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Have a  
JUVENILE  
RECORD?

PLAN FOR  
YOUR  
FUTURE!

CALIFORNIA



NATIONAL JUVENILE  
DEFENDER CENTER



# HAVE A JUVENILE RECORD? PLAN FOR YOUR FUTURE!

*A Guide to Collateral Consequences  
of Juvenile Court Involvement*

Your juvenile  
record doesn't  
disappear when  
you turn 18.

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## Introduction

As you begin to move forward with your life after being involved in the juvenile court system, this guide provides information about what obstacles lay ahead and how to prepare yourself for them.

The court and police paperwork about your case are called your “juvenile record.” This record can affect your life for years to come. But you can still pursue your goals and build a bright future by understanding the challenges caused by a juvenile record and knowing what to do and where to get help.

The road forward might be met with challenges — but we hope this guide will show you that progress can be made and there is a community of advocates in California who are here to help you succeed.

“A journey of a thousand miles begins with a single step.” — Lao Tzu

# Glossary

**Adjudication:** An adjudication is when you go to court and the juvenile court judge decides you broke the law. It is not a conviction.<sup>1</sup>

**Collateral Consequences:** Collateral consequences are the ways that your juvenile record can create challenges for you as you move forward with your life, like getting a job, applying for college, finding a place to live, joining the military, or simply obtaining a driver's license.

**Defense Lawyer:** Your defense lawyer is the lawyer who defended you in your juvenile case, who may have been from the public defender's office or appointed by the judge. This person's job is to be sure the court hears your perspective in your juvenile case. Your lawyer may also be able to help you after your case is over.

**Delinquent Act:** If you are under 17 and you're accused of breaking the law, you are accused of a delinquent act, not a crime — as long as your case is in juvenile court.<sup>2</sup>

**Disposition:** A disposition in juvenile court is similar to a sentence in adult court. The disposition in your case is what the judge requires you to do because the judge decided that you broke the law. Your disposition could include probation, attending a treatment program, paying money, or being sent to a juvenile facility.

**Juvenile Record:** Your juvenile record includes the court and police paperwork related to your juvenile case.

**Sealing:** If your juvenile record is sealed, it means that the records will be closed and no one can look at them without a special court order.<sup>3</sup>

# Making the Most of This Guide

Having a juvenile record can get in the way of future opportunities. The barriers created by your juvenile record are called “collateral consequences.” This guide provides basic information about the collateral consequences of a juvenile record in California and what you can do to overcome them.

Every young person’s situation is different. Depending on the offense you faced in court, you may have a suspended driver’s license or trouble enrolling back into school. The Summary Chart on page 6 tells you which collateral consequences are addressed in this guide, and where in the guide to look for more details. You can read the entire guide or jump to the sections that matter most to you.

Following the discussion on collateral consequences, you will find a Resources section. There are many organizations in California that are available to help you address the problems you are facing. The Resources section includes contact information for your local public defender office and organizations that can assist you with education, housing, immigration, and other collateral consequences.

This guide only talks about the consequences of juvenile court involvement – not adult criminal court involvement. Sometimes when youth are charged with serious crimes, they are charged as an adult even though they are under 18 years old. Here, we will only focus on juvenile records.

Because the law is always changing, some of the information in this guide might become outdated. Also, this guide does not discuss every collateral consequence or every detail of each consequence. You can contact the lawyer who represented you in juvenile court or someone at your local public defender office to make sure you have the most current information you need.

*This guide is only intended to provide information, not legal advice.*

## How Should I Talk About My Juvenile Record?

It's important to pay attention to the specific words used when someone asks you a question in an interview or when you're filling out an application. If you are asked if you have a conviction or if you have ever been convicted of a crime, you can answer "No," as long as you do not have any adult court convictions. A juvenile adjudication is not a criminal conviction in California.<sup>4</sup>

A juvenile adjudication is *not* a criminal conviction.

Most juvenile records are confidential and not shared with the public.<sup>5</sup> However, juvenile records for certain serious offenses are available to the public unless they are sealed.<sup>6</sup> Go to Question 3 of this guide for information on sealing your juvenile record.

Even though a juvenile adjudication is not a conviction, your unsealed juvenile record could show up on a background check. So, it's important that you are prepared to answer questions about your juvenile record.

*Tips on how to talk about your juvenile record:*

- **Talk with the lawyer who represented you in your juvenile case or a lawyer from your local public defender office** about your juvenile record and how you should answer questions. A lawyer can provide you with specific advice.
- **Make sure the interviewer knows that under California law a juvenile adjudication is not the same as a criminal conviction.**

- **Be brief and don't give too many details.**
  - For example, "I have a juvenile adjudication for a misdemeanor from 2015."
  - If you are asked for more information about your specific adjudication, a lawyer can help you figure out what exactly you should say.
- **Avoid blaming others.** It seems as if we do not take responsibility for our own actions when we blame others. If we do not take responsibility, then others may think we have not learned from our past mistakes.
- **Talk about how you have learned from your past.** "I made a youthful mistake, but I've changed. I'm more mature now, and I have stayed out of trouble since."
- **Focus on the positive things you are doing in your life.**
  - I have good grades.
  - I graduated from high school (or completed my GED).
  - I'm attending college.
  - I volunteer with\_\_\_\_\_.
  - I have a job at\_\_\_\_\_.
  - I help take care of my younger siblings.
  - I help with household responsibilities, like chores and running errands for my parents.
- **Practice!** Sometimes it is hard to talk about your juvenile court involvement. Practice with a lawyer, friend, or mentor to make sure you feel comfortable.
- **Ask for a letter from a mentor, teacher, or other trusted leader that talks about your skills and strengths.** The letter can help show the employer or school that you work hard, show up on time, follow the rules, have a positive attitude, and are able to do the job or complete the school program.

**CAUTION!** Juvenile records for certain serious offenses in California are available to the public unless they are sealed.

# California Collateral Consequences Summary Chart



## MY JUVENILE RECORD

Page 11

### 1. Who can look at my juvenile record?

Most juvenile records are confidential (not available to the public). But juvenile records for certain serious offenses are available to the public.

### 2. Can my juvenile record be used against me in later juvenile or adult criminal cases?

Maybe. Having a juvenile record can sometimes lead to more severe charges and consequences in a later case.

### 3. How can I keep people from looking at my juvenile record?

You can apply to get your juvenile record sealed, which means that fewer people can find out about it. In some cases, your juvenile record can be automatically sealed.





## SCHOOL

Page 16

**4. Will my juvenile record affect my ability to go to my local public school?**

Your juvenile record can be shared with your school. However, your school cannot suspend or expel you solely because of your juvenile record.

**5. Can I get accepted into a college, technical, or trade school if I have a juvenile record?**

Yes, but you may need to say that you have a juvenile record on some applications, which could affect the school's decision to accept you.

**6. Can I get a student loan to help pay for college, technical, or trade school?**

Your juvenile record should not impact your ability to get federal college loans to help pay for school.



## JOBS AND THE MILITARY

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**7. Can I get a job if I have a juvenile record?**

Yes, but juvenile records for certain serious offenses may show up on a background check, which could affect the employer's decision to hire you.

**8. Can I join the military if I have a juvenile record?**

Maybe. Your juvenile record might make it harder for you to enlist in the military.

# California Collateral Consequences Summary Chart (Continued)



## IMMIGRATION

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**9. Will my juvenile record affect my immigration status?**

It's complicated. Your juvenile record might affect your ability to remain in the United States.



