[DATE]

**Re: [BILL] (SPONSOR)**

**Position: Support**

REPRESENTATIVE]

[ADDRESS]

Via fax: [NUMBER], email: [ADDRESS]

Dear [REPRESENTATIVE]:

On behalf of [YOUR ORGANIZATION], I write in support of [BILL] by [SPONSOR]. [BILL] would allow persons who have successfully completed deferred entry of judgment for minor drug offenses to expunge the guilty plea from their record.  Not only will this allow people who met court conditions to move on with their lives without the burden of a guilty plea on their record, the bill will eliminate the harsh and unintended federal consequences that flow from minor drug offenses, including deportation.  This bill will keep California families together, support the law's rehabilitation goals, and promote equal justice.

Current California law provides for deferred entry of judgment (DEJ) for minor drug offenses, most involving possession or use of drugs. A defendant is required to plead guilty, waive his or her right to a speedy trial, and complete a drug treatment program. If the defendant successfully completes the program, the charges against the defendant are dismissed.  The DEJ statute informs defendants that once the charges are dismissed, there will be no conviction for any purpose, the arrest will be deemed never to have occurred, and they will not be denied any legal benefit.

However, due to a misalignment between state and federal laws, this dismissal does not protect defendants from federal consequences. For U.S. citizens, these convictions can carry long-term negative consequences, including loss of federal housing and educational benefits.  For noncitizens, the consequences can be devastating. They include deportation, mandatory detention, and permanent separation from families and employment.  Relying on the statutory promise under state law, thousands of immigrants have pled guilty, met all the court conditions, and still have been deported. Once in deportation proceedings, people are often imprisoned in private, for-profit prisons far from their families, without legal representation-all for an offense that the state of California no longer deems to exist.

According to research by Syracuse University, over 250,000 people have been deported from the U.S. for nonviolent drug offenses since 2008. A nonviolent drug offense was the cause of deportation for more than one in every ten people deported in 2013 for any reason.

This is particularly devastating to families in California, which is the most immigrant-rich state in America. One out of every four persons living in the state is foreign-born. Half of California's children live in households headed by at least one foreign-born parent -- and the majority of these children are U.S. citizens. It is estimated that 50,000 parents of California U.S. citizen children were deported in a little over two years, leaving many children parentless. Deportation due to minor drug offenses destroys California families.

[BILL] offers an expungement provision to assist the thousands of nonviolent defendants who pled guilty and successfully completed court-ordered drug programs.  The expungement provision will permit them to withdraw their plea in a manner that federal immigration authorities will accept -and move on with their lives.  This was the original, central intent of the DEJ provisions. This expungement will not retroactively change the effect of California DEJ dispositions because under state law, the person already is deemed to have no conviction or arrest.  Instead, this bill provides a technical withdrawal of plea to meet federal standards, in order to prevent the needless and unfair destruction of California families.

It is well past the time that California keep the basic promise of equal justice for all, and remove the groundless disparity in the application of these laws.  [BILL] by [SPONSOR] will immeasurably benefit California families.  It will mean that those individuals who have completed rehabilitation will no longer face severe and unintended federal consequences including: deportation, loss of housing, loss of education benefits, and will protect California children and families.

For more information on our position or our organization, please contact me at [PHONE NUMBER AND OR EMAIL] Thank you [REPRESENTATIVE], for your consideration of our position and your leadership for all California families, including families with an immigrant parent.

Respectfully,

Signature

Name

Organization and Title