



Seal It

How to seal your juvenile record in California

About sealing

What is a juvenile record?

Your juvenile record includes all records held by the police department, the court, the district attorney, and the probation department for any criminal activity you were found to be involved in when you were under 18.

Why should you seal your record?

Your juvenile record will not be automatically sealed when you turn 18. You need to obtain a judicial order to seal it; until then, might be accessible to prospective employers, state licensing agencies, lenders, landlords, and school officials. That means your juvenile record can interfere with your ability to get a job, loans, a driver's license, citizenship, and pursue educational opportunities.

If you have been adjudicated for a registerable sex offense, sealing your record will relieve you from the registration requirement and destroy all registration information.

Once you've sealed your record, it's as if the offenses never took place (with the exceptions below). You can legally say you have never been arrested or adjudicated for the sealed offenses. You can even legally say you have never sealed your juvenile record.

Update October 2015

A new law was passed that allows anyone who completed probation on or after January 1, 2016, to have their juvenile record automatically sealed for free by the court. . (Welfare and Institutions Code §786). This will include all records held by law enforcement, probation and the Department of Justice (DOJ). Records held by

any other public agency, for example in schools or other counties, may not be automatically sealed, and you may need to ask the court to seal those records.

For cases that ended in January 2015, if you have completed probation then you're court records may be automatically sealed, but you may need to petition the court to seal any law enforcement, probation, or DOJ records. For cases that ended before January 2015, you must to petition the court to seal your record and pay your county's record sealing fees if you are age 26 or older. Contact your county's juvenile court to request information about your case.

After your record has been sealed, who can still access it?

- Insurance companies will still be able to access your driving records through the Department of Motor Vehicles (DMV) for the purpose of setting your rates.
- The Federal Government, including branches of the military service, has access to your sealed records. All juvenile records must be reported, even if sealed, when applying for a security clearance or employment with a private company that engages in business with the Federal Government.
- A prosecuting attorney, the probation department, or the court may access your sealed record to determine your eligibility for some programs and services.
- Your record can be "unsealed" if the sealed offense would qualify as a "strike" under the Three Strikes Law, and you have been convicted of another "striking" offense.
- You.

After your record has been sealed, when will it be destroyed?

Your record will be destroyed as follows:

- Five years after the court ordered the record sealed, if you committed a status offense, such as truancy ([Welfare and Institutions Code §601](#));
- When you reach the age of 38, if you committed a criminal offense ([Welfare and Institutions Code §602](#)).



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Eligibility

You are eligible to seal your juvenile record if:

- You are 18 years of age or older OR at least five years have passed since your last arrest, discharge from probation, closure of case, or citation to appear;
- You have not been convicted in criminal (adult) court of a felony or a misdemeanor involving "[moral turpitude](#)" (including fraud, theft, sex, drug-related offenses, and offenses involving great bodily injury) since your last arrest or discharge from probation;
- The court is satisfied that you have been rehabilitated;
- Your case started and ended in juvenile court; and
- You do not have an open civil suit regarding the case on your juvenile record.

You are not eligible to have your juvenile record(s) sealed if:

- The juvenile court found that you committed a [serious and violent offense](#) when you were 14 or older;
- You were transferred to and convicted in adult criminal court; or
- You do not meet the above requirements.

Update 2015

A new law was passed that may allow you to dismiss your juvenile case if you committed a serious or violent offense. If a judge believes it is in your best interest and you meet the dismissal criteria, your case will be categorized as "dismissed" and you will then be eligible to seal your juvenile record.

Note: If you were charged with these offenses, but adjudicated of lesser offenses, you may still be able to have your records sealed.

