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PRINCIPLE OF SERVICE

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August 5, 2021

**\*\*Via Email: [leonida@braunhagey.com](mailto:leonida@braunhagey.com)\*\***

Ellen Leonida, Esq.  
Braunhagey & Borden, LLP

Re: PRA Request Dated July 23, 2021 – California’s Racial Justice Act

Dear Ms. Leonida:

Our office represents the County of Colusa in the capacity as County Counsel. Please accept this as the County of Colusa’s response to the above-referenced PRA request, which was received by the County on July 26, 2021. Below is a summary of your requests and a specific response to each of the requests.

**Request #1:** 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.

**Request #2:** 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).

**Request #3:** 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.

**Request #4:** 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.

**Response to #1-4:** After a diligent search and reasonable inquiry, the County of Colusa did not identify any records in its possession, custody or control that were responsive to your request that are would not be protected by federal copyright law. Many of the attorneys have taken continuing education classes that include ethics or social justice topics from the California District Attorneys Association. However, it is the County's understanding that these materials are protected by federal copyright law and, as such, are exempt from disclosure. (Gov. Code, § 6254(k).)

As we have no records to provide pursuant to this request that we can provide, we consider your request completed.

Please do not hesitate to contact our office should you require any additional information or wish to discuss this matter further.

Regards,  
PRENTICE LONG, PC



Sean Cameron

cc: Matthew R. Beauchamp, Colusa County District Attorney