

California Police Reports and Clearance Documents for Immigration Purposes: A Legal Analysis

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FINDINGS

CALIFORNIA POLICE REPORTS AND CLEARANCE DOCUMENTS FOR IMMIGRATION PURPOSES: A COMPREHENSIVE LEGAL ANALYSIS

This report provides an in-depth examination of the procedures, legal frameworks, and practical considerations involved in obtaining police reports and clearance documents for immigration purposes in California. The analysis addresses the distinction between local police clearance letters and California Department of Justice (DOJ) background checks for visa and immigration applications, the legal requirements imposed by federal immigration law on such documents, the role of California's Values Act (SB 54) in protecting immigrant access to police services, and the procedural mechanics of obtaining these documents across California's diverse law enforcement landscape. The report synthesizes current California statutory law, federal immigration regulations, and practical guidance from law enforcement agencies throughout Northern California, with particular attention to the San Francisco immigration jurisdiction. Key findings include that applicants for immigration benefits may require either local police clearance letters or state-level DOJ background checks depending on the specific visa category and jurisdiction, that California law provides explicit protections prohibiting local law enforcement from sharing certain personal information with immigration authorities, that such clearance documents must meet specific federal requirements including potential apostille authentication for international use, and that processing timelines vary significantly depending on whether applicants utilize electronic Live Scan fingerprinting through the California DOJ or manual fingerprint card submissions to local police departments.

Understanding the Landscape: Types of Police Documents and Their Immigration Contexts

Before addressing the specific procedures for obtaining police documents in California, it is essential to understand the distinct categories of documents that may be required in different immigration scenarios, as the terminology used by various government agencies can create confusion among applicants and their representatives. The federal immigration system distinguishes between several types of documents related to police and criminal records, each serving different purposes within the visa and permanent residence application process and each obtained through different procedural channels depending on the applicant's jurisdiction and immigration objective.

The term "police clearance" or "police clearance letter" refers to a document issued by local law enforcement agencies, typically city or county police departments or sheriff's offices, attesting to whether an individual has a criminal record in that specific jurisdiction.^{[9][10][4]} These letters are sometimes referred to as "letters of good conduct" or "letters of good character," and they establish that an applicant has either no arrests or convictions within that particular municipality or county, or they may disclose arrests and convictions in some jurisdictions depending on local policy.^{[9][10]} Police clearance letters issued by local departments typically cover only that jurisdiction's records and do not include disposition information (the final outcome of criminal cases) in many California jurisdictions, though some departments provide more detailed information.^[12] These locally issued clearance letters differ fundamentally from state-level background checks, which will be discussed separately below.

Distinct from local police clearance letters, the California Department of Justice offers a specialized service for applicants seeking background checks specifically for visa and immigration purposes.^{[1][26]} This service, sometimes referred to as the "Visa/Immigration" background check, provides applicants with a record

clearance from the California DOJ based on California state criminal history records maintained by the Bureau of Criminal Information and Analysis (BCIA).[1][26] The California DOJ Visa/Immigration background check is the document explicitly recognized by U.S. Citizenship and Immigration Services (USCIS) and consular officers for immigration applications when a state-level background check is required.[1][26]

At the federal level, immigration law distinguishes between what it terms "police certificates" and "police records." Federal regulations require that applicants for immigration benefits from outside the United States who are applying for family-based green cards submit original or certified copies of police certificates from specified countries and territories.[17][34][41] The federal government's use of the term "police certificate" refers to the official document issued by a foreign country's police authority, not to locally issued U.S. clearance letters.[14][31][45] Critically, the federal government does not require U.S.-based police certificates for applicants applying for permanent residence from within the United States through the adjustment of status process; instead, applicants adjusting status within the U.S. must obtain and submit police records and court records if they have been arrested or convicted of crimes.[14][31][45]

The confusion between these different document types creates significant practical challenges for California applicants. A person applying for an immigrant visa from outside the United States will need to obtain police certificates from countries where they previously lived, but will not need to obtain U.S. police documents.[17][34][41] By contrast, a person adjusting status to permanent resident within the United States will need to submit police and court records only if they have actually been arrested or convicted of crimes in the United States.[14][31][45] However, California's DOJ Visa/Immigration background check procedure is designed specifically for those cases where a state-level criminal history check is required for immigration, consular processing, employment authorization, or visa purposes.[1][26]

California Department of Justice Visa/Immigration Background Checks: Procedures and Requirements

The California Department of Justice offers two distinct methodologies for applicants to obtain background checks for visa and immigration purposes, reflecting the different circumstances of applicants residing in California versus those residing outside the state or in other countries. Understanding the distinctions between these procedures is critical for immigration practitioners assisting clients, as the choice between methodologies affects processing times, costs, and documentation requirements.

