

A Guide to Prop. 47 Reclassification in Los Angeles County

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Proposition 47: Background and Overview

Proposition 47 (hereinafter Prop. 47), officially called The Safe Neighborhoods and Schools Act, is a law passed by voter initiative in California on November 4, 2014.

Prop. 47 changed certain low-level crimes like drug possession and petty-theft offenses from felonies or wobblers (crimes that could be tried as felonies or misdemeanors) to misdemeanors. The provisions of Prop. 47 apply retroactively (for persons already convicted for these crimes) and going forward for all future criminal adjudications.

Savings from state prison costs will be invested in grants for drug treatment and mental health services for people in the criminal justice system, programs for at-risk students in K-12 schools, and victim services.

Prop. 47, among other provisions, created a new section in the Penal Code, § 1170.18. Section 1170.18(a)-(e) allows people currently serving felony sentences for the qualifying offenses to petition the sentencing court to have their sentences reduced to misdemeanor sentences through a **resentencing** process. In addition, § 1170.18(f)-(h) provides that certain people who have already completed a sentence for a felony qualify under the new law to apply to the sentencing court to have their felony conviction **reclassified** as a misdemeanor.

The purpose of this guide is to provide information to people about the requirements and procedure for seeking reclassification of cases that have already been completed. Although an attorney is not required, it is always useful to get help from an attorney to ensure the Proposition 47 reclassification process is completed accurately.

This guide does not provide information about resentencing for those who are still serving sentences for a potential Prop 47-eligible case. In LA County, the [Public Defender Office](#) is available to assist clients with the petition process for resentencing. Given the complexities of sentencing law and the increased risks that come with reopening a still-active case, those seeking resentencing are strongly urged to talk to an attorney. See the additional resources provided at the end of this guide for more legal resources.

Prop. 47: Procedures and Processes¹

There are **5 steps** in the reclassification/resentencing process:

1. Verify Eligibility;
2. Obtain Case Records;
3. Complete Forms;
4. Submission to the Court and the District Attorney's Office;
5. Follow Up with the Court and Next Steps.

Step 1. Verify Eligibility

The following felonies may be eligible for a record reclassification. Please note that as Prop 47 has begun to take effect, some courts disagree on precisely which offenses qualify for reclassification. Particularly for forgery charges, there may be some inconsistencies among courts until these issues are resolved on appeal. The following list represents all possible offenses that may be eligible.

The Penal Code charges listed below qualify only if the value of the check or property does not exceed \$950.00.

Penal Code §§ 459, 460(b)	2nd Degree Burglary (shoplifting as defined in PC § 459.5 only)
Penal Code §§ 470, 471, 472, 473, 475, 476, 484f, 484i(b)	Forgery (must be related to instruments listed in § 473(b))
Penal Code § 476a	Writing Bad Checks
Penal Code §§ 484e, 484g, 484h, 484.1, 487, 487a, 487b, 487d, 487e, 487h, 487i	Thefts/Grand Theft
Penal Code § 496	Receiving Stolen Property
Penal Code § 666	Petty Theft with a Prior
Health & Safety Code § 11350	Simple Drug Possession – Controlled Substance
Health & Safety Code § 11357(a)	Simple Drug Possession – Concentrated Cannabis
Health and Safety Code § 11377(a)	Simple Drug Possession – Methamphetamine

General Disqualifiers from Prop. 47 Relief

The following convictions will disqualify someone from applying for reclassification under Prop. 47, regardless of the crime desired to be reclassified or resentenced, and regardless of which conviction happened first:

- Any offense requiring registration under any provision of the Sex Offender Registration Act, Penal Code §§ 290-290.024.

¹ Although this guide focuses on Los Angeles County procedures under Proposition 47, much of the general information may be applied to various counties throughout the state of California. Please be aware that forms, processes, and requirements do vary between counties in the state.

- Any homicide (Penal Code §§ 187 to 191.5), attempted homicide or solicitation to commit murder.
- A sexually violent offense.
- Any serious or violent felony punishable by death or life in prison.
- Assault on a peace officer or a firefighter with a machine gun.

A list of all the offenses that have been identified so far as generally disqualifying offenses appears on the following pages.

Additional Disqualifier for Reclassification of § 666

In addition to the general disqualifiers, if the offense to be reclassifies is § 666, petty theft with prior theft incarceration, reclassification is not possible if the person has a conviction for fraud against an elder or dependent adult, under Penal Code § 368(d) or (e). This disqualification only applies if the § 368(d) or (e) conviction occurred prior to the § 666 conviction to be reclassified.

Additional Disqualifier for Reclassification of Fraud Offenses

In addition to the general disqualifiers, if the offense to be reclassified is a forgery offense, it cannot be reclassified if the person was also convicted of identity theft under Penal Code § 530.5. This disqualification only applies if the identity theft conviction and the forgery conviction occurred in the same case.

Additional Disqualifier for Reclassification of § 476a

In addition to the general disqualifiers, if the offense to be reclassified is § 476a, writing bad checks, reclassification is not possible if the person has three or more violations of section 470, 475, 476, 476a, and/or petty theft that also fits the definitions of those offenses. This disqualification only applies if the three offenses occurred prior to the § 476 conviction to be reclassified.

