

From: [Chris Sansoe](#)
To: [Scott Alonso](#); [Venus D. Johnson](#)
Subject: AB 2542 Discovery Request in Docket #05-192292-1
Date: Monday, December 14, 2020 8:20:39 AM
Attachments: [Disco Request - 2020.12.10.pdf](#)

Good Morning,

I was sent this discovery request after hours last Friday. A portion of it specifically deals with AB 2542. The defense has not presented any plausible theory as to why they feel entitled to this material. If you have a minute read the case summary. This Defendant, and three others, are caught leaving the home of a residential robbery in concert.

I was planning to tell the defense attorney (Yolanda Huang) to file a motion to compel so that a Judge could make any decision. Please tell me if there is anything else you would like me to do. This case is on this morning for trial call at 8:45am.

Thank you,
Chris

From: Yolanda Huang <yhuang.law@gmail.com>
Sent: Friday, December 11, 2020 4:28 PM
To: Chris Sansoe <CSansoe@contracostada.org>
Subject: Informal Discovery Request

Please see attached.

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Yolanda Huang, Esq.

528 Grand Avenue • Oakland • CA • 94610 • Phone: 510-329-2140 • Fax: 510-580-9410

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YOLANDA HUANG

ATTORNEY AT LAW

Date: December 10, 2020

Christopher Sansoe
Deputy District Attorney, Contra Costa County
900 Ward Street
Martinez, CA 94553

Re: Peo. v. Azrael Vargas, Case No. 5-192292-1

INFORMAL DISCOVERY REQUEST

PLEASE TAKE NOTICE that pursuant to Penal Code §§ 1054 and 1054.5(b) the above named defendant requests that you disclose within fifteen days:

A. MURGIA RELATED DISCOVERY

Pursuant to *Murgia v. Municipal Court* (1975) 15 Cal. 3d 286, the Defendants request that you disclose to the following items:

1. CONTRA COSTA COUNTY PROSECUTION POLICY STATEMENTS. All statements of policy, from 2015 through 2020, however recorded, concerning the prosecution of violations of Penal Code §211 occurring in Contra Costa county.
2. CONTRA COSTA COUNTY DISTRICT ATTORNEY'S TRAINING MATERIALS: All training materials from 2015 through 2020, concerning the prosecution of violations of Penal Code §211 occurring in Contra Costa county.
3. CONTRA COSTA COUNTY PROSECUTION POLICY STATEMENTS. All statements of policy, from 2015 through 2020, however recorded, concerning the prosecution of any and all crimes in which great bodily injury resulted, occurring in Contra Costa county.
4. CONTRA COSTA COUNTY DISTRICT ATTORNEY'S TRAINING MATERIALS: All training materials from 2015 through 2020, concerning the prosecution of any and all crimes in which great bodily injury resulted, occurring in Contra Costa county.
5. CONTRA COSTA COUNTY PROSECUTION POLICY STATEMENTS. All statements of policy, from 2015 through 2020, however recorded, concerning the prosecution of any and all crimes in which as a result of the crime, a death resulted, occurring in Contra Costa county.

6. CONTRA COSTA COUNTY DISTRICT ATTORNEY'S TRAINING MATERIALS: All training materials from 2015 through 2020, concerning the prosecution of any and all crimes in which as a result of the crime, death(s) resulted, occurring in Contra Costa county.
7. CONTRA COSTA COUNTY PROSECUTION POLICY STATEMENTS. All statements of policy, from 2015 through 2020, however recorded, concerning the prosecution of any and all crimes in which use of a gun was involved, a death resulted, occurring in Contra Costa county.
8. CONTRA COSTA COUNTY DISTRICT ATTORNEY'S TRAINING MATERIALS: All training materials from 2015 through 2020, concerning the prosecution of any and all crimes in which use of a gun was involved, occurring in Contra Costa county.
9. CONTRA COSTA COUNTY PROSECUTION POLICY STATEMENTS. All statements of policy, from 2015 through 2020, however recorded, concerning the use of enhancements crimes in prosecuting felony crimes, occurring in Contra Costa county.
10. CONTRA COSTA COUNTY DISTRICT ATTORNEY'S TRAINING MATERIALS: All training materials from 2015 through 2020, concerning the use of enhancements crimes in prosecuting felony crimes, occurring in Contra Costa county.
11. COMMUNICATION URGING PROSECUTION. Any and all records, regardless of format, of communication received by the Contra Costa County District Attorney urging prosecution of Penal Code §211 crimes.
12. COMMUNICATION URGING PROSECUTION. Any and all records, regardless of format, of communication received by the Contra Costa County District Attorney urging prosecution of crimes involving guns or gun use.
13. COMMUNICATION URGING PROSECUTION. Any and all records, regardless of format, of communication received by the Contra Costa County District Attorney urging prosecution of crimes resulting in great bodily injury.
14. COMMUNICATION URGING PROSECUTION. Any and all records, regardless of format, of communication received by the Contra Costa County District Attorney urging prosecution of crimes resulting in death(s).

