

EXPUNGEMENT ADVOCATES MANUAL



**LACBA Counsel for Justice
Veterans
Legal Services
Project**

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ABOUT LACBA'S VETERANS PROJECT

The Los Angeles County Bar Association's (LACBA's) Veterans Project, which was created in coordination with LACBA's Armed Forces Committee, is partnering with U.S. VETS and Los Angeles County to provide pro bono legal services at Patriotic Hall in downtown Los Angeles. The program initially targets veterans who are unemployed and at risk of homelessness in the County of Los Angeles, considered to be the homeless veterans' capital of America.

The U.S. VETS program at Patriotic Hall will provide early intervention services, jobs programs, supportive services, housing referrals, and financial stipends for veterans to help stabilize their lives and prevent the slide into homelessness. LACBA's Veterans Project augments these services by providing assistance to address specific legal issues which can become obstacles to full employment. Employment is a critical element for lifting veterans out of homelessness, and for preventing it in many cases.

LACBA's Veterans Project at Patriotic Hall focuses on assisting veterans with:

- ***Expungements: Clearing Criminal Record for Employment*** – Review expungement files, interview clients, review criminal documents, draft petitions and declarations in complex cases and prepare cases for filing. This is an area of high demand among veterans where the goal is to obtain dismissals of misdemeanor records, some of which may be a result of homelessness. This will allow our veterans to move forward with their lives, seek jobs and other opportunities that would otherwise not be available.
- ***Self Help Clearing Tickets and Warrants***– Hold workshops to teach veterans how to clear outstanding tickets and warrants, the highest demand area of homeless veterans. If left unaddressed, outstanding tickets and warrants for minor violations such as jaywalking and speeding can be a major barrier for veterans trying to secure a driver's license or employment. With pro bono representation, however, the Courts have shown a willingness to resolve these tickets quickly, thus enabling veterans to pursue their lives uninterrupted.
- ***Reinstating California Driver License*** – Assist veterans who are working with California's Department of Motor Vehicles to reinstate their personal or commercial driver license. This service area is linked to outstanding tickets and warrants because unresolved citations often lead to revocation of driver licenses. DMV printouts can be complicated and difficult to read, and volunteer advocates trained on

these issues can be extremely helpful in assisting the veteran to navigate the process.

ABOUT THE LOS ANGELES COUNTY BAR ASSOCIATION

The Los Angeles County Bar Association (LACBA) is one of the largest metropolitan voluntary bar associations in the nation with more than 21,000 members. LACBA is engaged in advancing the administration of justice and meeting the professional needs of lawyers. For more information on LACBA, visit www.lacba.org.

VETERANS AND THE JOB MARKET

The current job market is competitive. The great recession of 2008 saw many jobs disappear, never to return. Many Americans were thrown out of work. In the last several years the employment picture has improved, with the unemployment rate approaching to pre-recession levels. However, there are still many Americans who are unemployed or underemployed. It is still an employer's market. With dozens, or even hundreds of applicants for each open position, many employers will not hire someone with a criminal conviction.

As of January 2018, employers who have five or more employees are banned from asking about criminal convictions until after they have made a conditional offer of employment to the applicant. This means that most employers can no longer ask about convictions in the initial application stage. (See Assembly Bill 1008). However, AB 1008 does not offer these protections to applicants applying to businesses with less than five employees. Furthermore, employers of larger businesses can eventually ask about convictions prior to hiring the applicant and can use the conviction as a basis for denying employment.

Despite the progress in California law, these felony or misdemeanor convictions are still a barrier to Veterans finding permanent, gainful employment. Without permanent, gainful employment these Veterans face homelessness, which and lead to a downward spiral of hopelessness leading to drug abuse and further criminal activity in an effort to survive and provide for themselves and their families.

The unemployment rate for Veterans is higher than for non-Veterans. The unemployment rate for post September 11, 2001, Veterans is higher than the rate for Veterans from all other service periods, and the unemployment rate for women Veterans is among the highest of all groups. You can help Veterans overcome this seemingly insurmountable barrier by assisting them in the expungement process.

EXPUNGEMENT DEFINED

Black's Law Dictionary defines expunge as: To destroy; blot out; obliterate; erase; to efface designedly; to obliterate; to strike out wholly; The act of physically destroying information-including criminal records-in files, computers, or other depositories.

It defines expungement of record as: Process by which record of criminal conviction is destroyed or sealed after expiration of time. Some states also

provide for expungement of criminal records if arrested person is not convicted...or in the event of unlawful arrest.

EXPUNGEMENT IN CALIFORNIA

Expungement in California is not expungement within the Black's Law definition because the record of arrest and/or criminal conviction is not destroyed, erased or sealed. In California the individual convicted of an offense asks the court to reopen the criminal case, withdraw the guilty plea or guilty verdict and enter a not guilty plea. The court will then set aside and dismiss the conviction. From that point forward, the individual is no longer considered convicted of the offense. Their record will be changed to show a dismissal rather than a conviction.

HOW EXPUNGEMENT HELPS THE VETERAN

Government Code section 12952, under the Fair Employment and Housing Act, prevents employers from asking about arrests that did not end in conviction, or about convictions that have been judicially dismissed. This means that Veterans who have been granted or will be granted an expungement under California Penal Code section 1203.4 cannot be discriminated against for employment, hiring, promotion, or termination based upon that expunged case in most circumstances.

Additionally, the law prohibits employers from seeking information regarding that expunged conviction. Certain exemptions to this law do exist, but they are primarily focused upon individuals seeking employment in law enforcement or other areas where the law prohibits the employment of an individual convicted of certain offenses. For the purposes of our workshop, when a Veteran has his or her misdemeanor or felony convictions expunged, they can legally answer no to questions about whether they have been convicted of an offense. This will allow the Veteran to compete for employment on a more equal footing with other job applicants.

LEGAL BASIS FOR EXPUNGEMENT

There are five laws used for expungement in California:

1. Penal Code section 1203.4 is used to expunge convictions in which probation was part of the sentence.
2. Penal Code section 1203.4a is used to expunge convictions in which there was no probation.
3. Penal Code section 1203.41 is used to expunge felony convictions in which a petitioner was sentenced to serve a state prison sentence in

county jail and/or under mandatory supervision pursuant to Pen. Code, § 1170(h)(5).

4. Penal Code section 1203.42 is used to expunge felony convictions in situations where a petitioner was sentenced to state prison prior to October 2011, for a crime that is now eligible for a county jail sentence under Pen. Code section 1170(h).

5. Penal Code section 17(b) is used to reduce a felony conviction to a misdemeanor, which can then be dismissed. Felonies meeting the criteria under this section are often called “wobblers,” meaning they could be charged as either a felony or misdemeanor.