List of Prop 47 Generally Disqualifying Offenses

<u>Charges</u>	<u>Definitions</u>	<u>Charges</u>	<u>Definitions</u>
P.C. § 187	Murder (<i>and attempted murder—see P.C. 664–187, below</i>)	P.C. § 209(b)	Kidnapping to Commit Robbery or a Sex Crime (<i>a life crime</i>)
P.C. § 191.5(a)	Gross Vehicular Manslaughter While Intoxicated	P.C. § 209.5	Kidnapping in the Commission of Carjacking (<i>a life crime</i>)
P.C. § 191.5(b)	Vehicular Manslaughter While Intoxicated (<i>formerly P.C. 192(c)(3)</i>)	P.C. § 217.1(b)	Attempted Murder of a Gov’t Official (<i>a life crime</i>)
P.C. § 192(c)(3)	Vehicular Manslaughter While Intoxicated (<i>now P.C. 191.5(b)</i>)	P.C. § 218	Acting With Intent to Derail or Wreck a Train (<i>a life crime</i>)
P.C. § 205	Aggravated Mayhem (<i>a life crime</i>)	P.C. § 219	Derailing or Wrecking a Train (<i>a life crime</i>)
P.C. § 206	Torture (<i>a life crime</i>)	P.C. § 220	Assault With Intent to Commit a Sex Crime (<i>but not mayhem</i>)
P.C. § 207	Kidnapping (<i>if the intent is to commit P.C. 261, 262, 264.1, 286, 288, 288a, or 289</i>)		
P.C. § 209(a)	Kidnapping for Ransom or Extortion (<i>a life crime</i>)		

Charges	Definitions
P.C. § 236.1(b)	Human Trafficking With the Intent to Effect a Specified Violation (e.g., pimping, pandering, obscene matter)
P.C. § 236.1(c)	Human Trafficking Involving Inducing a Minor to Commit a Commercial Sex Act
P.C. § 243.4	Sexual Battery
P.C. § 245(d)(3)	Assault on a Peace Officer or Firefighter
P.C. § 261(a)(1), (2), (3), (4) & (6)	Rape (<i>except submitting under false belief (a)(5) or threatening to use the authority of a public official (a)(7)</i>)
P.C. § 262	Spousal Rape (<i>if by force, violence, duress, menace, or threat to retaliate</i>)
P.C. § 264.1	Rape or Sexual Penetration in Concert
P.C. § 266	Enticing or Procuring a Female for Prostitution or Illicit Purposes
P.C. § 266c	Inducing a Sex Act by a False Representation Creating Fear
P.C. § 266h(b)	Pimping Involving a Victim/Prostitute Who is a Minor
P.C. § 266i(b)	Pandering Involving a Victim/Prostitute Who is a Minor
P.C. § 266j	Providing or Transporting a Child Under Age 16 for a Lewd Act
P.C. § 267	Abducting a Minor for Purposes of Prostitution
P.C. § 269	Aggravated Sexual Assault of a Child (<i>a life crime</i>)
P.C. § 272	Contributing to the Delinquency of a Minor if Lewd or Lascivious Conduct is Involved
P.C. § 273ab	Assault on a Child Under Age 8 That Results in Death (<i>a life crime</i>)
P.C. § 285	Incest
P.C. § 286	Sodomy
P.C. § 288	Lewd or Lascivious Act on a Minor or Dependent Person
P.C. § 288a	Oral Copulation

Charges	Definitions
P.C. § 288.2	Distributing or Exhibiting Harmful Matter to a Minor for the Purpose of Seduction (<i>only a felony violation of P.C. 288.2 is Prop. 47 disqualifier</i>)
P.C. § 288.3	Contacting or Communicating With a Minor or Person Believed to be a Minor for Purposes of Engaging in Lewd Behavior
P.C. § 288.4	Arranging a Meeting With a Minor or Person Believed to be a Minor for Purposes of Engaging in Lewd Behavior
P.C. § 288.5	Continuous Sexual Abuse of a Child
P.C. § 288.7	Sex Act With a Child Age 10 or Younger (<i>a life crime</i>)
P.C. § 289	Sexual Penetration
P.C. § 311.1	Sending, Bringing, or Possessing Obscene Matter Depicting a Person Under Age 18, With the Intent to Distribute or Exhibit
P.C. § 311.2(b)	Sending, Bringing, or Possessing Obscene Matter Depicting a Person Under Age 18, With the Intent to Distribute or Exhibit, for Commercial Consideration
P.C. § 311.2(c)	Sending, Bringing, or Possessing Obscene Matter Depicting a Person Under Age 18, With the Intent to Distribute or Exhibit to a Person Age 18 or Older
P.C. § 311.2(d)	Sending, Bringing, or Possessing Obscene Matter Depicting a Person Under Age 18, With the Intent to Distribute or Exhibit to a Person Under Age 18
P.C. § 311.3	Sexual Exploitation of a Child
P.C. § 311.4	Using or Permitting a Minor to Pose or Model for Obscene Matter
P.C. § 311.10	Advertising for Sales or Distribution Obscene Matter Depicting a Person Under Age 18
P.C. § 311.11	Possession of Child Pornography