Live Scan Electronic Submission Procedure for California Residents

For applicants currently residing in California, the California DOJ requires submission of fingerprints through the electronic Live Scan process, which is the standard fingerprinting method used throughout California by law enforcement agencies, court services, and authorized private vendors.[1][26] To initiate a Visa/Immigration background check through Live Scan, the applicant must first obtain and complete Form BCIA 8016 VISA (Live Scan), which is the official application form maintained by the California DOJ for this specific purpose.[1][26] The form requires the applicant to provide comprehensive personal information including full legal name, date of birth, social security number, place of birth, current address, and other identifying information necessary for the DOJ to conduct an accurate criminal history search.[2]

Upon completion of the application form, the applicant must locate an authorized Live Scan fingerprinting site to submit their fingerprints electronically.[1][26] These sites include local police departments, sheriff's offices, and private vendors specifically engaged in fingerprinting services.[1][26] The California DOJ maintains a publicly accessible list of approved Live Scan sites throughout California, including their locations, operating

hours, and the fingerprint rolling fees charged by each vendor.[1][26] It is essential that applicants review this list in advance, as fingerprint rolling fees vary significantly among locations, and some sites may accept only certain payment methods such as cash, check, or credit card.[1][26]

The total cost to the applicant for a Live Scan Visa/Immigration background check consists of two components: a mandatory \$32.00 processing fee payable to the California Department of Justice, and the fingerprint rolling fee charged by the specific Live Scan vendor selected by the applicant.[1][26][20] The fingerprint rolling fee is not standardized and varies among vendors depending on operational costs and market conditions.[1][26] Once the Live Scan submission is received and processed by the California DOJ, the response is mailed via U.S. postal mail to the applicant's address of record.[1][26] The applicant is responsible for forwarding the background check response to any requesting agency, such as a consulate, embassy, or USCIS.[1][5] Processing time for Live Scan submissions is typically faster than manual submissions, generally ranging from approximately two to three business days, though some requests may take longer depending on the complexity of the applicant's criminal history.[5][20]

Manual Fingerprint Card (FD 258) Submission Procedure for Out-of-State Applicants

For applicants residing outside of California, or in rare circumstances where Live Scan submission is not feasible, the California DOJ accepts submission of manual fingerprints on an official FBI Applicant Fingerprint Card, commonly referred to as Form FD 258.[1][26] The applicant must obtain an original FBI Form FD 258 fingerprint card from their local law enforcement agency and complete it according to the specific instructions provided by the California DOJ.[1][26] It is critical to note that the DOJ cannot accept photocopied or downloaded versions of the FD 258 form; only original, blank fingerprint cards issued by law enforcement agencies are acceptable.[5][26]

After obtaining the original fingerprint card, the applicant must visit their local law enforcement agency to be fingerprinted by qualified personnel.[1][26] The applicant should bring the completed FD 258 card and follow the fingerprinting procedures established by that law enforcement agency.[1][26] Once fingerprinted, the applicant must mail the completed FD 258 card to the California DOJ along with payment in the amount of \$32.00, made payable to the California Department of Justice by personal check drawn on a U.S. bank, money order, or certified check.[1][26] The applicant must mail these materials to the specific address designated by the California DOJ for Visa/Immigration applications: Department of Justice, Applicant Services Program, ATTN: Visa-Immigration, P.O. Box 160207, Sacramento, CA 95816-0207.[1][26]

Processing time for manual fingerprint card submissions is substantially longer than for Live Scan submissions due to the additional time required for postal mail transit and manual processing.[5][20] The California DOJ indicates that manual submissions typically require two to four weeks to process after receipt by the department, though processing times may vary depending on the volume of submissions and the complexity of the applicant's criminal history.[5][20] Once processed, the California DOJ mails the response to the applicant's address, and as with Live Scan submissions, the applicant is responsible for forwarding the background check to any requesting agency.[1][26]

