



RAP Sheet Evaluation Volunteer  
Training Manual  
2023 Edition

(last edited Aug. 2023)

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## **RAP Sheet Evaluation Checklist**

*\*\*If you have any questions or run into any issues with reading the conviction history, please reach out to*

- *Mona: MPatel@rootandrebond or*
- *Eva: EDeLair@RootAndRebound.org*

We ask that RAP summaries be returned within 1 week of receiving the RAP. You can request as many RAPS as you like at a time, (usually between 1-3). If you realize you cannot complete a RAP sheet, please let Root & Rebound know ASAP.

### **Instructions:**

1. Download an empty RAP sheet summary form (Word)
  - a. Save it as client last, client first, Record Summary (your initials)
    - i. ex: where Eva DeLair is evaluating J. Doe's RAP sheet: Doe, J Record Summary (ED)
  - b. Complete the top information with your name, the date, and the client's name as it is listed on the PDF document.
  - c. In notes, at the bottom, note if the person might not be a US citizen (we will need to do an immigration screening with them).
2. Summarize the RAP sheet
  - a. Complete the summary of all the convictions
  - b. Note any violations, warrants, or new convictions during probation, within 1 year of a misdemeanor without probation under the last column, or within 3 years after release from prison.
  - c. Put the convictions in chronological order (if they were not in order previously)
  - d. Highlight any missing information and write any questions at the bottom of the summary sheet, in "Notes" section.
  - e. In notes, at the bottom, note any abnormalities or questions that you have.
3. Determine if the client appears to be currently eligible: they cannot be currently on probation or parole, or currently facing new charges. If they appear to be currently ineligible, note that at the bottom of the summary but continue evaluating.
4. Evaluate each conviction for **all** potential remedies
  - a. Review the Felony & Misdemeanor "weird" chart for any additional remedies or restrictions
  - b. List all remedy options available (example: may be eligible for 17(b) AND 1203.4)
5. Return the completed RAP summary with any questions or concerns.
6. Begin again!

## **Common Questions:**

Q: The case is eligible for reduction and dismissal and **multiple remedy options**. Which do I pick?

A: When evaluating, identify all the options available. This most commonly happens in two scenarios: The person served probation for a felony that is eligible for reduction under 17(b). You would write: 17(b) AND 1203.4.

Q: The record lists a **warrant**, but has new cases and arrests after the warrant—do they have a currently open warrant?

A: No, with any new law enforcement interaction, their warrant would be dealt with. The only open warrant would be if the warrant was the last chronological interaction with law enforcement.

Q: The record has a **“custody”** notation several times—what are these?

A: This is NOT a new arrest or conviction, it is merely a notation that the client was in custody (usually you can see what the originating conviction or case was in that notation). Do not include this in the chart as a separate entry.

Q: The client was initially **sentenced to probation but later seems to have gone to prison** for that case, are they eligible for relief under PC 1203.4?

A: No, the probation sentence was revoked, they may still be eligible for a reduction under Prop 47 or dismissal under 1203.42, though!

Q: The record says that the person was convicted of **the same conviction multiple times** in one case, what do I do?

A: Each count should get its own line, but they may have been convicted of multiple counts of the same offense.

Q: The **case is listed twice** but looks like it is the same case.

A: This commonly happens on RAP sheets where one record is attached to finger prints, but the other is attached to just a name and SS#. It is just one case and should only be listed on the summary chart once.

Q: Client has a **different name under conviction**?

A: This can happen when the client gets married or divorced and changes their name. It is important to note their current legal name at the top of the summary chart and the name they were convicted under for that specific line(s) of the Record Summary Chart.

Q: The person was convicted of a felony, but a **later entry shows that it was reduced to a misdemeanor**, how do I list it?

A: If a person has their conviction already reduced to a misdemeanor, you should list it as a misdemeanor in the column asking for level of conviction. Since it was already reduced, it doesn't need to be listed again. Please do note in the last column that the case was already reduced to a misdemeanor.

Q: What does **“Cond”** mean? Likely in something like this: "cond of prob- drug treatment."

A: "Condition of probation- drug treatment" This likely means condition, or, condition of probation. The court can require specific related conditions to probation.

Q: One case with multiple counts and **different sentences for different counts**?

A: **Normal Situation**: When a case has multiple counts, the standard view is to have the sentence for all of the counts be listed at the bottom. When there are no sentencing notes under the previous counts that is normal, and indicates that the sentence is for entire case (all counts).

**Abnormal Situation**: Different sentences are occasionally listed for different counts within one case, usually where there is a statutory requirement for a specific count to receive a specific sentence (anecdotally, DUI's). The case should still be treated together, combine the sentences on the RAP chart and treat the entirety of the sentence together.

**Example**: If count 1 has jail only, but counts 2 & 3 had probation, the remedy is PC 1203.4 because probation was part of the sentence.

## Clean Slate Eligibility Chart

Situation	Remedy	When eligible	Mandatory if: (note: if not mandatory, it will be discretionary)	Next Steps:
Felony or Misdemeanor Sentenced to <u>probation</u> <i>can include other penalties</i>	PC 1203.4	has no open cases not on probation for any case	<ul style="list-style-type: none"> <li>– The <i>conviction</i> is not discretionary only</li> <li>– Completed probation without revocation of prob. or a new case during prob. for this case.</li> </ul>	– look at “ <a href="#">weird list</a> ” to learn if there are any reductions or oddities for the specific charges
<u>Misdemeanor or infraction</u> sentenced to anything but NOT probation	PC 1203.4a	has no open cases not on probation for any case  specific to this case: 1 year after completion of sentence for this case	<ul style="list-style-type: none"> <li>– The <i>conviction</i> is not discretionary only</li> <li>– Went one year without a new conviction (from time of release) for this case</li> </ul>	– look at “ <a href="#">weird list</a> ” to learn if there are any reductions or oddities for the specific charges
Sentenced under <u>PC 1170(h)</u> or to state prison	PC 1203.41	has no open cases not on probation for any case  specific to this case: if prison: 2 years after completing parole; this case did not trigger registration under PC 290	– Always discretionary	
Sentenced to state prison before October 2011, but would have been eligible for jail sentence per 1170(h) if filed post-Realignment.	PC 1203.42	has no open cases not on probation for any case  specific to this case: 2 years after completing parole	– Always discretionary	
Went to prison; fought fires while in prison (not listed in the RAP, R&R will let you know if this applies)	PC 1203.4b	Anytime out of prison/jail and not facing charges (can be on probation/parole)	– Always discretionary	
Cannabis Offense (listed in materials)	Prop 64	Now	– Mandatory (by law should be automatic, but courts have not implemented)	<ul style="list-style-type: none"> <li>– look at DPA P64 guide for reduction/dismissal options</li> <li>– pair with dismissal, if P64 doesn't dismiss</li> </ul>
Non-Violent / Non-Serious felonies eligible for reclassification to misdemeanor	Prop 47	client does not have any disqualifying prior convictions  eligible non-violent, non-serious, non-sex-related convictions	– The client was convicted and completed sentence for a Prop 47 eligible offense	– look at “ <a href="#">weird list</a> ” to learn what felonies are eligible for reduction.
Remedy of Last Resort	Cert. of Rehab.	minimum of 7 years after completing the incarceration; must expunge everything else first.	– discretionary, but a higher bar than normal	– look at felony weird list to ensure it is not one of the few cases that is not eligible for COR

## Misdemeanor Weird List

Any code or section not listed is still eligible for dismissal, with no oddities.

