

COUNTY OF KINGS
Office of the County Counsel

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February 24, 2022

Via Electronic Mail:

praresponse@braunhagey.com

Ellen Leonida, Esq.

Joshua Wilner, Esq.

BraunHagey & Borden LLP

351 California Street, 10th Floor

San Francisco, CA 94104

Re: California Public Records Act Request Dated September 7, 2021

Dear Ms. Leonida and Mr. Wilner:

The County of Kings (“County”), processed your California Public Records Act (“CPRA”) request dated September 7, 2021.

After a diligent search of its records, the County located records responsive to your request. The responsive records are provided with this email. Please note that the records have been partially redacted to protect privacy. Gov. Code §§ 6254(c), 6254(k), 6255(a). Specifically, privileged information was not produced.

During the meeting about two weeks ago, Mr. Wilner queried as to the status of the 2015 data. Out of an abundance of caution, County demurred to study the data for a complete answer. The 2015 data reflects the transfer from one data storage system to another and the risks thereby. Nevertheless it is as holistic as any other year in question. There are fewer cases for 2015 than for other years which may be due to penological and sociological phenomena beyond County’s control.

The requested information is responded to in full for most of the thirty (30) categories of information you requested for all arrested individuals dating back to 2015. Although the excluded

records included statutorily exempt matters such as juvenile and open cases, any disparity between the extent the request asked and the extent of records given is mostly attributable to the disparity of the organizational and logistical sophistication implicit in the request's expectation and the realities of a county the size of Kings County. That said, over 40 hours of labor by management is reflected in County's response.

The County is humbled by the praise given by the requestor during the meeting two weeks ago regarding the size and scope of data the County has compiled in good faith, even and especially compared to counties as large as 65 times the size of Kings County. Upon a review of the County's endeavor and the little information that could be obtained by its continuance through the operation of the Law of Diminishing Returns, County respectfully believes it has discharged its statutory duty pithily expressed as "reasonable effort" in caselaw.¹

The County wishes to express its appreciation for your efforts and the progress this data may make on your client's work for a just society. The County believes that an undue burden upon the resources and time upon its personnel would imperil the County's own work for a just society and thanks you for your understanding.

If you have any questions, you may contact this office at the telephone number and/or address above, or via e-mail at Kyle.Rose@co.kings.ca.us. Thank you.

Sincerely,

DIANE FREEMAN

County Counsel



KYLE ROSE

Deputy County Counsel

¹ Sander v. Superior Court (2018) 26 Cal.App.5th 651, 666(internal quotation marks and citations omitted).