

## Jacqueline Vizcarrondo

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**From:** Anthony Ashe [REDACTED]  
**Sent:** Monday, February 1, 2021 4:04 AM  
**To:** Chris Sansoe  
**Cc:** Seth Morris; Colin Cooper; Kevin M Bell; Ryan Wagner; Dan Cabral; Bill Green; Nate Gartrell  
**Subject:** Re: People v. Timmons and Dillahunt DKT#05-191852-3 - Racial Justice Act -PC 745 Informal Discovery Request

I apologize.

Mr. Sansoe either misunderstands or misstates my request.

The Timmons and Dillahunt matter is one where a robbery occurs. No victim is removed from the property where the robbery occurs, but the CCCDAO charges **Kidnapping for Robbery** which takes a crime punishable with a determinate term and charges an crime punishable by an indeterminate sentence.

I seek the racial breakdown of when this elevation of punishment occurs at the CCCDAO. In my very small sample size, it only occurs with my Black or African American clients. When the CCCDAO reviews all of its similar cases, **WHAT IS THE RACIAL BREAKDOWN?**

Ashe

On Feb 1, 2021, at 3:06 AM, Anthony Ashe [REDACTED] > wrote:

Colleagues

Initially, I agree with Mr. Sansoe that my request needs to have a specific time frame. I believe the calendar year [2019] when the crime is alleged to have occurred is sufficient for an evaluation under PC 745.

Next, I disagree that the CCCDAO [Contra Costa County District Attorney's Office] does not have access to this information. If you could give me a day with an IT person familiar with your Law and Justice system and access to the paper files, I would have the answers the law compels. If the CCCDAO answer is still NO, then please allow me to bring a formal motion prior to the expiration of the 15 day grace period. I am out of the State this week [Bandon Dunes, Oregon], but will return next week.

Lastly, this is the law. It is a new reality. The legislature is making an attempt to correct systemic racism. What does failure to comply accomplish?

Ashe

On Jan 31, 2021, at 6:07 PM, Chris Sansoe [REDACTED] wrote:

Counsel,

I have reviewed Mr. Ashe's request for discovery pursuant to the recently passed Racial Justice Act/ Now Penal Code section 745. I have included co-counsel so they may be aware of the People's position to this request.

To summarize, Mr. Ashe has requested the number of kidnapping for robberies charged by the Contra Costa County District Attorney's Office and what the ethnic/racial breakdown of those charging decisions was.

Mr. Ashe has not given any specific time frame with which this request applies to.

Mr. Ashe is laboring under the impression that this information is available within the District Attorney's Office or that the CCCDAO maintains statistics or information of this type. The CCCDAO does not maintain this type of information. The information is not accessible to me and is not within the type of information maintained by the CCCDAO.

The People will not be providing any discovery under this request. If Counsel wishes to file a formal motion to compel discovery with the court then the People will provide a formal response. Please let me know if you have any further questions or concerns regarding this request.

Thank you,

Chris Sansoe