## PUBLIC BENEFITS AND HOUSING

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**10. Can I get public benefits (like food stamps, Medi-Cal, SSI, and TANF) with a juvenile record? What happens to my benefits if I am locked up?**

You should be able to get public benefits with a juvenile record. But, getting locked up might affect things like food stamps (SNAP), Medi-Cal, Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF).

**11. Can I live in public housing or rent an apartment if I have a juvenile record?**

Maybe. Depending on the type and location of offense, a juvenile record may limit your public housing options.

## OTHER CONSEQUENCES

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**12. What happens if I don't pay court fines, fees, or restitution?**

Unpaid court fines, fees, or restitution could make it harder to get loans, a car, and even a job because of bad credit.

**13. If I had to give my DNA as part of my juvenile case, what happens to my DNA after my case is closed?**

DNA records should be confidential, but may be kept in a state database and can be shared with the FBI.

**14. Do I have to register as a sex offender if I have a sex offense on my juvenile record?**

Maybe. You may have to register as a sex offender if you were adjudicated for certain sex offenses and you were sent to the Department of Juvenile Justice (DJJ).

**15. What does it mean if I am put on the gang member list?**

You may have to register as a gang member if you are adjudicated for certain gang-related offenses.

**16. Can I get or keep my driver's license if I have a juvenile record? Can I get or keep my state ID if I have a juvenile record?**

Maybe. Your driver's license may be suspended or even taken away if you have a juvenile record for certain offenses. Your juvenile record should not impact your ability to get or keep a state ID.

# California Collateral Consequences Summary Chart *(Continued)*



## OTHER CONSEQUENCES *(Cont.)*

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**17. Can I vote if I only have a juvenile record?**

Yes. Your juvenile record does not impact your right to vote.

**18. Can I serve on a jury if I only have a juvenile record?**

Yes. Your juvenile record does not impact your ability to serve on a jury.

**19. Can I own or carry a gun if I have a juvenile record?**

Maybe. You may not be allowed to own or carry a gun until you turn 30 if you were adjudicated of certain serious charges.

# Collateral Consequences in California

*Note to the reader: This section includes endnotes (small numbers at the end of a sentence or phrase that correspond to additional information at the end of the guide). The endnotes often tell you what laws or rules apply to the sentence containing the endnote number.*



## MY JUVENILE RECORD

### 1. Who can look at my juvenile record?

Most court records about your juvenile case are confidential.<sup>7</sup> This means that they are not available to the public to see. However, if you are adjudicated for certain serious offenses, your name, charges, and adjudication and disposition orders will be available to the public.<sup>8</sup> You may have heard your attorney or the court use the term “707(b) offenses” when talking about some of these serious offenses, which include murder, manslaughter, robbery, carjacking, arson, certain sex offenses, kidnapping, serious assault offenses, first degree burglary, criminal street gang activity which constitutes a felony, any felony while armed with a firearm, or any crime committed with an assault weapon.<sup>9</sup> The entire list of offenses is too long to include here. For purposes of this guide, we will use the term “serious offense” when referring to these offenses.

Getting your record sealed may prevent people from being able to look at your juvenile record, even for one of these serious offenses. Go to Question 3 for information about how to seal your juvenile record.

If you have any questions about whether your record is confidential or available to the public, contact the lawyer who represented you in your juvenile case or go to the Resources section at the end of this guide to find information on how to contact someone at your local public defender’s office.



Arrest records, along with fingerprint records, are sent to the California Department of Justice (DOJ).<sup>10</sup> DOJ cannot share this information with the public but may share it with other law enforcement agencies, including the Federal Bureau of Investigation (FBI).<sup>11</sup> Therefore, your juvenile record could show up on background checks that are run through the FBI – which may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military.

The superintendent or other school officials where you are enrolled or attending school can look at your juvenile record.<sup>12</sup> The prosecutor is allowed to tell your school if you have been charged with a drug offense, felony assault, rape, or murder.<sup>13</sup> The prosecutor is required to tell your school if you are adjudicated for anything involving: curfew, gambling, alcohol, drugs, tobacco products, carrying weapons, a sex offense, causing physical harm to someone, threatening to cause physical harm to someone, theft damaging someone else's property, or graffiti <sup>14</sup>. Go to Question 4 for information about how your juvenile record might affect your ability to attend your local school.

Your juvenile record could also be shared with the Department of Motor Vehicles (DMV) if your driver's license is suspended because of your

adjudication.<sup>15</sup> Go to Question 16 for information about how your juvenile record might impact your driver's license.

## 2. Can my juvenile record be used against me in later juvenile or adult criminal cases?

Maybe. If you are charged with another juvenile offense, the judge can look at your juvenile record when deciding if you have to stay in detention until your trial or if you can go home.<sup>16</sup> The judge could also look at your record if deciding whether to transfer your case to adult court or when deciding disposition, even if it is sealed.<sup>17</sup>

If you are convicted of a crime as an adult, the criminal court judge can look at your juvenile record for sentencing.<sup>18</sup> If you are over 16 and adjudicated for a "strike" offense, it can count against you under the Three Strikes Law.<sup>19</sup> This means that if you are convicted of a crime as an adult, your juvenile "strike" could lead to a longer sentence.<sup>20</sup>

## 3. How can I keep people from looking at my juvenile record?

You may be able to get your juvenile record sealed, which means that very few people will be allowed to look at it without a special court order.<sup>21</sup> If the judge grants your request to seal your record, the court and law enforcement records (arrest and fingerprints) will be sealed.<sup>22</sup>

*To be able to get your record sealed, you must fall within one of the following five categories:*

1. As of January 1, 2016, if you "satisfactorily completed" probation (you did what the judge required you to do), the judge should automatically seal your record.<sup>23</sup> However, your record is not eligible to be automatically sealed if you were adjudicated for a serious offense (707(b) offense) that was committed when you were 14 years old or older.<sup>24</sup>
2. If you satisfactorily completed probation before January 1, 2016, or you completed probation unsatisfactorily, you may still be able to get your juvenile record sealed by filing a request with the probation department

after you turn 18 or five years after your case ended, whichever comes first.<sup>25</sup> Since your case, probation, or sentence ended, you cannot have been convicted of a felony or a severe misdemeanor. You also must prove to the court that you have been “rehabilitated.”<sup>26</sup> To make this decision, the judge will look at how long you have been off probation, whether you did what you were ordered to do through probation, and how long ago the offense occurred. The judge will also look at what you’ve done since your case ended, if you are enrolled in high school or college, working, or volunteering. If the judge denies your request, you can always apply to seal your record again in the future.

Figuring out whether your juvenile record can be sealed is tricky. Talk to a lawyer to get help!

3. If you were adjudicated of a serious offense (707(b) offense) that was committed when you were 14 years old or older and you were not committed to the Department of Juvenile Justice (DJJ), you can request to seal your juvenile record once you turn 18 years old and have completed probation.<sup>27</sup> If you were adjudicated of a serious offense that was committed when you were 14 years old or older and you were committed to DJJ, you can request to seal your juvenile record once you turn 21 years old and have completed probation. You must also prove to the judge that you have been rehabilitated.<sup>28</sup> You could also be eligible for sealing earlier if the judge dismisses the case or reduces your adjudication to an offense not listed as one of these serious offenses.<sup>29</sup>
4. Starting January 1, 2018, if your case is dismissed (you were not adjudicated), your record should be automatically sealed.<sup>30</sup> If your case was dismissed before January 1, 2018, you will have to file a request with the probation department after you turn 18 or five years after your case was dismissed, whichever comes first.<sup>31</sup> Since your



case was dismissed, you cannot have been convicted of a felony or a severe misdemeanor to be eligible to seal your juvenile record.