Penal Code sections 1203.4 and 1203.4a permit most people convicted of California crimes to have their convictions dismissed after their conviction or guilty plea. The court permits the withdrawal of the guilty plea, or vacates the conviction, and replaces it with a dismissal of charges.

MANDATORY EXPUNGEMENT

Penal Code section 1203.4 requires the court to grant expungement of both felony and misdemeanor convictions when the petitioner can show that (a) probation was successfully completed or terminated early and (b) no new charges are pending, and the petitioner is not on probation or serving a sentence for any new charge that occurred since the charge for which expungement is sought. Probation is “successfully completed” when there have been no probation violations and no subsequent convictions during the probationary period.

Penal Code section 1203.4(a) requires mandatory expungement be granted in cases in which the petitioner has been discharged early from probation. Even if the petitioner has violated probation, the conviction must be expunged. If the petitioner has complied with all the requirements of probation during the entire probationary period, he/she will be entitled to a mandatory expungement.

Penal Code section 1203.4a requires mandatory expungement be granted in cases where the petitioner was convicted of a misdemeanor or infraction, one year has elapsed since the date of conviction, and the petitioner has lived and honest and upright life during that period.

DISCRETIONARY EXPUNGEMENT

Where the petitioner does not qualify for mandatory expungement, it is still possible to obtain a discretionary expungement. Discretionary expungement requires a court hearing so that the petitioner can explain why they should

be granted an expungement of the conviction. While the same set of forms is used for both, discretionary expungement petitioners will have to do some persuasive writing in the required Declaration.

Discretionary expungement includes situations where:

1. The petitioner received probation but did not get an early release
2. The petitioner did not fulfill all the conditions of probation
3. The petitioner was convicted of any offense listed in Vehicle Code section 12810(a) to (e)

But:

- a. The petitioner has paid all the fines, restitution, and reimbursements ordered by the court as part of the sentence

AND

- b. The petitioner is not currently charged with, on probation for, or serving a sentence for any other offense.

*Expungements under Penal Code sections 1203.41 and 1203.42 are ALWAYS discretionary.

MOTION TO TERMINATE PROBATION

Petitioners who are on probation are not eligible for an expungement. When the petitioner is still on probation, a written motion to terminate probation must be made, and granted, in order to be eligible for mandatory expungement.

Under California Penal Code section 1203.3(a), the court has authority to revoke, modify, or terminate probation at any time during the term of the probation "in the interests of justice." In practice, however, many judges want at least 12 to 18 months of the probation term completed before they will seriously consider granting a motion to terminate.

A court hearing must be held before any sentence, term, or condition of probation can be modified. The prosecutor must be given written notice before the hearing and an opportunity to argue against modification of probation. If there is a probation officer assigned to the case, written notice must also be given to the probation department.

The Court must state the reasons for probation modification. Common reasons the court may use to justify a probation modification include:

1. The petitioner's good conduct while on probation
2. The court believes the petitioner is reformed and ready to become a productive member of society.

If the petitioner has been ordered to pay restitution, the court cannot modify the dollar amount of the restitution unless there are compelling and extraordinary reasons to do so.

FELONY EXPUNGEMENT

Generally, a felony is eligible for expungement if the petitioner was granted probation and successfully completed the terms of probation or was sentenced to county jail. A petitioner is not eligible for expungement if he was sentenced to state prison, unless an exception applies.

In addition, the petitioner must have paid all the fines, restitution, and reimbursements ordered by the court, must not currently be charged with another offense, and must not be currently serving another sentence or on probation for another offense. If there was no probation, then at least one year must have elapsed since the date of conviction.

State Prison Exceptions

Proposition 47: Under prop 47, certain offenses including, Commercial Burglary, Grand Theft, Receipt of Stolen Property, Petty Theft with a Prior, and Unlawful Possession of a Controlled substances have been reduced from felonies to misdemeanors.

Proposition 64: Under Prop 64, certain offenses including, Possession of more than 28.5 grams of Marijuana, Cultivation of more than 6 Marijuana plants, Possession of Marijuana for Sale, and Transportation, Distribution or Importation of Marijuana have been reduced from felonies to misdemeanors.

If a petitioner was convicted of a Prop 47 or 64 eligible felony and served a sentence in state prison or is currently serving a sentence (including parole), he or she may be able to apply or petition the court for relief. If the case is redesignated to a misdemeanor, the matter can then be eligible for expungement under 1203.4a.

Penal Code section 1203.42: Prior to January 2018, if a petitioner was convicted of a felony and sentenced to state prison, he was ineligible for

expungement of that conviction unless relief was available under Prop 47. In September 2017, Assembly Bill 1115 was passed, creating Penal Code section 1203.42, which allows expungement of certain felonies where the petitioner was sentenced to state prison prior to October 2011, for a crime that would now be eligible for a county jail sentence under Penal Code section 1170(h). A list of crimes affected by AB 1115 can be found on the County of Santa Clara Public Defender Website.

[https://www.sccgov.org/sites/pdo/Pages/AB-109--Eligible-1170\(h\)-Felonies-List.aspx](https://www.sccgov.org/sites/pdo/Pages/AB-109--Eligible-1170(h)-Felonies-List.aspx)

CRIMES NOT ELIGIBLE FOR EXPUNGEMENT UNDER 1203.4

Certain convictions are not eligible for expungement. Some examples of such convictions are:

Vehicle Code § 42002.1

Any conviction for willfully failing or refusing to comply with a lawful order, signal, or direction of a peace officer, fire department member or traffic officer, insofar as it affects a failure to stop and submit to inspection of equipment or for an unsafe condition endangering a person.

Penal Code § 286 (c) sodomy with a child

Penal Code §288(c) lewd acts with a child under 15 where the perpetrator was at least 10 years older than the victim

Penal Code §288(a) oral copulation

Penal Code §288.5 continuous sexual abuse of a child

Penal Code §289(j) sexual penetration with a person under 14 where the perpetrator was at least 10 years older than the victim

Penal Code §261.5(d) statutory rape with a minor under 16 when charged as a felony

Prior to 1997, the law allowed for expungement of Penal Code Sections: 286(c), 288, 288a(c), 288.5 or Section 289(j). If the Veteran accepted a plea bargain made before 1997 with the understanding that the conviction could later be expunged, the court can apply the law as it existed pre-1997 and the conviction to be expunged. People v. Arata, 151 Cal.App.4th 778, 783, 60 Cal.Rptr.3d 160, 163 (Cal.App. 3 Dist., 2007)

Other Vehicle Code Infractions: All vehicle misdemeanors such as driving under the influence may be dismissed.

