILING ADDRESS: _____

(Please include City, State, Zip Code)

TELEPHONE NUMBER: _____

BIRTHDATE: _____ AGE: _____

RACE: _____

DRIVERS LICENSE #: _____ SSN #: _____

OFFICE USE ONLY

Probation No. _____

Court
No. _____

Notes: _____

List below all Law Enforcement Agencies with whom you had contact as a juvenile. If you fail to report a contact, it is possible that part of your record might not be sealed.

Agency: _____ Date: _____

Agency: _____ Date: _____

Agency: _____ Date: _____

Have you been arrested since your 18th Birthday? Yes No If Yes, list below:

Arrested For: _____ Police Agency: _____

MY SIGNATURE BELOW INDICATES:

- I have received a copy of the Record Sealing Information Sheet. I have read the information regarding conditions and I believe that I meet the requirements.
- I understand that all juvenile records must be reported to the federal government or private companies doing business with the federal government. I understand also that the Department of Motor Vehicles will not seal financial responsibility reports and the insurance companies have access to DMV records sealed after January 1, 1981.
- **I UNDERSTAND THAT IF ANY RECORD IS SEALED BASED UPON FALSE INFORMATION BY ME, THE RECORD SEALING ORDER SHALL BE SET ASIDE.**

Applicant's Signature: _____ Date: _____