Charges	Definitions
P.C. § 314.1 & P.C. § 314.2	Indecent Exposure
P.C. § 451.5	Aggravated Arson (<i>a life crime</i>)
P.C. § 647.6 (formerly P.C. 647a)	Annoying or Molesting a Child Under Age 18 or Engaging in Such Conduct With an Adult Who is Believed to be a Minor
P.C. § 653f(b)	Solicitation to Commit Murder
P.C. § 653f(c)	Solicitation to Commit a Specified Sex Crime
P.C. § 664	Attempt to Commit Any Offense Specified in P.C. 290(c)
P.C. § 664-187	Attempted Murder, With or Without Premeditation
P.C. § 667.61	Any Sex Crime Punishable Pursuant to P.C. 667.61 (One-Strike Sex Offender) (<i>a life crime</i>)
P.C. § 667.7	Any Crime Punishable Pursuant to P.C. 667.7 (Habitual Sex Offender) (<i>a life crime</i>)
P.C. § 667.71	Any Crime Punishable Pursuant to P.C. 667.71 (Habitual Sex Offender) (<i>a life crime</i>)
P.C. § 4500	Assault By a Life Prisoner on a Non-inmate (<i>a life crime</i>)
P.C. § 11418	Possession of a Weapon of Mass Destruction “as defined in Section 11418(a)(1)” [Many acts with respect to weapons of mass destruction (e.g., “using” or “employing”) may involve possession.]
P.C. § 11418(b)(1)	Using or Employing a Weapon of Mass Destruction in a Form That May Cause Widespread, Disabling Illness or Injury in Humans (<i>a life crime</i>)

Charges	Definitions
P.C. § 11418(b)(2)	Using or Employing a Weapon of Mass Destruction in a Form That May Cause Widespread GBI or Death, and Actually Causing the Death of a Human (<i>a life crime</i>)
P.C. § 12022.53(d)	Any Felony to Which a P.C. 12022.53(d) Enhancement Attaches (<i>intentionally discharging a firearm that proximately causes GBI or death</i>)
P.C. § 18745	Exploding a Destructive Device with the Intent to Commit Murder [Formerly P.C. 12308] (<i>a life crime</i>)
P.C. § 18755(a)	Exploding a Destructive Device or Explosive Causing Death [Formerly P.C. 12310(a)] (<i>a life crime</i>)
P.C. § 18755(b)	Exploding a Destructive Device or Explosive Causing GBI or Mayhem [Formerly P.C. 12310(b)] (<i>a life crime</i>)
P.C. § 12308	Exploding a Destructive Device with the Intent to Commit Murder [Now P.C. 18745] (<i>a life crime</i>)
P.C. § 12310(a)	Exploding a Destructive Device or Explosive Causing Death [Now P.C. 18755(a)] (<i>a life crime</i>)
P.C. § 12310b	Exploding a Destructive Device or Explosive Causing Death or Mayhem [Now P.C. 18755(b)] (<i>a life crime</i>)
Military & Vets. § 1670/1672(a)	Sabotage: Hindering or Delaying Preparation for Defense or War, and Causing Death or GBI (<i>a life crime</i>)
Military & Vets. § 1671/1672(a)	Sabotage: Making or Omitting to Note Defects in Things Intended to be Used for Defense or War, and Causing Death or GBI (<i>a life crime</i>)

Step 2. Obtain Case Records

There are several ways for a person to obtain their case records to verify their convictions and obtain the information needed to apply for reclassification. The information below is specific to Los Angeles County.

- Summary information about LA County cases can be found on the LA County superior court website for a search fee (credit card required):
<https://www.lacourt.org/paonlineservices/criminalindex/publicmain.aspx>
- Someone can obtain their California RAP sheet from the California Department of Justice, by getting their fingerprints taken at a LiveScan facility, for a fee of \$25-\$60.
- LA County criminal case dockets can be obtained in person at any Los Angeles County Superior Court, for a fee of 50¢ per page, which is often waived.

Los Angeles County Index of Defendants in Criminal Cases

- The online option is a good option if the other two are not possible, but will provide the least amount of information, and is the least reliable.
- This search index returns a list of case numbers and filing dates related to the name submitted. Searches may return too many or too few cases, depending on common names, variations in name spelling, and incorrectly entered dates of birth. This search index does not distinguish between true names, past names, and aliases. If records are contained under multiple names, multiple searches must be performed.
- The online index contains case records from **1980 to the present**, however for cases earlier than the mid-90s, it may only contain case numbers.
- If available, counts, current charges, disposition, and disposition dates will be included. Many older cases (pre-mid-90s) will not contain information about charges, dispositions, or disposition dates.
- This site is updated daily.
- There is fee of \$1.00 for first 10 searches. A credit card and account creation are required.
- This search will not indicate whether the charge was filed as felony or misdemeanor, nor will it indicate the value of underlying action leading to a conviction.

California Department of Justice RAP Sheet (also known as Live Scan):²

- The RAP sheet will have a record of every time someone was fingerprinted in the entire state of California, including resulting cases and case dispositions. It is a fairly reliable source for basic information about all of someone's California cases.
- To receive a copy of their RAP sheet, individuals must submit fingerprint images through a LiveScan operator, for the purpose of "personal record review."
 - A list of Live Scan sites can be found at <https://oag.ca.gov/fingerprints/locations>)
- There is a \$25 processing fee for the Department of Justice, which will be collected by the LiveScan Operator, but individuals may qualify for a fee waiver.
 - The fee waiver procedure must be completed before going to the LiveScan operator.