Apostille and Authentication Requirements for Foreign Use

An important consideration that many applicants overlook is that the background check document received directly from the California DOJ does not include an apostille or official state seal, and therefore may not be accepted by foreign governments or foreign institutions even though it has been issued by an official California government agency.[1][5][26][27] An apostille is a certification issued by a government official authenticating the origin, authenticity, and authority of a document, and it is specifically required by the

Hague Convention of 1961 for documents that will be used in countries that are signatories to that convention.[27][30] Most countries worldwide are signatories to the Hague Convention, meaning that documents intended for use in those countries must be accompanied by an apostille to be considered officially valid.[27][30]

If an applicant requires an apostille for their California DOJ background check, they cannot obtain it from the California DOJ itself; instead, they must separately submit their background check document to the California Secretary of State's office for authentication with an apostille.[5][27] The California Secretary of State charges a fee of \$20.00 per apostille, plus an additional \$6.00 special handling fee for each different public official's signature that requires authentication.[27] The apostille application may be submitted by mail to the California Secretary of State's office in Sacramento, or applicants may take advantage of apostille pop-up shops that the Secretary of State's office has established throughout California at various times during the year.[27] As of February 2026, the Secretary of State's office has scheduled apostille pop-up shops in multiple California locations including Bakersfield, Santa Rosa, Dublin, City of Industry, and San Diego, where applicants can submit documents in person and potentially receive apostilles on the same day depending on the location and time constraints.[27]

For applicants whose foreign country of intended use requires a certification rather than an apostille (less common but applicable in some countries), or who need additional certifications beyond a basic apostille, they should contact the California DOJ Visa/Immigration unit at visa-immigration@doj.ca.gov to discuss these specialized requirements before submitting their background check application.[1][5][26] The applicant should clarify with the recipient consulate or government agency in their country of destination whether an apostille alone is sufficient or whether additional certifications or legalization is required.[5][30]

Local Police Clearance Letters: Jurisdictional Variations and Procedures

In addition to or instead of obtaining a background check from the California DOJ, applicants may need to obtain a local police clearance letter from their city or county police department. Local police clearance letters serve different purposes than DOJ background checks and operate under different legal frameworks and fee structures that vary significantly across California's diverse municipal and county jurisdictions. Understanding the procedures and requirements for obtaining local police clearance letters is essential for comprehensive immigration planning.

San Francisco Police Department Procedures

The San Francisco Police Department maintains a formal procedure for issuing police clearance letters, which it refers to as "letters of clearance" or sometimes "letters of good conduct." [9][10] According to the SFPD's official policy, a letter of clearance establishes that an individual has a clean criminal record in the City and County of San Francisco, and such letters may be requested for the purpose of applying for a visa or green card, adopting a child, finding employment, or addressing concerns related to mistaken identity or identity theft. [9] The SFPD offers clearance letters free of charge to applicants, which represents a significant difference from many other California jurisdictions that charge fees for similar documents. [9]

The most efficient method for obtaining an SFPD clearance letter is to apply in person at the SFPD's Identification Unit, which is located at the Hall of Justice, 850 Bryant Street, Room 475, San Francisco, California 94103. [9][10] The unit maintains business hours Monday through Friday from 8:00 AM to 5:00 PM, excluding state and federal holidays. [9] Applicants seeking clearance letters must bring a valid government-issued photo identification document such as a passport, driver's license, or California identification card. [9] The SFPD verifies applicant identity through fingerprints, and if the applicant has not

been arrested or convicted of a crime in San Francisco, the clearance letter is issued on the same day.[9]

For applicants unable to appear in person at the SFPD Identification Unit, the SFPD offers a mail-in procedure for requesting clearance letters.[9] To apply by mail, the applicant must send a notarized letter requesting the clearance, along with a photocopy of government-issued photo identification and a self-addressed stamped envelope addressed to the San Francisco Police Department Identification Unit at 850 Bryant Street, Room 475, San Francisco, California 94103.[9] The notarized letter must include the applicant's legal name and any other names the applicant has used, the applicant's date of birth, and a valid telephone number where the SFPD can reach the applicant if follow-up questions arise.[9] If the applicant wishes to have the clearance letter released to a third party rather than to themselves, the applicant must include a statement in the notarized letter identifying the person authorized to pick up the letter and providing that person's government-issued identification number.[9]

