



OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE

MICHAEL A. HESTRIN
DISTRICT ATTORNEY

August 4, 2022

Ellen Leonida, Esq.
Braun Hagey & Borden LLP
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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 the following 15 items of information:

- 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. 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

We previously released Excel spreadsheets in response to your request for years 2015 through 2022. As discussed in our letters dated April 13, 2022, and July 12, 2022, legitimate analyses cannot currently be performed on our data at this time given the inaccuracy and omission rate discovered in our recent review. Although we are making progress in this regard, certain challenges cause us to believe that this will not be completed in August of 2022 as previously stated. Although we do not have an exact time estimate, the completion will likely take several months, if not longer. **Please respond to this letter within ten (10) business days if you prefer to wait for our data project to be completed. If you do not respond, we will deem this CPRA request closed.**

If you have any additional questions or comments, we can be reached directly via email at cpa@rivcoda.org or by calling 951-955-5400.

Very truly yours,

MICHAEL A. HESTRIN
District Attorney

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LAURA WATTS
Deputy District Attorney