² A Live Scan from the Department of Justice and court dockets are the most accurate ways to view case records.

- Fee waivers can be obtained by sending a written and signed statement providing a mailing address and stating that the applicant is unable to pay, and proof of the applicant's income or proof of public assistance.
- These should be mailed to the Department of Justice at:
State of California, Department of Justice
Bureau of Criminal Identification and Information
PO Box 903417
Sacramento, CA 94203-4170
- If the fee waiver is approved, the Department of Justice will send the applicant a form to take to the LiveScan operator, which instructs the operator not to collect the DOJ fee.
- There will also be a fee charged by the LiveScan operator. This fee varies, so it is best to check the fee charged by a particular operator before going. There is no waiver for this fee.
- It may take several weeks for the record to arrive in the mail.

Los Angeles County Superior Court Docket:³

- People can obtain records about their Los Angeles County criminal cases by going to any superior courthouse in LA County.
- The person must go to the court clerk's office and ask for the dockets for all of their criminal cases.
- The official cost for court dockets is 50¢ per page. Some courthouses do not charge this fee routinely, and most courthouses will provide print outs for free if the individual who they belong to is picking them up.
 - If the clerk attempts to charge the fee to the person whose case it is, they can request a fee waiver.
 - The clerk may ask the person if they need certified copies. Certified copies are not needed for the Prop 47 process.
- If a case is too old to be in the court's electronic record-keeping system, the person may need to go to court archives in downtown Los Angeles, located at 222 N. Hill Street.
- This process is the same for most other counties, with the exception that the amount of the fees can vary between each county, and procedures for getting records on older cases may vary.

Additional Ways to Obtain Case Records:

- In some counties, the Public Defender's office may be able to give people their LiveScan, county records, or at least a list of case numbers in that county.
- Someone may be able to get information about their record from their parole officer, probation officer, or contacts within the courts or law enforcement community.

³ A Live Scan from the Department of Justice and court dockets are the most accurate ways to view case records.

Step 3. Complete Forms

A separate set of forms must be completed for each case. In Los Angeles, there are two forms that must be completed and filed with the court in order for Prop. 47 reclassification to occur: the application form, called CRIM-235, and the proof of service form, called CRIM-237. These forms are completed as follows:

1. The petitioner must complete form CRIM-235, the application for reclassification.

The applicant must complete the CRIM-235, **Application/Petition for Resentencing, Response**. Even though the form name indicates that it is for resentencing, it is also the correct form to use for reclassification. The information below assumes that the applicant is applying for reclassification without representation by an attorney. Note that for the application for reclassification, no boxes in the “Petition Only” section should be checked.

- A. The applicant’s name, address, telephone number, and e-mail address.
- B. “Pro Per” to indicate to the court that the applicant is handling their own case.
- C. The applicant’s name, again.
- D. The case number. Example: BA342574 – 01
- E. Date of conviction: Refers to the day that a final judgment was made on the case; this is usually when a verdict of guilty, a plea of guilty, or a plea of nolo contendere was given, although it may be different if a diversion program was involved in the case.
- F. Code sections, including subsections, of the felony that the application is being filed for. Example: HS § 11357(a) or PC § 496.
- G. This box must be checked to verify that the applicant does not have any of the generally disqualifying convictions.
- H. The first box is required for applications involving Penal Code offenses. This box must be checked to verify that the amount in question is not more than \$950. The second box is only required for applications involving Penal Code § 666. For those cases, the box must be checked to verify that the person does not have to register under the Sex Offender Registration Act.
- I. This box must be checked to request reclassification.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print Name, State Bar Number and address)

FOR COURT USE ONLY

A THE DEFENDANT'S NAME, ADDRESS (if known), TELEPHONE (if known), AND E-MAIL ADDRESS (if known)

B FAX NO. (if known)

PEOPLE OF THE STATE OF CALIFORNIA

VS.

C DEFENDANT

D CASE NUMBER

E APPLICATION/PETITION FOR RESENTENCING AND PEOPLE'S RESPONSE
(Penal Code § 1170.18, subsections (b) and (g))

F DEFENDANT'S APPLICATION/PETITION

On **E**, defendant was convicted in the above-captioned case of a felony violation of a crime **F** now been made a misdemeanor pursuant to Proposition 47. The crime was convicted of the following felony: **F** code sections, including subsections

G ☐ Defendant does not have any conviction for an offense listed in Penal Code § 667(a)(2)(C)(iv) or which requires registration as a sex offender pursuant to Penal Code § 290(c).

H ☐ The amount in question is not more than \$950.

I ☐ Defendant is not required to register under any portion of the Sex Offender Registration Act (Penal Code §§ 290 through 290.024).

J Applications Only

☐ Defendant has completed his/her sentence for the offense and requests that the felony conviction be designated a misdemeanor conviction pursuant to Penal Code § 1170.18(b)(3).

