

## Sample Declaration

*Date*

*Name*

*Address*

Dear Your Honor,

*[Briefly acknowledge the conviction]:*

In [YEAR], I was convicted of [OFFENSE]. I take full responsibility for my past actions and the impact my actions had on other people. I now petition the court to consider my motion to dismiss my conviction due to the work I have done since my conviction.

*[If applicable, briefly describe life circumstances at the time of the conviction.]:*

**Example 1:** At the time of my conviction(s), I was battling an addiction to drugs. After my last conviction, I accepted that I had a problem, and I sought help. I began attending Narcotics Anonymous, and I got clean. I began to see how the life I lived while on drugs not only hurt myself, but also led to destructive decisions that broke the law and could hurt those around me. I promised myself that I would stay clean, and I began work to build a new life.

**Example 2:** On date I made a mistake that I seriously regret. Though it was an isolated incident, I do not offer any excuses for my conviction. Since my arrest, I have focused to do anything in my power to move on from the conviction.

**Example 3:** At the time of my convictions, I was young and making poor choices. I regret both my own actions and the people I surrounded myself with at that time. Unfortunately, I did not begin to learn from my mistakes until after my convictions. However, after my final conviction, I began to turn my life around.

*[Describe what you have done since the conviction.]:*

**Examples:** Since my convictions, I have gone to school and gotten a diploma in X. I have helped other people who are recovering from drug addictions. I have worked in X job for X years, and my manager has consistently complimented my work. I am active in my community, and I volunteer with young people regularly. I help take care of my elderly parents/grandparents. I have committed myself to my faith, and I am active in my church.

*[Describe your goals/why you are applying for expungement.]:*

**Examples:** I now hope to go back to school so that I can become a vocational nurse. In order to move forward in my career, I need to be able to expunge/reduce my conviction. I hope to create a better future for my children, and expunging my record will greatly help me in doing that.

*[Respectfully request the court grants your request]*

For these reasons, I respectfully request that the court expunge/reduce my conviction so that I can continue to achieve my goals and contribute to society to the best of my ability.

Thank you for your consideration,

*[SIGN HERE]*

NAME

DATE

## Sample Letter of Support - Example 1

*Date*

*Name*

*Address*

*Phone Number*

Dear Your Honor:

I have known NAME for **number** years because they are my neighbor/go to my church/I am their sponsor, etc.. I know NAME to be a kind, honest, and giving person, and he/she is a valued member of our community.

NAME is involved in our community and can always be counted on to lend a helping hand to those in need. (Include examples of how the petitioner is a valued part of the community, helps others, is trustworthy, etc.)

I know that NAME has had legal problems in the past. That does not change how I view him/her. I fully trust him/her, and I know that given the chance, he/she will continue to make the best of his/her second chance. (Any additional closing remarks on how you feel about NAME/the type of person he/she is).

Sincerely,

*Signature*

Name, Title

## Sample Letter of Support - Example 2

*Date*

*Name*

*Address*

*Phone Number*

Dear Your Honor:

NAME is a valued volunteer/employee at our organization. He/she has been a wonderful member of our team since **date**. (Write description of the organization or company and the work that the organization does).

NAME volunteers/works an average of **number** hours per week. They have a number of duties, including (describe what the person does for the company/organization).

He/she is trustworthy and hardworking. He/she enjoys helping people, and he/she has sought out opportunities to grow both personally and professionally. (Describe any times the person has gone the extra mile, been available in a pinch, covered for others, represented the organization well, etc.)

(Closing remarks to reinforce the quality of NAME's work, it has been a pleasure having them as an employee/volunteer, etc.)

Sincerely,

*Signature*

Name, Title

SAMPLE 2

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  NORA CREGAN 157263 TWO EMBARCADERO CENTER, SUITE 800 SAN FRANCISCO CA 94111  TELEPHONE NO.: (510) 332-7672 FAX NO. (Optional): E-MAIL ADDRESS (Optional): CREGANLAWOFFICE@GMAIL.COM ATTORNEY FOR (Name): [REDACTED]	FOR COURT USE ONLY           CASE NUMBER:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: STATE OF CALIFORNIA DEFENDANT/RESPONDENT: [REDACTED]	
DECLARATION	

I, [REDACTED] declare as follows:

1. For more than 15 years, I had a serious addiction to drugs, including methamphetamine. The need to feed my addiction led me to commit crimes, which I deeply regret. But in May, 2013, I made the decision to change my life, and since then I have accomplished more than I would have thought possible. May 31, 2013 is my "clean date": I have not used any mind- or mood-altering substance, including alcohol, marijuana, methamphetamine or prescription drugs, since that date.
2. In that time:
  - a. I have been a consistent member of Narcotics Anonymous (NA), regularly attending meetings and sponsoring other members;
  - b. I completed two treatment programs, one residential (McAlister Institute) and one outpatient (Napa County Alcohol & Drug Services);
  - c. Most importantly, I navigated the Child Welfare system successfully and was granted full custody of my son, who had previously been living in a foster home;
  - d. I have maintained the same apartment for three years;
  - e. I became employable and worked in a trusted position as a front-end manager at a major grocery store and held that position for a year and a half, leaving on excellent terms of my own volition only because I decided to go back to school;
  - f. I completed my Associates of Science degree in Human Services and began interning at McAlister Institute, Napa County's residential treatment program, the same program I graduated from in 2013. I am now a paid employee for McAlister;
  - g. I have been honored as the guest speaker for the outpatient program I graduated from, Napa County Alcohol and Drug Services.

Continued on Attachment A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 2/16/17

[REDACTED]  
 (TYPE OR PRINT NAME)

[REDACTED]  
 (SIGNATURE OF DECLARANT)

☐ Attorney for    ☐ Plaintiff    ☐ Petitioner    ☒ Defendant  
☐ Respondent    ☐ Other (Specify):

3. Currently I am taking a 60-hour domestic violence and sexual assault counselor training program offered by Napa Nurturing Empowerment Worth Safety Domestic Violence and Sexual Abuse Services (NEWS). I am scheduled to complete the training on March 24, 2017. I have committed to volunteering with NEWS for one year after I complete the training.
4. My current goals are to return to school, graduate with a degree in social work, and continue to help others.
5. These accomplishments and my contributions to society are a result of being a member of NA. By working the steps of NA, I have learned about myself and how to practice spiritual principles. I learned to live with integrity by doing the right thing even when nobody is looking. NA has encouraged me to become the woman I was always meant to be.
6. Attached hereto as Exhibit A is my transcript from Napa Valley College, where I achieved a 3.28 cumulative grade point average.
7. Attached hereto as Exhibit B is the Napa County Superior Court's Order Granting Early Termination of Probation, dated August 22, 2016.
8. I am proud to say that I am now a responsible mother, daughter, sister, friend, sponsor, counselor, and contributing member of my community. I have a fulfilling and meaningful life today that I would never sacrifice to return to my past life of drug addiction and crime.
9. I can't change the past but I can change my actions today in order to keep moving forward. I am passionate about the Human Services field and I am eager to continue my education and make more significant contributions to my community.
10. Unfortunately, no amount of education will erase my criminal record when seeking employment. That is why I am attempting to address these issues now.

1. I am currently the Program Director at [REDACTED] Institute in Napa, California.
2. Attached hereto as Exhibit A is a letter I wrote in support of [REDACTED] [REDACTED] on September 23, 2016.
3. All factual statements in Exhibit A were true and correct when written and continue to be true and correct. The opinions expressed in Exhibit A were my opinions as of September 23, 2016, and were based on my interactions with and supervision of Ms. [REDACTED]. I continue to hold the opinions expressed in Exhibit A.

Date: 2.16.17

(TYPE OR PRINT NAME)

\_\_\_\_\_ (SIGNATURE OF DECLARANT)

☐ Attorney for ☐ Plaintiff ☐ Petitioner ☐ Defendant  
☐ Respondent ☐ Other (Specify):

2100 Napa Vallejo Highway  
Building 253, M-1 & M-2  
Napa, CA 94558  
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September 23, 2016

RE: [REDACTED]

**TO WHOM IT MAY CONCERN:**

Ms. [REDACTED] has interned for me as a Treatment Counselor for the past year. Her responsibilities have included but are not limited to: individual and group counseling, lesson planning, facilitation of client groups, treatment plans, process groups. Ms. [REDACTED] helps the counselors with their caseload of 35 to 40 clients regularly. Her paperwork is always up to date and contain little to no errors. During her time here she has had an amazing impact on the clients as well as the program.