5. If you were arrested but never charged or brought to court, you may get your arrest record sealed by filing a request with the probation department after you turn 18 or five years after you were arrested, whichever comes first.<sup>32</sup> To be eligible to seal the arrest record, you cannot have a conviction for a felony or a severe misdemeanor.

You can use this form to send your sealing request to the probation department: <http://www.courts.ca.gov/documents/jv595.pdf>.

You can get your record sealed even if you have unpaid fees, fines, or restitution.<sup>33</sup> However, you still owe any unpaid fees, fines, or restitution, unless the court says otherwise.<sup>34</sup>

Once your juvenile record is sealed, you can act as if the offense never happened.<sup>35</sup> You will not need to talk about your record when answering most employment, housing, or interview questions. You should always keep a copy of your sealing order, just in case you need to prove your case was sealed.

Once your record is sealed, you can deny the offense ever happened.

Getting your juvenile record sealed prevents it from showing up on most background checks. However, your sealed juvenile record may still show up in a FBI background check — which may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military. Therefore, you should be prepared to talk about your juvenile record and follow the tips on page 4.

Most juvenile court records will be destroyed either five years after your record was sealed or when you turn 38 years old.<sup>36</sup> However, your record cannot be destroyed if you were 14 years old or older and adjudicated for a serious offense unless the case is dismissed or reduced to an offense not

listed as one of these serious offenses. The police department, prosecutor, California DOJ, probation office in your county, and sheriff's office in your county should destroy their records five years after the date your records were sealed.<sup>37</sup>

For help with or questions related to sealing your juvenile record, contact the lawyer who represented you in your juvenile case or go to the Resources section at the end of this guide to find information on how to contact someone at your local public defender's office. You can also find more information about sealing your juvenile record on the Clean Slate Clearinghouse website: <https://cleanslateclearinghouse.org/states/california/juvenile-record-overview/>.



## SCHOOL

### ► 4. Will my juvenile record affect my ability to go to my local public school?

Maybe. Your juvenile court involvement may impact your ability to stay at the same school.

Your school can suspend or expel you if you committed an offense<sup>38</sup> while you were on school grounds (even before or after school hours); while you were at a school-sponsored activity (like a sports game or field trip); while you were going to or coming from school or a school-sponsored activity; or while you were on a lunch break away from school.<sup>39</sup> Your school cannot suspend or expel you just because you were arrested or adjudicated.<sup>40</sup>

You can challenge your school's decision to suspend or expel you, whether the offense happened at school or not. A lawyer can help you challenge the school's decision and understand the process. For suspensions that are five school days or less, each school district has different rules. However, you can meet with the school principal or other administrators and explain your side.<sup>41</sup> For expulsions or suspensions longer than five



“ Talk to a lawyer or other knowledgeable adult about what to say in a school meeting because what you say can be used against you in a juvenile or criminal court case.”

school days, the school district must hold an expulsion hearing within 30 school days to decide whether you should be expelled (kicked out of the school district).<sup>42</sup> You can have your parents, a lawyer, or someone else represent you at an expulsion hearing. If the school board decides you should be suspended or expelled, you can ask your county's board of education to take another look at your case.<sup>43</sup>

Talk to a lawyer or other knowledgeable adult about what to say in a school meeting because what you say can be used against you in a juvenile or criminal court case.

If your school did not expel you, you can go back to your regular, local public school when you get out of juvenile hall, a camp, or a ranch. You have the right to "be immediately enrolled in a public school" as soon as you get out.<sup>44</sup> If the judge orders you to live with another family member in another school district, you have a right to stay in your school until you get off probation.<sup>45</sup> When you get off probation, you also have the right to stay in your elementary or middle school until the end of the school year, or to stay in your high school until you graduate.<sup>46</sup>

For help with school discipline matters, go to the Resources section at the end of this guide, which includes resources and contact information for organizations that may be able to assist you. You can also find more information about school discipline from the American Civil Liberties Union's Northern California's website: <https://www.aclunc.org/our-work/know-your-rights/school-discipline>.

## ► 5. Can I get accepted into a college, technical, or trade school if I have a juvenile record?

Yes. However, you may need to tell the college, technical, or trade school about your juvenile record.

Many college applications ask about *convictions*. You can answer "No" if you do not have any adult convictions because a *juvenile adjudication is not a criminal conviction*. If the application asks about *adjudications*, you may need to include information about your juvenile record. Go to page 4 for tips on how to talk about your juvenile record.

The Common Application (Common App) for college, which is used by more than 600 colleges and universities, asks:

*Have you ever been adjudicated guilty or convicted of a misdemeanor or felony? Note that you are not required to answer “yes” to this question, or provide an explanation, if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise required by law or ordered by a court to be kept confidential.*

You can be accepted into college even with a juvenile record. *Don't let your juvenile record keep you from applying!*

The guidelines for the Common App say that being “adjudicated guilty” is the same thing as being adjudicated delinquent.<sup>47</sup> If you have a juvenile record that is confidential (not shared with the public) and you do not have any adult court convictions, you can answer “No” to this question. If your juvenile record was made available to the public, you will have to answer “Yes” to this question, unless it is sealed. Go to Question 1 for information on which juvenile records are confidential and which ones can be made available to the public. Go to Question 3 for information on how to seal your juvenile record.

If you have questions about whether your record is confidential, public, or sealed, contact the lawyer who represented you in your juvenile case or go to the Resources section at the end of this guide to find information on how to contact someone at your local public defender’s office.

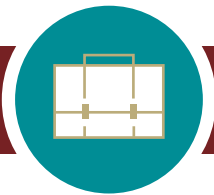
The Common App also asks about school discipline violations. You are required to report your school discipline violations on the Common App even if they are related to your confidential or sealed juvenile record.

You can be accepted into college even with a juvenile record.  
Don't let your juvenile record keep you from applying!

## 6. Can I get a student loan to help pay for college, technical, or trade school?

Yes. To apply for a federal student loan to help pay for college, you must complete the Free Application for Federal Student Aid (FAFSA). The FAFSA asks whether you have been convicted of a drug charge while receiving federal student loans.<sup>48</sup> If you only have juvenile adjudications, you can answer “No” to this question — even if your juvenile record includes a drug-related offense — because this question is asking about adult convictions, not juvenile adjudications. And if you have never received federal student aid before, you can also answer “No” because the question is asking if you were convicted while receiving federal financial aid.

If you were on juvenile probation, in foster care, or a dependent of the court at any time after your 13th birthday, you may be eligible for the California College Promise Grant, which will waive community college enrollment fees in California.<sup>49</sup>



## JOBS AND THE MILITARY

## 7. Can I get a job if I have a juvenile record?

Yes. In California, most employers are not allowed to ask about your juvenile record or refuse to hire you because of your juvenile record.<sup>50</sup>

Many job applications ask about *convictions*. If you do not have any adult criminal convictions, you can answer “No” because *a juvenile adjudication is not a criminal conviction*. However, since juvenile records for serious offenses are available to the public and may show up on a background check, you should be prepared to briefly explain that your juvenile adjudication is not the same as a criminal conviction and follow the tips on page 4 on how to talk about your juvenile record. Go to Question 1 of this guide for information about what records are available to the public.



“Remember, if an application asks whether you’ve been convicted of a crime, you can answer “No” as long as you do not have any adult court convictions.”

Remember, if an application asks whether you've been convicted of a crime, you can answer "No," as long as you do not have any adult court convictions.

Generally, you do not need to explain your juvenile record if your record is sealed. Getting your juvenile record sealed allows you to act as if the offense never happened and prevents it from showing up on most background checks. However, your sealed record may still show up in a FBI background check – which may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military. Go to Question 3 for information on sealing your juvenile record.