Los Angeles Police Department Procedures

The Los Angeles Police Department maintains a separate procedure for applicants seeking police clearance letters for immigration, visa, or foreign travel purposes.[8][11] Applicants wishing to obtain a police clearance letter from the LAPD must submit a written request by mail to the Records & Identification (R&I) Division.[8] When submitting a request related to a U or T visa certification, applicants are instructed to write "U or T Visa Request" on the outside of the envelope to expedite processing.[8] The LAPD's Records & Identification Division is located at Records & Identification Division, Document Processing Unit, P.O. Box 30158, Los Angeles, California 90030, ATTN: Document Processing Unit.[8]

The LAPD charges a fee of \$29.00 for crime reports, payable by check or money order made payable to the LAPD (cash is not accepted).[8] The LAPD offers a recorded information line at (213) 486-8130 for inquiries regarding report requests and status updates, and Spanish-language assistance is available by calling (213) 486-8133.[8] The LAPD maintains a downloadable crime report request form on its website to assist applicants in properly formatting their requests and providing all necessary information for document processing.[8]

San Diego County Sheriff's Department

The San Diego County Sheriff's Department issues documents referred to as "Good Conduct Letters" (GCLs), also known as police clearance letters or local background checks.[4][28] These documents are issued to demonstrate whether an applicant has a criminal history in San Diego County.[4][28] The GCLs are commonly used for immigration and visa purposes, as well as for foreign adoption, travel abroad, and church mission trip documentation.[4][28] It is important to note that a GCL from the San Diego County Sheriff covers only San Diego County records.[4][28] If an applicant requires a clearance letter covering the entire state of California, they must submit a request to the California DOJ instead.[4][28]

The San Diego County Sheriff's Department indicates that Good Conduct Letters can be processed relatively quickly, typically within three business days from the time of request.[28] For applicants requiring expedited processing, the Sheriff's Department states that staff will make a best-effort attempt to process the request more rapidly upon request.[28] The Sheriff's Department charges a fee for this service, though the specific amount is referenced on their website as requiring contact for pricing information.[4][28] For applicants needing a notarized version of the Good Conduct Letter, the applicant should contact the Sheriff's Records Division at (858) 974-2110 to discuss the specific procedures and any additional fees that may apply for notarization services.[4]

Anaheim Police Department

The Anaheim Police Department issues "Police Clearance Letters" for visa, travel, immigration, and foreign adoption purposes, authorized under California Penal Code Section 13300(c)(8), which explicitly enables persons to request record clearances or "Letters of Good Conduct" for these enumerated purposes.[12][43] The Anaheim Police Department's clearance letter process is based on the Anaheim Police Department's records only and does not include disposition information on the clearance letter itself.[12] However, applicants who wish to obtain clearance information with disposition details can refer to the California Attorney General's website for information about the Visa/Immigration background check process through the California DOJ.[12]

To obtain a Police Clearance Letter from Anaheim, applicants must complete the Anaheim Police Department's official clearance letter form and submit it along with a valid picture identification (such as a driver's license or passport) and payment of \$24.00 in the form of either a check or receipt of payment made payable to the City of Anaheim.[12][43] The completed form, photocopy of identification, and payment may be dropped off in person or mailed to the Anaheim Police Department Records section at 425 S. Harbor Blvd, Anaheim, California 92805, Attn: Records.[12][43] The form requires applicants to provide their full name, other names used, address, telephone number, date of birth, physical description including height, weight, hair color, and eye color, social security number, driver's license or other identification number, and information about whether they have ever been arrested by the Anaheim Police Department.[43]

San Jose Police Department

The San Jose Police Department charges a fee of \$24.00 for visa clearance letters, as indicated in the department's public safety fee schedule effective July 1, 2025 through June 30, 2026.[49] Applicants seeking a visa clearance letter from San Jose should contact the San Jose Police Department Records Unit located at 201 West Mission Street, San Jose, California 95110, or call the Records Unit at (408) 277-4261 for detailed information regarding the application process and current procedures.[49][52] The Records Unit maintains specific hours of operation, and applicants should verify these hours before submitting requests or visiting in person.[49][52]

Other California Jurisdictions

Beyond the major urban law enforcement agencies discussed above, numerous other California police departments and sheriff's offices maintain local clearance letter programs with varying procedures, fees, and processing times. For example, the Sacramento Police Department issues "Record Clearance letters" for applicants currently living in Sacramento or who have lived in Sacramento as an adult, with a fee of \$69.00 per letter.[53] The Mendocino County Sheriff's Office issues clearance letters with an allowance of 10 business days for processing.[25] These jurisdictional variations underscore the importance of applicants identifying which specific law enforcement agencies have jurisdiction over the geographic areas where they have lived, as they may need to obtain clearance letters from multiple jurisdictions to satisfy federal immigration requirements.

