

**From:** [California District Attorneys Association](#)  
**To:** [Venus D. Johnson](#)  
**Subject:** AB 2542 Racial Justice Act Digest for Friday June 25, 2021  
**Date:** Saturday, June 26, 2021 3:11:26 AM

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## **AB 2542 Racial Justice Act**

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started 11 hours ago, [Lisa Muscari](#) (0 replies)

#### **Responding to defense request for District Attorney's Office case data under PC 745**

1. [Good afternoon- We have just received out first...](#) [Lisa Muscari](#)

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Jun 25, 2021 7:00 PM  
[Lisa Muscari](#)

Good afternoon-

We have just received out first [informal](#) request for DA office filings and prosecution statistics in accordance with the Racial Justice Act, AB2542. The defense requested broad general statistics with regard to total filings against various ethnicities, our policies on striking strikes when in plea negotiations, and the data on the number of filings in general of a certain racial group. Their request is overbroad because the requests need to have at least some degree of specificity to the circumstances of the charged offenses and the request must be sustained by plausible justification. The defendant gives no justifications in support of his request, nor does he give any date ranges for the requested data nor does he narrow his request to similarly situated defendants by the same or similar type of crime. Thus, defense request will need to be more specific in order for us to respond to his request.

Once he tailors his request, what are other counties doing with regards to an

**informal request** from defense for data? Are any counties requiring that a formal request be made by the defendant by written motion?

If your county is responding to an informal request, how and why are you proceeding in this manner? What do you perceive to be the advantages and/or disadvantages to answering an informal request? Thank you in advance to any guidance you can share.

Semper Fidelis,

Lisa B. Muscari

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