REDUCTION OF A FELONY TO A MISDEMEANOR

Some felonies can be reduced to misdemeanors and then expunged. There are some advantages to having a felony reduced to a misdemeanor before expungement.

A reduction of a felony conviction to a misdemeanor precludes its later use as predicate offense for possession of a firearm by a convicted felon. People v. Gilbreth, 67 Cal.Rptr.3d 10, 156 Cal.App.4th 53 (App. 1 Dist. 2007)

Reduction of a felony to a misdemeanor will remove the strike for future sentencing purposes if there is a subsequent conviction. People v. Park, 56 Cal. 4th 782 (2013)

Under California Penal Code 17(b) only felonies that are classified as wobblers may be reduced to misdemeanors. "Straight" felonies (ones which can only be prosecuted as felonies) are therefore not eligible for a misdemeanor reduction.

The list of wobblers is too numerous to detail here but includes such offenses as:

- Penal Code §459 California's burglary law,
- Penal Code §245(a)(1) California's "assault with a deadly weapon" (ADW) law,
- Penal Code §422 California's criminal threats law,
- Penal Code §273.5 California's spousal battery law,
- Many California sex crimes (including Penal Code § 243.4 sexual battery and Penal Code §288 lewd acts with a minor), and
- Most California fraud charges.

A list of additional Wobblers in California can be found at:

http://www.recordgone.com/california_felony_wobblers.htm

This list can also be found beginning on page 33 of this manual. (Appendix C)

WHAT EXPUNGEMENT WILL DO FOR THE VETERAN.

- The Veteran can legally answer “No” if an employer asks if they have ever been convicted of a crime.
- An expungement can help the Veteran obtain some job licenses and certificates.
- An expungement can improve the Veteran’s credit rating.
- An expungement can help the Veteran when applying for housing and/or loans.
- The Veteran can close a chapter of their past and move forward in life without fear or shame.

WHAT EXPUNGEMENT WILL NOT DO FOR THE VETERAN

- If the Veteran is charged with another crime in the future, the expunged conviction can still be used as a prior conviction to increase the sentence. Penal Code § 1203.4(A)(1)
- If the expunged conviction was a “strike,” it will still count as a strike for future sentencing purposes if there is a subsequent conviction. People v. Diaz, 41 Cal. App. 4th 1424 (1996)
- An expungement does not erase, seal, destroy, or remove any entries on the Veteran’s criminal record from the court, law enforcement, Department of Justice or Department of Motor Vehicles. The case, including the conviction will remain public record. The conviction will show as DISMISSED on the record.
- If the Veteran lost the right to possess a firearm, expungement will not restore the ability to possess a firearm. Firearm rights may be restored if certain felonies are reduced to misdemeanors. See People v. Frawley, 98 Cal.Rptr.2d 555, 82 Cal.App.4th 784 (App. 1 Dist. 2000); California Penal Code 12021. However, if a Veteran is convicted of felony domestic violence, or misdemeanor domestic violence, federal law imposes a lifetime ban on the possession of a firearm. 18 USC 922(g) (8) and (9) (The Lautenberg Amendment) An expunged conviction does not remove federal firearms restrictions. So even if a California domestic violence conviction is expunged, The Veteran is still

subject to the federal lifetime ban on possessing a firearm. However, an offense that counts as a crime of domestic violence under California law is not necessarily one under the federal statute. A careful reading of the federal statute is required.

- If the Veteran is required to register as a sex offender under Penal Code §290, they will still have to register after the conviction is expunged. Doe v. Brown, 99 Cal.Rptr.3d 209, 177 Cal.App.4th 408, (App. 4 Dist. 2009, review denied); People v. Fioretti 63 Cal.Rptr.2d 367, 54 Cal.App.4th 1209 (App. 6 Dist. 1997) To end the requirement for registration as a sex offender, the Veteran can petition for a Certificate of Rehabilitation after the expungement is granted.
- Expungement does not remove the requirement for publication on Megan's Law website. Doe v. Brown, 177 Cal App 4th 408, 99 Cal Rptr 3d 209, 2009 Cal App LEXIS 1479 (App. 4 Dist.)
- If applying for a job with a criminal justice agency, a job as a Farm Labor Contractor, or any job where the public or private employer is required by law to conduct a background check (e.g., Senior Care Facilities), the conviction must be disclosed, but the applicant should indicate it was "Dismissed per Penal Code section 1203.4."
- If the conviction precludes holding a public office, expungement will not restore the Veteran's right to hold that public office.
- If contracting with the California State Lottery Commission, the Veteran must disclose the conviction
- Where a conviction may be used by federal immigration authorities to deport or remove a foreign citizen, expungement will not preclude deportation. U.S. v. Alvarez-Varela, C.A.9 (Cal.) 2006, 175 Fed.Appx. 127, 2006 WL 908233; Ramirez-Castro v. I.N.S., C.A.92002, 287 F.3d 1172
- If the Veteran's driver's license has been suspended, expungement of a conviction will not restore the license; it will still be suspended. Expungement does not affect the DMV record.

HOW TO DETERMINE IF THE VETERAN IS ELIGIBLE FOR EXPUNGEMENT

To determine whether or not the Veteran is eligible to have their conviction or convictions expunged, you must first know what convictions are on the Veteran's record. The Veteran must provide you with a record of each conviction they want expunged. The two most common sources of this information are the court papers received at the time of conviction, and the Record of Arrests and Prosecutions or "RAP" sheet. The RAP sheet includes all felony and misdemeanor crimes where the petitioner was arrested and/or prosecuted in California, and only California. Although we request that the Veteran brings a copy of all conviction paperwork with them to the clinic, most will not because they don't have it. The original court paperwork may have been lost, or they never received a copy. In many cases, court records have been destroyed after 10 years pursuant to Government Code section 68152. A RAP sheet from the California Department of Justice may take 8-10 weeks to arrive after it has been ordered.

The Veteran can request their statewide criminal history from the California State Department of Justice Criminal Record Review Unit online at **<http://oag.ca.gov/fingerprints/security>** or contact them by telephone at: (916) 227-3835 for more information. All information and instructions are available on the website. There is a fee to get a copy of the criminal record, but low-income Veterans may qualify for a fee waiver.