Code	Section	Description	Bonus Remedy
B&P	21672	Manufacture/distribute counterfeit sports trading cards	17(d)(2)
B&P	25661	False ID to obtain alcohol	17(d)(2)
B&P	25662	Minor in possession of alcohol	17(d)(2)
B&P	25658(b)	Purchase of alcohol by minor	17(d)(2)
Gov't	27204	Attempt to record an unrecordable document	17(d)(2)
H&S	117555	Dumping of sewage, solid waste, excreta	17(d)(2)
Penal	191.5	DUI with vehicular manslaughter	Discretionary Only
Penal	192(c)	Vehicular manslaughter	Discretionary Only
Penal	193.8	Relinquishing a vehicle to a minor	17(d)(2)
Penal	330	Gaming / Gambling	17(d)(2)
Penal	415	Disturbing the Peace	17(d)(2)
Penal	485	Appropriation of Lost Property	17(d)(2)
Penal	490.7	Larceny	17(d)(2)
Penal	555	Trespass	17(d)(2)
Penal	602.13	Entering a zoo enclosure	17(d)(2)
Penal	853.7	Failure to appear in court	17(d)(2)
Penal	25658(b)	Under 21 purchase or consumption of alcohol	17(d)(2)
Penal	532b(c)	Falsely represents self as a veteran	17(d)(2)
Penal	602(o)	Trespass	17(d)(2)
Vehicle	2800.2	Recklessly use vehicle to flee peace office	Discretionary Only
Vehicle	2800.3	Recklessly use vehicle to flee peace office with injury	Discretionary Only
Vehicle	5201.1	Obscuring a license plate	17(d)(2)
Vehicle	12500	Driving vehicle w/out a License	17(d)(2)
Vehicle	12810	Reckless driving	Discretionary Only
Vehicle	14601	Driving with a license suspended for reckless driving	Discretionary Only
Vehicle	14601.1	Driving with a suspended license	17(d)(2) & Discretionary Only
Vehicle	14601.2	Driving with a license suspended for DUI	Discretionary Only
Vehicle	14601.3	Driving with a suspended license	Discretionary Only
Vehicle	14601.5	Driving with a license suspended for refuse breathalyzer	Discretionary Only
Vehicle	20001	Failure to stop in the event of an accident	Discretionary Only

Vehicle	20002	Failure to stop in the event of an accident	Discretionary Only
Vehicle	21651	Drive on a barrier/median dividing a highway	Discretionary Only
Vehicle	22348	Highway speeding in excess of 100 miles per hour	Discretionary Only
Vehicle	23109.1	Motor vehicle speed content on highway with injury	Discretionary Only
Vehicle	23152	DUI	Discretionary Only
Vehicle	23153	DUI with injury	Discretionary Only
Vehicle	27150.1	Selling or installing of illegal motor exhaust systems	17(d)(2)
Vehicle	31602	Transporting explosives	Discretionary Only
Vehicle	40508	Defendant's non-appearance on an infraction ticket	17(d)(2)
Vehicle	42005	Failure to attend court-ordered traffic violator school	17(d)(2)
Vehicle	23109(a)	Motor vehicle speed content on highway	Discretionary Only
Vehicle	23109(c)	Motor vehicle exhibition of speed on highway	17(d)(2) Discretionary Only
Vehicle	23140(a)	DUI under the age of 21	Discretionary Only
Vehicle	23140(b)	DUI under the age of 21	Discretionary Only
B&P	21672	Manufacture/distribute counterfeit sports trading cards	17(d)(2)
B&P	25661	False ID to obtain alcohol	17(d)(2)
B&P	25662	Minor in possession of alcohol	17(d)(2)
B&P	25658(b)	Purchase of alcohol by minor	17(d)(2)
Gov't	27204	Attempt to record an unrecordable document	17(d)(2)
H&S	117555	Dumping of sewage, solid waste, excreta	17(d)(2)



## Felony Weird List

This list is comprehensive of Prop 64 & 47, but not of 17(b)s.

If a conviction is not listed, it may still be eligible for dismissal under the standard analysis.

Code	Section	Description	Bonus Remedy
H&S	11355	Sale of In-lieu Controlled Substance	17(b)
H&S	11358	Planting, cultivation, or harvesting of marijuana	Prop 64**
H&S	11359	Possession of marijuana with intent to sell	Prop 64**
H&S	11360	Transporting Less Than Ounce of Marijuana	17(b), Prop 64**
H&S	11364.7	Manufacture of Equipment to Process Opiates	17(b)
H&S	11366	Maintaining Drug House	17(b)
H&S	11366.5	Providing Premises for Manufacture of Drugs	17(b)
H&S	11366.7	Selling Precursor Chemicals or Devices	17(b)
H&S	11366.8	False Compartment in Automobile	17(b)
H&S	11368	Illegal Prescription for Narcotic Drug	17(b)
H&S	11370.6	Possession of Drug-connected Money	17(b)
H&S	11370.9	Drug Money Laundering	17(b)
H&S	11377	Possession of Restricted Dangerous Drug	17(b)
H&S	11379.2	Sale or Possession For Sale of Ketamine	17(b)
H&S	11390	Cultivation of Controlled Mushrooms	17(b)
H&S	11391	Transportation or Sale of Controlled Mushrooms	17(b)
H&S	11357(a)	Possession of Concentrated Cannabis (Hashish)	Prop 64**
H&S	11357	Possession of concentrated cannabis	Prop 64**
Penal	32	Accessory after the fact to a felony	17(b)
Penal	69	Resisting Executive Officers	17(b)
Penal	71	Threatening a School or Public Officer	17(b)
Penal	72	Presenting False Claim to Government Agency	17(b)
Penal	76	Threatening a Public Official	17(b)
Penal	95	Influencing juror/referee/umpire	17(b)
Penal	95.1	Threatening juror following verdict	17(b)
Penal	96	Misconduct of jurors/referees/umpires	17(b)
Penal	99	State printer conflict of interest	17(b)
Penal	100	Collusion of state printer in fraud against state	17(b)

Penal	107	Escape of felon prisoner from training school/county hospital	17(b)
Penal	115.1	Publishing campaign ad containing unauthorized signature	17(b)
Penal	118.1	False Police Report	17(b)
Penal	136.1	Intimidating a Witness	17(b)
Penal	136.5	Armed with Intent to Intimidate Witness	17(b)
Penal	136.7	Revealing Names of Sex Victims /w Intent to Intimidate	17(b)
Penal	139	Threatening a Witness or Victim with Violence	17(b)
Penal	142	Officer Refusing to Arrest Person Charged /w Crime	17(b)
Penal	148.1	Resist Police and Causing Death or SBI to Officer	17(b)
Penal	149	Assault by Officer Under Color of Law	17(b)
Penal	153	Compounding Crimes	17(b)
Penal	168	Disclosing Existence of Search or Arrest Warrant	17(b)
Penal	186.1	Money Laundering	17(b)
Penal	186.22	Participation in criminal gang activity	17(b)
Penal	186.28	Supply firearm to street gang member to commit felony	17(b)
Penal	219.2	Throwing object at Train, Bus, or Ferry	17(b)
Penal	241.1	Assault on Custodial Officer	17(b)
Penal	241.4	Assault on School Police Officer	17(b)
Penal	241.7	Assault on Juror	17(b)
Penal	243.3	Battery with Injury on Transportation Worker	17(b)
Penal	243.4	Sexual Battery	17(b)
Penal	243.6	Battery with Injury on School Employee	17(b)
Penal	243.7	Battery on Juror	17(b)
Penal	243.9	Throwing Feces at a Custodial Officer	17(b)
Penal	244.5	Assault with Stun Gun or Taser	17(b)
Penal	245.5	Assault With Deadly Weapon on School Employee	17(b)
Penal	246	Shooting at Inhabited Dwelling	17(b)
Penal	246.3	Negligent Discharge of Firearm	17(b)
Penal	247.5	Discharge of Laser at Aircraft	17(b)
Penal	261.5	Unlawful Sexual Intercourse	17(b)
Penal	266	Seduction of minor for prostitution	17(b)
Penal	270	Child neglect	17(b)
Penal	273.5	Spousal Battery	17(b)
Penal	281	Bigamy	17(b)

