



Santa Barbara County Districts Attorney's Neighborhood Restorative Justice Program

Offender Rights

1. **The Program is Voluntary:** It is your decision whether or not to participate. 2. You do not need to discuss your case: You should not say anything about your arrest or case to anyone until you have decided to participate.

2. **If you have questions or choose not to participate you can call a lawyer:** You can hire an attorney to advise you, or if you cannot afford an attorney, you can call the Public Defender's Office at (805) 568-3470. (Will not be representation at the conference with the NRJP Program.)

3. **It is possible that your case will still be dismissed even if you do not participate:** The District Attorney offers you the option to go through Neighborhood Restorative Justice Program instead of having your case go through the criminal justice system.

For infractions, that means you will not have to go to Traffic Court if you go to Neighborhood Restorative Justice Program. For misdemeanors, that means you do not have to go to Criminal Court if you go to Neighborhood Restorative Justice Program.

There is a chance that the case could be dismissed in Traffic Court or Criminal Court even if you don't participate in Neighborhood Restorative Justice Program.

5. **You have a right to a lawyer in criminal court:** If your misdemeanor case is prosecuted in criminal court and you cannot afford an attorney, one will be appointed to defend you.

6. **The hearing is confidential:** It is a discussion with residents in a community setting designed to address crime. The content of this discussion is confidential and will not be used in a criminal court proceeding.

7. **Arrest records are separate from this process:** After you have fulfilled all of the obligations at Neighborhood Restorative Justice Program, your case will be closed, you will not have a record in court of either charges being filed against you or a conviction. No further criminal proceedings associated with this arrest or citation will be initiated.

An arrest of the incident would be on your record if you were photographed and fingerprinted. You may petition to have your arrest sealed if you are not arrested or cited for another criminal offense within two years of completing your obligations in Neighborhood Restorative Justice Program. This means that the District Attorney's Office will not oppose your petition, and you will be able to say legally that you were not arrested.

*You will need to contact the **Clean Slate Program** at the Public Defender's office for further instructions. **Clean Slate Program** can be reached at (805) 568-3470.*

for more information, visit: <https://www.countyofsb.org/defender>

- **Neighborhood Restorative Justice Program does not discriminate** on the basis of race, color, national origin, religion, sex, disability, and/or age.

If you would like additional information about Neighborhood Restorative Justice Program, please call 805-403-0448, visit http://countyofsb.org/da/cp_NRJP.html, or email SBDANeighborhoodRJP@co.santa-barbara.ca.us