



# OFFICE OF THE DISTRICT ATTORNEY

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## CALAVERAS COUNTY

BARBARA M. YOOK  
DISTRICT ATTORNEY

September 17, 2021

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

Re: California Public Records Act Request

Dear Ellen Leonida:

The Calaveras County District Attorney's Office is in receipt of your request for records, dated September 7, 2021, made under the California Public Records Act ("CPRA").

Your CPRA request for public records contains 15 items, specifically:

1. Unique identifier(s) associated with each defendant, each case, and each arrest
  - a. Name of defendant
  - b. Court case number(s)
  - c. Arresting agency number(s)
  - d. Any other unique identifier(s)
2. Demographic and other information concerning each defendant
  - a. Race
  - b. Ethnicity
  - c. Country of origin or nationality
  - d. Gender/sex
  - e. Age or date of birth
  - f. Prior criminal convictions of a defendant
3. Information regarding each arrest
  - a. Zip code of arrest
  - b. Date of arrest
  - c. Charge identified by law enforcement referring individual (including top charge by law enforcement referring)
4. ADA assigned to the case
5. Decisions to decline to prosecute
  - a. Date of decision to decline to prosecute
  - b. Identity of person who made final decision to decline prosecution
  - c. Charges declined to prosecute (charge-level declinations as opposed to individual- or case-level where available)
  - d. Reasons for the declinations to prosecute, including but not limited to:
    - i. police misconduct involved in case;

- ii. injuries to persons involved;
  - iii. injuries to suspect;
  - iv. financial loss to persons involved;
  - v. prior criminal record of suspect; and
  - vi. victim's level of cooperation in prosecuting case.
- 6. Diversion offers and decisions (formal and informal, and including collaborative court and deferred prosecution)
  - a. Date of diversion offer
  - b. Type of diversion offered
  - c. Whether diversion accepted
  - d. Whether diversion completed
- 7. Charges filed
  - a. Statutes (applicable code section)
  - b. Severity (i.e., infraction, misdemeanor, wobbler, felony)
  - c. Any enhancements<sup>5</sup>
  - d. Maximum sentence
- 8. Factors considered in deciding charges to file, and level of charges, including
  - a. Injuries to persons
  - b. Financial loss to persons
  - c. Status of victim (i.e., law enforcement, child, spouse, etc.)
  - d. Prior criminal history of defendant
  - e. Victim's cooperation
- 9. Bail/custody information
  - a. Bail amount requested
  - b. Detention orders sought
  - c. Whether bail was set or denied
  - d. Whether individuals were released on bail or not
  - e. Pre-plea/pre-trial custody status
- 10. Plea offers
  - a. Charge(s) offered, including severity (i.e., infraction, misdemeanor, felony), including enhancements
  - b. Dates of plea offers
  - c. Sentence(s)/disposition(s) offered
  - d. Records of whether any plea offer was accepted, including date of acceptance
- 11. Case outcomes
  - a. Charges of conviction
  - b. Dismissed charges
  - c. Sentences
- 12. Counsel for defendant, whether public defender or private counsel
- 13. Demographic and other information concerning victims
  - a. Race
  - b. Ethnicity
  - c. Gender/sex
- 14. Recommendations regarding parole
- 15. Recommendations regarding pardon or commutation

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. 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 October 1, 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,

A handwritten signature in blue ink, appearing to read "Barbara M. Yook", with a large, stylized initial "B" and a long, sweeping flourish extending to the right.

Barbara M. Yook  
District Attorney