Ms. [REDACTED] has changed her life and is a productive member of society. She is highly respected by her co-workers for her willingness to help anyone. I have observed her on multiple occasions where she will drop what she is doing in order to help a client in distress. Ms. [REDACTED] has been instrumental in helping McAlister Institute flourish over the past year. She is very well organized, diligent in her paperwork, easily reachable, and always on time. Ms. [REDACTED] is an asset to [REDACTED]

Sincerely,



[REDACTED]  
Program Director

JPL: jpl

Funded in part by the  
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### SAMPLE 3



I, [REDACTED] declare as follows:

1. I would like to thank the court for considering giving me the opportunity to put my past behind me. For many years as a younger man I was involved with drugs and criminal activity, but I have been sober and have had a clean record for nearly 12 years.
2. At the age of 16, I started using marijuana and methamphetamines. Soon I was using meth daily. I had a child at 17 who I was never a father to because of my drug use. I have a great relationship with her now, and I'm about to become a grandfather. I had a second child at 24, and I was in and out of her life because of my drug use. She would write and tell me she needed me, but I was often in jail. I was trying to get right so that I could be there for my children, but I couldn't get past my addiction.
3. In 2002 I had a son, but I continued to live the same way. He was taken into foster care at age 4, and then my son's grandfather was able to get temporary custody of him.
4. In 2007, I was arrested for the final time. While I was restrained in the patrol car, my phone rang, and the officer put the phone on speaker. It was my son. Suddenly I was at peace, and I knew that I could do what was necessary for my children. That was the last day I ever did any drugs or committed any crime.
5. After that arrest I was offered a rehabilitation program at the Jericho program in Brisbane. During that program, my son visited me, and I immediately started the process of applying to get custody. When I completed the program, my son came to live with me on a trial basis, and shortly after that I received full custody. My son has lived with me ever since.
6. Since my last conviction and rehab, I have taken many steps to right my wrongs and change myself for the better. I am a faithful member of my church, Father's House. I spend as much time with my extended family as I can, planning family outings, weekends at my parents' ranch, and holiday celebrations. I've repaired my relationships with my older daughters, who are now adults. We have been very close for many years, and I communicate with them almost daily and share in their problems and their triumphs. I now live with my girlfriend, her daughter, my son, and I have joint custody of my youngest daughter. The children are all excelling in school as well as in life. I have also repaired my relationship with my parents, who I had hurt with my drug use and criminal activity, and whom I sometimes did not see for years. We are now very close, and I help them with their household needs, as they are now getting older.
7. I have been steadily employed since I finished rehab. I have worked in construction. For several years I worked at the SaveMart Lucky's Distribution Center until it closed and I was laid off. I went to trucking school and earned my Class A license. I now work for Double M Trucking.
8. I have been very fortunate that I have been able to stay off of drugs, and that by the grace of God I no longer have any desire for drugs. I recognize the harm that I caused to my family and my community, and I regret all the time I lost with my family because of the choices I made. I feel lucky that my children have given me a second chance. Now that all of this is behind me, I would like to have my record reflect the person I am today. It would restore my dignity, and, if I needed to get a new job, it would help me continue to support my family. Attached are letters

from family and community members who can attest to my recovery and my contribution to my community.

## SAMPLE 4

**Declaration of [REDACTED] (Attachment to Form MC-031)**

I, [REDACTED], declare as follows:

1. Between 2001 and 2006, I was convicted for several crimes related to my addiction: driving with a suspended or revoked license, possession of a controlled substance and controlled substance paraphernalia, failure to provide evidence of financial responsibility, abet in exhibition of speed, and under the influence of a controlled substance. I now petition the court to consider my motion to dismiss my convictions due to the work I have done to overcome my addiction.
2. I went through a divorce in 2001 and my life crumbled. I was deep in my addiction. I wasn't a father to my daughter and didn't raise her for the first 5 years of her life. I created many sleepless nights for my family. It was all havoc and total devastation. If I could go back in time and do things differently, I would.
3. 14 years have passed since my last conviction. I have not had a drink or drug since my final conviction. After my final conviction in 2006, I successfully completed a substance abuse program while in California Rehabilitation Center. The day I was paroled, I checked into a 90-day residential treatment. I completed parole within a year and got off parole early.
4. Today, I work a program of Narcotics Anonymous. I have a sponsor and go to meetings on a regular basis. I have worked through the 12 steps twice.
5. I have been carrying the message of Narcotics Anonymous into inmate firefighting facilities for 10 years. I take meetings to them where they don't get meetings. It has been a very rewarding experience.
6. I am a proud father of 3 girls. I have two of them with me full time, ages 8 and 12, and I am their sole financial provider. I enjoy camping and fishing with my daughters. I have rebuilt my relationship with my daughter from my previous marriage. I never gave up on building that relationship and have always paid child support. I attended her 8<sup>th</sup> grade graduation and look forward to attending her high school graduation next year.
7. I have a wonderful career and an amazing job in construction. I am self-made and self-taught and have worked my way all the way up the construction business. I am a foreman for a company and have a lot of responsibility.
8. I'm not the same person I was 14 years ago. I don't cheat, steal, or lie, and I have changed 180 degrees. I attribute this change to Narcotics Anonymous.
9. I would like a clean slate because I don't want to have my criminal record hanging over my head anymore. I do not know what my future holds. I want to further my career and do not want my record to get in the way. 14 years have passed since my last conviction and my last use of drugs and alcohol. I want to put my past behind me.
10. For these reasons, I respectfully request that the court expunge my convictions so that I can continue to achieve my goals and contribute to society to the best of my ability.

