



Judicial Council of California

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INVITATION TO COMMENT

LEG26-01

Title

Judicial Council–Sponsored Legislation:
Procedures for Sealing Arrest Records

Action Requested

Review and submit comments by June 12, 2026, to invitations@jud.ca.gov

Proposed Rules, Forms, Standards, or Statutes

Amend Penal Code sections 851.92, 1001.33, 1001.55, 1001.75, 1001.80, and 1001.97

Proposed Effective Date

January 1, 2028

Contact

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Proposed by

Criminal Law Advisory Committee
Hon. Lisa Rodriguez, Chair

Executive Summary and Origin

The Criminal Law Advisory Committee recommends that the Judicial Council sponsor legislation amending several Penal Code statutes to improve consistency in how arrest records are sealed when a person is granted specified criminal record relief.

Background

California law provides for arrest record sealing under a variety of circumstances. For example, a person whose arrest did not result in a conviction may affirmatively petition the court to have their arrest records sealed if they meet certain eligibility requirements.¹ Additionally, upon successful completion of certain forms of diversion, the arrest upon which the diversion is based is “deemed to have never occurred,” and the court is authorized to issue an order to seal records under Penal Code section 851.92 pertaining to the arrest.²

¹ See Pen. Code, § 851.91.

² See §§ 851.87 (pretrial diversion), 851.90 (drug diversion), 1000.4 (pretrial drug diversion), 1001.9 (misdemeanor diversion), 1001.36 (mental health diversion), and 1001.83 (primary caretaker diversion). All further references are to the Penal Code unless otherwise specified.

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

Section 851.92, in turn, describes procedural requirements that apply when an arrest record is sealed under the arrest sealing and diversion statutes cited earlier, such as providing copies to law enforcement agencies and directing the agencies to update their records to indicate that the record is sealed.³ The statute also states that sealed arrest records cannot be disclosed except to the person whose arrest was sealed or an authorized criminal justice agency—but criminal justice agencies are generally authorized to access and use sealed arrest records to the same extent as if the arrest had not been sealed.⁴ Lastly, section 851.92 provides that unauthorized dissemination of a sealed arrest is subject to a civil penalty.⁵

Concurrently, there exist several other diversion statutes that can also result in an arrest being “deemed to have never occurred” but which do not reference section 851.92 or otherwise specify whether an arrest sealing order is required or to whom copies of any arrest sealing order must be provided.⁶ As a result, it is not clear whether courts should issue an arrest sealing order upon the defendant’s successful completion of these forms of diversion—and if so, whether the court can or should provide a copy of the order to law enforcement agencies. It appears that some courts will simply advise the defendant of the statutory language,⁷ while others issue sealing orders like those issued under section 851.92.

A threshold question is whether the two categories of diversion statutes described above (i.e., those that reference the sealing procedures outlined in section 851.92 and those that do not) should be understood as functionally providing the same form of arrest record relief. The committee believes that they do, given that each of the diversion statutes similarly provides that (1) the arrest is deemed to have never occurred; (2) the person may thereafter state that they were not arrested, except that the arrest must be disclosed in response to a direct question contained in a questionnaire or application for a peace officer position as defined in section 830; (3) the arrest cannot, without the person’s permission, be used in any way that could result in the denial of any employment, license (except under sections 851.87 and 851.90), benefit, or certificate; and (4) the California Department of Justice must disclose the arrest in response to any peace officer application request.⁸ Generally, the distinction between the categories is that after stating that the arrest is deemed to have never occurred, some of the statutes have the following additional language: “and the court may issue an order to seal the records pertaining to the arrest as

³ § 851.92(b)(1), (2)–(4).

⁴ § 851.92(b)(5)–(6).

⁵ § 851.92(c).

⁶ See §§ 1001.33(a) (cognitive developmental disabilities diversion), 1001.55(a) (misdemeanor offender diversion), 1001.75(a) (parental diversion), 1001.80(k) (military diversion), 1001.97(a) (court-initiated misdemeanor diversion).