Just like you need a driver's license to legally drive a car, many jobs in California require you to have an occupational license. For example, barbers, electricians, and nurses must have occupational licenses. Some license applications may ask about your juvenile record. Also, some state licensing boards can look at your juvenile record when determining whether to give you an occupational license.<sup>51</sup> Remember to read and listen to the questions carefully so that you answer only what is asked.

## 8. Can I join the military if I have a juvenile record?

Your juvenile record might make it harder for you to join the military. Generally, the United States military does not treat juvenile records differently than adult records. If your record involves selling drugs, sex offenses, domestic violence, or a felony, you may need to request special permission (a waiver) to enlist.<sup>52</sup> Each branch of the military has different rules about waivers. For more information, visit [www.usa.gov/join-military](http://www.usa.gov/join-military) or contact a recruiter.

You may need to give the military a copy of your juvenile court paperwork, even if your record has been sealed.<sup>53</sup> Before you request to seal your record, make sure to get a copy of your complete juvenile court record. Go to Question 3 for more information about sealing your juvenile record.





## IMMIGRATION

### 9. Will my juvenile record affect my immigration status?

Talk to an immigration lawyer to find out whether your juvenile record affects your ability to stay in the United States or become a legal resident. If you're adjudicated for certain types of offenses, it will be more difficult to get legal immigration status.<sup>54</sup>

*To help your lawyer figure out possible ways that you can get immigration status, tell your lawyer if you:*

- Have been abused, neglected, or abandoned by a parent;
- Have been a victim of human trafficking or sex trafficking, or the victim of any crime; or,
- Are undocumented or have a green card or other type of legal status, such as a U visa.

Remember: Everything you tell your lawyer is confidential. This means your lawyer can't share anything you tell them with anyone else.

If you're undocumented or don't have legal status, even just being arrested can cause problems. If you're taken into custody or arrested by the police, Immigration and Customs Enforcement (ICE) may try to pick you up when you are released from the local jail or detention facility.

If anyone from the FBI or ICE asks you questions, especially about your immigration status or where you were born, you do not have to answer their questions without a lawyer.

For help with immigration issues, go to the Resources section at the end of this guide for contact information for organizations that may be able to provide you with legal representation in immigration matters. You can also find more information in the Immigrant Legal Resource Center's Guide for Immigrant Youth: [www.ilrc.org/sites/default/files/documents/youth\\_handbook-2015-06\\_05-en.pdf](http://www.ilrc.org/sites/default/files/documents/youth_handbook-2015-06_05-en.pdf).<sup>55</sup>



“ If anyone from the FBI or ICE asks you questions, especially about your immigration status or where you were born, you do not have to answer their questions without a lawyer.”



## PUBLIC BENEFITS AND HOUSING

### 10. Can I get public benefits (like food stamps, Medi-Cal, SSI, and TANF) with a juvenile record? What happens to my benefits if I am locked up?

You should be able to get most public benefits with a juvenile record. If the application asks about convictions and you only have a juvenile record and no adult criminal convictions, you can answer “No.”<sup>56</sup>

Getting locked up in a juvenile facility might affect things like food stamps (Supplemental, Nutrition Assistance Program—SNAP), Medi-Cal (Medicaid), Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF). Your parents may not be able to receive SSI checks for you, and your family’s SNAP and TANF assistance could be reduced while you are locked up in a juvenile facility. If you have health insurance through Medi-Cal and are sent to a secure juvenile facility, ask your lawyer or go to your local county Department of Social Services office to make sure you get re-enrolled in Medi-Cal when you are released.

For help with public benefits, go to the Resources section at the end of this guide for contact information for the legal aid office in your area.

### 11. Can I live in public housing or rent an apartment if I have a juvenile record?

You and your family may not be allowed to live in public housing if you are involved with certain criminal activities — especially drugs or violence — even if you don’t go to court.<sup>57</sup> In some situations, you may not be allowed to live in public housing at all; for example, if you have to register as a sex offender for life or if you are convicted of making meth while on public housing property.<sup>58</sup>

Many housing applications ask about convictions. If you do not have any adult criminal convictions, you can answer “No” because *a juvenile adjudication is not a criminal conviction*.<sup>59</sup> However, since some applications



may also ask about arrests, probation, or adjudications, you may need to answer “Yes” if your juvenile record has not been sealed.<sup>60</sup> Each housing application is different, so you should read the questions carefully. Go to page 4 for tips on how to talk about your juvenile record.

Generally, you do not need to explain your juvenile record if your record is sealed. Getting your juvenile record sealed allows you to act as if the offense never happened<sup>61</sup> and will prevent it from showing up on most background checks. Go to Question 3 for information on sealing your juvenile record.

You may be able to challenge a housing authority’s decision to evict you or deny your housing application. Housing authorities are required to give you a hearing if you are denied housing or evicted for illegal activity.<sup>62</sup>

For help with housing issues, go to the Resources section at the end of this guide for contact information for your local legal aid office.



## OTHER CONSEQUENCES

### ► 12. What happens if I can’t pay the court fines, fees, or restitution?

The juvenile court judge may require you to pay fees,<sup>63</sup> fines,<sup>64</sup> or restitution<sup>65</sup> (an order to pay someone back for damage caused or

property taken). The amount of fines, court fees, and restitution owed in your case should be included in the paperwork you got from the court.

As of January 1, 2018, juvenile courts can no longer order families to pay administrative fees for detention, legal representation (court appointed attorneys or public defenders), probation supervision, electronic monitoring, and drug testing.<sup>66</sup> However, youth and families who had been ordered to pay these fees prior to January 1, 2018 may still be required to pay the fees in full. If you are getting bills for juvenile court fees, you can ask for an “inability to pay” waiver from the juvenile court judge. Victim restitution and restitution fees are still allowed.

The State of California and county where you were adjudicated can also add penalties and surcharges to any fines you were ordered to pay.<sup>67</sup> These penalties and surcharges can substantially increase the amount you owe.

If you do not pay all of the restitution in your case, the victim could get a court order that allows them to take money from your paycheck or tax return to pay the restitution.<sup>68</sup> Unpaid fines, fees, or restitution can also show up on your credit report. A credit report is like a school report card that shows how good or bad you’ve been about paying your bills. Having a bad credit report can make it harder for you to rent an apartment, get a school loan, buy a house or car, or get a credit card. It can also show up if you apply for a job where the employer asks for a credit check or background check, like many government jobs.

### 13. If I had to give my DNA as part of my juvenile case, what happens to my DNA after my case is closed?

Your DNA can only be collected if you were adjudicated for a felony or a sex offense that requires you to register as a sex offender.<sup>69</sup> If your DNA was collected, it will be sent to the California DOJ’s DNA databank.<sup>70</sup> The California Department of Justice can share this information with the FBI and other state law enforcement agencies.<sup>71</sup>

You can have your DNA destroyed if a court finds that (1) you are “factually innocent” of the crime you were charged with, (2) you were not adjudicated delinquent, (3) you were found not guilty, or (4) you were acquitted of the crime.<sup>72</sup>

## 14. Do I have to register as a sex offender if I have a sex offense on my juvenile record?

Maybe. If you were adjudicated in California for certain sex offenses AND you were sent to a DJJ facility, you must register as a sex offender.<sup>73</sup> Also, if you were adjudicated in another state for certain sex offenses and you were sent to a facility like DJJ, you must also register as a sex offender.<sup>74</sup>

You must register with the chief of police or county sheriff every year within five days of your birthday.<sup>75</sup> The registration information collected will include your address, fingerprints, photograph, and the license plate number(s) of any vehicle you may drive.<sup>76</sup> If you move, you must update your registration information within five days.<sup>77</sup>

If you have a sex offense on your record and you want to move or stay for more than a few days in another state, contact a lawyer first to make sure your plans will not negatively affect you.

