

## Who we are

The SJSU Record Clearance Project welcomes students interested in empowering the community through legal advocacy. Attorneys and staff members create a dynamic environment where students learn and apply skills that their clients need to open doors to new futures.

*Anyone who has changed their life for the better should do this. It is a wonderful feeling to have all of my past behind me, no longer haunting me.*

- RCP Client

*I feel like a heavy burden has been lifted that I thought I was going to have to carry for a lifetime. Thank you for this life-changing gift.*

- RCP Client

## Did you know?

California prohibits most employers from asking about

- convictions that have been dismissed.
- conviction history until they have made a conditional offer of employment to an applicant.

## What we do

RCP offers free **individual interviews** to review clients' RAP sheets. We tell clients what is on their records, and their next steps to getting them cleared.

For many people, Speed Screening interviews provide all the information they need to clear their record.

Since nearly 90% of people report not knowing about basic rights to expungement, RCP offers **legal rights presentations** in jail and at community sites such as job training programs, rehabilitation facilities, homeless shelters, and non-profit organizations.

The Record Clearance Project provides **court representation** just in Santa Clara County. Given limited resources, currently RCP can assist only a small fraction of those seeking our help.

## Contact information

For further information and upcoming event dates, please contact us at:

✉ [expunge@sjsu.edu](mailto:expunge@sjsu.edu)

🌐 [www.sjsu.edu/rcp](http://www.sjsu.edu/rcp)

📘 [www.facebook.com/recordclearanceproject](https://www.facebook.com/recordclearanceproject)



**SJSU** | RECORD CLEARANCE PROJECT



## Information for the Community



DEPARTMENT OF JUSTICE STUDIES

## What is expungement?

Expungement is the dismissal of a conviction.

Expungements are either required ("mandatory") or up to a judge ("discretionary").

## How do I know if I'm eligible for expungement?

To be eligible to dismiss a conviction, the law requires that a person:

- Not be on probation or parole or supervision  
*But you can ask the court to terminate this early!*
- Not be charged with any offense
- Not be serving time for any offense

## How long do I have to wait before I can apply?

On cases that *must* be dismissed, apply the day you become eligible! For cases that are up to a judge ("discretionary dismissals") it helps to wait to show examples of how you have moved forward with your life since your last case.

*I can now look forward to tomorrow knowing that the hardest part of the journey is completed.*

- RCP Client

## Can I still apply to clear my record if I owe money to the county?

Yes! Owing a balance to the county does not bar you from applying to have your record cleared.

## Can I apply if I don't have my immigration papers?

Yes! There are no immigration status requirements to be eligible to file a petition for dismissal of a conviction – anyone can apply regardless of immigration status or lack of status.

However, if you have an immigration concern, we recommend you consult an immigration attorney before applying so that you can determine if your conviction history might affect your immigration case.



*This absolutely changed my life. It feels like a huge weight has been lifted off my shoulders.*

- RCP Client

## Can felonies be dismissed?

Most felonies served in jail can be dismissed. Additionally, many felonies can be reduced to misdemeanors. Some felonies *must* be reduced but a person has to apply.

## Can state prison cases be dismissed?

As of January 2018, many state prison cases can be dismissed. If the conviction would be sentenced to county jail under current law ("AB 109"), then those prison cases *must* be dismissed.

*We were a masterpiece, ready to be painted. We didn't think we deserved it -- it's hard to dig yourself out of this hole. But I wouldn't be who I am today without this program.*

- RCP Client

## Interested in services?

Email us at [expunge@sjsu.edu](mailto:expunge@sjsu.edu).