⁷ See §§ 1001.33(a)–(b), 1001.55(a)–(b), 1001.75(a)–(b), 1001.80(i)–(j), 1001.97(a)–(b) (defendant may indicate in response to a question concerning their prior criminal record that they were not arrested for the offense, except for specified peace officer–related inquiries; records pertaining to an arrest resulting in successful completion of a diversion program shall not, without the defendant’s consent, be used in any way that could result in the denial of any employment, benefit, license, or certificate).

⁸ See §§ 851.87(a)–(b), 851.90(a)–(b), 1000.4(a)–(b), 1001.9(a)–(b), 1001.36(h)–(j), 1001.83(g)–(i), 1001.33(a)–(b), 1001.55(a)–(b), 1001.75(a)–(b), 1001.80(i)–(j), 1001.97(a)–(b).

described in section 851.92.” Additionally, these statutes state that the court must advise the defendant that regardless of the defendant’s successful completion of a statutorily authorized diversion program, an order to seal arrest records has no effect on a criminal justice agency’s ability to access and use those sealed records and information regarding sealed arrests, as described in section 851.92.⁹

Given that one set of diversion statutes includes a cross-reference to section 851.92, while the other set does not, it could be argued that the omissions were intentional. However, because the diversion statutes across both categories provide substantially the same form of arrest record relief, the committee did not identify any obvious reason why some include a cross-reference to the sealing procedures in section 851.92, while others do not. Adding a cross-reference to section 851.92 to the diversion statutes that do not currently have one would promote consistency in arrest record relief.

The committee was concerned that these inconsistencies could arise again if a future diversion statute states that an arrest is deemed to have never occurred but does not cross-reference section 851.92. In response, the committee also proposes including a catchall provision applying the procedures in section 851.92 to future diversion statutes that deem an arrest to never have occurred due to successful completion of diversion and the authorizing statute mandates or permits sealing of the record.

The Proposal

The committee proposes adding a cross-reference to section 851.92 and an advisement about access to the sealed records by a criminal justice agency to the diversion statutes that do not currently include one: sections 1001.33, 1001.55, 1001.75, 1001.80, and 1001.97. The committee further proposes amending section 851.92 to specify that its provisions and definitions apply when an arrest sealing order is made (1) under these diversion statutes, or (2) when an arrest upon which diversion was imposed is deemed to have never occurred due to successful completion of a statutorily granted diversion program and the authorizing statute mandates or permits sealing of the record.

Alternatives Considered

The committee considered different variations of the catchall provision, aiming to balance consistency in court procedures for substantially similar types of relief while not getting in front of the legislative process. The committee initially discussed including a provision applying section 851.92 procedures anytime an arrest upon which diversion is imposed is deemed to have never occurred due to successful completion of a statutorily granted diversion program. This was intended to address diversion statutes where a cross-reference to section 851.92 seemed inadvertently left out, as with the five diversion statutes addressed in this proposal. However, the legislative language in the diversion statutes that include a reference to section 851.92 states that the “arrest is deemed to have never occurred *and* the court *may* issue an order to seal the records

⁹ See §§ 851.87(c), 851.90(c), 1000.4(d), 1001.9(c), 1001.36(j)(2), 1001.83(i)(2).

pertaining to the arrest as described in section 851.92.” (Emphasis added.) The committee discussed how this language could be interpreted as giving courts the discretion to order sealing, rather than mandating it, and that the proposed catchall could get ahead of the legislative process by mandating sealing. To resolve this concern, the committee added an additional provision stating that the authorizing statute mandates or permits sealing of the record.

Fiscal and Operational Impacts

The proposed amendments are expected to have minimal operational impacts on courts due to new procedures requiring copies of an order to seal to be provided to the impacted person and relevant law enforcement agencies, as well as updates to court records related to the sealed arrest.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- The proposal includes language in Penal Code section 851.92(a) and (d) to apply when an “arrest upon which diversion was imposed is deemed to have never occurred,” similar to existing language in Penal Code section 1001.97 on court-initiated diversion. Existing language in Penal Code sections 1001.33, 1001.55, 1001.75, and 1001.80 use “arrest upon which diversion was based” instead of “imposed.” Should the proposed amendments to section 851.92 use “based” rather than “imposed” as well?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Pen. Code, §§ 851.92, 1001.33, 1001.55, 1001.75, 1001.80, and 1001.97, at pages 5–13

Sections 851.92, 1001.33, 1001.55, 1001.75, 1001.80, and 1001.97 of the Penal Code would be amended, effective January 1, 2028, to read:

1 **§ 851.92**

2
3 **(a)**

4
5 This section applies when an arrest record is sealed pursuant to Sections 851.87,
6 851.90, 851.91, 1000.4, 1001.33, 1001.55, 1001.75, 1001.80, and 1001.9, and
7 1001.97, or when an arrest upon which diversion was imposed is deemed to have
8 never occurred due to successful completion of a statutorily granted diversion
9 program and the authorizing statute mandates or permits sealing of the record.