ELIGIBILITY CHART

Veteran’s situation	Veteran may be able to	How to do it
Veteran was convicted of a misdemeanor and is still on probation.	Request early release from probation and file a petition to have the conviction dismissed.	File a Penal Code section 1203.3 motion to have probation terminated early. Then file a Pen. Code, § 1203.4 petition for expungement using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration). Forms can be found here: http://www.courts.ca.gov/1330.htm
Veteran was convicted of a misdemeanor and has successfully completed probation.	File a petition to have the conviction dismissed.	File a Pen. Code, § 1203.4 petition for expungement using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration). Forms can be found here: http://www.courts.ca.gov/1330.htm
Veteran was convicted of a misdemeanor or infraction and was never given any probation at all.	File a petition to have the conviction dismissed.	File a Pen. Code, § 1203.4a petition for expungement using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration). Forms can be found here: http://www.courts.ca.gov/1330.htm
Veteran was convicted of a felony and is still on probation.	Request early release from probation and file a petition to have the conviction reduced to a misdemeanor and dismissed.	File a Pen. Code, § 1203.3 motion to have probation terminated early. Then file a Pen. Code, § 17(b) petition to have a felony reduced, and a petition for expungement using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration). Forms can be found here: http://www.courts.ca.gov/1330.htm
Veteran was convicted of a felony and has completed probation and/or county jail time.	File a petition to have the conviction reduced and dismissed.	File a Pen. Code, § 17(b) petition to have a felony reduced, and a Pen. Code, § 1203.4 petition for expungement using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration). Forms can be found here: http://www.courts.ca.gov/1330.htm
Veteran was convicted of a felony and was never given probation and was sentenced to county jail.	File a petition to have the felony reduced to a misdemeanor and file a petition to have the conviction	File a Pen. Code, § 17(b) petition to get a felony reduced, and a Pen. Code, § 1203.4a petition for expungement using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration). Forms can be found here: http://www.courts.ca.gov/1330.htm

	dismissed.	
Veteran was convicted of a felony that was reduced to a misdemeanor under Propositions 47 (Pen. Code, § 1170.18) or 64 (Health and Safety Code section 11361.8).	File a petition to resentence or an application to redesignate the felony to a misdemeanor and have the conviction dismissed.	File a Health and Safety Code, § 11361.8 petition/application, using Judicial Council Forms CR-400 (pet./app.), CR-403 (order), and CR-401 (proof of service); OR File a Pen. Code, § 1170.18 petition/application. Please visit the Court website where your client’s case is located to obtain local forms. Then file a Pen. Code, § 1203.4a OR Pen. Code, § 1203.4 petition for expungement, using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration) for each case to be expunged. Forms can be found here: http://www.courts.ca.gov/1330.htm
Veteran was convicted of a felony and served a state prison sentence in county jail under Pen. Code, § 1170(h)(5).	File a petition to have the conviction dismissed.	File a Pen. Code, § 1203.41 petition for expungement, using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration). Forms can be found here: http://www.courts.ca.gov/1330.htm
Veteran was convicted of a felony prior to October 2011 and sentenced to state prison.	File a petition to have the conviction dismissed <u>IF</u> the offense now allows for sentencing under Pen. Code, § 1170(h).	File a Pen. Code, § 1203.42 petition for expungement, using Judicial Council Forms CR-180 (petition), CR-181 (order), and MC-031 (Declaration). Forms can be found here: http://www.courts.ca.gov/1330.htm
Veteran was convicted of a felony not qualifying under Pen. Code § 1203.42 and was sentenced to state prison or put under the authority of the Department of Corrections and Rehabilitation	File a petition for a certificate of rehabilitation and pardon.	See the requirements for this process, and the 10-year rule, under Certificate of Rehabilitation and Pardon *

*Completion of Certificates of Rehabilitation and Pardon are beyond the scope of this clinic.

COMPLETING THE FORMS

Once the Veteran has the information about each conviction they wish expunged, the process of completing the forms can begin.

Proposition 64

If a Veteran is seeking Proposition 64 Relief, the following Judicial Council forms should be submitted:

1. *Petition/Application for Resentencing/Redesignation* (CR-400)
2. *Order* (CR-403)
3. *Proof of Service* (CR-401)

The Veteran can get these court forms at www.courts.ca.gov/prop64.htm.

Proposition 47

If a Veteran is seeking Proposition 47 Relief, you must obtain local forms from the related Court's website.

Expungement

The same forms are used for all four types of expungement (Pen. Code, §§ 1203.4, 1203.4a, 1203.41, and 1203.42), as well as the request to reduce a felony to a misdemeanor under Penal Code § 17(b).

1. *Petition for Dismissal* (CR-180)
2. *Order for Dismissal* (CR-181)
3. *Declaration* (MC-031)

The Veteran can obtain these court forms at www.courts.ca.gov/forms.htm.

A declaration (MC-031) is only required for discretionary expungements. However, it is good practice, (and highly recommended) to submit a declaration with all petitions.

The declaration should discuss:

1. The reasons the veteran offended, and how the veteran's life is going in a more positive direction today than it was when the offense was committed.
2. The Veteran's plans for the future
3. How the conviction has hurt the veteran's employment chances
4. If the Veteran has received any training or education since the conviction

5. Any occurrence in the Veteran's life that positively impacts how he or she interacts with the community

6. Any 12-step or religious affiliations the Veteran has.

7. Any other positive information that may assist the court in deciding to grant the expungement.

Declarations should be accompanied by letters of support whenever possible. Such letters are given significant weight by the court, especially when coming from a counselor, psychologist/psychiatrist, priest/pastor, etc.

All declarations submitted to the court must contain the words "I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct." The declaration should be no more than one page long and may be typed on a computer or handwritten. For ease of reading, it is highly recommended that the declaration be typed.

If the Veteran has changed their name since the conviction, the forms must be completed with the name under which they were convicted. The form should be signed with the Veteran's current name.

A separate *Petition for Dismissal* (CR-180) and *Order for Dismissal* (CR-181) must be completed for each conviction the Veteran wants to expunge, but all can be filed at the same time.

EXPUNGEMENT COSTS

A petitioner may be required to reimburse the court, whether or not the petition is granted and the convictions are expunged. The court in each county determines this rate. The maximum amount is \$150 per petition. Veterans should contact the court in the county where they were convicted to determine the amount of the fee. Fee waivers are available for low-income petitioners and can be made to the court by submitting Judicial Council Form [CR-115](#) (Defendant's Statement of Assets). The Defendant's Statement of Assets can be obtained from the California Courts website: <http://www.courts.ca.gov/documents/cr115.pdf>.

