Complete this summary chart the IP’s history of criminal convictions. For each prior, complete a detail report that includes any information available about the conviction.

On the next page, “Criminal History – Personal Background”, add any personal history notes that are included in the Probation Report.

Click [here](#RVRFAQ) for instructions on where to find Criminal History in the C-File, and for what should go into the summary. Remember: Add the IP’s name to the [header](#IP), your name to the [footer](#username), and always add a citation to the Bates-numbered page for EVERY fact you include.

| Criminal History – Priors |  |
| --- | --- |
| Case | [Conv. Date](#convdate) | County of conviction | Case # | [Conviction Offense](#convoffense)[(Code and §)](#convoffense) | [Conviction Description](#description) | [Strike](#strike)? | [SO Reg. req’d?](#soreg) | [Sentence](#convsentence) | Cite |
| [1](#detail1) |  |  |  |  |  |  |  |  |  |
| [2](#detail2) |  |  |  |  |  |  |  |  |  |
| [3](#detail3) |  |  |  |  |  |  |  |  |  |
| [4](#detail4) |  |  |  |  |  |  |  |  |  |
| [5](#detail5) |  |  |  |  |  |  |  |  |  |
| [6](#detail6) |  |  |  |  |  |  |  |  |  |
| [7](#detail7) |  |  |  |  |  |  |  |  |  |
| [8](#detail8) |  |  |  |  |  |  |  |  |  |
| [9](#detail9) |  |  |  |  |  |  |  |  |  |
| [10](#detail10) |  |  |  |  |  |  |  |  |  |
| [11](#detail11) |  |  |  |  |  |  |  |  |  |
| [12](#detail12) |  |  |  |  |  |  |  |  |  |
| [13](#detail13) |  |  |  |  |  |  |  |  |  |
| [14](#detail14) |  |  |  |  |  |  |  |  |  |
| [15](#detail15) |  |  |  |  |  |  |  |  |  |

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| Criminal History – Personal Background |
| --- |
| Add any information on the IP’s personal background, juvenile history, mental or physical health, or any other personal details provided in the Probation Report. Add a citation for each fact. |
|  |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 1 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 2 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 3 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 4 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 5 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 6 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 7 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 5 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 6 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 7 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 8 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 9 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 10 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 11 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 12 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 13 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 14 |  |  |  |  |  |  |  |  |
| Narrative report   |

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| Criminal History – Priors |
| --- |
| Case | Conv. Date | County | Case # | Conviction Offense(Code and §) | Conviction Description | Strike? | SO Reg. req’d? | Sentence |
| 15 |  |  |  |  |  |  |   |  |
| Narrative report   |

**FAQ for Criminal History and Background**

1. **What is Criminal History?**

Criminal history is all convictions, incarceration, sentence enhancements and release information for the IP. Many convictions, such as serious or violent crimes (“strike” offenses), or sex offenses, can have sentencing implications. These items need to be highlighted.

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1. **How do I find the Criminal History information?**

The Probation Report has most of this information

* + 1. In ERMS, there should be a Probation Report. This is the pre-sentencing report on the IP’s history that the county probation office created for the judge’s use at sentencing.
		2. The Probation Report will lay out each prior conviction, including all of the information required for the chart.

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1. **What should be in the summary chart?**The Probation Report in ERMS should provide the basic information for each item in the summary chart. You should include those items for each conviction. There is a description of each summary item and where to find it in the linked instructions.
2. **What should be in the narrative report?**For each conviction, provide the details, if any, that are included in the Probation Report. If there are multiple counts, describe them here.

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1. **What is the Conviction Offense?**

Every count will refer to the statute that the defendant is alleged to have violated. You should list the offense by its California Code (the Penal Code and Health & Safety Codes are most common) and section. For example, “H&S § 11550.”

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1. **What is the Conviction Description?**

Add a short description of the offense. For example, “possession of controlled substance for sale.”

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1. **What is the Conviction Date?**
The conviction date is the date on which the IP was convicted, not the date of arrest or date of sentencing (though sentencing and conviction dates may be the same). [(back to top)](#top)
2. **What does “Strike” mean?**
A strike is a felony defined as “serious” under [Penal Code § 1192.7(c),](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=1192.7.) or as “violent” under [Penal Code § 667.5](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=1192.7.), or both. Lists of these crimes are attached at [Appendix A](#APPENDIX). Don’t assume that something is or is not serious or violent. Check the lists!