10
11 **(b)**

12
13 When the court issues an order to seal an arrest, the sealing shall be accomplished
14 as follows:

15
16 (1) The court shall provide copies of the order and a report on the disposition of
17 the arrest, as follows:

18
19 (A) Upon issuing the order, the court shall provide a copy to the person
20 whose arrest was sealed and to the prosecuting attorney.

21
22 (B) Within 30 days of issuing the order, the court shall forward a copy of
23 the order to the law enforcement agency that made the arrest, to any
24 other law enforcement agency that participated in the arrest, and to the
25 law enforcement agency that administers the master local summary
26 criminal history information that contains the arrest record for the
27 sealed arrest.

28
29 (C) Within 30 days of issuing the order, the court shall furnish a disposition
30 report to the Department of Justice indicating that relief has been
31 ordered and providing the section of the Penal Code under which that
32 relief was granted and the date that relief was granted.

33
34 (D) A sealing order made pursuant to this subdivision shall not be
35 forwarded to the Department of Justice to be included or notated in the
36 department’s manual or electronic fingerprint image or criminal history
37 record systems. Any sealing order made pursuant to this subdivision
38 and received by the Department of Justice shall not be processed by the
39 department.

40
41 (2) The arrest record shall be updated, as follows:
42

- 1 (A) The local summary criminal history information shall include, directly
2 next to or below the entry or entries regarding the sealed arrest, a note
3 stating “arrest sealed” and providing the date that the court issued the
4 order, and the section pursuant to which the arrest was sealed. This note
5 shall be included in all master copies of the arrest record, digital or
6 otherwise.
7
- 8 (B) The state summary criminal history information shall include, directly
9 next to or below the entry or entries regarding the sealed arrest, a note
10 stating “arrest relief granted,” providing the date that the court issued
11 the order and the section of the Penal Code pursuant to which the relief
12 was granted. This note shall be included in all master copies of the
13 arrest record, digital or otherwise.
14
- 15 (3) A police investigative report related to the sealed arrest shall, only as to the
16 person whose arrest was sealed, be stamped “ARREST SEALED: DO NOT
17 RELEASE OUTSIDE THE CRIMINAL JUSTICE SECTOR,” and shall note
18 next to the stamp the date the arrest was sealed and the section pursuant to
19 which the arrest was sealed. The responsible local law enforcement agency
20 shall ensure that this note is included in all master copies, digital or
21 otherwise, of the police investigative report related to the arrest that was
22 sealed.
23
- 24 (4) Court records related to the sealed arrest shall, only as to the person whose
25 arrest was sealed, be stamped “ARREST SEALED: DO NOT RELEASE
26 OUTSIDE OF THE CRIMINAL JUSTICE SECTOR,” and shall note next to
27 the stamp the date of the sealing and the section pursuant to which the arrest
28 was sealed. This stamp and note shall be included on all master court dockets,
29 digital or otherwise, relating to the arrest.
30
- 31 (5) Arrest records, police investigative reports, and court records that are sealed
32 under this section shall not be disclosed to any person or entity except the
33 person whose arrest was sealed or a criminal justice agency. Nothing shall
34 prohibit disclosure of information between criminal history providers.
35
- 36 (6) Notwithstanding the sealing of an arrest, a criminal justice agency may
37 continue, in the regular course of its duties, to access, furnish to other
38 criminal justice agencies, and use, including, but not limited to, by discussing
39 in open court and in unsealed court filings, sealed arrests, sealed arrest
40 records, sealed police investigative reports, sealed court records, and
41 information relating to sealed arrests, to the same extent that would have been
42 permitted for a criminal justice agency if the arrest had not been sealed.
43

1 (c) Unless specifically authorized by this section, a person or entity, other than a
2 criminal justice agency or the person whose arrest was sealed, who disseminates
3 information relating to a sealed arrest is subject to a civil penalty of not less than
4 five hundred dollars (\$500) and not more than two thousand five hundred dollars
5 (\$2,500) per violation. The civil penalty may be enforced by a city attorney,
6 district attorney, or the Attorney General. This subdivision does not limit any
7 existing private right of action. A civil penalty imposed under this section shall be
8 cumulative to civil remedies or penalties imposed under any other law.

