

October 18, 2021

VIA EMAIL

Scott Alonso
Public Information Officer
Office of the District Attorney for Contra Costa County
District Attorney Administration
900 Ward Street, Fourth Floor
Martinez, CA 94553
Email: Scott.Alonso@contracostada.org

Re: July 2021 California Public Records Act Request

Dear Mr. Alonso:

We are in receipt of your correspondence in response to our Public Records Act Request, dated July 23, 2021. We write to respond to your inquiries seeking clarification on certain items in the Request.

May 13, 2019 & July 29, 2019 “Renewed” Requests – To clarify the timeframe of the “renewed” requests, we are seeking 1) all responsive records that your office has not yet produced in response to the ACLU’s May 13, 2019 and July 29, 2019 Requests within the date parameters specified therein (if any), and 2) responsive records between the end of the timeframe in the 2019 Requests and July 23, 2021.

July 23, 2021 Request – As to your question regarding the “scope” of communications in Item 3, we are seeking communications concerning the Racial Justice Act, which necessarily includes, but is not limited to, communications concerning your office’s implementation of and compliance with the Racial Justice Act. As specified in our letter, we are seeking all paper documents, as well as all emails, videos, audio recordings, text messages, social media, or other electronic records within your office’s possession or control. If you contend that an express provision of law exempts a responsive record from disclosure, either in whole or in part, you must make that determination in writing. Such a determination must specify the legal authority on which you rely, as well as identify both the name and title of the person(s) responsible for the determination not to disclose.¹ Even if you contend that a portion of a record requested is exempt from disclosure, you still must release the non-exempt portion of that record.²

¹ Gov’t Code § 6255; *see also id.* § 6253(d)(3).

² *Id.* § 6253(a), (c).

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As to the timeframe of the records sought in Item 3, we are seeking all records from 2015 to present, as stated in our letter. This would encompass any responsive communications regarding the Racial Justice Act before it was officially enacted in 2020. If no responsive communications exist prior to 2020, then the burden on your office in producing these records should be minimal.

As to your question regarding the term “investigations” in Item 4, we are seeking records concerning internal investigations by your office.

Thank you for your assistance. Please do not hesitate to reach out to me should you have any further questions or concerns. Please also advise as to when you expect to provide a further response and production of records.

Very truly yours,



Ellen V. Leonida