

Life after Dismissing Your Adult Criminal Record

A criminal conviction carries other consequences that can affect the life of the individual beyond the punishment of the crime. These consequences can include issues with employment and licensing, immigration, registration, and the loss of civil rights. The State of California provides a crucial, but limited remedy of dismissal for individuals who have been convicted of misdemeanors and certain felonies. This guide will help an individual research what consequences can be avoided or mitigated through the use of the dismissal procedure.

- 1) California Courts Self Help Center, *Clean Up Your Criminal Record*, (2008), <http://www.courts.ca.gov/1070.htm> This website provided by the California Administrative Office of the Court provides a concise overview of the dismissal process. The site also provides a brief discussion of what the effect of the dismissal is.
- 2) 5 Edward A. Rucker and Mark E. Overland, *California Criminal Practice, Motions, Jury Instructions and Sentencing*, §§59:1-59:2, pp. 263-272 (3rd ed. 2004) This book provides a detailed description of the consequences of a criminal conviction e.g. the right to obtain a passport, or the right to hold public office.
- 3) 5 Michael G. Millman et al. *California Criminal Defense Practice*, § 103.02[1][c] Provides an explanation of the effect of “release from penalties and disabilities” and explanation of what consequences still exist after dismissal.
- 4) Cal. Pen. Code §1203.4
- 5) Loder v. Municipal Court 17 Cal 3d 859 (1976)
- 6) Cal. Pen Code §1203.4(a)
- 7) People v. Frawley. 82 Cal. App 4th 784 (2000)
- 8) Cal. Bus. & Prof. Code § 480(a)
- 9) People v. Sharman, 17 Cal. App. 3d. 550 (1971)
- 10) 16 CCR §99.1