

## FAQs FOR APPLICANTS WHO MUST DISCLOSE CONVICTIONS

### 1. How do I know the documents I sent were received by the Board?

If you want confirmation that documents were received, send documents using a delivery system which allows you to track delivery (i.e., certified mail, express or overnight mail delivery service). Alternatively, send a self-addressed, stamped postcard that will be date-stamped by the Board and returned to you as an acknowledgement of receipt. Please be advised, we will not return phone calls asking if documents have been received.

### 2. Why won't you return calls for information?

The Board will return calls related to letters sent to you regarding your application. Please read any letters sent to you carefully before calling for clarification. If after reading the letter you still require clarification, you may contact the Board. Please be advised that due to workload volumes the Board will not return the following calls.

- Status calls or calls to verify receipt of documents.
- Calls asking to verify that you sent all the correct documents.

You will be notified by mail if additional information is needed or when the conviction review process has been completed.

### 3. Is there anything I can do to expedite the conviction review process because I have a job offer which requires a number or because I will lose my job unless I obtain a number?

This situation occurs frequently. However, in order to be fair to all applicants, the Board reviews each case in the order it was received. If all the necessary documents are provided with your application, the review process time can be reduced. The time to review each case is based upon the number of documents obtained for each conviction and varies with each case. It is important to read the application instructions carefully and provide ALL the requested documents; this is the only way to expedite your application through the conviction review process.

**4. How will I be notified if I am missing information needed to complete my conviction review?**

If all information was not provided with the application, after the initial review is completed, a deficiency letter will be mailed advising you what you need to provide in order to complete the review. These documents will also be reviewed in the order they are received, therefore time delays can be minimized by returning all requested documents as soon as possible. If the requested documents are not received and there is no written explanation as to why you cannot provide the documents, your application will remain pending and, after one year, will be deemed abandoned.

**5. What are “certified” copies of court records and how do I get them?**

Certified copies are copies of a court record that the clerk of the court certifies to be “true and correct” copies of original documents on file with the court. The certification can be a stamp or seal, or it can be a cover page to the court document.

The court record must be obtained from the court where your case was adjudicated.

**6. What court records should I submit?**

The documents should include:

- Complaint or Indictment
- Plea and Minute Order
- Summary of Judgment
- Pre-Sentencing/Probation Report *when applicable*
- ***Dismissal per section 1203.4, 1203.4a, or 1203.41 of the Penal Code when applicable***
- Any other documents which pertain to the conviction

Providing documentation of dismissal per section 1203.4, 1203.4a, or 1203.41 of the Penal Code, **or another state’s equivalent law**, alone does not satisfy the Board’s requirements. All other relevant documents listed above must also be provided.

Documentation from the court’s internet website does not satisfy the Board’s requirements.

Documentation certified by the applicant or anyone other than the clerk of the court does not satisfy the Board’s requirements.

**7. What are “certified” copies of the police report and how do I get them?**

Certified copies are copies of the report prepared by the arresting or citing law enforcement agency documenting the circumstances of the crime leading to the

conviction and which the law enforcement agency certifies to be “true and correct” copies of the original documents on file with the law enforcement agency.

If you were convicted of a misdemeanor or felony a police report will exist. Police reports are obtained from the law enforcement agency that arrested and/or cited you. This can be, but is not limited to, a Sheriff’s Office, Police Department, Campus Police, or the Highway Patrol. The courts may NOT have, and will NOT be able to certify, a copy of the police report.

If you do not know what agency arrested and/or cited you, it is your responsibility to obtain this information. In some cases, the court record will indicate the name of the arresting agency. Otherwise, it will be necessary for you to contact all law enforcement agencies in the area **of your arrest** to determine who arrested you. In many jurisdictions, local and state law enforcement agencies – for example, police departments and highway patrol – will use county sheriff’s jail facilities for all their arrests. If you were booked in a County Jail, you can contact that jail to determine what agency arrested you. In this case, the jail/county sheriff will not have the necessary reports; you will have to contact the arresting agency in order to obtain the report.

**8. What if I am unable to get arrest records because the arresting agency will not release the report to me?**

In a written statement to the Board, indicate that the arresting agency will not release the report to you. The Board will request the report directly from the arresting agency.

**9. What if I am unable to get arrest or court records because the documents have been purged or destroyed?**

Ask the agency for written documentation, on agency letterhead, confirming that the documents have been purged or destroyed. If the agency will not provide the information in writing, provide the name of the agency, who you spoke to, and the date you made contact. This information should be provided in your letter of explanation. Include the date of your arrest/conviction and the arrest/conviction charges.

**10. What should I include in my detailed description of the incident?**

Your statement of explanation should provide a full description of the circumstances that led up to your arrest. To say that you were arrested and convicted is not sufficient detail. Describe your actions that caused you to be arrested. Provide dates and as much detail as you can recall.

Disclosing personal life traumas which caused you to commit crimes is not required. The Board needs a clear statement of facts that describe what you were doing and when you were doing it. A sufficient statement answers the following questions:

- What were you doing?
- When were you doing it?
- Where were you doing it?
- Why/how were you doing it?

### **11. What should I include in my statement of rehabilitation?**

Your statement of rehabilitation should include any information that you want the Board to consider and which may mitigate the actions that led to your conviction(s). If statements you make can be verified by certificates and/or letters of recommendation, copies of this documentation should be provided. For example, a letter from your pastor saying you are active in the community holds more weight than just your statement that you are active in church activities.

Certificates or letters confirming completion of any rehabilitation programs should be provided if applicable. These documents must be signed and dated and include information regarding your attendance dates.

### **12. What if I don't have proof of completing court ordered programs and/or probation?**

If the court record reflects proof of completing the court ordered programs, then you do not need to provide any additional proof.

If the court record does not reflect proof of completion of these programs and you are unable to provide any proof, you may provide the Board with a written statement indicating the dates you attended/completed the program, the name and location of the program and explain why you are unable to provide proof.

### **13. How many letters of recommendation do I need to send?**

It is up to you how many letters of recommendation you wish to submit. Letters of recommendation are helpful but not required. Any letter of recommendation submitted should have an original signature and reflect a current or recent date. Letters that reflect an awareness of your previous conviction and your rehabilitation efforts since the conviction are beneficial.