You may be able to get permission from the judge to stop registering if you were under 13 years old at the time of the offense OR you were not adjudicated of a serious sex offense (as defined by California law), such as rape with force, violence or threat of great bodily harm; sodomy by force, violence, duress, menace, or threat of great bodily harm; lewd or lascivious act against someone under 14 years old; or oral copulation by force, violence, duress, menace, or threat of great bodily harm.<sup>78</sup>

To get permission to stop registering, you must file a request to seal your record with the juvenile court after you turn 18 or five years after your case ended, whichever comes first.<sup>79</sup>

“ If you have a sex offense on your record and you want to move or stay more than a few days in another state, contact a lawyer first to make sure your plans will not negatively affect you. ”

If you have any questions about sex offender registration or how to get permission to stop registering, contact the lawyer who represented you in your juvenile case or go to the Resources section at the end of this guide to find information on how to contact someone at your local public defender's office.

## ▶ 15. What does it mean if I am put on the gang member list?

*You may have to register as a gang member if:*

- You were adjudicated for active participation in a criminal street gang;
- You were adjudicated for an offense with a gang enhancement; or
- The judge finds that you committed an offense that is “gang related.”<sup>80</sup>

At your disposition hearing, the judge will tell you if you have to register as a gang member.<sup>81</sup> The gang registration list is kept in a database that is only available for law enforcement officers to see.<sup>82</sup> After five years, you will no longer need to register unless you were adjudicated or convicted for another offense requiring you to register as a gang member.<sup>83</sup>

## ▶ 16. Can I get or keep my driver's license if I have a juvenile record? Can I get or keep my state ID if I have a juvenile record?

Maybe. If you have a juvenile record for a driving offense (speeding or reckless driving);<sup>84</sup> any alcohol or drug violation (drunk in public, possessing drugs);<sup>85</sup> vandalism;<sup>86</sup> or truancy,<sup>87</sup> your license may be suspended.

The process for getting your driver's license reinstated depends on the reasons why your license was suspended. You may need to wait until your license suspension period is over, complete a “driving under the influence” class, or pay a fee to the Department of Motor Vehicles (DMV). For more information on driver's license suspensions and reinstatement, visit [http://www.courts.ca.gov/documents/dmv\\_handout.pdf](http://www.courts.ca.gov/documents/dmv_handout.pdf).<sup>88</sup>

In some cases, you may be able to get your license reinstated early by filing a request with the court and explaining why you should have your license reinstated.<sup>89</sup> For example, you need to drive to get to work, school, medical appointments, or another required activity to help your family.

Your juvenile record will not impact your ability to get a state ID. If you were placed in a juvenile facility, ask your case manager, probation officer, or your lawyer to help you get a state ID after you are released. A driver's license or state ID is required for employment, housing, medical assistance, and many other important opportunities and resources.

If you have questions about your suspended driver's license or if you want to request that the judge reinstate your license early, contact the lawyer who represented you in your juvenile case or go to the Resources section at the end of this guide to find information on how to contact someone at your local public defender's office.

▶ **17. Can I vote if I only have a juvenile record?**

Yes. Your juvenile record will not affect your right to vote.<sup>90</sup>

▶ **18. Can I serve on a jury if I only have a juvenile record?**

Yes. Your juvenile record will not impact your ability to serve on a jury.<sup>91</sup>

▶ **19. Can I own or carry a gun if I have a juvenile record?**

The law on carrying and owning guns is complicated, so if you are thinking of purchasing a gun, make sure you do more research. For instance, if you have been adjudicated for certain serious or violent offenses, including murder, arson, robbery, serious sex offenses, serious kidnapping offenses,<sup>92</sup> certain offenses related to selling cocaine, crack, heroin, or methamphetamines,<sup>93</sup> and certain offenses related to illegally carrying a gun,<sup>94</sup> you will not be able to legally own or carry a gun until you are 30.<sup>95</sup>





# Resources

## Public Defender Offices in California

If you have questions about any of the issues in this guide, you can contact your local Public Defender Office.

Public Defender Offices	Phone Number
Alameda County	(510) 272-6600
Alpine County	(530) 544-7722
Amador County	(209) 223-0877
Calaveras County	(209) 754-4321
Colusa County	(530) 458-7558
Contra Costa County	(925) 335-8000
El Dorado County	(530) 573-3115
Fresno County	(559) 455-5320
Glenn County	(530) 934-0228
Humboldt County	(707) 445-7634
Imperial County	(760) 482-4510
Inyo County	(760) 873-7070
Kern County	(661) 868-44285
Kings County	(559) 585-8095
Lake County	(707) 245-6738
Lassen County	(530) 251-8312
Los Angeles County	(323) 357-5290
Madera County	(559) 674-4696
Marin County	(415) 499-6321
Mariposa County	(209) 742-6025
Mendocino County	(707) 463-5433
Merced County	(209) 385-7692
Modoc County	(530) 233-2474
Mono County	(760) 873-4756
Monterey County	(831) 755-5058

Napa County	(707) 253-4442
Nevada County	(530) 265-1400
Orange County	(714) 935-7578
Placer County	(530) 889-0280
Plumas County	(530) 283-1179
Riverside County	(951) 955-6000
Sacramento County	(916) 875-5069
San Benito County	(831) 636-9199
San Bernardino County	(909) 387-0513
San Diego County	(858) 974-5700
San Francisco County	(415) 753-7610
San Joaquin County	(209) 468-4256
San Luis Obispo County	(805) 541-5252
Santa Barbara	(805) 568-3368
Santa Clara County	(408) 299-7746
Santa Cruz County	(831) 429-1311
Shasta County	(530) 245-7598
Sierra County	(530) 265-4565
Siskiyou County	(530) 842-8105
Solano County	(707) 784-6700
Sonoma County	(707) 526-7337
Stanislaus County	(209) 236-1045
Sutter County	(530) 822-7355
Trinity County	(530) 778-3887
Tulare County	(559) 713-3200
Tuolumne County	(209) 533-6370
Ventura County	(805) 654-2201
Yolo County	(530) 666-8165
Yuba County	(530) 741-2331

You can also find a list of juvenile defenders at [www.pjdc.org/community-resources/defender-offices](http://www.pjdc.org/community-resources/defender-offices).

## Pacific Juvenile Defender Center

The Pacific Juvenile Defender Center (PJDC) provides support to juvenile trial lawyers, appellate counsel, law school clinical programs, and nonprofit law centers to assure quality representation for children in juvenile delinquency proceedings throughout California. If you live in a county where there is no public defender office, you can contact PJDC for help locating an attorney to assist you. You can call (415) 753-8174 or email [info@pjdc.org](mailto:info@pjdc.org). Their website is [www.pjdc.org](http://www.pjdc.org).

## Legal Aid Offices in California

Legal aid offices are non-profit organizations that provide free legal services to people below a certain income level. They usually help with housing, public benefits, education, immigration, employment issues, domestic violence cases, family law, and other types of cases that can cause serious problems in a person's everyday life. There are legal aid offices in many cities throughout California. To find a legal aid office in your area and find out what areas of law that office may be able to assist you with, visit [www.lawhelpca.org/legal-directory](http://www.lawhelpca.org/legal-directory).

## National Juvenile Defender Center

Please contact NJDC if you're having trouble finding a public defender, legal aid attorney, or other help with the collateral consequences of your juvenile court involvement. We will do our best to help find someone to assist you. You can call 202-452-0010, or visit [www.njdc.info](http://www.njdc.info) for more information.

