

These are real declarations from Root & Rebound clients, and have been redacted and modified to protect anonymity. They were chosen with the intention to demonstrate the wide breadth of declarations (and life experiences) that clients have. After each declaration, or declaration excerpt, there is a brief explanation of some attributes that the specific declaration demonstrates.

Declaration Example #1

I am asking the court to dismiss my 199X and 199X convictions for violations of Health and Safety Code sections 123 and 456.

I began using drugs at a really young age. First, I started with pot. Then, after I joined the army in 197X, I was introduced to speed and cocaine. I continued to use after I got out of the army in 197X. I became a regular cocaine user from that point forward and continued using for 20 years. Eventually, I started selling drugs in order to support my habit and keep my addiction going.

Around 199X, I started using methamphetamines. Five years was all it took to bring me down. Addiction took hold of me. I really wanted to get clean but I couldn't. Years of addiction made sobriety very challenging: I would have to use meth just to get my body to a baseline level of functioning. I couldn't even get out of bed without using. As a result of my addiction, I ended up committing the crimes for which I am seeking dismissal. On top of that, I also picked up a federal case. I was sent to the federal prison in Dublin, CA in January 199X – just a couple of weeks after my youngest son was born.

When I arrived to federal prison, I immediately started a Drug and Alcohol Program (DAP) there. It was a very good program. I managed to get clean, even though people around me at the prison were using. One time, my bunkie offered me drugs. Thanks to the support I received in the Drug and Alcohol Program, I told him, "That stuff is the reason I'm in here. I lost my family. I lost everything. I don't ever want to touch that stuff." During my time in federal prison, I also renewed my faith in God. I was feeling so lost when I was locked up. I got down on my knees and asked for help. The Lord guided me and I have been dedicated to my Christian faith ever since.

After my release from custody in 200X, I went into a transitional housing program in Los Angeles and stayed there for six months. Transitional housing strengthened my sobriety and furthered my rehabilitation. In 200X, I moved to San Mateo with my girlfriend and son. Unfortunately, I ended up relapsing there. I was too close to bad influences and needed to get away from the people who knew me. My family and I decided to move to Sonoma, where we could have a fresh start. We bought a home and live there together to this day. My son is now 17 years old. We have a great relationship as a family and I'm so lucky to have my son and girlfriend in my life. My girlfriend and I are going to get married soon after 20 years together. We like to garden together and fix up our cars. It is a good life. With my family's support, I have been clean for 18 years and have not committed any more crimes.

I am currently working as a sales representative for a printing and document company. I have been working there for 13 years. Before that, I worked for a different graphics company for about nine years – since my release from federal prison. At that job, I went from a janitor to a manager in 15 months. I got laid off in 200X, but was able to get the job at the printing and document company soon after. My boss knows about my past but gave me a chance anyway because we are both men of faith. Outside of work, I am active in my local church. In 200X, I started working at senior citizen home doing Sunday service. I play worship songs for the residents on guitar. It is a very fulfilling way to spend my time.

Dismissing these cases would make a big difference to me because it will help me put my mistakes behind me once and for all. I am not the same person I was in 199X and 199X. My life and circumstances are very different. I would like my record to reflect the big changes I have made for myself and my family.

Thank you for your consideration.

[Why this declaration example was chosen: The dismissal in this case was granted and the judge was really impressed with the client based on reading this declaration. Note the use of specific dates, the story arch spanning back into childhood, until today. Also note the specific examples and a strong, direct quote at a pivotal point in his journey.]

Declaration Sample #2

I am writing you today to request that my criminal record be cleared. I recognize the mistakes of my past, the mistakes that led to my conviction. My decisions have caused my family heartbreak, but it is for my family that I write this letter today. I want to better provide for them, to repay them for all the support I have received over the difficult years following my conviction.

At the time of my arrest, I had an unhealthy relationship with alcohol. I was binge drinking and behaving irresponsibly, without truly considering the consequences. In 2010, my wife and I filed for divorce. This was a dark time in my life, and my loneliness pushed me to be even more reckless with my drinking. I made the life-changing decision to get behind the wheel of my truck after leaving a bar one night. I was lucky to survive the crash.

[...]

Of even greater importance has been the support of my family. I reconnected with my ex-wife. We have since remarried and had a second child, my daughter Ruby Rae. Her love, and the love from my entire family, helped carry me through my years in prison. This letter is in part for my son, Nathaniel. I want to show him what it means to take responsibility for your life, how through perseverance and humility you can become your best self. I want the opportunity to pay back to my family all of the love and support they have shown me during my times of struggle.

[...]

I ask that you grant my request for myself, my family, and my community. I want to help others as best as I can. There is so much more I can do, so much more I can give back, without the burden of my conviction weighing me down. I am a much different man today than I was at the time of my arrest – I am more empathetic, thoughtful, and forgiving. I have put a lot of effort in turning my life around. With a clear record, I can continue on the path I am on and continue to develop personally and professionally.

