



STREAMLINED DNA EXPUGEMENT APPLICATION FORM

I wish to apply to the California Department of Justice, CAL-DNA Data Bank Program to expunge my state DNA database profile and destroy my DNA sample. I set forth under penalty of perjury as follows:

SECTION 1: APPLICANT INFORMATION

All fields are required unless otherwise indicated

FULL LEGAL NAME (LAST, FIRST, MIDDLE)		OTHER NAME(S) USED, IF APPLICABLE
MAILING ADDRESS (STREET OR PO BOX, CITY, STATE, ZIP)		
EMAIL ADDRESS (OPTIONAL)		DRIVER LICENSE OR STATE ID #
SOCIAL SECURITY NUMBER	DATE OF BIRTH	CII NUMBER, IF KNOWN

SECTION 2: DETAILS OF DNA SAMPLE COLLECTION

Circumstances under which a DNA sample was provided for inclusion in the CAL-DNA Data Bank pursuant to Penal Code section 295 et seq.:

DATE/YEAR SAMPLE PROVIDED	AGENCY OR COUNTY THAT COLLECTED THE SAMPLE
CRIME FOR WHICH MY DNA SAMPLE WAS TAKEN (DESCRIBE OR CITE CRIME IF KNOWN)	

SECTION 3: DECLARATION

I contend there is no legal basis for the California Department of Justice to retain my DNA sample or searchable DNA profile.

I certify that all of the following statements are true, to the best of my knowledge:

1. I have no past or present criminal offense that qualifies me for inclusion in the CAL-DNA Data Bank.
[Please note: (1) If you provided a DNA sample after you were validly convicted of a felony, subsequently having that felony conviction expunged under Penal Code section 1203.4 or reduced to a misdemeanor under Penal Code section 17, does not entitle you to also have your DNA profile expunged or sample removed from the Data Bank. (See, Cal. Pen. Code, 299(f).) (2) If you provided a DNA sample after a conviction for a misdemeanor and had any past felony conviction at that time, your sample is not eligible for expungement or removal from the Data Bank. (See, Cal. Pen. Code, § 296.1(a)(2) & (3).)]
2. I have no past or present duty to register as a sex or arson offender. *[Please note: Termination of the duty to register does not qualify as a reason for sample expungement. (See, Pen. Code, 299(e).)]*
3. I did not provide a DNA sample as part of a plea bargain.



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I request that the California Department of Justice destroy my DNA sample and expunge my searchable DNA database profile pursuant to Penal Code section 299, on the ground(s) checked below. **[Note: Check all that apply. Your request will be denied if you do not attach supporting documentation, as described below, for each and every prior arrest, conviction, or juvenile adjudication that, at the time, qualified you for DNA collection under Penal Code section 296.]**

- ☐ No qualifying felony charges were or will be filed following every felony arrest since 2009.
- For each such arrest, attach a letter from a county prosecutor identifying the date and type of arrest, and stating that no felony charges will be filed as a result. And/or attach a certified or file-stamped copy of a court docket or complaint for each and every case resulting from a felony arrest since 2009 indicating that only misdemeanor charges resulted.
- ☐ Felony charges filed against me since 2009 were dismissed or reduced to a misdemeanor.
- For each case to which this criterion applies, attach a certified or file-stamped copy of a court docket(s) or minute order, or certification by the court clerk, showing that felony charges were filed but later dismissed or reduced.
- ☐ Felony convictions I incurred were reversed, and the underlying case(s) were dismissed.
- For each case to which this criterion applies, attach a copy of the order reversing the conviction(s) and a copy of the order dismissing the charge(s).
- ☐ I was charged, tried, and acquitted of all felony charges in one or more cases.
- For each case to which this criterion applies, attach a certified or file-stamped copy of a court docket(s) or minute order, or certification by the court clerk, showing acquittal on all felony charges.
- ☐ I was found factually innocent of a felony offense pursuant to Section 851.8 or Section 781.5 of the Welfare and Institutions Code, in one or more cases.
- For each case to which this criterion applies, attach a certified or file-stamped copy of a court docket(s) or minute order, or certification by the court clerk, showing finding of factual innocence.
- ☐ I had one or more sustained juvenile petitions for a felony offense, each of which was reversed and dismissed.
- For each case to which this criterion applies, attach a copy of the order reversing the sustained petition and a copy of the order dismissing the charge(s).

Additional information supporting my request for DNA sample expungement is as follows:

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

Executed on: at , State of

(Date) (City) (State)

PRINTED NAME

SIGNATURE OF REQUESTOR

Send completed, signed application and required documentation to **California Department of Justice, CAL-DNA Data Bank Program, Attn: EXPUNGEMENTS, P.O. Box 70223, Richmond, CA 94807**



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Privacy Notice

The information requested on this form is being requested by the State of California, Department of Justice (DOJ), Division of Law Enforcement, CAL-DNA Data Bank Program, for the purpose of determining eligibility for DNA sample/profile removal and expungement through use of DOJ's streamlined procedures. The maintenance of the information collected on this form is authorized by Penal Code section 299. All information requested on this form is voluntary. However, failure to provide the requested information/documentation (e.g., identity, legal status and criminal history), as applicable, to enable DOJ to make a determination regarding a sample/profile's eligibility for removal/expungement, will likely result in denial of the DNA sample/profile removal and expungement request. Your information provided on this form may be disclosed to federal, state and/or local law enforcement agencies, probation and parole officers, your attorney, and attorneys for the Department of Justice, and/or courts.

Pursuant to Civil Code section 1798.30 et seq., individuals have the right [with some exceptions] to access records containing the personal information about themselves that are maintained by the agency. The CAL-DNA Data Bank Program is the agency official responsible for the system of records that maintains the information provided on this form. For more information regarding the location of your records and the categories of any persons who use the information in those records, you may contact the CAL-DNA Data Bank Program, Department of Justice, at PC296.PC296@doj.ca.gov, or by mail at P.O. Box 70223, Richmond, CA 94807.