PARTIAL LIST OF WOBLERS IN CALIFORNIA
(Appendix C)

Penal Code

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107 Escape of felon prisoner from training school/county hospital
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136.1(a) Maliciously dissuade witness or victim from testimony
136.1(b) Dissuade witness to or victim of crime from making report
136.5 Possess deadly weapon wit dissuade witness from testimony
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166 (d) Purchase or receipt of firearm in violation of protective order
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171b Bringing firearm, knife, or deadly weapon into courthouse, state or local public building
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182(a)(1) Criminal conspiracy to commit felony (see underlying felony)
182(a)(2) Conspiracy to indict falsely
182(a)(3) Conspiracy to maintain false court action
182(a)(4) Conspiracy to cheat or defraud
182(a)(5) Conspiracy to obstruct justice
182.5 Criminal street gang conspiracy (see underlying felony)
186.22(a) Participation in criminal street gang activity
186.22(b)(1) Committing misdemeanor while violating provisions against participating in criminal street gang
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186.22(d) Commission of wobbler in association with criminal street gang
186.26(a) Adult use of physical violence to coerce, induce, or solicit minor to participate in criminal street gang activity
186.26(b) Adult use of threats of physical violence on two or more occasions within 30-day period to coerce, induce, or solicit minor to participate in criminal street gang activity
186.28 Supplying or selling of firearm for use in commission of felony by criminal street gang member
192(c)(1) Vehicular manslaughter, w/o drugs or alcohol, but w/gross neg
192(c)(3) Vehicular manslaughter, w/drugs or alcohol, but w/o gross neg
192.5(a) Vessel manslaughter, w/o drugs or alcohol, but w/gross neg
192.5(c)(3) Vessel manslaughter, w/drugs or alcohol, but w/o gross neg
227 Dueling

231/227 Leaving state to duel/aid a duel
 241.1 Assault on a custodial officer
 241.4 Assault on school security patrol member
 241.7 Assault on juror
 243(c) Battery against peace officer/firefighter/paramedic w/injury
 243(c)(1) Battery against custodial officer/firefighter/paramedic w/injury
 243(c)(2) Battery against peace officer w/injury
 243(d) Battery against person resulting in serious BI
 243.3 Battery against public vehicle operator w/injury
 243.4(a)-(d) Sexual battery
 243.6 Battery against school employee w/injury
 243.7 Battery against juror
 243.9(a) Battery of peace officer or local detention facility employee by prisoner by gassing
 244.5(b) Assault w/stun gun or taser
 244.5(c) Assault w/stun gun or taser on peace officer/firefighter
 245(a)(1) ADW other than firearm or assault w/force likely to produce GBI on person
 245(a)(2) Assault with firearm 245.5(a) ADW other than firearm or assault w/force likely to produce GBI on school employee
 245.5(b) ADW w/firearm on school employee
 245.5(c) Assault w/stun gun or taser on school employee
 246 Discharge firearm at inhabited dwelling, vehicle, or aircraft
 247(b) Discharge firearm at unoccupied vehicle
 247.5 Discharge laser at aircraft
 261.5 Unlawful sexual intercourse
 261.5(c) Unlawful sexual intercourse with minor more than 3 years younger than defendant
 261.5(d) Unlawful sexual intercourse with minor under 16 by defendant over 21
 262 Spousal rape
 266 Seduction of minor for prostitution
 266c Inducing commission of sexual act through false representation creating fear
 267 Abduction of a minor for prostitution
 270 Child neglect by person adjudicated as parent
 271 Child abandonment
 271a Willful abandonment or nonsupport of child under 14 years
 273(c) Paying parent for adoption of child w/pc
 273a(1) Willful cruelty to child
 273a(a)(1) Willful cruelty to child
 273a(a) Willful cruelty to child
 273d Inflict traumatic injury on child
 273d(a) Inflict traumatic injury on child
 273.5 Inflict traumatic injury on spouse or cohabitant
 273.5(a) Inflict traumatic injury on spouse, former spouse, cohabitant, or former cohabitant
 273.5(e) Inflict traumatic injury on spouse, former spouse, cohabitant, or former cohabitant within 7 years of specified pc
 273.5(e)(1) Inflict traumatic injury on spouse, former spouse, cohabitant, or former cohabitant within 7 years of pc of Pen C 243(d), 243.4, 244,244.5,245 or 273.5(a)
 273.5(e)(2) Inflict traumatic injury on spouse, former spouse, cohabitant, or former cohabitant within 7 years of pc Pen C 243(e)
 273.6(c) Violation of protective order w/pc
 273.6(d) Violation of protective order w/pc
 273.6(d) Violation of protective order w/pc
 273.6(e) Violation of protective order resulting in physical injury w/pc
 273.55 Inflict traumatic injury on spouse or cohabitant w/pc of specified assault

273.65(d) Violation of protective order w/pc
273.65(e) Violation of protective order resulting in physical injury w/pc
276 Soliciting women to submit to illegal abortion
278 Child stealing
278.5 Child stealing in violation of custody order
280(b) Child concealment outside of state
283 Bigamy
284 Marrying spouse of another
286(b)(1) Sodomy, victim under 18 years
286(e) Sodomy in jail or prison
286(h) Sodomy, victim incompetent, both confined for mental disorder
288(c) Lewd & lascivious act w/child 14 or 15, def at least 10 yrs older
288(c)(1) Lewd and lascivious act w/child 14 or 15, def at least 10 yrs older
288(c)(2) Lewd and lascivious act by caretaker w/dependent adult
288.2 Distribution or exhibition of lewd material to minor
288.2(a) Distribution or exhibition of lewd material to minor
288.2(b) Distribution or exhibition of lewd material to minor by electronic mail/Internet
288a(b)(1) Oral copulation, victim under 18
288a(e) Oral copulation in jail or prison
288a(h) Oral copulation, victim incompetent, both confined for mental disorder
289(c) Sexual penetration w/foreign object, victim incompetent, both confined for mental disorder
289(c) Sexual penetration w/foreign or unknown object, victim incompetent, both confined for mental disorder
289(h) Sexual penetration w/foreign object, victim under 18
289.6(a)(2) Employee of public detention facility engaging in sexual activity (as defined in Pen C 289.6(d)(1)-(4)) with inmate
289.6(a)(3) Employee of Youth and Adult Correctional Agency engaging in sexual activity (as defined in Pen C 289.6(d)(1)-(4)) with inmate
290(g)(2) Failure to register w/2 prior convictions
290(g)(2) Failure to register by person convicted of designated sex offenses
290(g)(3) Failure to register by person convicted of a felony sex offense or w/pc
290(g)(5) Failure to register by sexually violent predator
290(g)(5) Failure to register by person adjudicated a sexually violent predator
299.5(g) Unlawful use or disclosure of offender forensic sample or DNA profile
311.1 Sale or distribution of obscene material depicting minors
311.2(d) Sale or distribution of obscene material depicting minor under 17 to minor under 18
311.2(d) Sale or distribution of obscene material depicting minor under 18 to minor under 18
311.10 Advertising obscene material depicting minor under 18
314(1) Indecent exposure after entering inhabited dwelling
332 Obtaining money or property by fraudulent game or trick
334(a) Concessioner fraud by hidden mechanical device
337a Pool selling or bookmaking
337b Corrupt sporting event/bribe player or participant
337c Accepting bribe to throw sport event
337d Bribing official of sport event
337e Official of sport event accepting bribe
337f(c) Racing drugged horse
337f(d) Racing horse under fictitious name or license
337i Transmitting race information for illegal gambling

