



OFFICE OF THE DISTRICT ATTORNEY

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DAVID HOLLISTER

DISTRICT ATTORNEY &
PUBLIC ADMINISTRATOR

29 September 2021

Ms. Ellen Leonida
Braunhagey & Borden, LLP
San Francisco & New York
Email: leonida@braunhagey

Re: CPRA Request of 7 September 2021

Dear Ms. Leonida:

Thank you for your request under the California Public Records Act (hereafter, "CPRA"), dated 7 September 2021. On September 16, 2021 I notified you of the need for 14 additional days to review and respond to your request, pursuant to Section 6253(c)(2) of the Government Code (hereafter, "GC").

For context, and as previously noted in our correspondence, before our recent fires Plumas County had a population of roughly 18,000 spread out over an area the size of Delaware. We have three stoplights in our county. Our nearest city (think Target or Costco) would be Chico to the west and Reno to the east – each approximately one and a half hours away when the roads are open and/or not under construction. The DA's office is staffed by myself and two deputy district attorneys who handle somewhere between 700 – 1,000 cases (new filings, probation violations, parole violations, juvenile petitions, etc.) a year.

Please note the responses in accord with your numbered "records requested."

1. Unique identifier(s) associated with each defendant, each case and each arrest. These items can be prepared for the date range (2015 to present) you have requested. The document we are able to generate includes the case number, defendant's name, charges, prosecutor and defense attorney. We are able to provide hard copies of your requested items. We estimate the scope of this list will be 800 to 900 pages. Our copying charges have been set by the Board of Supervisors at fifty cents for each page. Please let us know at your earliest convenience if you would like us to print this list, how you will pay for it and how you would like to receive it. Generating this list creates a tremendous strain on our limited resources and curtails our ability to handle our daily obligations so we appreciate as much notice as you are able to provide.

2. Demographic and other information concerning each defendant. Defendant information as requested is not available and would require the creation of a new document using complex and extensive reprogramming. The creation of such new records is outside the CPRA. *Sander v. State Bar of California* (2013) 58 Cal.4th 300, 327; *Fredericks v. Superior Court* (2015) 233 Cal.App.4th 209, 227.

3. Information regarding each arrest. These items are exempt from disclosure as they are part of district attorney criminal files. GC § 6254(f).

4. ADA assigned to the case. We do not have assistant district attorneys in Plumas County. We have myself and two deputy district attorneys (though one slot will soon be vacant). This item is, likewise, exempt from disclosure under GC § 6254(f). However, this information is contained in the document noted in request 1.

5. Decisions to decline to prosecute. These items are exempt from disclosure under GC § 6254(f) and, additionally, as part of our deliberative process. *California First Amendment Coalition v. Superior Court* (1998) 67 Cal.pp.4th 159, 170; GC § 6255(a).

6. Diversion offers and decisions. These items are exempt from disclosure pursuant to GC § 6254(f).

7. Charges filed. To the extent available for disclosure, these items are complied with in the documents responsive to request #1.

8. Factors considered in deciding charges to file, and level of charges, including... These items are exempt from disclosure under GC § 6254(f) and, additionally, as part of our deliberative process. *California First Amendment Coalition v. Superior Court* (1998) 67 Cal.pp.4th 159, 170; GC § 6255(a).

9. Bail/custody information. Bail information as requested is not available and would require the creation of a new document using complex and extensive reprogramming. The creation of such new records is outside the CPRA. *Sander v. State Bar of California* (2013) 58 Cal.4th 300, 327; *Fredericks v. Superior Court* (2015) 233 Cal.App.4th 209, 227.

10. Plea offers. These items are exempt from disclosure under GC § 6254(f) and, additionally, as part of our deliberative process. *California First Amendment Coalition v. Superior Court* (1998) 67 Cal.pp.4th 159, 170; GC § 6255(a).

11. Case outcomes. To the extent available, these items are complied with in the documents responsive to request #1.

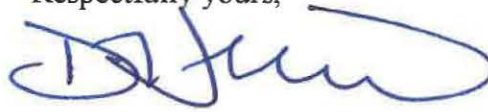
12. Counsel for defendant. These items are complied with in the documents responsive to request #1.

13. Victim Information. The victim information as requested is not available and would require the creation of a new document using complex and extensive reprogramming. The creation of such new records is outside the CPRA. *Sander v. State Bar of California* (2013) 58 Cal.4th 300, 327; *Fredericks v. Superior Court* (2015) 233 Cal.App.4th 209, 227.

14&15. Parole, Pardon and Commutation Recommendations. These items are exempt from disclosure under GC § 6254(f) and, additionally, as part of our deliberative process. *California First Amendment Coalition v. Superior Court* (1998) 67 Cal.pp.4th 159, 170; GC § 6255(a).

Again, thank you for your request and I look forward to your response on how we may provide the document noted in Response #1 at your earliest convenience.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "David Hollister", with a large, sweeping flourish at the end.

DAVID HOLLISTER
District Attorney