VIA ELECTRONIC MAIL
leonida@braunhagey.com

April 4, 2022

Ellen Leonida
ACLU Northern California

Dear Ms. Leonida:

The Los Angeles County District Attorney's Office (LADA) is in receipt of your California Public Records Act (PRA) request dated February 18, seeking:

> *"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 Los Angeles 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[5]*
    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

Due to the amount of data requested, we have conducted a search of the LADA's Prosecutors Information Management System (PIMS) database using the criteria provided in your PRA request and have identified records that are responsive to your request. Please be aware, to provide the numerous records you have requested, a computer program containing your search terms was created to access the records. The records contained in PIMS may have been imported from systems managed and maintained by departments and agencies outside of LADA, and we cannot guarantee the accuracy of those records. Additionally, there may be instances where information was inadvertently omitted from PIMS or was omitted from the records of outside departments and agencies which LADA imported into PIMS. Unique identifiers, represented as a Mask ID, have also been utilized with this data set where appropriate.

Given the voluminous amount of data requested, an individual search through case files cannot be conducted. Data that is not captured in PIMS will not be provided and is exempt for production because it is a burdensome request. Additionally, this also applies to certain instances in which PIMS reports multiple data which would necessitate an individual review to determine which data point is accurate. See American Civil Liberties Union v. Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.

PLEASE NOTE THAT THE DATA PROVIDED WAS GENERATED BY A COMPUTER PROGRAM WHICH INCORPORATES MULTIPLE COMPUTER SYSTEMS, SOME OF WHICH ARE MAINTAINED BY OTHER GOVERNMENT ENTITIES. ANY OMISSIONS OR ERRORS WERE INADVERTENT. WHILE WE STRIVE FOR ACCURACY, THE ONLY

WAY TO COMPILE THE LARGE AMOUNT OF DATA WAS TO UTILIZE A COMPUTER SYSTEM THAT DRAWS INFORMATION FROM SEVERAL SOURCES. THE LADA CANNOT VERIFY THE ACCURACY OF IMPORTED INFORMATION. ADDITIONALLY, INSTANCES IN WHICH THE DATA IS OMITTED OR IS REPORTED AS "NULL" OR "UNKNOWN" MAY BE A RESULT OF USER ERROR, INTERFACE ERROR, OR THE LACK OF AVAILABILITY OF THE DATA. LADA REVIEWED EACH ITEM OF YOUR REQUEST AND PROVIDED ALL DATA AVAILABLE TO LADA.

Regarding sentencing/disposition information: In most instances, the Los Angeles County District Attorney's Office (LADA) does not directly input sentencing information into its computer system and may have been imported from the court into the LADA system. The LADA cannot verify the accuracy of this imported information. The sentencing information provided may be inaccurate. All sentencing information should be verified by the court.

Please see below for additional information about specific items requested for this data set.

>*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)* **(Please note, this is reported as the Name of Arresting Agency)**
>>*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* **(This information is not captured in PIMS. Given the voluminous amount of data requested, this information will not be produced because it would require an individual search through case files which will not be conducted because it is a burdensome request. See American Civil Liberties Union v. Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.)**
>
>*3. Information regarding each arrest*
>>*a. Zip code of arrest* **(Please note, the LADA is unable to provide zip code information for an arrest because arrest location information is imported from booking records and is reported as free-form text; this information may be a street address, intersection, a general location description, etc. The LADA is unable to create a query to extract zip codes and distinguish**

them from street numbers and other numbers submitted on a booking record.)
   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*

PIMS reports multiple data points or is incomplete, and an individual review of each case would be necessary to determine which DDA was assigned to an individual case. Given the voluminous amount of data requested, an individual search through case files cannot be conducted because it is a burdensome request. See American Civil Liberties Union v. Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.

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:* **(The declination codes reported pursuant to California DOJ JUS8715/8715A instructions codes and explanations are captured in PIMS and are provided in the dataset. Given the voluminous amount of data requested, Items i-vi below will not be produced because it would require an individual search through case files which will not be conducted because it is a burdensome request. See American Civil Liberties Union v. Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.)**
      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)* **(PIMS does not capture the date of a diversion offer, and may not capture the type of diversion offered in certain instances. Given the voluminous**

amount of data requested, this information will not be produced because it would require an individual search through case files which will not be conducted because it is a burdensome request. See American Civil Liberties Union v. Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.)

    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[5]*
    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*

This information is not captured in PIMS. Given the voluminous amount of data requested, this information will not be produced because it would require an individual search through case files which will not be conducted because it is a burdensome request. See American Civil Liberties Union v. Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.

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*

PIMS captures the custody status at the time of booking. Please be aware that changes or updates to the custody status may or not be entered or updated while a case is pending.

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*

PIMS does not capture plea offer information, however disposition or sentencing information is captured and will be reported in the dataset in response to Item #11 below. Please see the additional references in this response regarding sentencing information contained in PIMS.

> 11. *Case outcomes*
>   a. *Charges of conviction*
>   b. *Dismissed charges*
>   c. *Sentences*

> 12. *Counsel for defendant, whether public defender or private counsel*

Please note that the identity of is generally unknown at the time of filing, therefore PIMS does not capture this data. However, instances in which this data was later entered by LADA was included in the data set.

> 13. *Demographic and other information concerning victims*
>   a. *Race*
>   b. *Ethnicity*
>   c. *Gender/sex"*

This information is not captured in PIMS. Given the voluminous amount of data requested, this information will not be produced because it would require an individual search through case files which will not be conducted because it is a burdensome request. See American Civil Liberties Union v. Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.

> 14. *Recommendations regarding parole*

This information is not captured in PIMS. Given the voluminous amount of data requested, this information will not be produced because it would require an individual search through case files which will not be conducted because it is a burdensome request. See American Civil Liberties Union v. Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.

> 15. *Recommendations regarding pardon or commutation*

This information is not captured in PIMS. Given the voluminous amount of data requested, this information will not be produced because it would require an individual search through case files which will not be conducted because it is a burdensome request. See American Civil Liberties Union v.

Deukmejian (1982) 32 Cal.3d 440, 452-453; County of Los Angeles v. Superior Court (Kusar) (1993) 18 Cal.App.4th 588, 591-592.

Given the volume of data requested, the data will be provided to you via a MFT link that will allow you to download the data. You will receive username and password information in separate emails for your account within the next 24-48 hours; the MFT link is below.

https://da.mft.lacounty.gov/EFTClient/Account/Login.htm

Very truly yours,

GEORGE GASCÓN
District Attorney

By *Kimberly Toney*

Kimberly Toney
Special Assistant
Administration