B. ASSEMBLY BILL NO. 2542 RELATED DISCOVERY

Pursuant to *Assembly Bill 2452 – California Racial Justice Act of 2020*, the Defendants request that you disclose to the following items:

Between January 2019 and today's date, in Contra Costa County:

1. Penal Code §211

- a) the number of arrests in Contra Costa County for violation of Penal Code §211, by zip code;
- b) identification of the race or ethnicity of each of the perpetrator(s);
- c) identification of the race or ethnicity of each of the victim(s);
- d) identification of all cases in which enhancement(s) was filed;

- e) identification of the enhancement(s);
- f) whether there was injury involved;
- g) final disposition of each case identified herein.

2. Penal Code §245

- a) the number of arrests in Contra Costa County for violation of Penal Code §245 by zip code;
- b) identification of the race or ethnicity of each of the perpetrator(s);
- c) identification of the race or ethnicity of each of the victim(s);
- d) identification of all cases in which enhancement(s) was filed;
- e) identification of the enhancement(s);
- f) whether there was injury involved;
- g) final disposition of each case identified herein.

3. Use of a firearm

- a) the number of arrests in Contra Costa County for a felony violation for which use of a gun was involved;
- b) identification of the charges filed, including identification of all the enhancement(s) charged;
- c) identification of the race or ethnicity of each of the perpetrator(s);
- d) identification of the race or ethnicity of each of the victim(s);
- e) identification of all cases in which enhancement(s) was filed;
- f) whether there was injury involved;
- g) final disposition of each case identified herein.

3. Great Bodily Injury

- a) the number of arrests in Contra Costa County for a felony violation for which the victim sustained great bodily injury;
- b) identification of the charges filed, including identification of all the enhancement(s) charged;
- c) identification of the race or ethnicity of each of the perpetrator(s);
- d) identification of the race or ethnicity of each of the victim(s);
- e) identification of all cases in which enhancement(s) was filed;
- f) final disposition of each case identified herein.

3 Death

- a) the number of arrests in Contra Costa County for a felony violation in which someone died;
- b) identification of the charges filed, including identification of all the enhancement(s) charged;
- c) identification of the race or ethnicity of each of the perpetrator(s);
- d) identification of the race or ethnicity of each of the victim(s);

- e) identification of all cases in which enhancement(s) was filed;
- f) final disposition of each case identified herein.

II. REQUIRED DISCLOSURES UNDER PENAL CODE SECTION 1054.1

Pursuant to California Penal Code Part II, Title VI, Chapter 10, the Defendants request that you disclose to the following items required by Pen C § 1054.1:

1. ALL COMMUNICATIONS with Anthony Bigotti or an attorney representing Anthony Bigotti regarding any and all criminal prosecution resulting from the incident which occurred on Dec. 1 2019 at 127 Donald Drive, between Anthony Bigotti and Abby Hardy.
2. Any exculpatory evidence in the possession of any police department, the District Attorney, or any other person or agency and available to the prosecution. (Penal Code section 1054)

Defendant asks that this request be treated as a continuing request through the completion of trial.

Sincerely,

A handwritten signature in cursive script that reads "Yolanda Huang".

Yolanda Huang