9
10 (d)

11
12 As used in this section, ~~and~~ Sections 851.87, 851.90, 851.91, 1000.4, 1001.33,
13 1001.55, 1001.75, 1001.80, and 1001.9, and 1001.97, or when an arrest upon which
14 diversion was imposed is deemed to have never occurred due to successful
15 completion of a statutorily granted diversion program and the authorizing statute
16 mandates or permits sealing of the record, all of the following terms have the
17 following meanings:

18
19 (1) “Arrest record” and “record pertaining to an arrest” mean information
20 about the arrest or detention that is contained in either of the following:

21
22 (A) The master, or a copy of the master, local summary criminal
23 history information, as defined in subdivision (a) of Section
24 13300.

25
26 (B) The master, or a copy of the master, state summary criminal
27 history information as defined in subparagraph (A) of paragraph
28 (2) of subdivision (a) of Section 11105.

29
30 (2) “Court records” means records, files, and materials created, compiled, or
31 maintained by or for the court in relation to court proceedings, and includes,
32 but is not limited to, indexes, registers of actions, court minutes, court orders,
33 court filings, court exhibits, court progress and status reports, court history
34 summaries, copies of state summary criminal history information and local
35 summary criminal history information, and any other criminal history
36 information contained in any of those materials.

37
38 (3) “Criminal history provider” means a person or entity that is not a criminal
39 justice agency and that provides background screening services or criminal
40 history information on identified individuals to the public or to those outside
41 the criminal justice sector upon request, charge, or pursuant to a contractual
42 agreement or that aggregates into databases that are open to the public or to
43 those outside the criminal justice sector upon request or charge, or pursuant

1 to a contractual agreement, that are not created or maintained by a criminal
2 justice agency, criminal history information on identified individuals. For the
3 purposes of this paragraph, a criminal history provider includes an
4 investigative consumer reporting agency, as defined in Section 1786.2 of the
5 Civil Code, a consumer credit reporting agency, as defined in Section 1785.3
6 of the Civil Code, and a consumer reporting agency, as defined in Section
7 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)).
8

9 (4) “Criminal justice agency” means an agency at any level of government that
10 performs, as its principal function, activities relating to the apprehension,
11 prosecution, defense, adjudication, incarceration, or correction of criminal
12 suspects and criminal offenders. A criminal justice agency includes, but is not
13 limited to, any of the following:
14

- 15 (A) A court of this state.
- 16 (B) A peace officer, as defined in Section 830.1, subdivisions (a) and
17 (e) of Section 830.2, subdivision (a) of Section 830.3, subdivision
18 (a) of Section 830.31, and subdivisions (a) and (b) of Section
19 830.5.
- 20 (C) A district attorney.
- 21 (D) A prosecuting city attorney.
- 22 (E) A city attorney pursuing civil gang injunctions pursuant to
23 Section 186.22a, drug abatement actions pursuant to Section
24 3479 or 3480 of the Civil Code or Section 11571 of the Health
25 and Safety Code, or a city attorney or county counsel pursuing
26 gun violence restraining orders pursuant to Division 3.2
27 (commencing with Section 18100) of Title 2 of Part 6.
- 28 (F) A probation officer.
- 29 (G) A parole officer.
- 30 (H) A public defender or an attorney representing a person, or a
31 person representing themselves, in a criminal proceeding, a
32 proceeding to revoke parole, mandatory supervision, or
33 postrelease community supervision, or in a proceeding described
34 in Chapter 3.5 (commencing with Section 4852.01) of Title 6 of
35 Part 3.
- 36 (I) An expert, investigator, or other specialist contracted by a
37 prosecuting attorney or defense attorney to accomplish the
38 purpose of the prosecution, defense, or representation in the
39 criminal proceeding.
- 40 (J) A correctional officer.