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1. **What is “SO registration required” and how do I find it?**

* 1. “SO Registration” is the duty to register as a sex offender under [Penal Code § 290](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=290.&lawCode=PEN). It does not apply to all sex offenses. Sex offender registration currently does not change under California law. Once you are on the list, you are on it forever. Add “yes” to SO Registration Required for the case for which the IP was added to the registry.
	2. Registration info is in the “classification review details” section of SOMS. Keywords to look for: 290, registrant, “sex offender”
1. **What is the sentence?**
	1. Each case has a separate sentence. A single case usually gets one sentence, regardless of the number of convictions or “counts” in that case. The IP may be serving a sentence for one count, or there could be several counts of conviction in a single case with a single sentence.
	2. The sentence will be listed in the probation report with the case information. Be sure to note if there was originally a sentence of probation and it was revoked.
2. **Keyword searches**

Probation

Probation Report

Convict\*

Conv

Aggravat\*

Mitigat\*

Offense Date

Charged as

Current sentence

Time Served

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APPENDIX A[[1]](#footnote-1)

| Serious convictions under Cal. Penal Code 1192.7(c) & violent convictions under PC 667.5(c) |
| --- |
| **Crime** | **Code** | **Section** | **Subsection** | **Serious/Violent** |
| Selling Drugs to A Minor | HS | 11353 |   | S |
| Selling Drugs to A Minor | HS | 11361 |   | S |
| Threats to victims or witnesses | PC | 136.1 |   | S & V |
| Extortion, for a gang | PC | 186.22 /518 |   | V |
| Murder | PC | 187 |   | S & V |
| Voluntary Manslaughter | PC | 192 |   | S & V |
| Mayhem | PC | 203 |   | S & V |
| Aggravated Mayhem | PC | 205 |   | S & V |
| Kidnapping | PC | 207 |   | S & V |
| Kidnapping | PC | 209 |   | S |
| Kidnapping | PC | 209.5 |   | S |
| Robbery | PC | 211 |   | S & V |
| Carjacking | PC | 215 | (a) | S & V |
| Assault w/ Intent to Commit Rape/Robbery | PC | 220 |   | S & V |
| Throwing Acid or Flammable Substances | PC | 244 |   |  |
| Assault w/ Deadly Weapon on Peace Officer | PC | 245 | (c) or (d) | S |
| Assault w/ deadly Weapon on a Transit Employee | PC | 245.2 |   | S |
| Assault w/ deadly Weapon on a Custodial Officer | PC | 245.3 |   | S |
| Assault w/ Deadly Weapon on a School Employee | PC | 245.5 |   | S |
| Shooting a gun at an Inhabited Dwelling, etc. | PC | 246 |   | S |
| Rape | PC | 261 |   | S & Vi |
| Rape | PC | 262 |   | S & Vi |
| Rape or Sexual Penetration in Concert | PC | 264.1 |   | S & V |
| Sodomy by Force | PC | 286 |   | S & Vi |
| Lewd or Lascivious Act on a Child | PC | 288 |   | S & Vi |
| Continuous Sexual Abuse of a Child | PC | 288.5 |   | S & V |
| Oral Copulation by Force | PC | 288a |   | S & V |
| Sexual penetration | PC | 289 | (a) or (j) | S & Vii |
| Criminal Threats | PC | 422 |   | S |
| Arson | PC | 451 |   | S & V |
| First Degree Burglary | PC | 460 | (a) | S & V |
| Grand Theft Involving A Firearm | PC | 487 | (d) | S |
| Extortion, for a gang | PC | 518/186.22 |   | V |
| Attempt to commit another crime listed here | PC | 664 | -1 | S or Viii |
| Assault by a Life Prisoner | PC | 4500 |   | S |
| Assault with A Deadly Weapon By An Inmate | PC | 4501 |   | S |
| Holding of A Hostage by a prisoner | PC | 4503 |   | S |
| Use of a weapon of mass destruction | PC | 11418 | (b) or ( c) | V & S |
| Explosive with Intent to Murder | PC | 18745 |   | S & V |
| Willfully exploding, causing bodily harm | PC | 18750 |   | V |
| Explosive Causing Bodily Injury | PC | 18755 | (b) | S & V |
| Great Bodily Injury Enhancement | PC | 12022.7 |   | S & V |
| Shooting from A Vehicle | PC | 26100 | (c) or (d) | S |

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1. Notes:

i All convictions under this section are serious, and some are violent.

ii All convictions under this section are violent, and some are serious.

iii Only applies to attempted crimes of which the principle is serious or violent. [↑](#footnote-ref-1)