Penal	283	Bigamy	17(b)
Penal	284	Marrying Another's Spouse	17(b)
Penal	288.2	Sending Harmful Matter to a Minor	17(b)
Penal	289.6	Employee of Detention Facility having Sex /w Inmate	17(b)
Penal	290	Failure to Register as Sex Offender	17(b)
Penal	311	Selling Obscene Matter Depicting Minor	17(b)
Penal	327	Operation of a "Pyramid" Scheme	17(b)
Penal	350	Making or Selling Counterfeit Goods	17(b)
Penal	374.2	Discharge of harmful materials into sewer w/prior	17(b)
Penal	374.8	Depositing Hazardous Substances	17(b)
Penal	387	Corporate Liability for Non-Disclosure Concealed Danger	17(b)
Penal	399.5	Owner Liability for Vicious Dog	17(b)
Penal	417.6	Causing Injury While Brandishing a Weapon	17(b)
Penal	422	Criminal Threats	17(b)
Penal	422.7	Hate Crime	17(b)
Penal	452	Reckless Burning	17(b)
Penal	453	Possession of explosive material	17(b)
Penal	463	Looting Destruction	17(b)
Penal	470	Forgery	17(b)
Penal	471	Forgery	17(b)
Penal	472	Forgery of public and corporate seals	17(b)
Penal	473	Forgery	17(b)
Penal	474	Sending Forged Telegram	17(b)
Penal	475	Possession of forgery	17(b)
Penal	476	Passing/making of forgery	
Penal	481	Forgery of ticket	17(b)
Penal	487	Grand Theft	17(b)
Penal	496	Receiving Stolen Property	17(b)
Penal	503	Embezzlement	17(b)
Penal	529	False Personation	17(b)
Penal	530.5	Identity Theft	17(b)
Penal	587	Injury to Railroad or Railroad structure	17(b)
Penal	587.1	Moving a Locomotive	17(b)
Penal	591	Injuring Telegraph, Telephone or Electrical Line	17(b)

Penal	592	Taking Water from Canal, Ditch or Reservoir	17(b)
Penal	593	Interference with Electrical Transmission Lines	17(b)
Penal	594	Vandalism	17(b)
Penal	594.3	Church vandalism	17(b)
Penal	594.35	Grave Desecration	17(b)
Penal	597	Cruelty to Animals	17(b)
Penal	626.9	Possession of Firearm on School Grounds	17(b)
Penal	631	Unauthorized Wiretap	17(b)
Penal	632	Eavesdropping on Private Communication	17(b)
Penal	632.5	Interception of Cell Phone Calls	17(b)
Penal	632.6	Eavesdropping on Cordless Phone Communication	17(b)
Penal	632.7	Recording Cell and Cordless Phone Communication	17(b)
Penal	634	Trespass to Wiretap	17(b)
Penal	635	Sale of Wiretap Equipment	17(b)
Penal	641.3	Commercial Bribery	17(b)
Penal	11411	"Cross Burning"	17(b)
Penal	11418.1	Delivery of Fake WMD	17(b)
Penal	11418.5	Threat to Use WMD	17(b)
Penal	12020	Possession of Enumerated Weapons	17(b)
Penal	12025	Carrying Concealed Firearm	17(b)
Penal	12031	Carrying Loaded Firearm	17(b)
Penal	12034	Allowing Passenger to Fire Gun	17(b)
Penal	12035	Criminal Storage of Firearm	17(b)
Penal	12320	Possession of Armor-Piercing Ammunition	17(b)
Penal	148.l	False Bomb Threat	17(b)
Penal	148(d)	Removing Police Officer's Firearm	17(b)
Penal	166(c)(4)	Violation of a protective order with prior violations	17(b)
Penal	171b	Possessing Weapon in Public Building or Meeting	17(b)
Penal	171c	Possessing Loaded Firearm in State Capitol	17(b)
Penal	171d	Possessing Loaded Firearm in Mansion	17(b)
Penal	182(a)(4)	Conspiracy to cheat or defraud person of property	17(b)
Penal	192(c)(1)	Vehicular Manslaughter	17(b)
Penal	243(c)(1)	Battery with Injury on Certain Officers	17(b)
Penal	266c	Inducing Consent to Sexual Act by Fraud	17(b)

Penal	271a	Willful Abandonment of Child Under 14	17(b)
Penal	273.6(d)-(e)	Violation of a protective order with prior violations	17(b)
Penal	273.65(d)-(e)	Violation of a protective order with prior violations	17(b)
Penal	273(e)	Accepting \$ w/o intent to allow adoption; w/ prior	
Penal	273a	Child Endangerment	17(b)
Penal	273d	Infliction of Corporal Punishment on Child	17(b)
Penal	280(b)	Child concealment outside of state	17(b)
Penal	286(b)(1)	Sodomy of a person under 18	17(b)
Penal	286(e)	Sodomy with prisoner	17(b)
Penal	286(h)	Sodomy victim incompetent, both confined for mental disorder	17(b)
Penal	288.4(a)(1)	Arranged Meeting with Minor for lewd behavior	17(b)
Penal	288(c)	Lewd Act by Caretaker on Dependent Person	17(b)
Penal	288a(b)(1)	Oral Copulation of a person under 18	17(b)
Penal	288a(e)	Oral Copulation with prisoner	17(b)
Penal	288a(h)	Oral copulation victim incompet., both confined for mental disorder	17(b)
Penal	289(c)	Foreign object victim incompet., both confined - mental disorder	17(b)
Penal	289(h)	Foreign object penetration of a person under 18	17(b)
Penal	337.3 & .7	Horse racing offenses	17(b)
Penal	337a-f & i	Sporting event offenses	17(b)
Penal	347(b)	False report of contaminated food, drink, medicine, etc.	17(b)
Penal	367f	Sale of human organs for transplantation	17(b)
Penal	368(a)-(e)	Elder Abuse	17(b)
Penal	382.5 - .6	Sale of Dinitrophenol	17(b)
Penal	399(b)	Owner liability for mischievous dog that causes SBI	17(b)
Penal	417(b)	Brandishing a Firearm at Day Care Center or Officer	17(b)
Penal	460(b)	Commercial/Auto Burglary	17(b)
Penal	461(2)	Second degree burglary	17(b)
Penal	476a	Passing NSF Check	17(b)
Penal	484b	Diversion of Construction Funds	17(b)
Penal	484i	Use of Forged Credit Card	17(b)
Penal	487a	Stealing Livestock Carcass	17(b)
Penal	487g	Stealing Animal for Sale, Medical Research, or Slaughter	17(b)
Penal	487j	Stealing of Copper	17(b)

Penal	496a	Buying Metals Known to Be Stolen	17(b)
Penal	496d	Buying Vehicles Know to Be Stolen	17(b)
Penal	498(d)	Grand Theft of Utility Services	17(b)
Penal	499(a)-(b)	Joyriding	17(b)
Penal	499c	Theft of Trade Secrets	17(b)
Penal	499d	Airplane Theft	17(b)
Penal	625b	Tampering With Aircraft	17(b)
Penal	653h	Selling Pirated Discs	17(b)
Penal	653s	Transportation of "Live Performance" Recordings	17(b)
Penal	653u	Unlawful Recording of "Live Performance"	17(b)
Penal	653w	Selling Pirated Audio Visual Work	17(b)
Penal	245	Assault With Deadly Weapon	17(b)
Penal	278.5	Child Abduction	17(b)
Penal	404.6	Inciting Riot in Jail/Prison with Injury	17(b)
Penal	146a	Impersonating a Public Agent	17(b)
Penal	192.5(a)	Manslaughter While Operating a Vessel	17(b)
Penal	278	Child Abduction	17(b)
Penal	314(1)	Enter Dwelling Without Consent to Expose Oneself	17(b)
VC	10851	Auto theft	17(b)
VC	23152	Felony DUI (3+ priors)	17(b)
VC	23153	DUI with Injury	17(b)

# Proposition 64:

## A Guide To Resentencing & Reclassification

*Updated July 2017*

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### PROPOSITION 64: OVERVIEW

On November 8, 2016, California voters passed Proposition 64 (“Prop. 64”) into law. Prop. 64 legalizes the possession, transport, purchase, consumption and sharing of up to one ounce of marijuana and up to eight grams of marijuana concentrates for adults aged 21 and older. Adults may also grow up to six plants at home. The ballot measure also provides for a strict system to regulate and tax the nonmedical use of marijuana, which will not begin until 2018.

