



February 13, 2020

CONTACTS:

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**LOS ANGELES COUNTY DA & CODE FOR AMERICA ANNOUNCE
DISMISSALS OF 66,000 MARIJUANA CONVICTIONS,
MARKING COMPLETION OF FIVE-COUNTY CLEAR MY RECORD PILOT**

All California counties now have access to Clear My Record technology to review Prop 64 convictions by July 1, 2020, as required by AB 1793

LOS ANGELES – Los Angeles County District Attorney Jackie Lacey and Code for America today announced that nearly 66,000 marijuana convictions eligible for relief under Proposition 64 will be dismissed as part of their cutting-edge partnership.

Today's action marks the completion of the five-county Clear My Record pilot to clear marijuana-related convictions eligible for relief under Proposition 64. The other counties in the pilot include San Francisco, Sacramento, San Joaquin and Contra Costa. In total, these five pilots will help reduce or dismiss more than 85,000 Proposition 64 eligible convictions.

"The dismissal of tens of thousands of old cannabis-related convictions in Los Angeles County will bring much-needed relief to communities of color that disproportionately suffered the unjust consequences of our nation's drug laws," Los Angeles County District Attorney Jackie Lacey said. "I am privileged to be part of a system dedicated to finding innovative solutions and implementing meaningful criminal justice reform that gives all people the support they need to build the life they deserve."

"Today's action marks the completion of our California Clear My Record pilot, through which we will have helped to dismiss and seal more than 85,000 marijuana convictions across the state," said Evonne Silva, Code for America's Senior Program Director of Criminal Justice. "This is a clear demonstration that automatic record clearance is possible at scale and can help to right the wrongs of the failed war on drugs. Looking forward, Code for America stands at the ready to help all California counties provide this much needed relief in advance of the July 1, 2020 deadline."

Prosecutors this week asked a Los Angeles Superior Court judge to dismiss 62,000 felony cannabis convictions for cases that date back to 1961. The District Attorney's Office also sought the dismissal of approximately 4,000 misdemeanor cannabis possession cases that included cases filed in 10 Los Angeles County cities: Los Angeles,



Long Beach, Torrance, Pasadena, Inglewood, Burbank, Santa Monica, Hawthorne, Redondo Beach and Hermosa Beach.

Approximately 53,000 individuals will receive conviction relief through this partnership. Of those, approximately 32% are Black or African American, 20% are White, 45% are Latinx, and 3% are other or unknown.

Proposition 64 identifies three health and safety code sections that qualified for resentencing: cultivation of marijuana, possession for sale of marijuana and sales and/or transport of marijuana, all felonies. The law also includes dismissing possession of marijuana, a misdemeanor. District Attorney Lacey used additional criteria to go beyond the parameters of the new law to ensure the greatest number of dismissals. Those expanded parameters include persons who are 50 years or older, haven't had a felony conviction in the past 10 years or have successfully completed probation for cannabis convictions.

Based on this criteria, Code for America created a unique algorithm for the office in order to fast-track the identification of eligible convictions. This technology can analyze eligibility for thousands of convictions in seconds, alleviating the need for DA staff to go through state criminal records one by one to evaluate eligibility, saving time and significant resources.

AB 1793 Implementation

In California, all county District Attorney's Offices are required to implement AB 1793 by July 1, 2020. Earlier this year, Code for America launched its new [Clear My Record Application and Implementation Blueprint](#), available at no cost and open source to all California counties. These resources allow every District Attorneys' Office to expedite and streamline review of Proposition 64 convictions.

The Clear My Record Application allows District Attorneys to securely and accurately evaluate eligibility for convictions by reading and interpreting criminal history data from the California Department of Justice. Code for America has received an overwhelming interest from counties in accessing these resources to carry out the law. Code for America stands ready to work with counties that have not yet used this technology to help them automate the record clearance process and provide relief as required by law.

Record Clearance for the Digital Age

The current record clearance process was not designed to reach everyone who is eligible. With the current petition-based process, each person seeking relief must petition the court to clear their records, but this is a time-consuming, expensive, and confusing



process. It is no surprise, then, that only 3% of those eligible for relief under Proposition 64 have received it.

Code for America's pilot partnerships have set the standard for the statewide implementation of AB 1793, which tasks prosecutors with affirmatively reviewing convictions eligible for dismissal or reduction under Proposition 64. This novel approach also creates a blueprint for the future of record clearance for remedies beyond Proposition 64 — the development of policy and technology that expands, streamlines and automates the record clearance process at scale.

Code for America has been making it easier for people to remove eligible convictions from their records through Clear my Record technology since 2016.

