



OFFICE OF  
THE DISTRICT ATTORNEY  
COUNTY OF RIVERSIDE

MICHAEL A. HESTRIN  
DISTRICT ATTORNEY

April 13, 2022

Ellen Leonida, Esq.  
Braun Hagey & Borden LLP  
[leonida@braunhagey.com](mailto:leonida@braunhagey.com)

Subject: California Public Records Act Request

Dear Ms. Leonida:

The Riverside County District Attorney's Office received your letter dated February 18, 2022, in which you request "[r]ecords regarding relevant case, individual, and/or charge-level data in the possession or control of Riverside District Attorney's Office for all cases considered for prosecution and/or prosecuted during the time-period 2015 to Present." Your letter requests 15 items of information.

We have determined we will need a significant period of time to process your request given the voluminous number of records requested. Your request requires we conduct searches in our electronic Case Management System (CMS). However, we are currently in the process of updating our system for accuracy. CMS is reliant on manual data entry, and we have engaged an external research team to perform a data audit of the data contained. In the course of performing this audit, the external research team has identified that up to 43 percent of our data are incomplete or perhaps have errors. Importantly, at least 22 percent of CMS appears to reflect cases where charges were filed but we do not have final disposition information or sentencing information. This is true despite many of the cases beginning over a decade ago. We are actively working to backfill this information, but these critical data limitations make it inappropriate for any legitimate analyses to be performed on our data. We appreciate your patience as we work through this process.

To the extent that you wish that our office conducts a hand search of case files in order to create a list of cases with the information you seek, we decline to do so as a hand search of case files would be unduly burdensome, and thus not in the overall public

interest. (Gov. Code, § 6255; *County of Los Angeles v. Superior Court* (1993) 18 Cal.App.4th 588.) Furthermore, under the California Public Records Act, we are not required to create a record that is not currently in existence. (Gov. Code, § 6253, subd. (b), *State Bd. of Equalization v. Superior Court* (1992) 10 Cal.App.4th 1177.) This denial has been reviewed and authorized by Deputy District Attorney Natalie M. Lough as an agent of the District Attorney for this purpose.

Furthermore, the scope of your request ostensibly encompasses juvenile adjudications. To the extent you are seeking information and/or records related to juvenile adjudications, we respectfully deny your request. These records are confidential pursuant to Welfare and Institutions Code sections 827-832. (Gov. Code, § 6254, subd. (k).) For this additional reason, the District Attorney denies your request to the extent it seeks information regarding juvenile adjudications. This denial has been reviewed and authorized by Deputy District Attorney Natalie M. Lough as an agent of the District Attorney for this purpose.

However, we would like to schedule a telephone conference or a virtual meeting with you to prioritize items in your request with the hopes of expediting a rolling response from our office and to provide a realistic timeline for a response. Please feel free to contact me to schedule a date and time to discuss at your convenience. We can be reached directly via email at [cpa@rivcoda.org](mailto:cpa@rivcoda.org) or by calling 951-955-5400.

Very truly yours,

MICHAEL A. HESTRIN  
District Attorney

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NATALIE M. LOUGH  
Deputy District Attorney

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