## SAMPLE 5

1 [REDACTED] (Attachment to MC-031)

2 1. In 1989, I was convicted of Grand Theft (PC 487.1). I take full responsibility for my past  
3 actions and the impact my actions had on other people. I now petition the court to consider my  
4 motion to dismiss my conviction due to the work I have done since my conviction.  
5

6 2. Even though my conviction was 30 years ago, I experience dealing with my record on a daily  
7 basis, and feel I am constantly on the radar, no matter where I go or what I do. There is an image  
8 of myself that does not match who I am, but that I carry around every day. It feels humiliating to  
9 be viewed as a dishonest person, when that does not reflect who I have been for the past 30  
10 years. For this reason, I am seeking relief.  
11

12 3. I deeply regret my actions 30 years ago. I was young when I committed this crime, and for a  
13 short period of time I was trying to fit in by using drugs and alcohol. I was listening to the  
14 wrong people and was caught up with the wrong crowd. I knew immediately this was a "one and  
15 done" situation and not something I wanted to do, or a life I wanted to live. I decided I needed a  
16 new set of friends and to get away from that crowd, and to never go back to that type of life. It  
17 has been 30 years, and I never have.  
18

19 4. After I was released, I went to college for several years (1991-93), and then decided to  
20 pursue a career in cosmetology, so I obtained my license. I worked very long hours, so was not  
21 able to finish school. But I chose this path because it was rewarding, both financially and  
22 because I loved the work, and I had a very good career for many years. I worked with the  
23 American Cancer Society (2000-2005) as a volunteer cosmetologist for the "Look Good Feel  
24 Good" program and found that immensely rewarding. I recently worked as a teacher at a private  
25 cosmetology school, but the school closed down so I have returned to being self-employed and  
26 working in a salon as a hair stylist.  
27  
28

1 5. Today I feel like I am a much better person in a much better space. I got married and started  
2 a family, and have a son who is in college. I have actively been attending my church since 1991,  
3 where my husband is on the Deacon Board and I am a Deaconess. I am also the church clerk,  
4 responsible for keeping church records of everything. For 30 years, I have been a productive  
5 individual, with the longevity of my career, always working hard, caring for my family, and  
6 attending church. I have a normal life, I've traveled, and I am a productive member of society.

8 6. Not only does my conviction not represent who I am today, it has severely limited my career  
9 opportunities. There are many jobs I applied for where I received no response, or just a "no"  
10 because of my record. In 2015, when I applied for a cosmetology teaching credential program to  
11 help me find a more secure job, I was rejected because of my record. I recently was rejected  
12 from a job with the State Board of Cosmetology because of my record. I have applied for many  
13 other jobs to fill in my cosmetology work over the years (including twice as a census worker)  
14 and been denied, limiting my options to make a living outside of being self-employed or my  
15 ability to supplement my income.

18 7. If I could have a clean start, and not be held back by my record, I would consider going back  
19 to school. I would like to study business or marketing and expand my opportunities  
20 beyond cosmetology. I also wish to be able to present to the world as the honest,  
21 productive, caring and good person I know I am today.

23 8. I have attached to my Declaration (1) a letter of support from my Pastor, [REDACTED]  
24 [REDACTED] and (2) a letter of support from my son, [REDACTED] both speaking to my record of  
25 rehabilitation. I have also attached several certificates of achievement.

27 9. For these reasons, I respectfully request that the court expunge my conviction so that I can  
28 continue to achieve my goals and contribute to society to the best of my ability.