Petition Only

☐ Defendant requests that the felony sentence be rescinded and that he/she be resentenced to a misdemeanor pursuant to Penal Code § 1170.18(a)(4).

☐ Defendant is still on supervision even though he/she has completed the jail or prison term.

☐ Defendant requests that he/she be released from parole per Penal Code § 1170.18(d).

☐ Defendant is currently serving a sentence for the offense in **J** (name of jail or prison)

☐ Resentencing the defendant would not pose an unreasonable risk of danger to public safety, as defined in Penal Code § 1170.18(e).

Date

Defendant or Attorney for the Defendant

DISTRICT ATTORNEY'S RESPONSE

☐ People do not oppose. Defendant has completed his/her sentence and is eligible to have the felony conviction designated as a misdemeanor conviction.

☐ People do not oppose. Defendant is still serving his/her sentence and is eligible and suitable for resentencing. The People recommend the following sentence:

☐ People waive presence at resentencing.

☐ People oppose. Defendant is ineligible for the relief requested:

☐ Defendant's current conviction for **J** does not qualify for Proposition 47 relief.

☐ Defendant is required to register pursuant to Penal Code § 290(c), or pursuant to Penal Code §§ 290 to 290.024 if the conviction is for Penal Code § 666.

☐ Defendant has a prior conviction for an offense listed in Penal Code § 667(a)(2)(C)(iv).

☐ People oppose. Defendant is eligible, but unsuitable for resentencing because resentencing the defendant poses an unreasonable risk of danger to public safety pursuant to Penal Code § 1170.18(c). People request that a suitability hearing be set.

Date

Deputy District Attorney

Submitted by: **J**
Superior Court of California, County of Los Angeles
CRIM 235 (Rev. 02/15)

APPLICATION/PETITION FOR RESENTENCING, RESPONSE (PC § 1170.18(b) and (g))

Clear

J. Applicant must sign and date.

Proof of Service Form

2. **Someone other than the petitioner** must give a copy of the completed application form to the District Attorney's office in the courthouse in which the conviction happened. This is called "service." This person must complete the Proof of Service form providing information to the court about when and how they gave the copy of the petition to the District Attorney.
 - a. This CANNOT be done by the person petitioning for reclassification – someone else must serve the District Attorney and fill out the Proof of Service.
 - b. It is common for the person who is completing the Proof of Service to fill it out ahead of time, and give a copy of it to the District Attorney along with the service copy of the application. This is fine, so long as the Proof of Service accurately represents the date & method of service as it actually happens.
 - i. For example, if the person completing service originally fills out the Proof of Service saying it was one on 7/30/2015, but they don't actually serve the District Attorney until 7/31/2015, the Proof of Service must be corrected to show the correct date.
 - c. This other person can be anyone over the age of 18 regardless of their connection to the applicant (can be a family member, friend, colleague, attorney, etc.).

How to fill out the Proof of Service:

- A. The applicant's name, address, telephone number, and e-mail address.
- B. "Pro Per" to indicate to the court that the applicant is handling their own case.
- C. Courthouse address: Court in which the conviction occurred.
- D. People of the State of California
- E. The applicant's name, again.
- F. The case number. Example: BA342574 – 01.
- G. Address of the person giving the copy of the application to the District Attorney and completing the Proof of Service.
- H. Section to be completed if serving by mail. Includes the date that the copy of the application was mailed to the District Attorney and the address that the copy was mailed to.
- I. Section to be completed if serving in person. Includes the date that the copy of the application was taken to the District Attorney's office, and the address where it was taken.
- J. Signed and dated by person who completed service.

<small>NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY</small>		<small>STATE BAR NUMBER (IF APPLICABLE)</small>	<small>Reserved for Clerk's File Stamp</small>
A	ATTORNEY FOR (Name) B		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES			
<small>COURTHOUSE ADDRESS</small> C			
<small>PETITIONER/PLAINTIFF</small> People of the State of California D			
<small>RESPONDANT/DEFENDANT</small> E			
PROOF OF SERVICE			<small>CASE NUMBER</small> F

1. At the time of service I was over 18 years of age.
2. My residence or business address is: **G**

3. Type of Service:

H ☐ **BY MAIL:**

On _____ I served the Petition for Recall and Resentencing/Application to Designate Felony Conviction as Misdemeanor, in this case by placing a copy thereof, enclosed in a sealed envelope with first class postage prepaid, in the United States Mail at _____, in the county of _____, State of California, said envelope having been addressed as follows:

Name of party served: Los Angeles County District Attorney
Street address: _____
City, State, Zip Code: _____

At the time of mailing, I was employed or resided in the county where said mailing occurred.

I ☐ **PERSONAL SERVICE:**

On _____ I personally delivered to and left copies of the Petition for Recall and Resentencing/Application to Designate Felony Conviction as Misdemeanor, in this case with the party served at the address below:

Name of party served: Los Angeles County District Attorney
Street address: _____
City, State, Zip Code: _____

J 4. Executed on _____ at _____, California.