Prop. 64 also reduces or eliminates criminal penalties for most marijuana offenses, in addition to the conduct it legalizes. Building on the transformative work of Prop. 47, which passed in 2014, Prop. 64 provides a mechanism for people with prior qualifying marijuana convictions to petition a court to have their convictions reduced or dismissed.

The purpose of this guide is to provide information about the requirements and procedure for seeking resentencing and reclassification of qualifying convictions for people who have already completed their sentence. Although an attorney is not required for reclassification, it is always useful to get help from an attorney to ensure the Prop. 64 process is completed accurately.

### TYPES OF RELIEF AVAILABLE

The criminal penalty changes apply to pending and future charges and past convictions. The changes went into effect on November 9, 2016, the day after the election . People who are currently serving sentences or who have completed their sentences for a Prop. 64 qualifying offense can benefit by applying to a court for relief to reduce or dismiss their prior conviction. Prop. 64 created a new law, Health and Safety Code § 11361.8, to facilitate this process. The law models the one created by Prop. 47, with a few differences that are noted in a box below.

Persons who are currently serving a sentence in prison or county jail, or who are on probation, post-release community supervision, or parole, may petition the superior court for **resentencing**. The court must resentence the petitioner, unless the court determines that the petitioner is “an unreasonable risk of danger to public safety.” As used in Prop. 64, “unreasonable risk to public safety” has the same meaning as it does in Prop. 47. In other words, a petitioner is only “an unreasonable risk of danger to public safety” if they are at risk of committing a “super strike” as defined in Penal Code § 667(e)(2)(C)(iv). If resentenced, the petitioner will be ordered to serve one year on parole or post-release community supervision, unless the court, in its discretion, releases the petitioner from this requirement.

Persons who have completed their sentences and are no longer in custody or under supervision may petition the superior court for **reclassification**. Some courts also refer to this process as “redesignation.” When evaluating a petition for reclassification, the court makes no determination about risk to public safety and has no discretion to withhold resentencing. Instead, as long as a petitioner was convicted of an offense changed by Prop. 64, the court *must* reclassify the conviction.

## QUALIFYING OFFENSES AND ELIGIBILITY

Prop. 64 amended the penalties for four criminal offenses:

- ◇ Possession of marijuana or concentrated marijuana (H&S Code § 11357)
- ◇ Cultivation of marijuana (H&S Code § 11358)
- ◇ Possession with intent to sell marijuana (H&S Code § 11359)
- ◇ Sales or transport of marijuana (H&S Code § 11360)

The new penalty (i.e. misdemeanor, infraction, or dismissal) attached to each offense will depend on the specific offense. For example, some offenses became outright legal (such as possession of up to 28.5 grams of marijuana or up to 8 grams of concentrated marijuana) and some offenses that were reduced to misdemeanors (such as sales of marijuana). See Appendices A and B or how specific offenses are affected by Prop. 64.

### ELIGIBILITY.

Any person with a prior conviction for one of the four offenses listed above may apply for reclassification. Prop. 64 does not disqualify a petitioner from resentencing or reclassification because of any particular prior criminal offense, such as a “super strike.” In other words, as long as the petitioner was (1) convicted of an offense listed above, (2) is serving or completed a sentence for one of those offenses, and (3) would have been guilty of a lesser offense under Prop. 64, the petitioner is eligible. If the District Attorney objects to resentencing for any reason, they must prove the petitioner ineligible by clear and convincing evidence.

### SPECIAL NOTE FOR NONCITIZENS:

Immigration officials still consider the possession of marijuana to be illegal and any admission of use or possession of marijuana is a danger for noncitizens. Immigration officers are increasingly asking noncitizens if they have ever used marijuana, especially in states that have legalized marijuana. A noncitizen should refrain from admitting use to any immigration official. For purposes of resentencing, try to secure an order that specifies that the prior conviction is reduced or dismissed because it is “legally invalid” as H&S Code § 11361.8 requires. The resentencing relief in Prop. 64 might not be accepted for immigration purposes, so noncitizens should consider other forms of post-conviction relief as well.



## WHAT ARE THE DIFFERENCES BETWEEN PROP. 64 AND PROP. 47?

- ◇ Prop. 64 does not disqualify persons from resentencing if they have a prior “super strike” or prior conviction requiring registration under Penal Code § 290(c).
- ◇ The text of Prop. 64 makes clear that the resentencing and reclassification provisions of Prop. 64 apply equally to juvenile delinquency adjudications . H&S Code § 11361.8(m).
- ◇ There is no time limit by when Prop. 64 petitions must be filed.
- ◇ A prior conviction reduced or dismissed under Prop. 64 is deemed “legally invalid.” H&S Code § 11361.8(b)&(f).
- ◇ The District Attorney must prove a petitioner ineligible by clear and convincing evidence.<sup>2</sup> H&S Code § 11361.8(b)&(f).
- ◇ A felony that is reduced under Prop. 64 becomes a misdemeanor or infraction for all purposes with no specified exceptions.

### JUVENILES.

Youth under the age of 18 may **only** be charged with **infractions** for the offenses listed above. All juvenile records for qualifying marijuana offenses listed above will now be destroyed and sealed two years from the date of conviction or when a youth turns 18. See H&S Code § 11361.5(a). It’s as if the arrest or conviction never occurred and the record never existed. Youth currently serving a sentence for a qualifying offense may apply to a juvenile court to have their conviction reduced to an infraction and their sentence changed to drug education and community service. See Appendix B for the specific penalties. A youth who has turned 18 may still want to apply for reclassification, rather than rely on the Department of Justice to destroy the record because it may take some time for the expanded expungement process to be fully operational.

### PROCEDURE FOR RESENTENCING

This guide does not provide information about resentencing for those who are still serving sentences for a qualifying Prop. 64 offense and persons seeking resentencing are strongly urged to talk to an attorney. The procedure for resentencing—for petitioners who are serving a sentence in jail or prison, or who are on parole, probation, or post-release community supervision—is somewhat different than reclassification, but still similar to the process created in Prop. 47. If a person qualifies for resentencing, the court must resentence the person unless they pose “an unreasonable risk of danger to public safety,” which is defined as the same as it is in Prop. 47. The process may require a hearing and an attorney to represent the petitioner. If a person believes they are eligible, they should contact the Public Defender’s office or the attorney who represented them in their original case.

### PROCEDURE FOR RECLASSIFICATION

People who are not in custody and not on probation, post-release community supervision, or parole may apply for reclassification, or in some cases, dismissal, of a Prop. 64 qualifying offense. The steps below outline the reclassification record change process, which is the same process created in Prop. 47. It’s likely that each county will use the same or similar process as they did for Prop. 47. While each county’s process may be slightly different, these steps can serve as a general guideline.

