

DA Anne Marie Schubert Joins Code for America to Form Landmark Automatic Record Clearance Partnership



Sacramento County
District Attorney's Office
Semper Justitia

More than 5,300 marijuana convictions eligible for dismissal or reduction to a misdemeanor pursuant to Proposition 64

SACRAMENTO – District Attorney Anne Marie Schubert and Code for America announced the results of a partnership that identified 5,303 marijuana-related convictions for dismissal or reduction to a misdemeanor pursuant to Proposition 64.

Sacramento is one of five counties in California taking part in Code for America's pilot program that proactively searched criminal histories for convictions that qualified for re-sentencing under the November 2016 voter-approved initiative. In addition to the relief authorized by the initiative, the Sacramento County District Attorney's office also agreed to proposals from community groups and the Sacramento County Public Defender to dismiss qualifying marijuana convictions where (1) the offender remained crime free for the past 10 years, (2) the offense was the only conviction on the offender's criminal history and the period of parole or probation was completed or (3) involved a conviction for a misdemeanor or infraction for an adult offender who was under the age of 21 at the time of the offense. As a result of the re-sentencing project:

- 5,303 convictions eligible for re-sentencing involved 4,831 individuals;
- 1,919 of the convictions were dismissed;

- 3,384 of the convictions were reduced to a misdemeanor;
- 603 individuals will no longer have any conviction on their criminal history.

“Since the passage of Prop 64, our office has been carrying out the law by processing re-sentencing petitions,” states DA Schubert. “The partnership with Code for America allowed us to proactively and automatically reduce or dismiss eligible marijuana convictions. As part of this process, we also felt it was important to work with community leaders and agreed to additional relief by expanding eligible convictions beyond what the law requires.”

“Our partnership with Sacramento shows what’s possible when we rethink government for the digital age,” said Jennifer Pahlka, Founder and Executive Director, Code for America. “I thank District Attorney Schubert for her leadership on this issue. Not only will it make government work better for the people it serves, but it has the potential to change the way the record clearance process works across the state and the nation.”

Record Clearance for the Digital Age

The Sacramento County District Attorney’s Office has been working with Code for America since January 2019 to provide relief to individuals eligible under the law. Sacramento is the fourth California county to take part in Code for America’s record clearance pilot. The others are San Francisco, Los Angeles and San Joaquin.

Proposition 64 required that a person seeking relief petition the court to clear or modify their record. However, last year the legislature passed AB 1793, which tasked prosecutors with affirmatively reviewing qualifying convictions and designating which convictions should be dismissed or reduced by July 1, 2020.

Code for America’s technology significantly streamlined the review process thus making it easier for the prosecution, the court and qualifying individuals to recommend and receive relief.

About Code for America

Code for America believes government must work for the people and by the people in the digital age, starting with the people who

need it most. They build digital services that enhance government capabilities and help others do the same across all levels of government. Code for America has goals of clearing 250,000 eligible convictions nationwide by the end of the 2019 and a 21st century government that effectively and equitably serves All Americans. For more information about Code for America, go to codeforamerica.org.

Notification

If a member of the public wants to know whether his/her prior marijuana conviction was recommended to be dismissed or reduced to a misdemeanor, they are encouraged to contact the Sacramento County Public Defender's Office (Ryan Raftery, 916-874-5578) or the Sacramento County District Attorney's Office (Dawn Bladet, 916-874-6218). Information will only be provided to the affected individual. If the person's name does not appear on the list of qualifying individuals but they believe they are entitled to relief, eligibility issues can be discussed with the Public Defender. For general questions about the marijuana conviction relief process, individuals can also contact Nia MooreWeathers, Community Organizer for Youth Forward, at 916-873-3757.