Federal Immigration Requirements for Police Certificates and Documents

Federal immigration law establishes specific requirements regarding police certificates and criminal records that applicants must understand and satisfy to successfully complete visa and permanent resident applications. These federal requirements determine whether an applicant must obtain any police documents at all, and if so, from which jurisdictions and with what specifications.

Police Certificate Requirements for Immigrant Visa Applicants

Applicants seeking to immigrate to the United States through family-based immigration who are applying for an immigrant visa from outside the United States (rather than adjusting status within the U.S.) must comply with federal requirements to obtain police certificates from specified countries and territories.[17][34][41][47] Federal regulations establish that if an applicant is 16 years of age or older, they must obtain a photocopy of a police certificate from all countries where they have lived, subject to specific criteria.[17][34][41][47] These criteria include that applicants must obtain a police certificate from their country of nationality if they have lived there for more than six months at any time in their life; from their country of current residence if different from their nationality and if they have lived there for more than six months; from any country where they have lived for at least twelve months at any time after turning 16 years old; and from any country where they have ever been arrested regardless of how long they lived there or their age at the time of arrest.[17][34][41][47]

Critically, applicants applying for immigrant visas do not need to obtain U.S. police certificates because federal immigration law explicitly states that "Present and former residents of the United States do NOT need to submit any U.S. police certificates." [17][34][41][47] This provision applies regardless of whether the applicant has a criminal record in the United States, distinguishing between the requirements for foreign police certificates and U.S. documents. However, if an applicant has been convicted of a crime in the United States, they must obtain certified copies of court and prison records related to that conviction, even if they were later granted amnesty, a pardon, or other act of clemency.[17][34][41][47]

Police certificates obtained for immigrant visa purposes must be less than two years old at the time of the applicant's visa interview.[17][34][41][47] If a police certificate is more than two years old at the time of the visa interview and the applicant still resides in or has returned to the country where the certificate was issued, the applicant must obtain a new, updated police certificate.[17][34][41][47] Applicants may request updated police certificates if there is concern that an individual has acquired a more recent police record that should be reviewed.[56]

For applicants applying for K-1 fiancé visas, similar police certificate requirements apply, though with some temporal variations.[33][36] K visa applicants who are 16 years of age or older must submit an original police certificate from their country of current residence if they have resided there for at least six months after attaining the age of sixteen, from police authorities of all other countries except the United States where the applicant has resided for at least one year after attaining the age of sixteen, and from police authorities of any country where the applicant has been arrested for any reason, regardless of how long they lived there.[33][36] Police clearance letters for K visa purposes are valid for twelve months from the date of issuance, and applicants are not required to renew a police clearance letter from a previous country of residence if they have not returned to that country since the letter was issued.[33]

No Police Certificate Requirement for Adjustment of Status Applicants

A fundamental distinction exists between the police certificate requirements for immigrant visa applicants applying from outside the United States and adjustment of status applicants applying from within the United States. Applicants adjusting status to permanent resident within the United States do not need to provide international police certificates.[14][31][45] Instead, adjustment of status applicants are required to submit police and court records if they have ever been arrested or convicted of a crime.[14][31][45] This means that applicants adjusting status must obtain certified copies of police reports and court records for any arrests or convictions from jurisdictions where they have lived, rather than the formal police certificates issued by foreign governments.[14][31][45]

This distinction has significant practical implications for California applicants. An undocumented immigrant

in California who is seeking to adjust status to permanent resident through a family petition does not need to obtain a California DOJ background check or a local police clearance letter unless they have actually been arrested or convicted of a crime in California, in which case they would need to obtain certified court records and police incident reports related to that specific arrest or conviction.[14][31][45] However, the same applicant's family member residing abroad who is applying for an immigrant visa to come to the United States would need to obtain police certificates from all countries where that family member has lived, but would not need to obtain any U.S. documents.[17][34][41][47]