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

Dated: _____

Signature of Declarant

PROOF OF SERVICE

Full list of closed courthouses and where their cases were transferred to:

Beverly Hills → Airport	Los Cerritos → Norwalk
Calabasas → Van Nuys	Lynwood → Compton
Catalina → Long Beach	Monrovia → Pomona South
Central Arraignment (aka Bauchet) →	Pomona North → Pomona South
Shortridge Foltz	Redondo Beach → Torrance
Chatsworth → San Fernando	San Pedro → Long Beach
Culver City → Airport	Santa Anita → Pomona South
Hollywood → Shortridge Foltz	Santa Monica → Airport
Huntington Park	South Gate → Norwalk
<i>Maywood, Cudahy or Vernon Police Dep't arrest,</i>	West LA → Airport
<i>file at Metro</i>	Whittier → Norwalk
<i>All other arrests, file at Norwalk</i>	
Malibu → Van Nuys	

Step 4. Submission to the Court and the District Attorney's Office

If the applicant has multiple cases (in other words, convictions with different case numbers), each case must be filed separately. Each filing requires its own set of forms, and must be filed at the courthouse where the case occurred. Multiple counts that occurred under the same case number do not need separate forms. Once the forms are prepared, the procedure to file in Los Angeles is as follows:

1. The applicant will need the originals of the forms, plus two copies. The original will be given to the clerk's office at the courthouse, and one copy will be given to the District Attorney in the courthouse. The other copy will be for the applicant's records.
2. Someone other than the applicant must mail to or take a copy of the Application to the District Attorney in the courthouse where the conviction occurred. The Proof of Service must indicate when and how this person took the copy of the Application to the District Attorney, and must be signed by this person.
 - a. It is common practice to fill out the Proof of Service ahead of time, and give a copy of the complete Proof of Service to the District Attorney along with a copy of the Application. This is acceptable as long as the copy is actually given to the District Attorney in the manner and time shown on the Proof of Service.
3. The applicant files the original Application and Proof of Service with the clerk's office in the courthouse where the conviction occurred. The applicant may file the Application by mail or in person. If filing in person, the clerk may stamp the applicant's copy, so that he or she has proof of filing. If filing by mail, the applicant can enclose an additional copy of the application and a self-addressed and stamped envelope. The court may stamp the additional copy and return it; not all courthouses will do this.

- a. If the applicant has convictions at multiple courthouses, separate forms must be filed for each case, and the forms for each case must be filed at the appropriate courthouse. The appropriate District Attorney's office must be served for each case.
 - b. If the applicant was convicted in another county, but probation was transferred to Los Angeles County pursuant to Penal Code § 1203.9, the applicant should file for Prop 47 relief at the Los Angeles County courthouse which received the case. Conversely, if the applicant was convicted in Los Angeles County but probation was transferred elsewhere pursuant to P.C. § 1203.9, the applicant must file for Prop 47 relief in the receiving county, using that county's forms and procedures.
4. The applicant should keep the final copy of the Application and Proof of Service for his or her records.

Step 5. Follow Up with the Court and Next Steps

Courts in Los Angeles County have not been consistent in procedures for scheduling hearings or notifying applicants about the results of applications. Applicants will need to be diligent in following up on applications to be aware of hearings and determine the result.

The best source of information regarding the expected timeline and procedure at each court is the clerk's office at that courthouse.

Criminal Case Calendar

Applicants can check online to see when the application will be reviewed by a judge on the Los Angeles Superior Court at

The screenshot shows a web form for searching criminal case hearings. It includes fields for Case Number, Defendant Name (First and Last Name), Date of Birth (Month, Day, Year), Hearing Location (Courthouse and Department Number), and Hearing Date (Date From and Date To). There are radio buttons for 'Exact' and 'Sounds Like' for the name search, and 'Exact' and 'Approximate' for the date of birth. The form also has 'Search' and 'Clear' buttons at the bottom.

<http://www.lacourt.org/criminalcalendar/ui/>.

This website allows applicants to search for a hearing date based on case number, based on name and date of birth, or based on courthouse location.

Hearings

Different courthouses have different procedures regarding hearings. Some courthouses in Los Angeles County are setting hearings as a matter of course for all Prop 47 applications, while others are not setting any hearings for Prop 47 applications, regardless of whether or not the District Attorney has an objection to granting the application.

If the court sets a hearing for an application, the applicant should receive a hearing notice which will give them the time, date and location, and tell them whether they must appear. Applicants are strongly advised to attend a hearing if one is held.

If the court does not set a hearing, or the applicant does not attend the hearing, then most courts will notify the applicant when a decision is made. Not all courts will do so, so applicants should be proactive in contacting the court to determine the outcome. Providing the court with a self-addressed and stamped envelope will increase the likelihood that the court sends a copy of the decision.

Timeline

There is no directive from the court on how long it will take to receive a notification, and different courthouses have different expected wait times based on staffing and case load levels. We suggest that petitioners provide a self-addressed and stamped envelope to the court, to possibly expedite contact from the court.

The court has advised the public that petitions take precedence over applications.

