



# OFFICE OF THE DISTRICT ATTORNEY

## CALAVERAS COUNTY

BARBARA M. YOOK  
DISTRICT ATTORNEY

August 2, 2021

Ellen Leonida  
Braunhagey & Borden, LLP  
[leonida@braunhagey.com](mailto:leonida@braunhagey.com)

Re: California Public Records Act Request

Dear Ellen Leonida,

On Friday, July 23, 2021, at 7:09 p.m., you e-mailed a request for records pursuant to the California Public Records Act ("CPRA"). Your request was read promptly upon our office opening for business on the morning of Monday, July 26. Specifically, you requested:

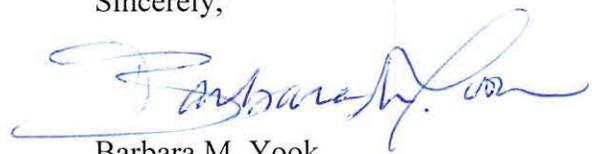
1. Any training materials related to jury selection.
2. Any training materials related to the constitutional requirements under *Batson v. Kentucky* and *People v. Wheeler*, including training materials related to handling *Batson-Wheeler* claims or motions.
3. Any and all written policies, memoranda, or guidance documents regarding:
  - a. Diversion eligibility and/or programming;
  - b. Custody and/or bail recommendations;
  - c. Charging recommendations and/or decisions, including, but not limited to:
    - i. Charging recommendations and/or decisions regarding enhancements;
    - ii. Charging recommendations and/or decisions regarding special circumstances; or
    - iii. Charging recommendations and/or decisions regarding wobblers;
  - d. Compliance with *Brady v. Maryland*, 373 U.S. 83 (1963);
  - e. Jury selection;
  - f. Sentencing recommendations;
  - g. Prosecution of minors;
  - h. Parole recommendations;
  - i. Pardon and commutation recommendations;
  - j. Reports to the State Bar relating to discipline and/or prosecutorial misconduct;
  - k. Data collection relating to criminal matters, including demographic data of defendants and victims; or
  - l. Referral of cases for federal prosecution.
4. Any and all policies regarding training as well as any training materials, recorded trainings, or related materials:
  - a. Which are mandatory for prosecutors;

- b. Which are optional for prosecutors;
  - c. Which relate to jury selection;
  - d. Which relate to bias, implicit bias, unconscious bias, and/or racism; or
  - e. Which relate to presentation and/or use of evidence from social media platforms (including but not limited to YouTube, Snapchat, Instagram, TikTok, Twitter, Facebook, Reddit and Tumblr) and other media (including but not limited to movies, song lyrics, and videos).
5. Records concerning the Racial Justice Act:
- a. Implementation of and compliance with the RJA;
  - b. Communications concerning the RJA; or
  - c. Trainings related to the RJA.
6. All investigations into *Batson-Wheeler* motions, including, but not limited to:
- a. Motions filed;
  - b. Motions granted;
  - c. Internal training and/or discipline; or
  - d. Reports to the State Bar relating to any *Batson-Wheeler* motions made and granted.

I have reviewed your request carefully and have begun working through each item. Determining whether we possess disclosable records responsive to your request, requires a search for, collection of, and examination of, a voluminous amount of separate and distinct records. In addition, we will have to consult with other departments within the County, as well as another entity that has a substantial interest in the determination of your request. For these reasons, pursuant to Government Code Section 6253(c), we are extending the response time by 14 days. We will notify you of our determination on or before August 16, 2021.

Thank you for your interest in the criminal justice system in Calaveras County. Your patience is appreciated as we continue to process your request.

Sincerely,



Barbara M. Yook  
District Attorney