Criminal Grounds of Inadmissibility and Immigration Consequences

Federal immigration law establishes that certain categories of criminal convictions make an applicant deportable or ineligible to receive a visa or permanent residence, even if the applicant is otherwise eligible for immigration benefits.[44][48][51] These criminal grounds of inadmissibility include convictions for crimes of moral turpitude, drug-related offenses, multiple criminal convictions, and aggravated felonies.[44][48][51] Immigration law's definitions of these terms do not necessarily correspond to the definitions used in state criminal law, which means that applicants must obtain legal advice from an immigration attorney to determine how their specific criminal record affects their immigration eligibility, as a conviction that seems minor under California criminal law may have serious immigration consequences.[44][48][51]

California Values Act (SB 54) and Immigrant Access to Police Services

Beyond the procedural mechanics of obtaining police documents, California law establishes important protections that affect how undocumented immigrants and immigrants with questionable status can safely interact with law enforcement to obtain clearance letters and other police documents. California Government Code Section 7282 et seq., commonly known as the California Values Act or Senate Bill 54 (SB 54), establishes that no state or local law enforcement agency shall use its resources to assist federal immigration enforcement, with specified limited exceptions.[3][6][37][40]

SB 54 Protections for Undocumented Immigrants

The California Values Act prohibits state and local law enforcement from asking questions about immigration status as part of routine law enforcement interactions, and additionally prohibits local law enforcement from arresting individuals solely for having a deportation order or for most other immigration violations.[3][37][40] Importantly, the statute prohibits local law enforcement from using Immigration and Customs Enforcement (ICE) or Border Patrol agents as interpreters in law enforcement matters, preventing the involvement of federal immigration authorities in routine police interactions.[3][37][40]

When local law enforcement arrests a person, the California Values Act prohibits the police from holding the person in custody for extended periods simply to allow federal immigration agents to take custody.[3][37][40] Similarly, local law enforcement cannot permit immigration agents to interview arrested persons without the person's written consent, and arrested persons have the right to refuse an immigration interview and to remain silent.[3][37][40] If local law enforcement decides to notify or transfer a person to immigration agents, they must provide the person with advance written notice and a copy of the ICE or Border Patrol request, giving the person an opportunity to begin assembling a legal defense.[3][37][40]

These protections create important implications for immigrants seeking to obtain police clearance letters. Because local law enforcement cannot ask about immigration status during routine police interactions, and because local police have limited ability to cooperate with federal immigration authorities except in specific circumstances, undocumented immigrants can generally visit local police departments to obtain clearance

letters without fear that their immigration status will be investigated or reported to federal immigration authorities simply for requesting the clearance letter.[3][6][37][40] However, undocumented immigrants should be aware that these protections have specific exceptions: local law enforcement may notify immigration authorities of the release date if the information is already public, and local law enforcement can choose to notify ICE or Border Patrol of an arrested person's release if the person comes within certain exceptions, such as having state prison felony convictions, most other felony convictions within fifteen years, or higher-level misdemeanors within five years.[3][37][40]

Critical Advice: Right to Remain Silent

Regardless of immigration status, California law and the United States Constitution guarantee that individuals have the right to remain silent when talking to or in front of law enforcement.[3][37][40] Anything said to police can and will be used against the person in immigration proceedings or criminal proceedings.[3][37][40] For immigrants seeking police clearance letters, this principle is critical: even if immigration agents are present, the immigrant has the right to remain silent and need not provide information about when or how they came to the United States, their citizenship or immigration status, or other immigration-related matters.[3][37][40] Immigrants should simply explain to police that they are requesting a police clearance letter for immigration purposes, provide the required identification, consent to fingerprinting for the clearance letter process, and decline to answer any questions beyond what is required for the clearance letter itself.

San Francisco Immigration Court District Context and Northern California Considerations

For immigration practitioners based in Northern California serving clients in the San Francisco immigration court district, understanding the specific procedures and nuances of obtaining police documents in this region is important for comprehensively advising clients on visa and permanent resident applications. The San Francisco immigration court district includes San Francisco, the counties of the East Bay (Alameda, Contra Costa, and Marin), and many other Bay Area jurisdictions, each with their own law enforcement agencies and clearance letter procedures.