### **STEP 1. GET A COPY OF THE RAP SHEET**

A copy of a “RAP sheet,” or criminal record, is needed to determine eligibility. If the applicant only has convictions from one county, they can visit the court where the conviction occurred to obtain their record. If the person has multiple convictions from different counties, they must obtain a copy of their record from each court where a conviction occurred. Alternatively, they can obtain their complete California RAP sheet from the Department of Justice by filling out an application and visiting a Live Scan provider who will fingerprint them and submit their request to DOJ. (Visit [www.oag.ca.gov/fingerprints/locations](http://www.oag.ca.gov/fingerprints/locations) to obtain a list of locations by county.) The results will be mailed to the applicant. There is a fee charged by both DOJ (\$25) and the Live Scan provider (\$15-25), but a person may qualify for a waiver from the DOJ fee with proof of indigence. See Appendix C for a step-by-step guide to obtaining DOJ RAP sheets.

### **STEP 2. COMPLETE APPLICATION FOR RECLASSIFICATION**

A list of forms used by each county will be provided at [www.myprop64.org](http://www.myprop64.org) as they are adopted and made available and they can also be obtained from the clerk of court (or county website) where the conviction took place. An applicant may also use the uniform forms adopted by Judicial Council, which are attached to this guide as Appendices D and E. To download a fillable PDF form, please visit <http://www.courts.ca.gov/prop64.htm>. Complete the form by checking the box for the offense of conviction and whether it is a “petition” or “application.”

### **3. SERVE COPY OF APPLICATION AND FILE RECLASSIFICATION PACKET**

In most counties, a Proof of Service form will also need to be completed that indicates a person 18 and older, besides the applicant, mailed or personally delivered a copy of the application to the District Attorney’s office. The Judicial Council form includes a Proof of Service form. A separate reclassification packet may need to be submitted for each conviction depending on the county. Some counties allow an applicant to apply to reclassify multiple convictions on one form. The packet will contain the application and the Proof of Service. Make two copies of each packet for a total of three packets: (1) original packet to be filed with the court; (2) one copy to be mailed to the District Attorney; and (3) one copy for your records. Filing instructions may be slightly different for juvenile applications.

### **STEP 4. WAIT FOR APPROVAL**

A judge will review the application once it is filed to make sure the applicant qualifies for reclassification. Since there are no disqualifying convictions, a judge must reclassify the conviction if the applicant was convicted of a qualifying offense. However, a judge will need to determine how the conviction should be reclassified according to the law—to an infraction or a misdemeanor or to dismiss the conviction entirely. The burden is on the District Attorney to prove by clear and convincing evidence that an applicant is ineligible. A hearing is generally not necessary, but it is possible a hearing may be needed to determine whether the amount of marijuana falls under a certain threshold that changes the penalty—e.g. whether the marijuana weighed more than 28.5 grams or whether more than six plants were cultivated—or if the District Attorney objects to the applicant for any reason. In most counties, the applicant will be notified by mail once the court has recorded the change to the conviction. Some counties may require the person to return to court to learn the status of the application. Be sure to check with the clerk when the application is filed how the applicant will be notified.

# Appendix A

## PROPOSITION 64:

### CHANGES TO CRIMINAL PENALTIES (ADULTS)

CRIMINAL OFFENSE <sup>1</sup>	PENALTY BEFORE PROP. 64 <sup>2</sup>	CURRENT PENALTY (beginning 11/9/16) <sup>2,3</sup>
<b>POSSESSION OF MARIJUANA OR CONCENTRATED MARIJUANA - H&amp;S Code § 11357</b>		
Possession of ≤ 28.5 g marijuana	Infraction (max \$100 fine)	21 +: Legal
		18 to 20: Infraction (max \$100 fine)
Possession of > 28.5 g marijuana	Misdemeanor (max 6 months jail and/or \$500 fine)	Misdemeanor (max 6 months jail and/or \$500 fine)
Possession of concentrated cannabis	Any amount = Misdemeanor (max 1 year jail and/or \$500)	21 +: Up to 8 grams is legal; more than 8 grams is a misdemeanor (max 6 months jail and/or \$500 fine)
		18 to 20: less than 4 grams is an infraction (max \$100 fine); more than 4 grams is a misdemeanor (max 6 months jail and/or \$500)
Possession of ≤ 28.5 g marijuana and/or ≤ 4g concentrates on school grounds	Misdemeanor (max 10 days jail and/or \$500 fine)	1st offense : Misdemeanor (max. \$250 fine)
		2nd + offense : Misdemeanor (max 10 days jail and/or \$500 fine)
<b>POSSESSION WITH INTENT TO SELL MARIJUANA - H&amp;S Code § 11359</b>		
Possession with intent to sell	Felony (16 months/2 years/3 years)	Misdemeanor (max 6 months jail and/or \$500 fine)
		<p><i>*If amount is less than 28.5 grams and intent is to share, not sell, it is legal per H&amp;S Code § 11362.1</i></p> <p>Wobbler if (1) prior super strike, (2) a registered sex offender, (3) two prior convictions under this subsection, (4) offense occurred in connection with knowing sale or attempted sale of marijuana to a person under 18, or (5) knowingly hired, employed, or used a persons under 21 in unlawfully cultivating, selling, etc. any marijuana</p>

Notes:

1. Penalties refer to all adults 18 and older, unless noted otherwise.
2. Prop. 215 protections remain in effect.
3. Licensed activity in accordance with state law will not be subject to these penalties.

# Appendix A

## PROPOSITION 64:

### CHANGES TO CRIMINAL PENALTIES (ADULTS)

CRIMINAL OFFENSE <sup>1</sup>	PENALTY BEFORE PROP. 64 <sup>2</sup>	CURRENT PENALTY (beginning 11/9/16) <sup>2,3</sup>
<b>SALES OF MARIJUANA - H&amp;S Code § 11360</b>		
Sales / giving away / transportation for sale of marijuana	Felony (2/3/4 years)  <i>*If amount is less than 28.5 g and it is given away (i.e. no sale), it is a misdemeanor (max fine of \$100)</i>	Misdemeanor (max 6 months jail and/or \$500 fine)  <i>*If amount is less than 28.5 grams and it is given away or transported (not for sale), it is legal for adults 21 and older. H&amp;S Code § 11362.1. The same conduct is an infraction (max fine of \$100) for adults aged 18 to 20. H&amp;S Code § 11360(b)</i>
		Wobbler (2/3/4 yrs) if (1) prior super strike, (2) a registered sex offender, (3) two prior convictions under this subsection, (4) involved sale to person under 18, or (5) involved import into this state or transport out of this state of more than 28.5 grams
Sales / giving away marijuana to a MINOR (H&S Code § 11361)	Felony (3/5/7 years) for sales to a minor under 14 or (3/4/5 years) to a minor over 14	No change
<b>MANUFACTURING: H&amp;S Code § 11379.6</b>		
Manufacturing concentrates by chemical synthesis	Felony (3/5/7 years)	No change
<b>CULTIVATION OF MARIJUANA - H&amp;S Code §11358</b>		
Cultivation	Felony (16 months/2 years/3 years)	6 plants or less 21+: Legal 18 to 20: Infraction (max \$100 fine)
		More than 6 plants (18 +) Misdemeanor (max 6 months jail and/or \$500 fine)  Wobbler if (1) prior super strike, (2) a registered sex offender, (3) two prior convictions under this subsection, or (4) offense resulted in intentional diversion of public waters, introduction of harmful chemical into waters or otherwise caused substantial environmental harm to public lands
Cultivation restrictions on growing at home	None, it was all illegal	Infraction (max \$250 fine) if adult cultivates up to 6 plants but (1) plants are visible to public or (2) not kept in a locked space

Notes:

1. Penalties refer to all adults 18 and older, unless noted otherwise.
2. Prop. 215 protections remain in effect.
3. Licensed activity in accordance with state law will not be subject to these penalties.