337.3 Using name of official in touting
337.7 Use of illegal/forged credential or license in touting
347(b) Falsely reporting contamination of food/drink/medicine, etc.
350(a)(2) Manufacture, sale, or possession for sale of 1,000 or more counterfeit marks
350(a)(2) Manufacture, sale, or possession for sale of 1,000 or more counterfeit marks
valued in excess of \$400
350(b) Manufacture or sale of counterfeit mark w/pc
350(b) Manufacture, sale, or possession for sale of counterfeit mark w/pc
350(d)(1) Possession for sale of less than 100 counterfeit marks at location other than point
of sale w/2 pc
350(d)(2) Possession for sale of 100 or more counterfeit marks at location other than point
of sale w/pc
350(d)(3) Possession for sale of 1,000 or more counterfeit marks at location other than
point of sale
367f Sale of human organs for transplantation
368(a) Willful causing of pain to or suffering of dependent adult
368(b) Willful causing of pain to or suffering of dependent adult
368(c) Theft or embezzlement over \$400 by caretaker of dependent adult
368(d) Theft or embezzlement over \$400 of dependent adult
368(e) Theft or embezzlement over \$400 by caretaker of dependent adult
374.2 Malicious discharge of harmful materials into public sewer w/pc
374.8 Unauthorized deposit of hazardous substances
382.5 Selling dinitrophenol
382.6 Selling certain chemicals as eyelash dye
387 Corporate criminal liability regarding disclosure of safety hazards
399(b) Owner or person having control allowing vicious animal at large resulting in serious
bodily injury
399.5 Failure of owner to exercise ordinary care with dog that bites person
404.6(c) Inciting riot in state prison or county jail resulting in serious BI
417(b) Draw/exhibit loaded firearm in threatening manner on grounds of daycare center
417(c) Draw/exhibit firearm in a threatening manner in presence of po
417.1 Draw/exhibit firearm in threatening manner in reserve po's presence
417.6 Inflict serious BI during violation of 417/417.1/417.8
422 Criminal threats of violence
422.7 Hate crime
452(a) Unlawful fire w/GBI
452(b) Unlawful fire of inhabited structure or property
452(c) Unlawful fire of structure or forest land
453(a) Possess, manufacture, dispose of flammable material or incendiary device w/arson
intent
461(2) Burglary second degree
463(a) Burglary second degree during emergency resulting from earthquake, flood
463(a) Burglary second degree during emergency resulting from earthquake, flood, fire,
riot, or other natural or manmade disaster
463(b) Grand theft during emergency resulting from earthquake, flood, fire, riot, or other
natural or manmade disaster
470 Forgery

470a Forgery of driver's license or identification cards
470b Possess/display forged driver's license or identification card
471 Altering entries in books and records
472 Forgery of public and corporate seals
474 Sending false/forged message by phone/telegraph w/fraud intent
475 Passing or receiving forged bill/check/note
475a Fraudulent possession of completed check/money order, etc.
476 Making/passing/possessing fictitious bill/note/check
476a NSF checks
483.5(d) Manufacture, sale, or transport of deceptive identification document for fraudulent use
484b Diversion of over \$1,000 in construction improvement loans
484e(a) Selling or transferring access card with intent to defraud
484e(b) Theft of access cards of four or more persons
484e(d) Acquiring access card information with intent defraud
484g Using forged access card to obtain over \$400
484g Using forged access card or altered access card account information to obtain over \$400
484h Access card offenses by merchant over \$400
484i(b) Counterfeiting access card
484i(b) Altering or modifying access card account information with intent to defraud
484i(c) Counterfeiting access card
487(1) Grand theft
487(2) Grand theft person
487(3) Grand theft, farm animal
487(3) Grand theft auto, farm animal
487(a) Grand theft money, labor, or property over \$400
487(b)(1), (2) Grand theft agricultural or aquacultural products over \$400
487(b)(3) Grand theft money, labor, or property of \$400 or more by servant, agent, or employee
487(c) Grand theft person
487(d) Grand theft farm animal
487(d) Grand theft auto, farm animal
487a Grand theft carcass
487e Stealing dog valued at more than \$400
487g Dog stealing for commercial use
487g Stealing/fraudulently obtaining any animal for commercial use
487h(a) Grand theft auto, trailer, special construction equipment, vessel
487h(a) Grand theft auto, trailer, special construction equipment, vessel
496(1) Receiving stolen property
496(a) Receiving stolen property
496(b) Receiving stolen property in excess of \$400 by secondhand goods dealer
496(e) Attempted receiving stolen property
496(d) Attempted receiving stolen property
496a Junk dealer receiving property of utility company/railroad, etc.
496c Copying title information w/o consent of owner
496d Receiving stolen vehicle, trailer, or vessel
497 Bringing stolen or embezzled property into state
499(a) Joyriding w/1 pc of Penal Code 487(d) or Vehicle C 10851
499(b) Joyriding w/2 pc of joyriding
499b.1(a) Joyriding w/prior conviction for auto theft
499b.1(b) Joyriding w/2 pc of joyriding
499c Theft of trade secrets