To find out if your record has been cleared

To find out if your record has been cleared, or for more information about this initiative, contact the Los Angeles County Public Defender's Office by phone at **(323) 760-6763** or visit <http://pubdef.lacounty.gov>. The Public Defender's Office will reply to all inquiries.

About Code for America

Code for America believes government must work for the people, and by the people, in the digital age, starting with the people who need it most. We build digital services that enhance government capabilities, and we help others do the same across all levels of government. We organize thousands of volunteers across nearly 80 chapters nationwide who improve government in their local communities. Our goal: a 21st century government that effectively and equitably serves all Americans. Learn more at codeforamerica.org.

About the Los Angeles County District Attorney's Office

Los Angeles County District Attorney Jackie Lacey leads the largest local prosecutorial office in the nation. Her staff of nearly 1,000 attorneys, 300 investigators and 800 support staff members is dedicated to protecting our community through the fair and ethical pursuit of justice and the safeguarding of crime victims' rights. Los Angeles County includes approximately 10 million residents.

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Partnership Report

Results from Code for America's Automatic
Record Clearance Pilot with the Los Angeles
County District Attorney's Office

CODE *for*
AMERICA

FEBRUARY 2020



“The dismissal of tens of thousands of old cannabis-related convictions in Los Angeles County will bring much-needed relief to communities of color that disproportionately suffered the unjust consequences of our nation’s drug laws.”

— **Jackie Lacey**, Los Angeles County District Attorney

Leveraging Clear My Record technology to fulfill the promise of Proposition 64

In April 2019, DA Jackie Lacey and the Los Angeles County District Attorney's Office joined Code for America in the first partnership of its kind to leverage technology and user-centered design to proactively review criminal convictions that qualify for relief under Proposition 64 (marijuana legalization). Previously, people had to petition the court on their own, but this is a time-consuming, expensive, and confusing process.

With the aid of technology, a DA's office can dismiss or resentence convictions proactively and automatically. This requires no action on the part of the individual, and minimal government staff time and resources — and reduces barriers to employment, housing, health, and education that hundreds of thousands of Californians face.

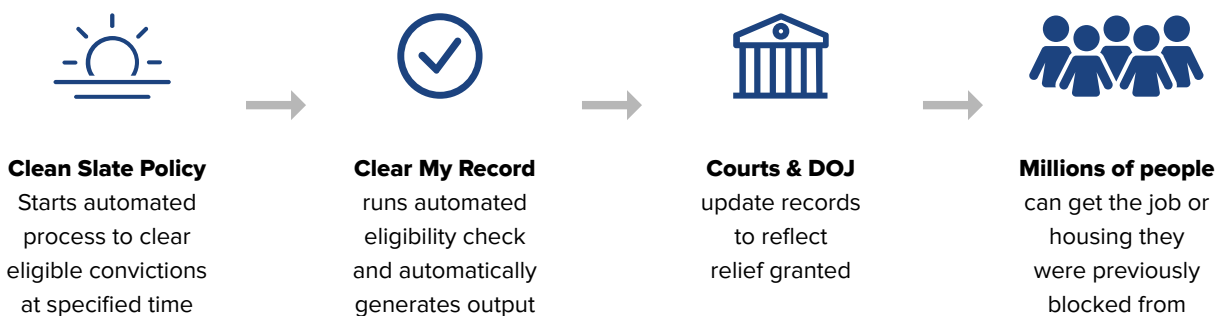
By providing proactive and automatic record clearance services, counties can address the wrongs caused by the failed war on drugs, felt most pronouncedly in communities of color, and fulfill the promise of the reforms aimed at remedying the legacy of mass incarceration in California.

Using technology to automatically clear criminal convictions demonstrates that government has the infrastructure to deliver relief to people in faster, more dignified ways—and the Los Angeles County District Attorney's Office and Code for America are leading the way.

How does Code for America's Clear My Record technology work?

Clear My Record is technology developed by Code for America that can automatically and securely evaluate eligibility for convictions by reading and interpreting conviction data. It can determine eligibility for thousands of convictions in just a few minutes.

This alleviates the need for DA staff to go through state criminal records one by one to evaluate eligibility, a time- and labor-intensive process. Streamlining conviction data processing will also make it easier for the courts to update records.



