



## Criminal records: sealing

### *Current law*

- Allows for people who have been arrested but not convicted to petition the court to seal their arrest and related records sealed.
- Allows for people whose convictions following the arrest have been vacated/reversed on appeal to petition the court to seal their arrest and related records sealed.

### *This bill*

- Allows for people whose convictions that have been dismissed in accordance to Section 1203.4, 1203.4a, 1203.41, or 1203.42 of the Penal Code to also be eligible to petition the court to seal their arrest and related records.
- Would allocate the additional responsibilities of sealing such records to local law enforcement agencies.
- Would reimburse any additional costs resulting from the above statutory provision as determined by the Commission on State Mandates

## MAP's Perspective on S.B. 1045

### **MAP supports this bill.**

California has been spearheading an increasingly bipartisan movement for a fairer, more evidence-based, and less punitive criminal justice system. Mitigating the permanent aftereffects of arrest and incarceration is a major component of this process, particularly in cases in which charges have been dropped or those convicted have been found innocent. This is especially relevant within the increasing awareness about the effects of implicit bias in the justice system—people of color are more likely to be arrested and convicted whether it be due to explicit or implicit racial prejudices, resulting in a greater volume of criminal records that only perpetuates such biases. At MAP, we seek to eliminate such stereotypes and accelerate societal transformation so that we can live in a more just and non-judgemental society.

## Youth Perspective

The main issue with criminal records is that they draw more attention to the charge itself than the result. If someone was charged with a crime and has a visible criminal record, it can have tremendous effects on their lives even if the charge was dismissed. These include having a major negative impact on their job offers people receive as well as peoples' credit ratings and higher education

As youth, we want a fair chance to succeed and having a wrongfully tainted record can serve as a major roadblock to our success. This bill would prevent this by ensuring that dismissed cases do not affect someone's criminal record giving them a fair chance to succeed.

## Catholic Perspective

As students from a Catholic high school, we believe that the United States Criminal Justice system is in need of reform to help those who need it help the most. Currently, the Criminal Justice system criminalizes everyone who goes through the system, not giving them an opportunity to become a better self in the future. This bill would allow people to seal their records if they weren't convicted after their arrest. By passing this bill, we believe that we would fulfill the Catholic mindset of standing in solidarity with those who have been wrongly arrested or convicted, allowing them to be an active part of society, further promoting our mindset that all should be included within our society. This bill is key to help those who are wrongly accused while also achieving our Catholic mindsets as well.