499d Theft of aircraft
502(d) Receiving money of \$400 or more for transmittal to foreign countries
502(d) Computer-related crimes
502.5 Removal of structures from mortgaged realty w/o owner's consent
502.7(a) Fraudulently avoiding charge for telephone or telegraph service over \$400
502.7(a) Fraudulently avoiding charge for telephone or telegraph service
502.7(b) Use of instrument to avoid telephone or telegraph charge over \$400
502.7(b) Use of instrument to avoid telephone or telegraph charge
502.7(d) Allowing fraudulent use of calling or credit card to obtain telecommunications service
502.7(g) Theft of telephone or telegraph services w/pc within 5 years
502.8(c) Possession of telecommunications device with intent to sell and avoid charge for service
502.8(d) Possession of illegal telecommunications equipment wit sell and avoid charge for service
503 Embezzlement
504 Embezzlement by public officer
504a Embezzlement of property held under lease
504b Debtor's embezzlement by sale of mortgaged property
505 Embezzlement by carrier
506 Embezzlement by trustee
506b Violation of CC 2985.3-2985.4 re real estate sales
507 Embezzlement by tenant or bailee
508 Embezzlement by clerk or servant
524 Attempted extortion
529 Impersonation for fraud
530 Receiving money/property in assumed character
530.5 Using personal identifying information of another to obtain credit, good, services, or medical information
532 Obtain money/credit/property/labor by false pretense
532a(4) Making false financial statement
535 Illegal auction
537(a)(2) Defrauding innkeeper of more than \$400
537e(a) Purchase/possess/sell integrated circuit e/removed/alterd ID/ser. no. more than \$400
538 Sale/dispose of mortgaged property
538.5 Fraudulent use of wire, radio, or TV transmissions
540 Stealing/forging/counterfeiting ration coupons
541 Sale/gift/transfer of forged/counterfeit ration coupons
542 Purchase/acquire forged or counterfeit ration coupons
549 Soliciting fraudulent insurance claims
550(a)(6)-(9) Defrauding health care provider of more than \$400
550(b)(1)-(4) Preparing or making false oral or written statement in support of or opposition to insurance claim
550(b)(2) Defrauding health care provider of more than \$400
551 Offering consideration for referrals to auto repair dealer or contractor w/pc
560 Issuing false documents of title
560.4 Issuing fraudulent duplicate document of title
566 Dairy equipment offenses over \$400
570 Unlawful subleasing of motor vehicle
577 Issuing false bill of lading/receipt/voucher
578 Issuing fictitious warehouse receipts
580 Failure to show receipt is duplicate

581 Sale or pledge of property receipted for by carrier or warehouse
587 Injury to or obstruction of railroad tracks or bridges
591 Injury to telegraph/telephone/cable TV or other electric line
592(b) Taking water from canal, ditch, flume or reservoir w/pc
593 Interfering w/electric power line
593d(b) Manufacture or distribution of less than 10, or sale of less than 4, unauthorized video signal converter boxes w/pc
594(b)(1) Vandalism of \$50,000 or more
594(b)(1) Vandalism of \$400 or more
594(b)(2) Vandalism of \$5,000 or more but less than \$50,000
594.3(a) Vandalism of place of worship
594.3(a) Vandalism of place of worship or cemetery
594.35 Vandalism of mortuary; distributing or obstructing funeral service
594.4 Defacing, damaging, or contaminating property with noxious or caustic chemical or substance
594.7 Vandalism w/2 pc of vandalism
597 Cruelty to animals
600(a) Inflicting serious injury on police horse or dog
601 Trespass consisting of credible threat to cause serious bodily injury and unlawful entry onto property within 14 days of the threat
601 Trespass consisting of credible threat to cause serious bodily injury and unlawful entry onto property within 30 days of the threat
607 Injury or destruction of hydra-power equipment of \$5,000 or more
620 Altering telegraph/telephone messages
621 Vandalism of law enforcement memorial or firefighter's memorial
625b(b) Tampering w/aircraft
626.9(b) Possession of firearm within 1,000 feet of school grounds
626.10(a) Possession of weapon, not firearm, on public school grounds
626.10(a) Possession of weapon, not firearm, on public or private school grounds
626.10(b) Possession of weapon, not firearm, on public college grounds
626.10(b) Possession of weapon, not firearm, on public or private college grounds
626.95 Possessing firearms on grounds of playground or youth center
629.34 Violation of wiretapping laws
629.84 Violation of wiretapping laws
631 Wiretapping
632 Eavesdropping or recording confidential communication
632.5 Unlawful interception of cellular radio telephone communication
632.6 Unlawful interception of cordless telephone communication
632.7 Unlawful interception of and recordation of cellular radio or cordless telephone communication
634 Trespass to invade privacy
635 Mfg. or sale of eavesdropping devices
636(b) Non-electronic eavesdropping on privileged conversation
637 Wrongful disclosure of telephone/telegraph communication
637.1 Wrongful disclosure of telephone/telegraph communication by employee
641.3 Commercial bribery where amount of bribe exceeds \$1,000
642 Grand theft from corpse
646.9(a) Stalking
646.9(b) Stalking in violation of temporary restraining order or injunction
646.9(c) Stalking w/pc of stalking same victim within seven years
646.9(c)(1) Stalking w/pfc of Pen C 273.5, 273.6, or 422
647.6 Child molestation after entering inhabited dwelling without consent
653f(a) Soliciting commission of crime not murder

653f(d) Soliciting commission of drug offenses w/pc
653f(e) Soliciting commission of health care fraud under Welf & I C 14014 w/pc
653h(b) Illegal sound recording, transfer or transport of 1,000 or more articles
653h(c) Illegal sound recording, transfer or transport, w/pc
653h(d) Illegal sound recording for sale w/pc
666 Petty theft w/prior, grand, or auto theft, burglary, robbery, or felony receiving stolen property
666 Petty theft w/prior petty, grand, or auto theft, burglary, carjacking, robbery, or felony receiving stolen property
1319.4 Failure to appear on a felony
1320(b) Willful failure to appear felony hearing, when released on OR
1320.5 Willful failure to appear felony hearing, when released on bail
1370.5 Escape from mental health facility
4011.7 Escape w/force or violence of misdemeanor prisoner from hospital
4131.5 Battery on non-inmate by county jail prisoner
4133 Escape from industrial farm
4501.1 Battery of peace officer or prison employee by prisoner by gassing
4532(a) Escape or attempt of misdemeanant from jail w/o force or violence
4532(b) Escape or attempt of felon from jail w/o force or violence
4532(b) Escape or attempt of felon from jail w/force or violence
4532(d) Failure of misdemeanant to return to jail subsequent to temporary release
4532(d) Failure of felon to return to jail subsequent to temporary release
4536 Escape or attempt of MDSO from state hospital, etc
4550(2) Rescue or attempt-prisoner convicted of noncapital crime
11411(b) Placing or displaying Nazi swastika on property of another on two or more occasions for purpose of terrorizing the property owner
14411(c) Cross-burning on property of another for purposes of terrorizing the property owner
11411(c) Cross-burning on private property of another or school property for purpose of terrorizing owner, student, or school employee
11418(d) Use of recombinant technology to create new pathogens for destructive purposes
11418.1 Mailing, sending, or causing to be sent a false or facsimile weapon of mass destruction, or placing or possessing such weapon and causing another person to be placed in sustained fear
11418.5 Threat of use of weapon of mass destruction resulting in isolation, quarantine, or decontamination
12020 Mfg., sale, possession of illegal weapon
12020 Mfg., sale, possession of illegal weapons or large-capacity magazines
12021(c) Possession of firearm within 10 years of certain misdemeanor convictions
12021(d) Possession of firearm in violation of condition of probation
12021(e) Possession of firearm by juvenile court ward before age of 30
12021(g) Purchasing/receiving firearm when subject to domestic violence restraining or protective order
12021.3 Possession of firearm within 10 years of misdemeanor conviction of Pen C 76 (threat of harm to government official)
12023 Carrying loaded firearm with intent to commit felony
12025(a) Carrying concealed firearm on person and pc of a narcotics offense or an offense against person or property
12025(a) Immediate possession or ready access to concealable firearm and ammunition or loaded concealable firearm, and defendant not registered owner
12025(b) Carrying concealed firearm on person w/o license and pc of a narcotics offense or an offense against person or property
12031(a) Carrying loaded firearm on person or in vehicle w/pc of a narcotics offense or an

offense against person or property

12031(a) Carrying loaded firearm on person or in vehicle and defendant not registered owner