## Alliance for Children's Rights

Alliance for Children's Rights protects the rights of impoverished and abused children and youth by providing free legal services, advocacy, and programs that create pathways to jobs and education, the Alliance levels the playing field and ensures children that have experienced foster care are able to fulfill their potential. For more information, call their Los Angeles office at (213) 368-6010 or their Sacramento office at (916) 442-3155 x 208. You can also visit their website at [www.kids-alliance.org](http://www.kids-alliance.org).

## Bay Area Legal Aid – Youth Justice Project

The Youth Justice Project offers free civil legal services to low- and very-low income youth who live in Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties. Bay Area Legal Aid provides representation related to education, housing, public benefits, immigration, health care access, and more. You can call their legal advice

line at (800) 551-5554 on Mondays and Thursdays between 9:30 A.M. and 3:00 P.M. or Tuesdays and Wednesdays between 9:30 A.M. and 1:00 P.M. Their website is [www.baylegal.org/what-we-do/our-clients/youth-justice](http://www.baylegal.org/what-we-do/our-clients/youth-justice).

### **Disability Rights California**

Disability Rights California advocates, educates, investigates, and litigates to advance the rights, dignity, equal opportunities, and choices for all people with disabilities. Their website includes several resources related to special education: <http://www.disabilityrightsca.org/pubs/PublicationsSERREnglish.htm>.

### **East Bay Community Law Center**

East Bay Community Law Center provides free civil legal services to low-income Alameda County residents. They can provide advocacy on issues involving education, juvenile justice, housing, juvenile record sealing, driver's license suspension, health care access, and more. For more information, call (510) 548-4040 or visit [www.ebclc.org](http://www.ebclc.org).

### **Public Counsel**

Public Counsel staff lawyers, social workers, and social work interns work with pro bono lawyers and law students in assisting children in civil legal matters such as special education, public benefits, emancipation, teen parents' issues, and blocked trust accounts. For more information, call (213) 385-2977 or visit [www.publiccounsel.org](http://www.publiccounsel.org).

## **IMMIGRATION**

### **Access California Services**

Access California Services is a culturally sensitive community-based organization dedicated to empowering underserved populations, with a focus on Arab- American & Muslim- American communities. They strive to enhance quality of life and foster self-determination through direct health & human services. They provide employment services, counseling, citizenship and immigration services, refugee support services, education, healthcare access, and community engagement opportunities. Their office is located in Anaheim. For more information, call (800) 287-1332 or visit [www.accesscal.org](http://www.accesscal.org).

## Alliance for African Assistance

The Alliance provides professional and low-cost immigration and naturalization services. They can assist with adjustment of status, application for naturalization, asylum and refugee issues, certificates of citizenship, consular processing, relative petitions, and replacement of lost or damaged USCIS documents. For more information, call (619) 286-9052 or visit [www.alliance-for-africa.org](http://www.alliance-for-africa.org).

## Asian Pacific Islander Legal Outreach

API Outreach has offices in Oakland and San Francisco. Their work focuses in the areas of violence against women/family law, immigration, and immigrant rights, the rights of those with disabilities, anti-human-trafficking, youth violence prevention, affordable housing preservation and tenants' rights, and more. Their mission is to provide culturally competent and linguistically appropriate legal representation, social services, and advocacy for the most marginalized segments of the community including low-income women, recent immigrants, and youth. For more information, call their San Francisco office at (415) 567-6255 or their Oakland office at (510) 251-2846. Their website is [www.apilegaloutreach.org](http://www.apilegaloutreach.org).

## Catholic Charities of California

Catholic Charities of California has offices throughout the state that provide legal services to help immigrants obtain temporary or permanent legal status, including unaccompanied minors. They also provide emergency food, housing assistance, mental health counseling, and more.

*For more information, contact an office near you:*

- East Bay – (510) 768-3100 – [www.cceb.org](http://www.cceb.org)
- Los Angeles – (213) 251-3400 – [www.catholiccharitiesla.org](http://www.catholiccharitiesla.org)
- Monterey – (831) 393-3110 – [www.catholiccharitiescentralcoast.org](http://www.catholiccharitiescentralcoast.org)
- Orange County – (714) 347-9600 – [www.ccoc.org](http://www.ccoc.org)
- Sacramento – (916) 733-0100 – [www.scd.org/catholic-charities-and-social-concerns/catholic-charities](http://www.scd.org/catholic-charities-and-social-concerns/catholic-charities)
- San Bernardino-Riverside – (909) 388-1239 – [www.ccsbriv.org](http://www.ccsbriv.org)
- San Diego – (619) 231-2828 – [www.ccdsd.org](http://www.ccdsd.org)
- San Francisco – (415) 972-1200 – [www.catholiccharitiessf.org](http://www.catholiccharitiessf.org)
- Santa Clara County – (408) 468-0100 – [www.catholiccharitiesscc.org](http://www.catholiccharitiesscc.org)
- Santa Rosa – (707) 528-8712 – [www.srcharities.org](http://www.srcharities.org)

- Stockton – (209) 444-5900 – [www.ccstockton.org](http://www.ccstockton.org)
- Tehama County – (530) 824-7670 – [www.nvcss.org/tehama/immigration](http://www.nvcss.org/tehama/immigration)
- Yolo-Solano – (707) 649-1615 – [www.ccsolano.org](http://www.ccsolano.org)

## HOUSING AND OTHER RESOURCES

### Covenant House California

Covenant House California provides housing, food, clothing, and connection to medical, education, and employment services. For more information, call their Los Angeles location at (323) 461-3131 or their Oakland location at (510) 379-1010. You can also visit [www.covenanthousecalifornia.org](http://www.covenanthousecalifornia.org).

### Daniel's Places

Daniel's Places provide street outreach and engagement, a drop-in center, supportive housing, food, clothing, employment opportunities, mental health care, healthcare, education, and more. They serve young adults between 18 and 28 years old. They provide services throughout the greater Los Angeles area including Hollywood, Los Angeles, and Santa Monica. For more information, call (310) 394-6889 or visit [www.stepuponsecond.org/programs-for-transitional-age-youth-tay](http://www.stepuponsecond.org/programs-for-transitional-age-youth-tay).

### DreamCatcher Youth Services

DreamCatcher provides housing, food, healthcare, counseling, education, employment, laundry services, and more to youth between 13 and 18 years old. They are located at 422 Jefferson Street in Oakland. For more information, call (800) 379-1114 or visit [www.alamedafs.org/dreamcatcher](http://www.alamedafs.org/dreamcatcher).

### Larkin Youth Services

Larkin Youth Services provides food, clothing, hygiene supplies, housing, education, employment, and health and wellness services to young people in San Francisco. Their emergency shelter for young adults (18 to 24 year olds) is located at 869 Ellis Street. Their emergency shelter for youth (under 18 years old) is at 536 Central Ave. Their drop-in centers are located at 134 Golden Gate Ave and 1317 Haight St. For more information, call (800) 669-6196 or visit [www.larkinstreetyouth.org](http://www.larkinstreetyouth.org).

## **Our House Young Adult Transitional Housing**

Our House provides housing, case management, life skills training, educational and vocational counseling, substance abuse and mental health counseling, connections to primary care, and job training/employment and higher education. They serve young adults between 18 and 24 years old and are located in East Oakland. For more information, call (510) 639-4880 or visit [www.eocp.net/what-we-do/our-house](http://www.eocp.net/what-we-do/our-house).