Los Angeles County Public Defenders

Airport Courthouse Branch 11701 S. La Cienega Los Angeles, CA, 90045 Phone: (310) 727-6200

Alhambra Courthouse Branch 150 West Commonwealth Alhambra, CA, 91801 Phone: (626) 308-5324

Bellflower Branch 10025 East Flower Street, Fourth Floor Bellflower, CA, 90706 Phone: (562) 804-8083

Burbank Area Office 300 E. Olive Avenue, Suite 105 Burbank, CA, 91502 Phone: (818) 557-3537

Chatsworth Branch 9425 Penfield Avenue Chatsworth, CA, 91311 Phone: (818) 576-8850

Clara Shortridge Foltz (CSF) – Headquarters 210 West Temple St., 19th Floor Los Angeles, CA, 90012 Phone: (213) 974-2811

Compton Branch 200 West Compton Blvd., Suite 800 Compton, CA, 90220 Phone: (310) 603-7271

Downey Area Office 7500 Imperial Highway, Suite 224 Downey, CA, 90242 Phone: (562) 803-7130

East Los Angeles Area Office 214 South Fetterly Avenue, 3rd Floor Los Angeles, CA, 90022 Phone: (323) 780-2064

El Monte Area Office 11234 East Valley Boulevard, Suite 113 El Monte, CA, 91731 Phone: (626) 575-4174

Glendale Area Office 600 East Broadway, Suite 170 Glendale, CA, 91206 Phone: (818) 500-3561

Inglewood Area Office One Regent Street, Suite 304 Inglewood, CA, 90301 Phone: (310) 419-5249

Lancaster Branch Office 42011 4th Street West, Suite 2570 Lancaster, CA, 93534 Phone: (661) 974-7400

Lomita Office 24340 Narbonne Avenue Lomita, CA, 90717 Phone: (310) 534-6228

Long Beach Branch Office 275 Magnolia Avenue, Suite 2195 Long Beach, CA, 90802 Phone: (562) 247-2500

Metropolitan Branch Office 1945 South Hill Street, Suite 200 Los Angeles, CA, 90007 Phone: (213) 744-4121

Norwalk Branch Office 12720 Norwalk Boulevard, Suite 109 Norwalk, CA, 90650 Phone: (562) 651-2500

Pasadena Branch Office 300 East Walnut Street, Suite 311 Pasadena, CA, 91101 Phone: (626) 356-5464

Pomona Branch Office 300 S. Park Avenue, Suite 900 Pomona, CA, 91766 Phone: (909) 868-6400

San Fernando Branch Office 900 Third Street San Fernando, CA, 91340 Phone: (818) 898-2440

Santa Clarita Branch Office 23747 West Valencia Boulevard Valencia, CA, 91355 Phone: (661) 253-7262

Torrance Branch Office 3655 Torrance Blvd. Torrance, CA, 90503 Phone: (310) 543-4300

Van Nuys Branch Office 14400 Erwin Street Mall, 10th Floor Van Nuys, CA, 91401 Phone: (818) 374-2350

West Covina Area Office 1427 West Covina Parkway West Covina, CA, 91790 Phone: (626) 813-3460

Los Angeles County District Attorney Offices

Airport Branch Office 11701 South La Cienega Blvd.,
#601 Los Angeles, CA, 90045 Phone: (310) 727-6500

Alhambra Branch Office 150 West Commonwealth
Ave Alhambra, CA, 91801 Phone: (626) 308-5302

Antelope Valley Branch Office 42011 4th Street
West Lancaster, CA, 93534 Phone: (661) 974-7700

Bellflower Area Office 10025 East Flower Street, Rm.
374 Bellflower, CA, 90706 Phone: (562) 804-8085

Burbank Satellite Office 300 E. Olive Avenue, Rm.
215 Burbank, CA, 91502 Phone: (818) 557-3525

Clara Shortridge Foltz Criminal Justice Center 210
West Temple St Los Angeles, CA, 90012 Phone: (213)
974-3512

Compton Branch Office 200 West Compton Blvd.,
Rm. 700 Compton, CA, 90220 Phone: (310) 603-7483

Downey Area Office 7500 East Imperial Hwy, Rm.
324 Downey, CA, 90242 Phone: (562) 803-7100

East Los Angeles Area Office 4848 East Civic Center
Way Rm. 201 Los Angeles, CA, 90022 Phone: (323)
780-2032

El Monte Area Office 11234 East Valley Blvd., Rm.
110 El Monte, CA, 91731 Phone: (626) 575-4155

Glendale Area Office 600 East Broadway, Rm. 280
Glendale, CA, 91206 Phone: (818) 500-3593

Inglewood Area Office One Regent Street, Rm. 405
Inglewood, CA, 90301 Phone: (310) 419-5182

Long Beach Branch Office 275 Magnolia Avenue,
Suite 3195 Long Beach, CA, 90802 Phone: (562) 247-
2000

Metropolitan Area Office 1933 South Broadway St.,
Suite 730 Los Angeles, CA, 90007 Phone: (213) 744-
4201

Norwalk Branch Office 12720 Norwalk Blvd., Rm.
201 Norwalk, CA, 90650 Phone: (562) 807-7212

Pasadena Branch Office 300 East Walnut St., Rm.
103 Pasadena, CA, 91101 Phone: (626) 356-5620

Pomona Branch Office 400 Civic Center Plaza,
Rm.201 Pomona, CA, 91766 Phone: (909) 620-3350

San Fernando Branch Office 900 Third St., 3rd Floor
San Fernando, CA, 91340 Phone: (818) 898-5466