12031.5(a) Carrying loaded firearm on person or in vehicle in violation of Pen C 12031 w/pc

12034(b) Permitting another to discharge firearm from motor vehicle

12034(d) Discharging firearm from motor vehicle

12035(b)(1) Criminal storage of firearm in the first degree

12040 Carrying firearm in public while masked to hide identity

12072 Unlawful firearm transaction defined in Pen C 12072(g)(3) (A)-(F)

12072 Unlawful firearm transaction defined in Pen C 12072(g)(3) (A)-(H)

12072(a) Sale of firearm to addict or felons

12100 Sale of concealable firearm to minor w/pc

12100 Sale of concealable firearm to minor by addict, felon, or mental patient

12101 Possession of concealable firearm by minor w/pc

12220 Possession or sale of machine guns

12220(a) Possession or transport of machine gun

12220(b) Possession of assault weapon

12303 Possession of destructive device

12304 Second conviction for sale or transportation of fixed ammunition

12316(b) Possession of ammunition or reloaded ammunition by felon or mental patient

12320 Possession of metal-piercing ammunition

12321 Sale or transport of metal-piercing ammunition

12355(b) Possession of a booby trap

12403.7 Using tear gas other than in self-defense

12422 Alteration of identification on tear gas weapons

12520 Possession of firearm silencer

12560 Possession of firearm w/pfc-firearm

14166 Money laundering

Bus & Prof. Code

580 Sale of medical degree

581 Fraudulent procurement or alteration of medical diploma

582 Fraudulent use of medical diploma

583 False statement by medical license applicant

584 Impersonation during medical license examination

650 Accepting consideration for referring patients to clinic or lab

729 Sexual exploitation by psychotherapist w/pc

729 Sexual exploitation by physician or psychotherapist involving two or more victims

729 Sexual exploitation by physician, psychotherapist, or alcohol and drug abuse counselor involving two or more victims

729 Two or more acts of sexual exploitation by physician or psychotherapist involving single victim w/pc

729 Two or more acts of sexual exploitation by physician, psychotherapist, or alcohol and drug abuse counselor involving single victim w/pc

1282.3 Improper collection, storage, or labeling of biological specimen with willful or wanton disregard for safety

2052(a) Unauthorized practice of medicine

2052(b) Aiding or abetting another in the unauthorized practice of medicine

2053 Practice medicine w/o license/certificate

4324 Forgery of prescription

4390 Forgery of Prescription

6126(b0) Unauthorized practice of law by person disbarred or suspended from membership in the state bar

6126(c) Failure of member of State Bar or one who has resigned or been disbarred to comply with order of Supreme Court to comply with Cal Rules of Ct 955
6152 Unlawful solicitation w/pc
7026.10 Fraudulent use of contractor's license number
7027.3 Fraudulent use of contractor's license number
7028.16 Repairing structures damaged by a natural disaster without a contractor's license
10238.6 Breach of trust by real property securities dealers
10250.56 Breach of trust by real property securities dealers
11010.1 Failure to notify real estate comm'r of intent to issue notes secured by property
11013.1 Sale or lease of property subject to blanket encumbrance
11013.2 Sale or lease of property subject to blanket encumbrance
11013.4 Sale or lease of property not subject to blanket encumbrance
11018.2 Sale or lease of property w/o public report
11019 Failure to cease and desist activities when ordered re prop sales
11022 False or misleading real estate advertising
17511.9 Fraudulent telephonic sales methods
22430(d) Manufacture, sale, or transport of deceptive identification document for fraudulent use

Commercial Code

892 Rent skimming, five or more acts
1695.8 Violations by equity purchasers
1812.116(b)-(c) Violations by discount buying organization
1812.217 Marketing plan sale fraud
2945.4 Unfair dealing by mortgage foreclosure consultant
2985.2 Encumbering unrecorded real estate contracts
2985.3 Appropriation by seller of buyer's payment when payment by seller on obligation secured by encumbrance on real property

Corporation Code

2255 Corporation agent falsifying/destroying records w/fraud intent
2256 Falsifying evidence used in investigating corporation affairs
6811 Fraudulent distribution by director of public benefit corporation
6812 Filing of false financial reports by director or officer of public benefit corporation
6813 Fraudulent acquisition of corporate property by director or officer of public benefit corporation
6814 Deception of public officer examining the organization of public benefit corporation
8812 Fraudulent distribution by director of mutual benefit company
8813 Filing of false financial reports by director or officer of mutual benefit corporation
8814 Fraudulent acquisition of corporate property by director or officer of mutual benefit corporation
8815 Deception of public officer examining the organization of mutual benefit corporation
12672 Fraudulent distribution by director of consumer cooperative corporation
12673 Filing of false financial reports by director or officer of consumer cooperative corporation
12674 Fraudulent acquisition of corporate property by director or officer of consumer cooperative corporation
12675 Deception of public officer examining the organization of consumer cooperative corporation
22002 Corporation agent falsifying records
25110 Unlawful sale of securities
25120 Unlawful sale of securities
25130 Unlawful sale of securities

25164 Representing that qualification of document indicated verity
25166 Making false statements to commissioner
25210 Transacting securities w/o certificate
25214(a) Employing suspended securities agent
25216 Sale of security by fraudulent scheme by broker/dealer
25218 Violation of equity rules by broker/dealer
25230 Practicing by uncertified investment advisor
25232.2 Employing suspended/disqualified investment advisor
25234(a) Entering illegal investment advisory contract
25235 Defrauding client by investment advisor
25243 Misrepresenting certification as approval by commissioner
25245 Misrepresenting facts on report/application to commissioner
25246 Requiring spouse's consent to transaction
25300(a) Advertising sale of security w/o filing
25400 Churning
25401 Sale or offer to sell security by misrepresentation
25402 Insider trading
25403 Sale or other to sell local authority obligation w/o consent
25404 Altering, Concealing, or falsifying entry in record with intent to impede, obstruct, or influence enforcement of corporate securities law