[Why this declaration example was chosen: This declaration had less of a story arch, but a recurring theme of family. Not all declarations will be a clear-cut storyline, but this continued to come back to the foundation of family.]

Declaration Example #3

At the time of my convictions, I was in the middle of moving houses and ending a relationship with my daughter's mother. I had taken all of my stuff out and I had my registered firearm inside of my backpack. I was then pulled over and when the police officers came to my car, I explained this to them and they took me down to the station. In relation to my other charge of driving

without my license, I simply forgot to have my license on me when I was driving, which was my mistake. My offenses did not and do not reflect who I was at the time or the things I was doing in my life.

After my firearm conviction, I did a firearms safety class as part of probation. I learned a lot from this class. We learned how to handle firearms, about safety procedures, rules and restrictions, and how to always be sure that your firearm is in a safe and secure place. I learned intensively about the seriousness of firearms and the responsibility that comes with having them. I now fully understand how they are a very serious matter.

[...]

[Why this declaration example was chosen: In this declaration, the client recognized that the conviction was bogus, but was also able to state the potential dangers and therefore purpose of the law, and that he learned useful things in the probation-required class. This balanced the reality of this client's view of his conviction (as bogus) without challenging the entire criminal legal process in his case. This is how he was able to strategically request a dismissal, while also being true to his feelings about the underlying case.]

Declaration Example #4

After multiple incarcerations, I realized that I had sold myself short on my expectations for life and wanted to turn my life around. I have a daughter who is now 27 that I lost the opportunity to be involved in raising because of my actions.

Upon release, I enrolled in _____ College, earning my associates degree in 2014. While pursuing my education I worked as an in-home care provider performing support services as I wanted to work helping people. I enrolled in Cal State to pursue a bachelor's degree in social work as I would like to help people like myself. I anticipate completing the ten credits I have left by the fall of 2023. I intend to pursue a master's degree so that I may realize my career goal as a clinical social worker.

I believe my criminal history will thwart these efforts. I know that people have preconceived notions when they look at someone with a criminal history and clearing this history would enable people to see me for who I am today. I enjoy a rewarding family relationship with my long time significant other. We have a three-year-old daughter and eight-year-old son who give me daily joy whether I am helping with school work, bike riding, playing in the park or attending events. I parent my children with the confidence and guidance I lacked in my youthful past.

My wife is the manager of a non-profit organization that focuses on safety education involving participants who were alcohol/drug abusers, so we are united in our goals to help others. I currently work as a mentor of youth, helping kids as young as 14 or 15 who have become involved in the criminal justice system. I find this employment to be emotionally rewarding and enables me to use what I have learned pursuing my degrees.

I have a wonderful network of loving, caring people who have supported me in finding a positive path in life. I want to be that support for others who have experiences with the criminal justice system and are looking for positive ways to rebuild their lives. I believe clearing my criminal record will dramatically assist me to find career opportunities when I earn my bachelor's degree.

I want to be a role model for my family and fulfill my greatest potential. I believe clearing my records will enable me to fulfill my aspirations.

[Why this declaration example was chosen: This client has several convictions including some prison sentences. Interestingly, she didn't address what was happening at the time of offenses, but focuses instead entirely on how she is currently giving back. At the time of this, some of her convictions are pending with the court, but at least one has been granted by the court already.]

Declaration Example #5

My father was a Korean War Veteran who was murdered when I was young. I grew up with no father figure so I turned to people on the streets for guidance. I had no positive male influence in my younger years.

I am currently homeless and have been homeless since 2014. I have been dealing with adversity for most of my life. The majority of my convictions resulted from offenses that occurred while I was homeless. Being homeless and unable to pull myself up and out has humbled me.

I feel as though my voice has not been heard while I was trying to defend myself from these arrests. I feel that I didn't have the support to assist me with handling the legal issues and help me understand the legal process.

I am hoping to clear my record in order to become gainfully employed. I have been stuck in a rut for a long time and want to get back on my feet. Once I am back on my feet, I want to help others in society.

I received a certificate in computer technology in 2003 from _____ Institute. I hope to put this to use. I have been applying for work but have had little success because most employers require a background check. One of my past occupations was security guard but in order to get back in that field, I am required to get a guard card. I need to pass a background check to get that.

I am not the same person I was at the time of these offenses. I feel as though I have been born again. I have done volunteer work for a church in West Hollywood distributing food and clothing to others in need. I have done the same type of work for a non-profit in the Los Angeles area.

I don't want people to see me as the person from the past. I want them to look at me as the person I am now. I want the opportunity to venture out and lift up others. I would like to be able to help and take care of my mom. I have a different way of thinking now. Because of my work with the church, I have learned to be Christ like. The offenses for which I was convicted occurred while I was young and while I was homeless and suffering with depression. I do not think that these convictions relate to who I am now and who I hope to become. Dismissing these cases would allow me to become gainfully employed, be more useful to others, and give back to the community.

Thank you for your consideration.

[Why this declaration was chosen: This client has convictions from 14 different cases, since cases were opposed by the local DA and were denied, but other cases were dismissed successfully.]