# Appendix A

## PROPOSITION 64:

### CHANGES TO CRIMINAL PENALTIES (ADULTS)

CRIMINAL OFFENSE <sup>1</sup>	PENALTY BEFORE		CURRENT PENALTY (beginning 11/9/16) <sup>2,3</sup>
	PROP. 64 <sup>2</sup>	OTHER	
Opening or maintaining place for unlawfully selling, giving away or using drugs (§ 11366)	Wobbler		This conduct may be legal in some circumstances. For example, a person solely maintaining a place for the purpose of giving away or using legal amounts of marijuana by adults 21 and older may be operating in accordance with Prop. 64
Renting, leasing, or making building/ room/ space available for unlawful manufacturing or storing of drugs (§ 11366.5)	1st offense : Wobbler 2nd + offense: Felony (2/3/4 years)		This conduct may be legal in some circumstances. For example, a person solely using a place for the purpose of storing legal amounts of marijuana by adults 21 and older may be operating in accordance with Prop. 64
PUBLIC USE INFRACTIONS CREATED BY PROP. 64: H&S Code § 11362.3			
Smoking or ingesting in public	No specific penalty for marijuana. Charged with possession or same as tobacco		Infraction (max fine of \$100)
Smoking where tobacco prohibited	No specific penalty for marijuana. Charged with possession or same as tobacco		Infraction (max fine of \$250)
Smoking within 1,000 feet of a school, day care or youth center while children are present	No specific penalty for marijuana. Charged with possession or same as tobacco		Infraction (max fine of \$250)
Possess open container or package of marijuana while driving, operating, or riding in vehicle	No specific penalty. Charged with possession		Infraction (max fine of \$250)

Notes:

1. Penalties refer to all adults 18 and older, unless noted otherwise.
2. Prop. 215 protections remain in effect.
3. Licensed activity in accordance with state law will not be subject to these penalties.

RESTRICTED - DO NOT USE FOR EMPLOYMENT, LICENSING OR CERTIFICATION PURPOSES

\*\*\*\*\*

CII/84125412
DOB/19730825 SEX/F RAC/WHITE
HGT/506 WGT/135 EYE/BRO HAIR/BLK POB/MEX
CTZ/MEXICO
NAM/001 Lopez, Carina
002 Lopes, Carina
003 Jackson, Carina

FBI/469841265423
DMV/ 789545
SOC/1236548
MDS/7895
OCC/ PARALEGAL

\* \* \* \*

ARR/DET/CITE: NAM:001 DOB:1973
19930830 CAPD SAN FRANCISCO

Arrest Date

CNT: 001 #12345677889
11351 HS-POSSES W/ INTENT TO DISTRIBUTE TOC:F

Arrest Report Number

COURT: NAM:001
19930902 CASC SAN FRANCISCO

Conviction Date

CNT: 001 93CR2456
11351 HS-POSSES W/ INTENT TO DISTRIBUTE TOC:F

Court Case #

\*DISPO: CONVICTED
CONV STATUS: FELONY
SEN: 005 YEARS PROBATION, 002 YEARS PRISON SS

Charge(s) for this case.

\* \* \* \*

ARR/DET/CITE: NAM:002 DOB:1973
19980115 CAPD SAN FRANCISCO

Probation = eligible for 1203.4

CNT: 001 #987656789
23152 (A) VC-DRIVING UNDER INFLUENCE TOC:M

SS = Suspended Sentence, not n issue, unless probation is revoked & client goes to prison.

COURT: NAM:001
19980126 CASC SAN FRANCISCO

1

2

Read Between the \*\*\*\*

FOR TRAINING PURPOSES

CNT: 001 98CRM133322  
23152(A) VC-DRIVING UNDER INFLUENCE TOC:M  
\*DISPO: CONVICTED  
CONV STATUS: MISDEMEANOR  
SEN: 003 YEARS PROBATION, 030 DAYS JAIL

\* \* \* \*

3 ARR/DET/CITE NAM:002 DOB:1973  
20011031 CAPD BERKELEY

CNT: 001 #98765567876  
23540(A) VC-DRIVING UNDER INFLUENCE TOC:M

\* \* \* \*

ARR/DET/CITE NAM:002 DOB:1973  
20020927 CAPD BERKELEY

CNT: 001 #98765567876  
23540(A) VC-DRIVING UNDER INFLUENCE TOC:M

4 CNT: 002  
14601.2 VC-DRIVING ON SUSP LIC TOC:M

---  
COURT: NAM:001  
20020930 CASC ALAMEDA

CNT: 001 02TR999887  
23540(A) VC-DRIVING UNDER INFLUENCE TOC:M  
\*DISPO: CONVICTED

CNT: 002  
14601.2 VC-DRIVING ON SUSP LIC TOC:M  
\*DISPO: CONVICTED  
CONV STATUS: MISDEMEANOR  
SEN: 001 YEAR JAIL

\* \* \* \*

ARR/DET/CITE: NAM:002 DOB:1973  
20041203 CAPD OAKLAND

5 CNT: 001 #575447889  
11360 HS-SALE/TRANSPORTATION MARIJUANA TOC:F

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COURT: NAM:002  
20041214 CASC ALAMEDA

CNT: 001 CRF300456  
11360 HS-SALE/TRANSPORTATION MARIJUANA TOC:F  
\*DISPO: CONVICTED  
CONV STATUS: FELONY  
SEN: 60 MONTHS PROBATION; 24 MONTHS PRISON SS

20050531  
DISPO: PROBATION REVOKED  
SEN: 002 YEARS PRISON  
\* \* \* \*

ARR/DET/CITE: NAM:002 DOB:1973  
20050611 CAPD SANTA CLARA

CNT: 001 #9876545678  
11350 HS-SIMPLE POSSES OF HEROIN TOC:F  
- - - -

COURT: NAM:002  
20060617 CASC SANTA CLARA

CNT: 001 06-CR-SJ-F-87677  
11350 HS- POSSES OF HEROIN TOC:F  
\*DISPO: CONVICTED  
CONV STATUS: FELONY  
SEN: 003 YEARS PROBATION  
\* \* \* \*

ARR/DET/CITE: NAM:003 DOB:1973  
20070718 CAPD SAN FRANCISCO

CNT: 001 #78000  
459/460(B) PC-SECOND DEGREE BURGLARY TOC:F  
- - - -

COURT: NAM:003  
20080722 CASC SAN FRANCISCO

CNT: 001 08CF01230123  
459/460(B) PC-SECOND DEGREE BURGLARY TOC:F  
\*DISPO: CONVICTED  
CONV STATUS: FELONY  
SEN: 016 MO PRISON  
\* \* \* \*

6

7



8

CUSTODY: CDC NAM: 003  
20101209 CASP SAN QUENTIN

CNT: 001 #W30247  
459/460(B) PC-SECOND DEGREE BURGLARY TOC:F  
SEN FROM: SAN FRANCISCO CO  
CRT CASE 09CF01230123  
SEN: 16 MO PRISON  
COM: PHOTO AVAILABLE  
SCN: 4567890976