The San Francisco Police Department's free clearance letters and relatively rapid issuance procedures (same-day issuance for in-person applicants without a local criminal record) represent a significant advantage compared to many other California jurisdictions that charge substantial fees and require multiple weeks for processing.[9][10] For clients who have resided in San Francisco, obtaining an SFPD clearance letter is a straightforward process that involves a simple office visit to 850 Bryant Street.[9] However, if a client has lived in multiple Bay Area jurisdictions or has moved between San Francisco and other Northern California counties, they may need to obtain multiple clearance letters covering different geographic areas.

When working with clients in the San Francisco immigration court district who are preparing family-based green card applications through the adjustment of status process, practitioners should carefully assess whether the client actually needs any police documents at all. If the client is adjusting status and has never been arrested or convicted of a crime in the United States, no police documents are required.[14][31][45] If the client has been arrested or convicted, they will need to obtain certified court records and police reports related to those specific incidents, not a general clearance letter.[14][31][45] This distinction is critical because many clients and practitioners mistakenly believe that adjustment of status applicants need to obtain general background clearances, when in fact only those with specific criminal issues need to provide those records.

Conversely, for clients sponsoring family members abroad who are applying for immigrant visas, those foreign relatives will need to obtain police certificates from the countries where they have lived, but not from

the United States.[17][34][41] This means that an immigrant in the San Francisco Bay Area sponsoring a spouse abroad does not need to request any California police documents; the spouse applying abroad needs to obtain police certificates from their own country and any other countries where they have lived.

Processing Timelines, Costs, and Documentation Coordination

Applicants seeking to obtain police documents for immigration purposes must carefully plan and coordinate their document collection efforts with the other requirements of their visa or permanent resident applications, as processing times vary significantly and delays in obtaining police documents can delay the entire application process.

For California DOJ Visa/Immigration background checks utilizing the Live Scan electronic submission process, applicants can generally expect processing times of approximately two to three business days from the time of submission, though some more complex cases may require up to a week for processing.[5][20] This relatively rapid processing time makes Live Scan the preferred method for applicants residing in California and facing time constraints. The total cost for a Live Scan submission is \$32.00 to the California DOJ plus the fingerprint rolling fee charged by the specific vendor, which typically ranges from \$10.00 to \$50.00 or more depending on the location and vendor.[1][26]

For applicants submitting manual fingerprint cards (FD 258) outside of California, processing times are substantially longer due to postal mail transit time and manual processing by the California DOJ staff. Total processing time from mailing the fingerprint card to receiving the background check response typically ranges from two to four weeks, and potentially longer during periods of high volume.[5][20] The cost for manual submission is \$32.00 to the California DOJ plus the cost of fingerprinting services from the local law enforcement agency or authorized vendor in the applicant's location.

For local police clearance letters, processing times and costs vary significantly by jurisdiction. San Francisco Police Department clearance letters are issued the same day for in-person applicants without a criminal record and are free of charge.[9] By contrast, the Anaheim Police Department charges \$24.00 and processes requests on an unspecified timeline.[12][43] The San Diego County Sheriff's Department charges an unspecified fee and processes Good Conduct Letters within three business days, or faster if expedited processing is requested.[4][28] Sacramento Police Department clearance letters cost \$69.00 and require ten working days for processing.[53]

If an applicant requires an apostille for use of their California DOJ background check in a foreign country, the applicant must add the California Secretary of State's processing time to the overall timeline. In-person requests at the Secretary of State's office or apostille pop-up shops may be processed immediately or within a few hours depending on the location and volume, while mail-in apostille requests generally require several weeks for processing by the Sacramento office.[27]

The coordination challenge is particularly acute for adjustment of status applicants with criminal records who need to obtain court records in addition to police documents. Court records must be obtained directly from the court where the conviction occurred, not from law enforcement agencies, and court processing times typically exceed law enforcement processing times, sometimes taking several weeks or months. Similarly, applicants converting arrests that resulted in dismissals must obtain certified copies of dismissal orders from the court, which again requires direct court contact rather than law enforcement contact.

Criminal Records and Immigration Consequences: Assessment and Documentation

Given that criminal records can profoundly affect immigration eligibility and visa issuance, applicants and their representatives must carefully assess any potential criminal history before initiating visa or permanent resident applications and must obtain thorough documentation of any criminal matters.

