



Proposition 47 Information

Proposition 47, approved by the voters on November 4, 2014, provides a legal procedure for reducing certain previous felony convictions to misdemeanors. An eligible prior felony conviction can be reduced under Proposition 47 even if you are currently serving a sentence due to your conviction. However, your case is not eligible to be reduced to a misdemeanor under Proposition 47 if you have any prior convictions for certain serious and/or violent felony offenses, or if you are required to register as a sex offender. If you are currently incarcerated, the court may also consider any risk to public safety in determining whether to resentence you in the case.

The following prior felony convictions are currently eligible for reclassification to a misdemeanor if your sentence has been completed, or for resentencing as a misdemeanor if you are currently serving a sentence (including a term of probation, parole, mandatory supervision or post-release community supervision) due to your conviction:

HS 11350 / HS 11357 / HS 11377	Simple drug possession (not sale, manufacture, etc.)
PC 666	Petty theft with priors if the amount of loss was \$950 or less
PC 459	2nd degree commercial burglary during open business hours if the loss amount was \$950 or less
PC 470(a) / PC 470(b) / PC 470(d) / PC 475(a) / PC475(b) / PC475(c) / PC 476	Forgery* of specified items with intent to defraud if the loss amount was \$950 or less
PC 476a	Passing a bad check if the loss amount was \$950 or less
PC 484e(a) / PC484e(b) / PC484e(d) / PC484g / PC 484h / PC487(a) / PC487(b) / PC487(c) / PC487(d)(1) / PC 487a / PC487b / PC 487d / PC 487i / PC 487j	Grand theft if the case involved obtaining any property by theft and the loss amount was \$950 or less
PC 496(a) / PC496(b)**	Receiving stolen property if the loss amount was \$950 or less
VC10851	Theft of a motor vehicle (not just driving without permission) if the loss amount was \$950 or less
<p>* For most forgery convictions to be eligible for reduction under Proposition 47, the forged item must have been a check, bond, bank bill, note, cashier's check, traveler's check, or money order.</p>	
<p>** The issue of Prop 47 eligibility in PC496d(a) cases is now pending in the California Supreme Court.</p>	

To have a prior felony conviction reduced to a misdemeanor, you must file a petition with the Superior Court location where the conviction was obtained, unless your case was later transferred to another county. If your case was transferred to another county after you were sentenced, you must file your Proposition 47 petition in that county.

If you need assistance with the preparation and filing of a Proposition 47 petition and any of your prior convictions occurred in San Bernardino County, the Law Offices of the Public Defender can assist you with this. We will review your record of convictions and file petitions on your behalf if you are qualified. If the court reduces any prior felony conviction to a misdemeanor, the court will have its order entered in your Record of Arrest and Prosecution (your "RAP sheet").

If you would like assistance in determining whether your case is eligible for Proposition 47 relief (or for any other form of post-conviction relief), please go to our website and provide us with your contact information, and we will follow up with you right away.

If you have access to the internet, please contact us at: <http://sbpubdef.com/Contact-Us/Clear-Your-Record>

If you are unable to access our website, please call us at 909-387-0569 and we will be happy to assist you.

NOTICE: You must file any Proposition 47 petition on or before November 4, 2022, when Proposition 47 is currently set to expire.