41
42 (5) “Police investigative report” means intelligence, analytical, and investigative
43 reports and files created, compiled, and maintained by a law enforcement

1 criminal justice agency and relating to a potential crime, violation of the law,
2 arrest, detention, prosecution, or law enforcement investigation.

3
4 **§ 1001.33 (cognitive developmental disabilities diversion)**

5
6 **(a)**

7
8 Any record filed with the Department of Justice shall indicate the disposition in
9 those cases diverted pursuant to this chapter. Upon successful completion of a
10 diversion program, the arrest upon which the diversion was based shall be deemed
11 to have never occurred, and the court may order those records pertaining to the
12 arrest to be sealed as described in Section 851.92. The divertee may indicate in
13 response to any question concerning ~~his or her~~ their prior criminal record that ~~he or~~
14 ~~she was~~ they were not arrested or diverted for the offense, except as specified in
15 subdivision (b). A record pertaining to an arrest resulting in successful completion
16 of a diversion program shall not, without the divertee's consent, be used in any way
17 that could result in the denial of any employment, benefit, license, or certificate.

18
19 **(b)**

20
21 The divertee shall be advised that, regardless of ~~his or her~~ the divertee's successful
22 completion of diversion, the arrest upon which the diversion was based may be
23 disclosed by the Department of Justice in response to any peace officer application
24 request and that, notwithstanding subdivision (a), this section does not relieve ~~him~~
25 ~~or her~~ the divertee of the obligation to disclose the arrest in response to any direct
26 question contained in any questionnaire or application for a position as a peace
27 officer, as defined in Section 830.

28
29 **(c)**

30
31 The divertee shall be advised that, regardless of the divertee's successful
32 completion of diversion, an order to seal records pertaining to an arrest made
33 pursuant to this section has no effect on a criminal justice agency's ability to access
34 and use those sealed records and information regarding sealed arrests, as described
35 in Section 851.92.

36
37 **§ 1001.55 (misdemeanor offender diversion)**

38
39 **(a)**

40
41 Any record filed with the Department of Justice shall indicate the disposition
42 in those cases diverted pursuant to this chapter. Upon successful completion of a
43 diversion program, the arrest upon which the diversion was based shall be deemed

1 to have never occurred, and the court may order those records pertaining to the
2 arrest to be sealed as described in Section 851.92. The divertee may indicate in
3 response to any question concerning ~~his or her~~ their prior criminal record that ~~he or~~
4 ~~she was~~ they were not arrested or diverted for the offense, except as specified in
5 subdivision (b). A record pertaining to an arrest resulting in successful completion
6 of a diversion program shall not, without the divertee's consent, be used in any way
7 that could result in the denial of any employment, benefit, license, or certificate.

8
9 **(b)**

10
11 The divertee shall be advised that, regardless of ~~his or her~~ the divertee's successful
12 completion of diversion, the arrest upon which the diversion was based may be
13 disclosed by the Department of Justice in response to any peace officer application
14 request and that, notwithstanding subdivision (a), this section does not relieve ~~him~~
15 ~~or her~~ the divertee of the obligation to disclose the arrest in response to any direct
16 question contained in any questionnaire or application for a position as a peace
17 officer, as defined in Section 830.

18
19 **(c)**

20
21 The divertee shall be advised that, regardless of the divertee's successful
22 completion of diversion, an order to seal records pertaining to an arrest made
23 pursuant to this section has no effect on a criminal justice agency's ability to access
24 and use those sealed records and information regarding sealed arrests, as described
25 in Section 851.92.

26
27 **§ 1001.75 (parental diversion)**

28
29 **(a)**

30
31 Any record filed with the Department of Justice shall indicate the disposition in
32 those cases diverted pursuant to this chapter. Upon successful completion of a
33 diversion program, the arrest upon which the diversion was based shall be deemed
34 to have never occurred, and the court may order those records pertaining to the
35 arrest to be sealed as described in Section 851.92. The divertee may indicate in
36 response to any question concerning ~~his or her~~ their prior criminal record that ~~he or~~
37 ~~she was~~ they were not arrested or diverted for that offense, except as specified in
38 subdivision (b). A record pertaining to an arrest resulting in successful completion
39 of a diversion program shall not, without the divertee's consent, be used in any way
40 that would result in the denial of any employment, benefit, license, or certificate.