California criminal law provides several mechanisms that may allow applicants to reduce or eliminate criminal convictions from their record, which may have positive immigration consequences. Under California Penal Code Section 1473.7, applicants may petition the court to vacate convictions that would not have occurred but for immigration consequences, and successful vacatur motions can eliminate convictions from the applicant's record.[44][48] Under California Penal Code Section 1203.43, applicants may seek post-conviction relief to reduce the immigration consequences of their convictions.[44][48] Similarly, under California Proposition 47 provisions codified in Penal Code Section 18.5, certain drug and theft convictions may be reduced to misdemeanors, which can substantially reduce immigration consequences.[44][48] These state law remedies should be evaluated by applicants with any criminal history who are seeking immigration benefits, in coordination with specialized criminal-immigration counsel.

For applicants with arrests or convictions in their background, obtaining certified court records is essential for immigration applications. Applicants must provide copies of the complete court disposition, which includes the charge, the outcome (guilty plea, conviction, acquittal, dismissal), and the sentence if any.[44][48][51] If an applicant fails to disclose a criminal history that is discovered during USCIS processing, this failure to disclose can itself become grounds for denial of the immigration application or for deportation proceedings, even if the underlying conviction would not have been a bar to immigration benefit.[44][48][51]

Conclusion and Practical Recommendations

The process of obtaining police documents for California immigration purposes involves navigating multiple distinct systems with different procedures, costs, and processing times depending on the applicant's specific immigration objective, current location, and criminal history. At its foundation, applicants and practitioners must distinguish between the different types of documents required in different immigration contexts: local police clearance letters issued by city or county police departments; state-level background checks issued by the California Department of Justice specifically for visa and immigration purposes; federal police certificates obtained from foreign countries for immigrant visa applicants; and police records and court documents obtained from courts for applicants adjusting status who have criminal histories.

For adjustment of status applicants without criminal records, no police documents are required under federal law, despite common misconceptions to the contrary. Applicants adjusting status with criminal records must obtain certified court records and police reports related to their specific arrests or convictions, not general background clearances. Applicants applying for immigrant visas from outside the United States must obtain police certificates from foreign countries where they have lived, but not from the United States, making California DOJ or local police document collection unnecessary for foreign relatives applying for immigrant visas. Only in specific circumstances-such as employment authorization requiring a background check, visa applications where a background check is required, or domestic criminal defense cases with immigration consequences-do applicants need to obtain California DOJ background checks or local police clearance letters.

California's Values Act (SB 54) provides critical protections allowing undocumented immigrants to visit local police departments to obtain clearance letters without fear that local police will report their immigration status to federal authorities, subject to limited exceptions for serious crimes. These protections make it feasible for undocumented applicants to seek police clearance letters for legitimate immigration purposes.

Practitioners should assess each client's specific situation, determine definitively what police documents are actually required for that client's immigration objective, identify the most efficient and economical method for obtaining those documents, and build realistic timelines that account for processing delays in multiple government agencies. For clients in the San Francisco immigration court district, the relatively favorable processing times and free clearance letters from the San Francisco Police Department provide advantages over other jurisdictions, while the proximity to the California DOJ's Sacramento office (for apostille services) presents some logistical considerations. With careful planning and understanding of these distinct procedural requirements, immigration practitioners can effectively guide clients through the process of obtaining necessary police documents while protecting immigrant rights and avoiding unnecessary delays or costs.

Appendix: Key Contact Information for Northern California Law Enforcement Agencies

The San Francisco Police Department Identification Unit is located at 850 Bryant Street, Room 475, San Francisco, California 94103, operating Monday through Friday from 8:00 AM to 5:00 PM, excluding holidays. Phone: (415) 553-1415. The California Department of Justice Visa/Immigration Unit can be contacted at visa-immigration@doj.ca.gov or by telephone at 916-210-4239 (English) or 916-210-4282 (Spanish). Mailing address: California Department of Justice, Applicant Services Program, ATTN: Visa-Immigration, P.O. Box 160207, Sacramento, CA 95816-0207. The San Diego County Sheriff's Records Division can be reached at (858) 974-2110. The San Jose Police Department Records Unit is located at 201 West Mission Street, San Jose, California 95110, phone (408) 277-4261. The Sacramento Police Department Records section can be contacted regarding clearance letters at 916-808-0620.