


<p>California Department of Justice CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION Joe Dominic, Chief/CIO</p> 	<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i> Record Sealing Processing Backlog Update</p>	<p><i>No.</i> 22-07-CJIS</p> <p><i>Date:</i> 11-17-2022</p>	<p><i>Contact for information:</i> Record Sealing Unit <a href="mailto:RecordManagement@doj.ca.gov">RecordManagement@doj.ca.gov</a></p>

**TO: ALL PRESIDING JUDGES AND COURT EXECUTIVE OFFICERS**

Ensuring that Californians who are eligible for automatic sealing of their criminal history records - as provided under Assembly Bill (AB) 1793 - receive such relief is a top priority for the California Department of Justice (DOJ).

Before July 1, 2019, Assembly Bill (AB) 1793 (Stats. 2018, ch. 993) required the DOJ to review the records in the state summary criminal history information database and to identify past convictions that are potentially eligible for recall or dismissal of sentence, dismissal and sealing, or re-designation pursuant to Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA) (HSC, section 11361.9).

Under AUMA, pursuant to Health & Safety Code (HSC), section 11362.1, an individual 21 years of age or older may, among other things, possess, process, transport, purchase, obtain, or give away, as specified, up to 28.5 grams of cannabis and up to eight grams of concentrated cannabis. Individuals who have been convicted under specified statutes and who would have been guilty of an offense, or would have been guilty of a lesser offense under AUMA had it been in effect at the time of the offense, are authorized to petition, as appropriate, for the recall or dismissal of a sentence, dismissal and sealing of a conviction, or re-designation as a misdemeanor or infraction (HSC, section 11361.8, subds. (a), (e)).

Given that AB 1793 has increased the opportunities for criminal history relief, the DOJ is experiencing a significant increase in sealing orders received.

The DOJ wants to assure any court that has submitted a sealing order but has not yet received a notification of completion that the DOJ is working to reduce the backlogs of pending orders as quickly as possible.

Further, the DOJ understands that delays in sealing orders can pose barriers for individuals seeking employment, licensing, or certification. To address this concern, the DOJ has taken the following actions:

- When the DOJ receives sealing orders from the court, DOJ immediately flags the subject individual's state summary criminal history information record as being "under maintenance."
- For individuals whose criminal history records DOJ has flagged as "under maintenance," DOJ expedites any background check requests it receives for employment, licensing, and certification (as well as other DOJ mandated services). This expedited processing occurs within a few days and, once processing is completed, responses are immediately transmitted

to the requesting applicant agency. This process ensures that backlogged sealing order updates do not affect the individual that is relying on the results of these DOJ mandated services.

While the DOJ is experiencing backlogs, please inform individuals that the DOJ has these processes in place. These processes are designed to empower those individuals afforded criminal history relief to seek employment, licensing, and certification using background checks that accurately reflect their post-relief information from the DOJ.

Upon request, the DOJ can provide the court with a list of the sealing orders received from your county in order to confirm the DOJ is in possession of all sealing orders sent. If you would like to receive a list of sealing orders, please contact [RecordManagement@doj.ca.gov](mailto:RecordManagement@doj.ca.gov).

The DOJ is here to assist and ready to help. For questions about this information bulletin, please contact the Record Sealing Unit at (916) 210-4236 or via e-mail at [RecordManagement@doj.ca.gov](mailto:RecordManagement@doj.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Dominic', with a long horizontal flourish extending to the right.

JOE DOMINIC, Chief/CIO  
California Justice Information Services Division

For ROB BONTA  
Attorney General