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April 13, 2022

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Mr. Josh Wilner, Esq.  
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351 California Street, 10<sup>th</sup> Floor  
San Francisco, CA 94104

Re: California Public Records Act request received February 16, 2022

Dear Mr. Wilner:

This letter is in further response to your Public Records Act request received by the San Joaquin County District Attorney's office on February 16, 2022. This letter constitutes a written response pursuant to Government Code Section 6255(b), and is based upon the authorities interpreting the California Public Records Act ("CPRA") and Article I, Section 3 of the California Constitution.

Please note that the exemptions and objections stated in my letter of March 11, 2022 are incorporated herein.

Thank you for clarifying your requests in our call of March 16, 2022. We have carefully reviewed your request and the District Attorney's capability to provide the information according to the categories you outlined. As we noted in our telephone call, the database used by the District Attorney is an older system and not capable of extracting much of the information you seek.

We have prepared the attached chart listing your requests and identifying the applicable category.. For category 3, we provide the specific exemptions below.

For requests numbers 1(a), 1(b), 1(c), 1(d), and 2(e): the records call for documents exempt pursuant to Government Code sections 6254(f), (k), and 6255(a); Penal Code sections 11140(b), 11141, 11142, 13300-13305; California Constitution, Article I, Section I; Westbrook v. County of Los Angeles (1994) 27 Cal. App. 4<sup>th</sup> 157.

The County does not waive any privileges, protections or objections which might be available in any future litigation, and without waiving any additional privileges, protections or exemptions available under the CPRA.

Should you have any questions, or should you require any additional information, please do not hesitate to contact the undersigned.

Very truly yours,



Kristen M. Hegge  
Chief Deputy County Counsel

Attachment

c: District Attorney

## Attachment A

Documents sought: "All cases considered for prosecution and/or prosecuted during the time-period 2015-present..."

Categories of requests:

1. Not tracked in any form by our office.
2. Tracked in paper files or stored in a way where there exists no possibility of extraction.
3. Tracked digitally in a way that is accessible by running a report.
4. Tracked digitally in a form which can only be extracted by writing new code.

| <u>Request</u> | <u>Category Number</u> | <u>Exemption Status</u> |
|----------------|------------------------|-------------------------|
| 1.a.           | 3                      | Exempt from disclosure  |
| 1.b.           | 3                      | Exempt from disclosure  |
| 1.c.           | 3                      | Exempt from disclosure  |
| 1.d.           | 3                      | Exempt from disclosure  |
| 2.a.           | 3                      | Limited data available  |
| 2.b.           | 1                      |                         |
| 2.c.           | 1                      |                         |
| 2.d.           | 3                      |                         |
| 2.e.           | 3                      | Exempt from disclosure  |
| 2.f.           | 2                      |                         |
| 3.a.           | 2                      |                         |
| 3.b.           | 2                      |                         |
| 3.c.           | 2                      |                         |
| 4.             | 4                      |                         |
| 5.a.           | 4                      |                         |
| 5.b.           | 2                      |                         |
| 5.c.           | 2                      |                         |
| 5.d.           | 2                      |                         |
| 6.a.           | 2                      |                         |
| 6.b.           | 2                      |                         |
| 6.c.           | 2                      |                         |

|       |   |
|-------|---|
| 6.d.  | 2 |
| 7.a.  | 3 |
| 7.b.  | 3 |
| 7.c.  | 2 |
| 7.d.  | 2 |
| 8.a.  | 2 |
| 8.b.  | 2 |
| 8.c.  | 2 |
| 8.d.  | 2 |
| 8.e.  | 2 |
| 9.a.  | 2 |
| 9.b.  | 2 |
| 9.c.  | 2 |
| 9.d.  | 2 |
| 9.e.  | 2 |
| 10.a. | 2 |
| 10.b. | 2 |
| 10.c. | 2 |
| 10.d. | 2 |
| 11.a. | 3 |
| 11.b. | 2 |
| 11.c. | 4 |
| 12.   | 2 |
| 13.a. | 4 |
| 13.b. | 1 |
| 13.c. | 4 |
| 14.   | 2 |
| 15.   | 2 |