



OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE

MICHAEL A. HESTRIN
DISTRICT ATTORNEY

January 9, 2023

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 explained in previous letters, we are still working on updating our Case Management System (CMS). We received an e-mail from Joshua Wilner on August 31, 2022, that states the following”

Thank you for your August 4th letter. We would like the request to remain open until the project is finished. To compensate for the extended delay, we ask that you send us the data you have compiled so far. You may include any disclaimer you wish, but we want to make sure we receive as much data as possible.

The statistical information provided to you on June 17, 2022, and on July 18, 2022, that was responsive to your request, was the most current information at the time. We currently do not have a projected completion date but are working diligently on this endeavor and will continue to disclose information as required. We continue to meet

regularly with our data analytics officer on this project, and in fact have a meeting this week in which we hope to obtain a realistic timetable for the completion of this project.

We appreciate your patience. We will provide you with an update on or before **February 6, 2023**.

If you have any additional questions or comments, we can be reached directly via email at cpra@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