\* \* \* \*

ARR/DET/CITE: NAM: 003 DOB: 1973  
20110212 CAPD BERKELEY

CNT: 001 #44544567  
11359 HS-POSSESS MARIJUANA FOR SALE TOC:F

COURT: NAM: 003  
20111109 CASC ALAMEDA

CNT: 001 11CRF121299  
11359 HS-POSSESS MARIJUANA FOR SALE TOC:F  
DISPO: DISMISSED/FOJ/PLEA TO OTHER CHARGE

\* \* \* \*

ARR/DET/CITE: NAM: 003 DOB: 1973  
20110505 CAPD SANTA CLARA

CNT: 001 #98765455  
11352 HS-POSSES W/ INTENT TO DISTRIBUTE HEROIN TOC:F

COURT: NAM: 003  
20111109 CASC SANTA CLARA

CNT: 001 11-CR-SJ-F-77677  
11352 HS-POSSES W/ INTENT TO DISTRIBUTE HEROIN TOC:F

\*DISPO: CONVICTED  
CONV STATUS: FELONY  
SEN: 003 YEARS COUNTY PRISON ; 1170(H) - PC

\* \* \* \*

ARR/DET/CITE: NAM: 003 DOB: 1973

9

10

11

20150517 CAPD SAN FRANCISCO

CNT: 001 #9834967

215 PC-CARJACKING

TOC:F

- - - -

COURT: NAM:003

20150522 CASC SAN FRANCISCO

CNT: 001 876587

215 PC-CARJACKING

TOC:F

\*DISPO: CONVICTED

CONV STATUS: FELONY

SEN: 002 YEARS PRISON

\* \* \* \*

ARR/DET/CITE: NAM:003 DOB:1973

20180903 CAPD OAKLAND

CNT: 001 #6543789

11378 HS-POSSES W/ INTENT TO SELL METH

TOC:F

- - - -

COURT: NAM:003

20180910 CASC ALAMEDA

CNT: 001 18CR6677

11378 HS-POSSES W/ INTENT TO SELL METH

TOC:F

\*DISPO: CONVICTED

CONV STATUS: FELONY

SEN: 002 YEARS PRISON

\* \* \* \*

APPLICANT NAM:003 DOB:1973

20201221 BAY AREA ANIMAL RESCUE CREW

CNT: 001

APPLICANT VOLUNTEER

SCN:BN

12

13

Client Name (as RAP document is titled) C. Jackson	Vol Evaluator: <b>your name here</b> Date Completed: <b>today</b>
Client NAM: 1. Lopez, Carina 2. Lopes, Carina 3. Jackson, Carina	Matter #  R&R Reviewer:

Nam#	Case #	County & Courthouse	Conv. Date	Code & Section	Off. description	F M I	Sentence type & length	Remedies (discr / mand)	Notes	Result?
1	93CR2456	SF	9/2/93	HS 11351	Pos. w. intent	F	5 yr prob 2 yr prison—SS	1203.4 Discr – new case		
1	98CRM133322	SF	1/26/1998	VC 23152 (a)	DUI	M	3 years probation 30 d jail	1203.4 Discr- always		
1	02TR999887	Alameda	9/30/2002	VC 23540(a)	DUI	M	1 yr jail	1203.4a Discr- always		
“	“	“	“	VC 14601.2	Driving on susp. lic	M	“	“		
2	CRF300456	Alameda	12/14/2004	HS 11360	MJ Sales	F	<del>60 mo prob.</del> 2 yr prison	1203.4a + P64 OR 1203.41 (2023)	Prob. Revoked 5/31/2005	
2	06-cr-sj-f-87677	Santa Clara	6/17/2006	HS 11350	Pos. heroin	F	3 yr probation	1203.4		
3	08CF01230123	SF	7/22/2008	PC 459	Burglary, 2 <sup>nd</sup> degree	F	16 mo prison	Prop 47 + 1203.4a OR 1203.41		
3	11-CR-sj-f-77677	Santa clara	11/09/2011	HS 11352	Pos. with intent to distribute her.	F	1170 (h) 3 years	1203.41		
3	876587	SF	5/22/2015	PC 215	Car jacking	F	2 yr prison	1203.41 (2023)		
3	18CR6677	alameda	9/10/2018	HS 11378	Pos. w/ intent to sell, meth	F	2 yr prison	1203.41 (2023)	Might not be eligible yet,	

Notes: I cannot tell if she is off parole for the last case, 18CR6677—and met the 2 years post release yet...
Case Factors:

The orange highlighted boxes are for R&R to complete, pro bono RAP evaluators can leave these boxes blank.

**RESOURCE FAMILY APPROVAL: BACKGROUND ASSESSMENT GUIDE**

**127 RAP SHEET FREQUENTLY USED ABBREVIATIONS**

A & B	Assault & Battery	CAC	California Administration Code
ACCESS	Accessory	CASE COMP	Case Compromised
ACCUS SET ASIDE	Accusation Set Aside	CC	Concurrent
ACHS	Automated Criminal History System	CCN	Court Case Number
AD	Advertise; Advertisement	CCW	Carry Concealed Weapon
ADLT	Adult	CCWPT	Concurrent With Present Term
ADMISS EVID INSUFF	Admissible Evidence Insufficient	CDC	California Department of Corrections
ADW or AWDW	Assault With Deadly Weapon	CDL	California Driver's License
ALC or ALCO	Alcohol	CDM	Contribute to the Delinquency of a Minor
AMMO	Ammunition	CDW	Carrying Dangerous Weapon
ANML	Animal	CERT JUV CRT	Certified To Juvenile Court
AP	Assessment Penalty	CERT SUP CRT	Certified To Superior Court
APP	Applicant	CHP	California Highway Patrol
ARR	Arrest	CII	Criminal Identification & Information Number
ARRESTEE EXON	Arrestee Exonerated	CJIS	Criminal Justice Information System
ASCERT EVID INSUFF	Ascertainable Evidence Insufficient	CLETS	California Law Enforcement Telecommunications System
ASLT	Assault	CMF	California Medical Facility
AT	Auto Theft	CNTL	Controlled
ATT	Attempt; Attempted	CNTRFEIT	Counterfeit
AWOL	Absent Without Official Leave	CNTS	Counts
B & P	Business & Professions Code	CO	County
B/F	Bail Bond Forfeited	COMB W/OTH CNTS	Combined With Other Counts
B/W	Bench Warrant	COM	Comment
BATT	Battery	COMM	Committed
BCII	Bureau of Criminal Identification and Information	COMP REFUSES TO PROS	Complainant Refuses to Prosecute
BECAM WIT F/PEO	Became Witness For People	CONREP	Conditional Release Program
BFMV	Burglary From Motor Vehicle	CONS	Consent; Consolidated
BLDG	Building	CONSP	Conspiracy
BUS	Business	CONT	Continue
C & R	Counseled & Released	CONV or "J"	Convicted
CA	City Attorney	COC	Contempt Of Court
CA/DMH	California Department of Mental Health	COP	Copulation

**RESOURCE FAMILY APPROVAL: BACKGROUND ASSESSMENT GUIDE**

CORI	Criminal Offender Record Information	DWD	Driving While Drunk
CORP	Corporate; Corporation	DWI	Driving While Intoxicated
CORP CODE	Corporation Code	DWOC	Drive Without Owner's Consent
CORP DELICTI	Corpus Delicti	DWOL	Drive Without License
CRC	California Rehabilitation Center	E/R	En Route
CRT	Court	EMER	Emergency
CRT PROB	Court Probation	EMP	Employee
CS	Consecutive	ENT	Enter; Entry
CTS	Credit Time Served	EOSS or EXEC SENT SUSP	Execution of Sentence Suspended
CVC	California Vehicle Code	EQUIP	Equipment
CWGB	Condition With Good Behavior	ESC	Escape; Escaped
DAMAGE TO PROP	Damage To Property	ESP	Espionage
DANG WPN or DW	Dangerous Weapon	ESTAB	Establish, Establishment
DA	District Attorney	ESTABLISH	Establishment
DEFT	Defendant	EXPLO	Explosive
DEG	Degree	EXT	Extortion
DEL	Delinquent	F/ARM	Firearm
DEP	Deportation	FAC	Facility
DEPT. 95	Psycho	FBI	Federal Bureau of Investigation
DET	Detention	FCI	Federal Correctional Institute
DIS	Disrupt; Disorderly	FED	Federal
DISCHRG or DISCH	Discharge; Discharged	FEL	Felon; Felony
DISCL	Disclose	FG	Fish & Game Code
DISM	Dismissed	FLS	False
DISORD	Disorderly	FN	Fine
DIST	Distribute; Distribution	FN PD	Fine Paid
DIV	Diversion	FND NOT GUILTY	Found Not Guilty
D.L.	Driver's License	FOJ or FURTH OF JUST	Furtherance Of Justice
DLR	Dealer	FTA	Failure To Appear
DMV	Department Of Motor Vehicles	FTPF	Failure To Pay Fine
DOB	Date Of Birth	FUG	Fugitive
DOC	Document	FURTH INVEST	Further Investigation
DOJ	Department of Justice	GBI	Great Bodily Injury
DP	Disturbing The Peace	GJI	Grand Jury Indictment
DRK	Drunk	GL	Grand Larceny
DS	Day(s)	GMS	Grams
DSP	Disposition Record Number	GOVT	Government
DTH	Death	GP	Guilty Plea
DUI	Driving Under the Influence Alcohol/Drugs	GT	Grand Theft

