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VIA EMAIL ONLY

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RE: Your Public Record Request of February 10, 2022

Dear Ms. Leonida,

This letter is in response to your Public Record Act request received by our office via mail on February 10, 2022, making the following request:

On July 23, 2021, we submitted a CPRA request to your office also seeking records relevant to the implementation of the RJA. This CPRA letter is a further request for the following records regarding relevant case, individual, and/or charge-level data in the possession or control of San Francisco District Attorney's Office for all cases considered for prosecution and/or prosecuted during the time-period 2015 to Present. Records Requested:

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*
 - d. *Maximum sentence*
8. *Factors considered in deciding charges to file, and level of charges, including*
 - a. *Name of defendant*
 - b. *Injuries to persons*
 - c. *Financial loss to persons*
 - d. *Status of victim (i.e., law enforcement, child, spouse, etc.)*
 - e. *Prior criminal history of defendant*
 - f. *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

Under the Public Records Act and the Sunshine Ordinance, a “public record” is broadly defined to include “any writing containing information relating to the conduct of the public’s business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics.” Cal. Govt. Code §6252(e). If the department has no records responsive to the specific request, the department has no duty to create or recreate one.

The above request requires this department to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are included in your single request. As such, this department is invoking an extension of our time to respond pursuant to Cal. Govt. Code §6253(c) and will provide a response on or before March 7, 2022.

Please do not hesitate to reach out to me with any questions.

Very truly yours,

Cecily R. Brewster
Assistant District Attorney
Public Information Officer