1
2 **(b)**

3
4 The divertee shall be advised that, regardless of ~~his or her~~ the divertee's successful
5 completion of diversion, the arrest upon which the diversion was based may be
6 disclosed by the Department of Justice in response to any peace officer application
7 request and that, notwithstanding subdivision (a), this section does not relieve ~~him~~
8 ~~or her~~ the divertee of the obligation to disclose the arrest in response to any direct
9 question contained in any questionnaire or application for a position as a peace
10 officer, as defined in Section 830.

11
12 **(c)**

13
14 The divertee shall be advised that, regardless of the divertee's successful
15 completion of diversion, an order to seal records pertaining to an arrest made
16 pursuant to this section has no effect on a criminal justice agency's ability to access
17 and use those sealed records and information regarding sealed arrests, as described
18 in Section 851.92.

19
20 **§ 1001.80 (military diversion)**

21
22 **(a)-(j) * * ***

23
24 **(k)**

25
26 A record filed with the Department of Justice shall indicate the disposition of those
27 cases diverted pursuant to this chapter. Upon successful completion of a diversion
28 program, the arrest upon which the diversion was based shall be deemed to have
29 never occurred, and the court may order those records pertaining to the arrest to be
30 sealed as described in Section 851.92. The defendant may indicate in response to a
31 question concerning their prior criminal record that they were not arrested or
32 diverted for the offense, except as specified in subdivision (l). A record pertaining
33 to an arrest resulting in successful completion of a diversion program shall not,
34 without the defendant's consent, be used in a way that could result in the denial of
35 any employment, benefit, license, or certificate.

36
37 **(l)**

38
39 The defendant shall be advised that, regardless of their successful completion of
40 diversion, the arrest upon which the diversion was based may be disclosed by the
41 Department of Justice in response to a peace officer application request and that,
42 notwithstanding subdivision (k), this section does not relieve them of the obligation

1 to disclose the arrest in response to a direct question contained in a questionnaire or
2 application for a position as a peace officer as defined in Section 830.

3

4 **(m)**

5

6 The defendant shall be advised that, regardless of their successful completion of
7 diversion, an order to seal records pertaining to an arrest made pursuant to this
8 section has no effect on a criminal justice agency's ability to access and use those
9 sealed records and information regarding sealed arrests, as described in Section
10 851.92.

11

12 ~~(m)~~**(n)** * * *

13

14 ~~(n)~~**(o)** * * *

15

16 ~~(o)~~**(p)** * * *

17

18 ~~(p)~~**(q)** * * *

19

20 **§ 1001.97 (court-initiated misdemeanor diversion)**

21

22 **(a)**

23

24 Upon successful completion of the terms, conditions, or programs ordered by the
25 court pursuant to Section 1001.95, the arrest upon which diversion was imposed
26 shall be deemed to have never occurred, and the court may order those records
27 pertaining to the arrest to be sealed as described in Section 851.92. The defendant
28 may indicate in response to any question concerning their prior criminal record that
29 they were not arrested. A record pertaining to an arrest resulting in successful
30 completion of the terms, conditions, or programs ordered by the court shall not,
31 without the defendant's consent, be used in any way that could result in the denial
32 of any employment, benefit, license, or certificate.

33

34 **(b)**

35

36 The defendant shall be advised that, regardless of their successful completion of
37 diversion, the arrest upon which the diversion was based may be disclosed by the
38 Department of Justice in response to a peace officer application request and that,
39 notwithstanding subdivision (a), this section does not relieve them of the obligation
40 to disclose the arrest in response to a direct question contained in a questionnaire or
41 application for a position as a peace officer, as defined in Section 830.

1
2
3
4
5
6
7
8
9

(c)

The defendant shall be advised that, regardless of their successful completion of diversion, an order to seal records pertaining to an arrest made pursuant to this section has no effect on a criminal justice agency's ability to access and use those sealed records and information regarding sealed arrests, as described in Section 851.92.