707(b) offenses

There are 29 offenses listed under California Welfare and Institutions Code § 707(b) that are considered serious or violent in nature. If a person commits one of these offenses at age 14 or older, he or she will no longer be eligible to seal his or her juvenile record. These offenses include:

1. Murder.
2. Arson, as provided in [subdivision \(a\) or \(b\) of Section 451](#) of the Penal Code.
3. Robbery.
4. Rape with force, violence, or threat of great bodily harm.
5. Sodomy by force, violence, duress, menace, or threat of great bodily harm.
6. A lewd or lascivious act as provided in [subdivision \(b\) of Section 288](#) of the Penal Code.
7. Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
8. An offense specified in subdivision [\(a\) of Section 289](#) 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.
23. Torture as described in [Sections 206](#) and [206.1](#) of the Penal Code.
24. Aggravated mayhem, as described in [Section 205](#) of the Penal Code.
25. Carjacking, as described in [Section 215](#) of the Penal Code, while armed with a dangerous or deadly weapon.
26. Kidnapping for purposes of sexual assault, as punishable in [subdivision \(b\) of Section 209](#) of the Penal Code.
27. Kidnapping as punishable in [Section 209.5](#) of the Penal Code.
28. The offense described in [subdivision \(c\) of Section 26100](#) of the Penal Code.
29. The offense described in [Section 18745](#) of the Penal Code.



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Solano County

Contact

Probation Department
North County Office
475 Union Ave.
Fairfield, CA 94533
(707) 784-7600

Probation Department
South County Office
321 Tuolumne St.
Vallejo, CA 94590
(707) 553-5531

Application

Not available online

Contact the Solano County Probation Department to with a letter requesting to seal your juvenile record. In the letter, provide your personal information (full name, birthdate, contact information), an account of your offenses, and a detailed list of agencies that may have records of contact with you. You must also include your personal account of your progress since you completed probation and why you want to seal your juvenile record. Send this letter and the \$150 application fee to the Probation Department.

[Download request letter](#)

Fee

\$150

\$0 for those currently under age 26.

Waiver

Request one from the Probation Department

Time frame - 4-6 weeks

Legal assistance

Yes

Jennifer C. Marlowe

100 Pine Street San Francisco, CA 94111

Phone: (415) 745-3041

[Find a public defender »](#)

Process

After turning in your application

After receiving your letter, a probation officer will contact you over the phone to ask some follow up questions. Then the probation officer will run an investigation to decide if you are eligible to have your juvenile record sealed. The investigation will be focused on your basic eligibility, a criminal background check, and evidence of rehabilitation. Based on this investigation, the probation officer will write a report either recommending that your record be sealed, or stating that you are not eligible to have your record sealed and why.

Court hearing

"If the probation officer recommends that your record be sealed, the next step is to calendar a juvenile court hearing with a judge, the probation officer and the district attorney. At this hearing, a judge will decide whether or not your juvenile records may be sealed. You do not have to appear at the hearing.

Tracking your application

Contact the Probation Department to check on the status of your application.

[Learn more about the sealing process »](#)

Outcome

Once a judge reviews your application they will either grant or deny your request to seal your juvenile record. A judge may choose to deny your application for reasons including a lack of rehabilitation, adult charges, and crimes of moral turpitude.

If your application is granted

The Court will send a record sealing order to all of the agencies involved in your case, which includes, but is not limited to, police agencies, probation agencies, and courts. The order will direct the agencies you listed on your application to seal your record, and also direct them to respond to anyone asking about your juvenile record to say, "The applicant has no record." These agencies have 60 days to comply with the sealing order from the court. Once your record is sealed, you may legally say that you do not have a juvenile record.

Sealing a juvenile record does not affect the ability of insurance companies to access your records through the Department of Motor Vehicles (DMV) in Sacramento, nor will it prevent the Federal Government, including branches of the military service, from accessing your sealed records 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 engages in business with the Federal Government.

If your application is denied

You will be notified by mail and will receive a copy of the judge's order denying your petition to seal your juvenile records. If you have been denied "without prejudice" you may resubmit your application once you have resolved the issues blocking the seal on your record, such as paying restitution or waiting a longer period of time to show rehabilitation. You will need to repay the sealing fee and will not be refunded for the payment you previously made for the seal. If you do not receive the order, you should check in with your probation officer.