

# Fresh Start Act (SB 1106)

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**Beginning January 1, 2023, courts may no longer deny criminal record relief solely because you have unpaid restitution.**

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## **How does Senate Bill 1106 affect me?**

- Senate Bill 1106 removes unpaid restitution and restitution fines as a barrier to criminal record relief
- Record relief may be available to individuals who:
  - Do not have any pending charges,
  - Are not serving a sentence, and
  - Are not on probation.\*

## **What about people who are currently in jail or prison?**

- Currently incarcerated people are not eligible for record relief.
- Individuals sentenced to jail or state prison may be eligible for record relief upon release. Ask a legal service provider about your eligibility for relief.

## **What if I applied for record relief and was denied because of my unpaid restitution?**

- If you were previously denied record relief because of unpaid restitution, you may reapply starting January 1, 2023, when the bill goes into effect.

## **Does this law affect my restitution debt?**

- No. This law does not eliminate your restitution debt or prevent any court, county, or state agency from collecting restitution from you.
- Successfully cleaning your record will not eliminate your restitution order or your obligation to pay victim restitution or fines

## **Will this law automatically clear my record?**

- No. You must apply to have your record cleared. See the service providers on the next page for assistance.

\*Though service providers may be able to assist with early termination of probation.

# Need Help?

See what resources might be available in your county below.

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## Public Defender Offices

*Statewide*

Contact your local public defender's office for questions about eligibility and how you can get record relief.

Visit [www.ospd.ca.gov/ca-pd](http://www.ospd.ca.gov/ca-pd) to find your county's PD office.

### Root & Rebound

*Statewide*

(510) 279-4662 (Fridays 9-3)

### East Bay Community Law Center & Alameda County Public Defender's Office

*Alameda County*

[cleanslate.acgov.org](http://cleanslate.acgov.org)

### Legal Aid Foundation of LA

*Los Angeles County*

(800) 399-4529

### A New Way of Life Reentry Project

*Imperial, Kern, Los Angeles, Orange,  
Riverside, San Diego, Santa Barbara, San  
Bernardino, and Ventura Counties*

(323) 563-3575, extension 6, then 1 to  
register for virtual legal clinic

### Bay Area Legal Aid

*Alameda and Contra Costa Counties*

1-800-551-5554 (Mondays & Thursdays  
9:30-1, Tuesdays & Wednesdays 9:30-3)  
[www.tinyurl.com/baylegalaids](http://www.tinyurl.com/baylegalaids)

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## Are you still paying off restitution?

Debt Free Justice California is working to improve California's harmful and ineffective restitution system. Find updates and ways to get involved in our work at <https://ebclc.org/cadebtjustice/about/>