

How can a person get his/her sample and DNA profile expunged or removed from the CAL-DNA Data Bank? Is there a way to expedite the sample expungement process?

California Penal Code section 299 sets forth the criteria for DNA Database sample expungement. Expungement can be accomplished easily and quickly when a DNA sample qualifies for removal from the State database and a person provides sufficient documentation of his/her identity, legal status and criminal history to the California Department of Justice, DNA Database Program (CAL-DNA). A petitioner whose sample qualifies for DNA database sample expungement and who provides appropriate documentation can expedite the process so that neither a court hearing, nor a 180-day waiting period permitted by Section 299, likely will be necessary.

If CAL-DNA receives sufficient documentation showing that an individual meets the criteria for expungement of his or her DNA sample, CAL-DNA will review and research the request and issue a response to the petitioner indicating that the expungement was completed and the sample destroyed, or notify the petitioner of the legal reason the Department is required to retain the sample and profile.

CLICK ON THE LINK BELOW FOR A FORM TO REQUEST CAL-DNA TO EXPUNGE A DNA DATABASE SAMPLE AND PROFILE:

[STREAMLINED EXPUNGEMENT APPLICATION FORM](#)

MAIL THE REQUEST FOR DNA DATABASE SAMPLE EXPUNGEMENT TO:

**California Department of Justice
CAL-DNA Data Bank Program
Attn: Expungement Requests
1001 W. Cutting Bld., Suite 110
Richmond, CA 94804**

NOTE: If a DNA database sample expungement request is denied, a person may still initiate a court proceeding by completing, filing, and serving the California Judicial Council form on the CAL-DNA Program and the District Attorney's Office of the County where the DNA sample was collected. (Form also at <http://www.courtinfo.ca.gov/forms/documents/cr185.pdf>.)