

47. Expungement

47.1 CalWORKs Records Expungement Program

The CalWORKs Record Expungement Program is an Interagency Agreement with the Office of the Public Defender (OPD). OPD provides expungement related services to CalWORKs clients which will improve their opportunities for employment.

The Expungement Program offers the following services to clients:

- Expungements
 - Allows a defendant to withdraw his “guilty plea”, enter a “not guilty plea,” and obtain a dismissal.
 - Generally, private employers not permitted to inquire about convictions which have been expunged.
 - It does not erase the conviction or make it disappear
- Reduction of charges
- Resentencing and redesignations
- Vacatures, sealings, certificates of rehabilitation, and Removal from 290 registry
- Request waiver and/or reduction of old fines and fees, and
- Immigration specific relief guided by immigration attorney

47.2 Eligibility Criteria

To be eligible for Expungement services, the client must be:

- An active CWES participant, and
- Charges eligible for expungement (no open cases, cannot be on probation or parole, and cannot currently be serving a sentence)

47.3 Referral Process

See in-person and telework referral process below:

Steps	Who	Action
In-Person Referral Process...		
1.	OPD Paralegal	<ul style="list-style-type: none"> Provides outreach to SSA: <ul style="list-style-type: none"> Regular orientations at SSA district offices (CWES, Mountain View, and Gilroy). Print Media – OPD CalWORKs flyers at SSA offices, Reentry Center, and other County organizations.
2.	Employment Counselor (EC) or Social Worker (SW)	<ul style="list-style-type: none"> Emails direct referrals to the OPD Paralegals, by providing client's CalWIN case number and client's contact information.
3.	OPD Paralegal	<ul style="list-style-type: none"> Receives referrals from designated and authorized staff. Screens for eligibility and orders RAP (criminal record document) sheets. Reviews RAP sheets to identify options for post-conviction relief. Conducts client intake interviews. Prepares petitions seeking relief. Notifies EC directly to confirmed referral received within one week. Notifies EC directly to confirmed if client no shows or not interested in services within two weeks of the appointment scheduled. <p>Note: The EC may contact OPD Paralegals directly by calling Sarah Kerr at (408) 299-7025 or Bina Popat at (408) 299-7028 if outcome information is needed immediately.</p>
4.	EC	<ul style="list-style-type: none"> Receives referral outcome information and enters Case Comments in CalWIN.

Steps	Who	Action
TeleWork Referral Process...		
1.	OPD Paralegal	<ul style="list-style-type: none"> Virtual presentations given weekly on Wednesdays at 11am. https://sccgov-org.zoom.us/j/91577867417
2.	Employment Counselor (EC) or Social Worker (SW)	<ul style="list-style-type: none"> Emails direct referrals to the OPD Paralegals.
3.	OPD Paralegal	<ul style="list-style-type: none"> Receives referrals from designated and authorized staff. Screens for eligibility and orders RAP (criminal record document) sheets. Reviews RAP sheets to identify options for post-conviction relief. Conducts client intake interviews. Prepares petitions seeking relief. Notifies EC directly to confirm referral received within one week. Notifies EC directly to confirm if client no shows or not interested in services within two weeks of the appointment scheduled. <p>Note: The EC may contact OPD Paralegals directly by calling Sarah Kerr at (408) 299-7025 or Bina Popat at (408) 299-7028 if outcome information is needed immediately.</p>
4.	EC	<ul style="list-style-type: none"> Receives referral outcome information and enters Case Comments in CalWIN.