## **San Diego Youth Services**

San Diego Youth Services provides housing, healthcare, counseling, education, employment, and more to young people under 25 years old in San Diego. The Golden Hill Youth Center is located at 2220 Broadway; Mid-City Youth Center is at 3660 Fairmount Ave; Uptown Youth Center is at 3427 4th Ave; Point Loma Campus is at 3255 Wing St; Spring Valley and East Communities Campus is at 3845 Spring Dr. For more information, call (888) 724-7240 or visit [www.sdyouthservices.org](http://www.sdyouthservices.org).

## **Sanctuary Youth Shelter**

Sanctuary Youth Shelter provides emergency shelter, food, clothing, crisis intervention, and counseling. They are located at 1545 N St in Fresno. For more information, call (800) 820-4968 or visit [www.fresnoeoc.org/sanctuary-youth-shelter](http://www.fresnoeoc.org/sanctuary-youth-shelter).

## **Wind Youth Services**

Wind Youth Services provides housing, showers, food, counseling, education, employment, laundry services, and more. They serve young people between 12 and 24 years old. Their drop-in is located at 3671 5th Ave in Sacramento. For more information, call (800) 339-7177 or (916) 561-4900, or visit [www.windyouth.org](http://www.windyouth.org).

## **Youth Engagement, Advocacy and Housing (YEAH)**

YEAH provides housing, food, medical care, clothes, counseling, and links to education, employment, and community involvement. They serve young adults between 18 and 24 years old. They are located in the Lutheran Church of the Cross at 1744 University Ave in Berkeley. For more information, call (510) 704-9867 or visit [www.yeah-berkeley.org](http://www.yeah-berkeley.org).

# Endnotes

- <sup>1</sup> CAL. WELF. & INST. CODE § 203 (West 1976).
- <sup>2</sup> CAL. WELF. & INST. CODE § 602(a) (West 2016); CAL. WELF. & INST. CODE § 203 (West 1976).
- <sup>3</sup> CAL. WELF. & INST. CODE §§ 781, 786 (West 2018).
- <sup>4</sup> CAL. WELF. & INST. CODE § 203 (West 1976).
- <sup>5</sup> See CAL. WELF. & INST. CODE § 827(b)(1) (West 2018).
- <sup>6</sup> CAL. WELF. & INST. CODE § 676(a), (c), (d) (West 2015).
- <sup>7</sup> See CAL. WELF. & INST. CODE § 827(b)(1) (West 2018).
- <sup>8</sup> CAL. WELF. & INST. CODE §§ 676(a), (c), (d) (West 2015), 827.2(c) (West 2000).
- <sup>9</sup> California law lists all serious offenses for which your record can be made available to the public. See CAL. WELF. & INST. CODE § 676(a) (West 2015).
- <sup>10</sup> CAL. PENAL CODE § 13150 (West 1978).
- <sup>11</sup> CAL. PENAL CODE § 11105(b)(10)-(11) (West 2018).
- <sup>12</sup> CAL. WELF. & INST. CODE § 827 (West 2018).
- <sup>13</sup> CAL. EDUC. CODE § 48909 (West 1991).
- <sup>14</sup> CAL. WELF. & INST. CODE § 827(b)(2)(A) (West 2018); CAL. PENAL CODE § 290 (West 2018).
- <sup>15</sup> See, e.g., CAL. VEH. CODE §§ 13200 (West 1959), 13201 (West 2008).
- <sup>16</sup> CAL. WELF. & INST. CODE § 635(b)(1) (West 2015); CAL. R. CT., r. 5.760(c) (2016), (k) (2007).
- <sup>17</sup> CAL. WELF. & INST. CODE §§ 725.5 (West 1982), 781(a)(1)(D)(ii) (West 2018), 786(g)(1)(D) (West 2018).
- <sup>18</sup> CAL. R. CT., r. 4.420(b) (2017), 4.421(b) (2017), 4.414(b) (2017).
- <sup>19</sup> CAL. PENAL CODE §§ 667(d)(3) (West 2012), 1170.12(b)(3) (West 2012).
- <sup>20</sup> CAL. PENAL CODE §§ 667(e)(1)-(2) (West 2012); 1170.12(c)(1)-(2) (West 2012).
- <sup>21</sup> CAL. WELF. & INST. CODE §§ 781 (West 2018), 786 (West 2018).
- <sup>22</sup> CAL. WELF. & INST. CODE §§ 781 (West 2018), 786 (West 2018).
- <sup>23</sup> CAL. WELF. & INST. CODE § 786(a) (West 2018).
- <sup>24</sup> CAL. WELF. & INST. CODE §§ 786(d) (West 2018), 707(b) (West 2016).
- <sup>25</sup> CAL. WELF. & INST. CODE § 781(a)(1)(A) (West 2018).
- <sup>26</sup> *Id.*
- <sup>27</sup> CAL. WELF. & INST. CODE § 781(a)(1)(D)(i) (West 2018).
- <sup>28</sup> CAL. WELF. & INST. CODE § 781(a)(1)(A) (West 2016).
- <sup>29</sup> CAL. WELF. & INST. CODE § 786(d) (West 2018).
- <sup>30</sup> CAL. WELF. & INST. CODE § 786(e) (West 2018).
- <sup>31</sup> CAL. WELF. & INST. CODE § 781(a)(1)(A) (West 2016), *amended by* CAL. WELF. & INST. CODE § 781 (West 2018).
- <sup>32</sup> CAL. WELF. & INST. CODE § 781(a)(1)(A) (West 2018).
- <sup>33</sup> CAL. WELF. & INST. CODE §§ 781(a)(2)-(3) (West 2018), 786(c)(2) (West 2018).
- <sup>34</sup> CAL. WELF. & INST. CODE §§ 781(g) (West 2018), 786(h) (West 2018).
- <sup>35</sup> CAL. WELF. & INST. CODE §§ 781(a)(1)(A) (West 2018), 786(b) (West 2018).