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Impact of the Automatic Record Clearance Pilot

Los Angeles County marijuana convictions

based on Los Angeles County criminal record data

53,000

Unique individuals with a marijuana-related offense who will receive relief

66,000

Total number of Prop 64 convictions dismissed

4,000

Total number of Prop 64 misdemeanors dismissed

62,000

Total number of Prop 64 felonies dismissed

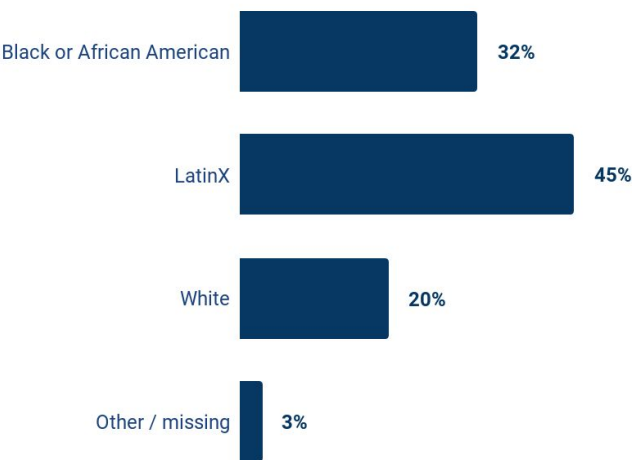
22,000

People who now have no felonies on their CA record

15,000

People who now have no convictions on their CA record

Race Breakdown



Has my record been cleared?

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Superior Court of California
County of Los Angeles

FEB 11 2020

Sherri R. Carter, Executive Officer/Clerk of Court
By: Jessica Cabrera, Deputy

**SUPERIOR COURT OF STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

DEFENDANTS in Exhibit 1

Defendants.

Case Nos. in Exhibit 1

**NOTICE AND MOTION TO
DISMISS; SEAL; AND
PROTECT PURSUANT TO
HEALTH & SAFETY CODE
SECTIONS 11361.9, 11361.8 AND
PENAL CODE SECTION 13300
ET SEQ.; ORDERS**

Court: Department 100

THE HONORABLE SAM OHTA, JUDGE OF THE LOS ANGELES COUNTY SUPERIOR COURT; RICARDO GARCIA, PUBLIC DEFENDER FOR THE COUNTY OF LOS ANGELES; AND ERIKA ANZOATEGUI, ALTERNATE PUBLIC DEFENDER FOR THE COUNTY OF LOS ANGELES:

The District Attorney for the County of Los Angeles (District Attorney) moves to dismiss the attached cannabis convictions. The District Attorney is not challenging the cannabis convictions contained in the attachment to this motion to dismiss marked as Exhibit 1 pursuant to Health and Safety Code section 11361.9.


The District Attorney has jurisdiction over all felony convictions and some misdemeanor convictions contained in Exhibit 1. The City Attorneys for Los Angeles, Torrance, Inglewood, Burbank, Santa Monica, Hawthorne and Redondo Beach, and City Prosecutors from Long

1 Beach, Pasadena and Hermosa Beach (City Attorneys/Prosecutors) have jurisdiction over the
2 remaining misdemeanor convictions. The City Attorneys/Prosecutors have authorized the
3 District Attorney to handle their misdemeanor cannabis convictions related to this motion. These
4 misdemeanor convictions are included in Exhibit 1.

5 This motion only applies to specified convictions. Some of these convictions included
6 cases with non-cannabis convictions. The District Attorney requests the court to dismiss and
7 seal all felony and misdemeanor cannabis convictions contained in Exhibit 1 pursuant to Health
8 and Safety Code section 11361.8. In the event the court is unable to seal only the cannabis
9 convictions, the District Attorney requests that the court only seal cases where all convictions
10 have been dismissed.
11

12 The contents in Exhibit 1 contain local summary criminal history information pursuant to
13 Penal Code section 13300 et seq. Therefore, the District Attorney requests the court to seal
14 Exhibit 1, and order the District Attorney to provide copies of the contents in Exhibit 1 to the
15 Public Defender and Alternate Public Defender subject to a protective order.
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19 Executed on: Feb 11, 2020

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21 
22 JACKIE LACEY
23 District Attorney
24 County of Los Angeles
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ORDER

Good cause having been shown, it is hereby ordered:

1. All felony and misdemeanor cannabis convictions contained in Exhibit 1 pursuant to Health and Safety Code section 11361.8 are dismissed. All cases related to convictions contained in Exhibit 1 where all convictions have been dismissed shall be sealed pursuant to Health and Safety Code section 11361.8;

2. Exhibit 1 shall be placed into an envelope and sealed in court records;

3. The District Attorney is ordered to provide the Public Defender and Alternate Public Defender with a copy of the contents in Exhibit 1; and

4. The Public Defender and Alternate Public Defender are ordered to treat the contents in Exhibit 1 consistent with Health and Safety Code sections 11361.8 and 11361.9, and Penal Code section 13300 et seq.

Executed on:

2/11/2020


HONORABLE SAM OHTA
LOS ANGELES COUNTY SUPERIOR COURT