**RESOURCE FAMILY APPROVAL: BACKGROUND ASSESSMENT GUIDE**

GTA	Grand Theft Auto	JUDG & SENT SUSP	Judgment & Sentence Suspended
H & R	Hit & Run	JUDG ARR DEFT DISCH	Judgment Arrested Defendant Discharged
HAB	Habitual	JUDG SUSP or J/S	Judgment Suspended
HAZ	Hazard; Hazardous	JUDL	Judicial
HNT	Hunt	JUV	Juvenile
HS or H & S	Health & Safety Code	L & L	Lewd & Lascivious
HTA	Held To Answer	LACK OF EVID	Lack Of Evidence
HWY	Highway	LACK OF CORP	Lack Of Corpus
HYPO	Hypodermic	LACK OF PROB CAUSE	Lack Of Probable Cause
ID	Identification	LACK OF PROS or LOP	Lack Of Prosecution
IDN	Identification Number	LEG or LEGIS	Legislative; Legislature
IE or INSUFF EVID	Insufficient Evidence	LIC	License
ILL SEARCH & SEIZ	Illegal Search & Seizure	LIO	Lesser Included Offense
IMM	Immigration	LIQ	Liquor
IMP SENT SUSP or ISS	Imposition of Sentence Suspended	LVE	Leave
INADMISS SEARCH & SEIZ	Inadmissible Search & Seizure	MAL	Malicious
INFLU	Influence	MANSL	Manslaughter
INFO	Information	MARIJ	Marijuana
INFO PROB or INFORM	Informal Probation	MAT	Material
INFO SET ASIDE	Information Set Aside	MC	Municipal Code
INJ	Injury; Injure	MCW	Municipal Court Warrant
INN	Institution Number	MDSO	Mentally Disordered Sex Offender
INSUFF CAUSE	Insufficient Cause	MFG	Manufacturing
INSUFF EVID W/CODEFT	Insufficient Evidence For Co- Defendant	MISD	Misdemeanor
INT	Interest	MNI	Master Name Index
INT OF JUST	Interest Of Justice	MNR	Minor
IOE	Insufficient Of Evidence	MNU	Miscellaneous Numbers
IRA	Internal Revenue Act	MOD	Modified
IRO	Included Reduced Offense	MOS	Months
ISS	Issued	MOT OF CRT	Motion Of Court
JD#	Judicial District Number	MOT OF DA	Motion Of District Attorney
JDG	Judgment	MOT OF DDA	Motion Of Deputy District Attorney
JL	Jail	MOT OF PEO	Motion Of People

**RESOURCE FAMILY APPROVAL: BACKGROUND ASSESSMENT GUIDE**

MTR	Motor	PET	Petition
NARC	Narcotics	PET REQ	Petition Requested
NBR	Number	PFC	Prior Felony Conviction
NC	No Charge	PG	Pled Guilty
NCF	No Charge Filed	PH	Phone
NCIC	National Crime Information Center	PL	Petty Larceny
NDL	Needle	PLEA BARG	Plea Bargain
NEG	Negligence	PLEA TO OTH CHG	Plea To Other Charge
NEGO PLEA	Negotiated Plea	PNC	Pled Nolo Contendre
NFA	National Firearms Act	PO	Peace Officer
NFS	No Filing Sought	POSS	Possess
NLETS	National Law Enforcement Telecommunication System	PR	Prior
NMVTA	National Motor Vehicle Theft Act	PREM	Premises
NO EVID BY PEO	No Evidence By People	PRESCRIP	Prescription
NO FURTH INFO	No Further Information	PROB	Probation
NO JUD COM	No Judicial Comment	PROB EXT	Probation Extended
NTCU	Narcotic Treatment Control Unit	PROB MOD	Probation Modified
O/R	Own Recognizance	PROB REINST	Probation Reinstated
OAWDL	Operate Auto Without Driver's License	PROB REVKD	Probation Revoked
OBJ	Object	PROB TERM	Probation Terminated
OBT	Obtaining	PROB TRANS	Probation Transferred
OFCL	Official	PROB VIO	Probation Violated
OFCR	Officer	PROC SUSP or PROC SS	Proceedings Suspended
OFF	Offense	PROG	Program
OFN	Offender	PRON JUDG SUSP	Pronouncement Judgment Suspended
OHV	Off-Highway Vehicle	PRON JUDG W/HELD	Pronouncement Judgment Withheld
OL	Operator's License	PROS	Prosecute
OLN	Operator's License Number	PROC	Procedure
OPR	Operate; Operation	PROP	Property
ORD	Ordinance	PRSN	Person
OTC	Out To Court	PRSNL	Personnel
P/J	Penalty Of Judgment Withheld	PRV	Private
PA	Penalty Assessment	PT	Petty Theft
PAND	Pandering	PUB	Public
PAR	Parole	R.N.	Registered Nurse
PASS	Passenger	RAP	Record of Arrest and Prosecution
PC	Penal Code	RECOMM	Recommitted
PD	Paid; Police Department	RED	Reduced
PDR	Personal Data Record	REF	Refuse; Referred

**RESOURCE FAMILY APPROVAL: BACKGROUND ASSESSMENT GUIDE**

REG	Register; Registration	SURV	Survey
REJ	Rejected	SYR	Syringe
REL	Released	T & C	Terms & Conditions
REM	Remain	TAWOC	Takes Auto Without Consent
REP	Represent; Representation	TERM	Terminated
REQ	Required	TFT	To Finish Term
RESTN or RSTN	Restitution	TK	Take
REVKD	Revoked	TPL	Termed Prescribed By Law
REWRD	Reward	TRAN	Transit
RIFL	Rifle	TRANSF	Transfer
RMV	Remove	TRANSP	Transport; Transportation
RPT	Report	TT	Total Term; Total Fixed Term
RR	Railroad; Reduced Related Charge	UC	University Of California
RSP	Receiving Stolen Property	UNAUTH	Unauthorized
RTFT	Returned to Finish Term	UNEMPLOY	Unemployment
SAB	Sabotage	UNIV	University
SBI	Serious Bodily Injury	UNLAW	Unlawful
SCH	School	UNOCC	Unoccupied
SEC	Second	VC	Vehicle Code
SENT or SEN	Sentence	VCIN	Violent Crime Information Network
SENT SUSP or SS	Sentence Suspended	VD	Venereal Disease
SID	State Identification Number	VEH	Vehicle
SIG	Signal	VES	Vessel
SIS	Sentence Imposes Suspended	VICT	Victim
SN or SSN or SOC	Social Security Number	VIOL	Violation; Violate
SP or ST PRIS	State Prison	VOLT	Voltage
SPEC CIRC	Specific Circumstances	W/	With
SP SS	State Prison Term Suspended	W/O	Without
SSA	Selective Service Act	W/PR	With Prior
ST	Street	WIT	Witness
STIP PROB CAUSE	Stipulation Probable Cause	WPN	Weapon
STLN	Stolen	WST	Waste
STU	Student	XIMP	(X =computer generated) Imposition of Sentence Suspended
SUB	Substance	YR(S)	Year(s)
SPEC	Specific	1118 PC	Acquittal, Non-Jury Case
ST HOSP	State Hospital	1538.5 PC	Dismissed Per Motion
STRU	Short Term Return Unit		