- <sup>36</sup> CAL. WELF. & INST. CODE § 781(d) (West 2018).
- <sup>37</sup> *Id.*
- <sup>38</sup> CAL. EDUC. CODE §§ 48900 (West 2017), 48900.2 (West 1992), 48900.3 (West 2000), 48900.4 (West 2003), 48900.7(a) (West 1997), 48915(a)(1), (c) (West 2013).
- <sup>39</sup> CAL. EDUC. CODE § 48900(s) (West 2017).
- <sup>40</sup> The ACLU of California has a guide with more information about school suspensions and expulsions. See *Know Your Rights School Discipline: Suspensions, Expulsions, Involuntary Transfers*, AM. CIVIL LIBERTIES UNION OF CAL., [https://www.aclunc.org/sites/default/files/kyr\\_school\\_discipline\\_0.pdf](https://www.aclunc.org/sites/default/files/kyr_school_discipline_0.pdf) (last visited Dec. 7, 2017). See also CAL. EDUC. CODE §§ 48900 (West 2017), 48900.1 (West 2005), 48900.2 (West 1992), 48900.3 (West 2000), 48900.4 (West 2003), 48900.7 (West 2007).
- <sup>41</sup> CAL. EDUC. CODE § 48911(b) (West 2014).
- <sup>42</sup> CAL. EDUC. CODE § 48918(a)(1) (West 2015).
- <sup>43</sup> CAL. EDUC. CODE § 48919 (West 2001).
- <sup>44</sup> CAL. EDUC. CODE § 48645.5(c) (West 2017).
- <sup>45</sup> CAL. EDUC. CODE § 48853.5(f)(1) (West 2016).
- <sup>46</sup> CAL. EDUC. CODE § 48853.5(f)(2)-(3)(A) (West 2016).
- <sup>47</sup> *What is "Adjudicated Delinquent?"*, THE COMMON APPLICATION: APPLICANT SOLUTIONS CTR., <https://appsupport.commonapp.org/link/portal/33011/33013/Article/778/Adjudicated-delinquency> (last visited Dec. 1, 2017).
- <sup>48</sup> See 20 U.S.C. § 1091(r) (West 2015); *Students with Criminal Convictions Have Limited Eligibility for Federal Student Aid*, FED. STUDENT AID, [www.studentaid.ed.gov/node/55](http://www.studentaid.ed.gov/node/55) (last visited Nov. 10, 2017).
- <sup>49</sup> California Community Colleges website has more information about the California College Promise Grant. See *Types of Aid*, CAL. CMTY. COLLS., <http://icanaffordcollege.com/en-us/financialaidinfo/typesofaid.aspx#bog> (last visited Dec. 7, 2017).
- <sup>50</sup> CAL. LAB. CODE § 432.7(a)(2) (West 2017).
- <sup>51</sup> CAL. PENAL CODE § 11105 (West 2018).
- <sup>52</sup> See generally 32 C.F.R. § 66.6 (West 2016) (listing the military's basic enlistment rules).
- <sup>53</sup> See 32 C.F.R. § 66.3 (West 2016); DEP'T OF THE ARMY, REG. 601-210, REGULAR ARMY & RESERVE COMPONENTS ENLISTMENT PROGRAM 14 (Aug. 31, 2016) (providing examples of how the military views sealed or expunged cases).
- <sup>54</sup> 8 U.S.C. §§ 1227(a)(2) (West 2008), 1182(a)(2) (West 2013).
- <sup>55</sup> IMMIGRANT LEGAL RES. CTR., *LIVING IN THE UNITED STATES: A GUIDE FOR IMMIGRANT YOUTH (2015)*, [www.ilrc.org/sites/default/files/documents/youth\\_handbook-2015-06\\_05-en.pdf](http://www.ilrc.org/sites/default/files/documents/youth_handbook-2015-06_05-en.pdf).
- <sup>56</sup> CAL. WELF. & INST. CODE § 203 (West 1976).
- <sup>57</sup> 24 C.F.R. § 966.4(l)(5)(i)(B), (l)(5)(iii) (West 2017).
- <sup>58</sup> 24 C.F.R. §§ 982.553(a)(1)(ii)(C)-(a)(2)(i) (West 2016), 960.204(a)(3)-(4) (West 2017).
- <sup>59</sup> CAL. WELF. & INST. CODE § 203 (West 1976).
- <sup>60</sup> See generally CAL. WELF. & INST. CODE §§ 781(a)(1)(A) (West 2018), 786(b) (West 2018).

- <sup>61</sup> CAL. WELF. & INST. CODE §§ 781(a)(1)(A)(West 2018), 786(b) (West 2018).
- <sup>62</sup> 42 U.S.C. § 1437d(k) (West 2013).
- <sup>63</sup> *See, e.g.*, CAL. PENAL CODE § 295(j) (West 2008) (DNA collection fees).
- <sup>64</sup> CAL. WELF. & INST. CODE § 730.5 (West 1988).
- <sup>65</sup> CAL. WELF. & INST. CODE § 730.6 (West 2016).
- <sup>66</sup> S.B. 190, 2017-2018 Reg. Sess. (Ca. 2017) (enacted).
- <sup>67</sup> *See, e.g.*, CAL. PENAL CODE §§ 1464(a) (West 2017); 1465.7(a) (West 2007).
- <sup>68</sup> CAL. WELF. & INST. CODE § 730.6(i), (r) (West 2016); CAL. PENAL CODE § 1214(b) (West 2016).
- <sup>69</sup> CAL. PENAL CODE § 296(a)(1), (3) (West 2004).
- <sup>70</sup> *See* CAL. PENAL CODE § 295 (West 2008).
- <sup>71</sup> CAL. PENAL CODE § 299.6(a)(1), (b) (West 2004).
- <sup>72</sup> CAL. PENAL CODE § 299(a)-(b) (West 2016).
- <sup>73</sup> CAL. PENAL CODE §§ 290.008(a), (c) (West 2018).
- <sup>74</sup> CAL. PENAL CODE § 290.008(b) (West 2018).
- <sup>75</sup> CAL. PENAL CODE §§ 290.012(a) (West 2017), 290(b) (West 2018).
- <sup>76</sup> CAL. PENAL CODE § 290.015(a) (West 2017).
- <sup>77</sup> CAL. PENAL CODE § 290.012(a) (West 2017).
- <sup>78</sup> CAL. WELF. & INST. CODE §§ 781(a)(1)(C) (West 2018), 786(d) (West 2018); CAL. PENAL CODE § 290 (West 2018).
- <sup>79</sup> CAL. WELF. & INST. CODE § 781(a)(1)(A) (West 2018).
- <sup>80</sup> CAL. PENAL CODE § 186.30 (West 2001).
- <sup>81</sup> CAL. PENAL CODE § 186.31 (West 2001).
- <sup>82</sup> CAL. PENAL CODE § 186.32(d) (West 2001).
- <sup>83</sup> CAL. PENAL CODE § 186.32(c) (West 2001).
- <sup>84</sup> *See, e.g.*, CAL. VEH. CODE §§ 13200 (West 1959), 13201 (West 2008), 22348(b) (West 2005).
- <sup>85</sup> CAL. VEH. CODE §§ 13202(a)-(b) (West 1984), 13202.5(a)-(d) (West 2008).
- <sup>86</sup> CAL. VEH. CODE § 13202.6(a)(1) (West 2007).
- <sup>87</sup> CAL. VEH. CODE § 13202.7(a) (West 1994).
- <sup>88</sup> *See* ALAMEDA CTY. SELF HELP SERVS., SUPER. CT. OF CAL, GENERAL INFORMATION ON SUSPENDED DRIVERS LICENSE (2008), [http://www.courts.ca.gov/documents/dmv\\_handout.pdf](http://www.courts.ca.gov/documents/dmv_handout.pdf).
- <sup>89</sup> CAL. VEH. CODE § 13202.6(a)(1) (West 2007).
- <sup>90</sup> CAL. CONST. art. II, § 4 (1976); CAL. ELEC. CODE § 2101(c)(3) (West 2017); CAL. WELF. & INST. CODE § 203 (West 1976).
- <sup>91</sup> CAL. CIV. PROC. CODE § 203(a)(5) (West 1994); CAL. PENAL CODE § 893(b)(3) (West 1973); CAL. WELF. & INST. CODE § 203 (West 1976).
- <sup>92</sup> *See, e.g.*, CAL. WELF. & INST. CODE § 707(b) (West 2016); *In re David C.*, 35 Cal. Rptr. 3d 309 (Cal. Ct. App. 2005).
- <sup>93</sup> *See, e.g.*, CAL. PENAL CODE § 1203.073(b) (West 2015).
- <sup>94</sup> *See, e.g.*, CAL. PENAL CODE §§ 25400(a) (West 2012), 25850 (West 2012), 26100(a) (West 2012).
- <sup>95</sup> CAL. PENAL CODE § 29820(a)-(b) (West 2012).

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## NATIONAL JUVENILE DEFENDER CENTER

The National Juvenile Defender Center (NJDC) is a nonprofit, nonpartisan organization dedicated to promoting justice for all children by ensuring excellence in juvenile defense. Through community building, training, and policy reform, we provide national leadership on juvenile defense issues with a focus on curbing the deprivation of young people's rights in the court system. We also work with broad coalitions to ensure that the reform of juvenile courts includes the protection of children's rights — particularly the right to counsel. To learn more about NJDC, please visit [www.njdc.info](http://www.njdc.info).

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