

Penal Code section 851.91, Petition for Sealing Arrest Records

A person who has suffered an arrest that did not result in a conviction may petition the court to have their arrest and related court records sealed.

To obtain more information regarding Petitions to Seal Arrest Records, please visit San Diego Superior Court's website below:

<https://sdcourt.ca.gov/sites/default/files/sdcourt/generalinformation/forms/criminalforms/crm305.pdf>

The petition form can also be found on San Diego Superior Court's website:

<http://www.sdcourt.ca.gov/pls/portal/docs/PAGE/SDCOURT/GENERALINFORMATION/FORMS/CRIMINALFORMS/CRM304.PDF>

If your arrest was or would have been handled by the San Diego District Attorney's Office, please complete the form above and send your petition via email to Sealing.Petitions@sdcda.org. The District Attorney's Office will file the petition with the court; do not file or send a copy of the petition to the court on your own.

If the District Attorney's Office agrees that petitioner is eligible for relief, the office will submit the petition to the court for review and signature. Once complete the court will provide a signed copy of the order to all the parties which typically takes 45 to 90 days from start to finish.

If the District Attorney's Office disputes petitioner's eligibility, we will file the petition with the court and a hearing will be scheduled where both parties can argue their respective positions before the court makes a ruling.