Santa Clarita Area Office 23747 West Valencia Blvd.
Rm. 1 Valencia, CA, 91355 Phone: (661) 253-7244

Torrance Branch Office 825 Maple Ave., Rm. 190
Torrance, CA, 90503 Phone: (310) 222-3552

Van Nuys Branch Office 6230 Sylmar Ave., Rm. 201
Van Nuys, CA, 91401 Phone: (818) 374-2400

West Covina Area Office 1427 West Covina Pkwy,
Rm. 105 West Covina, CA, 91790 Phone: (626) 813-
3301

Los Angeles County Courthouses

Airport Courthouse 11701 S. La Cienega Los Angeles, CA, 90045 Phone: (310) 725-3025

Alhambra Courthouse 150 West Commonwealth Alhambra, CA, 91801 Phone: (626) 308-5530

Bellflower Courthouse 10025 East Flower Street Bellflower, CA, 90706 Phone: (562) 804-8019

Burbank Courthouse 300 East Olive Burbank, CA, 91502 Phone: (818) 557-3466

Clara Shortridge Foltz Criminal Justice Center 210 West Temple Street Los Angeles, CA, 90012 Phone: (213) 974-6141

Compton Courthouse 200 West Compton Blvd. Compton, CA, 90220 Phone: (310) 603-7112

Downey Courthouse 7500 East Imperial Highway Downey, CA, 90242 Phone: (562) 803-7050

East Los Angeles Courthouse 4848 E. Civic Center Way Los Angeles, CA, 90022 Phone: (323) 780-2025

El Monte Courthouse 11234 East Valley Blvd. El Monte, CA, 91731 Phone: (626) 401-2298

Glendale Courthouse 600 East Broadway Glendale, CA, 91206 Phone: (818) 500-3541

Governor George Deukmejian Courthouse 275 Magnolia Long Beach, CA, 90802 Phone: (562) 256-2314

Inglewood Courthouse One Regent Street Inglewood, CA, 90301 Phone: (310) 419-1398

Metro Courthouse 1945 South Hill Street Los Angeles, CA, 90007 Phone: (213) 745-3202

Michael Antonovich Antelope Valley Courthouse 42011 4th Street West Lancaster, CA, 93534 Phone: (661) 483-5798

Norwalk Courthouse 12720 Norwalk Blvd. Norwalk, CA, 90650 Phone: (562) 345-0896

Pasadena Courthouse 300 East Walnut Ave. Pasadena, CA, 91101 Phone: (626) 356-5695

Pomona Courthouse South 400 Civic Center Plaza Pomona, CA, 91766 Phone: (909) 620-3023

San Fernando Courthouse 900 Third Street San Fernando, CA, 91340 Phone: (818) 256-1898

Santa Clarita Courthouse 23747 West Valencia Blvd. Santa Clarita, CA, 91355 Phone: (661) 253-5698

Torrance Courthouse 825 Maple Ave. Torrance, CA, 90503 Phone: (310) 222-6500

Van Nuys Courthouse West 14400 Erwin Street Mall Van Nuys, CA, 91401 Phone: (818) 989-6998

West Covina Courthouse 1427 West Covina Parkway West Covina, CA, 91790 Phone: (626) 813-3239

Useful Links

1. To find the Public Defender Office in your county:
 - a. <http://www.cpda.org/County/CountyPDWebSites.htm>
2. For the Office of the Los Angeles County Public Defender:
 - a. <http://pd.co.la.ca.us/>
3. County of Los Angeles Alternate Public Defender Office Locations and Information:
 - a. <http://www.apd.lacounty.gov/Offices.htm>
 - b. <http://www.apd.lacounty.gov/>
4. Working list of Eligible Offenses:
 - a. <http://www.lacourt.org/division/criminal/CR0102.aspx>
5. Prop 47 Text:
 - a. <http://vig.cdn.sos.ca.gov/2014/general/pdf/text-of-proposed-laws1.pdf#prop47>
6. Application/Petition for Resentencing, Response Form (PC §1170.18(a) and (f))
 - a. <http://www.lacourt.org/forms/pdf/CRIM235.pdf>
7. Proof of Service Form:
 - a. <http://www.lacourt.org/forms/pdf/CRIM237.pdf>
8. For information on obtaining a copy of your California RAP sheet:
 - a. <http://oag.ca.gov/fingerprints/security>
9. Index of defendants in criminal cases in the Los Angeles Superior Court Cases:
 - a. <https://www.lacourt.org/paonlineservices/criminalindex/publicmain.aspx?>
10. List of all the Criminal Courthouses in Los Angeles County:
 - a. <http://www.lacourt.org/courthouse/mode/division/criminal>
11. List of crimes that may exclude someone from getting their record changed under Proposition 47:
 - a. http://www.sandiegocounty.gov/content/sdc/public_defender/Prop47Excludable.html
12. LA County Criminal Case Calendar
 - a. <http://www.lacourt.org/criminalcalendar/ui/>
13. LA County Superior Court: Proposition 47 The Safe Neighborhoods and Schools Act FAQ
 - a. <http://www.lacourt.org/division/criminal/CR0103.aspx>
14. List of Live Scan operators:
 - a. <https://oag.ca.gov/fingerprints/locations>

For more information on Prop 47, please see www.myprop47.org