

**From:** [Kory DeClark](#)  
**To:** [Frye, Thomas](#)  
**Cc:** [Moreno, Veronica](#); [Caitlin Shaw](#); [PRA Response](#)  
**Subject:** RE: Initial Response to PRA  
**Date:** Thursday, February 9, 2023 3:22:05 PM  
**Attachments:** [image001.png](#)

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Hi Thomas,

Thanks for your summary. That's all correct. The only thing I'd add is that, even if you believe exemptions apply, you still tell us whether the information can be provided manually, with your current software, or with programming. (You may have meant this below, but I wanted to be sure. The point, again, is to determine, for all subcategories requested, whether there is data and how you would go about producing it in the event an exemption did not apply. We can debate exemptions later, if necessary.)

And yes, as you say, we'll likely want a quote, eventually, for all programable data. For the data you have and do not claim an exemption for, we'll want an expected date of production (unless you already produced it).

Thanks again for the productive call.

Kory DeClark

**BRAUNHAGEY & BORDEN LLP**

Direct: (415) 869-6487

[braunhagey.com/impact](http://braunhagey.com/impact)

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**From:** Frye, Thomas <Thomas.Frye@ventura.org>  
**Sent:** Thursday, February 9, 2023 2:51 PM  
**To:** Kory DeClark <declark@braunhagey.com>  
**Cc:** Moreno, Veronica <Veronica.Moreno@ventura.org>  
**Subject:** RE: Initial Response to PRA

**\*\*\* EXTERNAL MESSAGE \*\*\***

Hi Kory,

Good talking to you over the phone. Based on our discussion, we will provide you with the information below by the end of day 2/23/23.

For the categories not yet addressed, we will indicate one of the following:

- Have the info but manual review required
- Have the info but programming required
- Have the info but exemptions apply. For these categories we will indicate whether manual review is required.

-Have the information and can provide it.

My understanding is that once you get this information, you may ask us for the cost of programming.

Thomas Frye  
Senior Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)



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**From:** Frye, Thomas  
**Sent:** Thursday, February 9, 2023 11:18 AM  
**To:** 'Kory DeClark' <[declark@braunhagey.com](mailto:declark@braunhagey.com)>  
**Subject:** RE: Initial Response to PRA

Hi Kory,

Just tried your cell number. Tag you are it.

Thomas Frye  
Senior Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)



---

**From:** Frye, Thomas

**Sent:** Thursday, February 9, 2023 10:14 AM  
**To:** Kory DeClark <[declark@braunhagey.com](mailto:declark@braunhagey.com)>  
**Subject:** RE: Initial Response to PRA

805-252-3929

Thomas Frye  
Senior Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)



---

**From:** Kory DeClark <[declark@braunhagey.com](mailto:declark@braunhagey.com)>  
**Sent:** Thursday, February 9, 2023 10:11 AM  
**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>  
**Subject:** Re: Initial Response to PRA

**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Sorry. On a call now. Will try you after if you can give me your direct number.

Sent from my iPhone

On Feb 9, 2023, at 10:09 AM, Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)> wrote:

**\*\*\* EXTERNAL MESSAGE \*\*\***

Ok, will try you now. I'm working from home, so will be my cell phone. 805-252-3929.

Thomas Frye  
Senior Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003

(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)

<image001.png>

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**From:** Kory DeClark <[declark@braunhagey.com](mailto:declark@braunhagey.com)>  
**Sent:** Thursday, February 9, 2023 9:54 AM  
**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>  
**Cc:** Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>; Caitlin Shaw <[Shaw@braunhagey.com](mailto:Shaw@braunhagey.com)>  
**Subject:** Re: Initial Response to PRA

**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Hi Thomas. Yes, I just tried your office line. If you're free soon then I have a few minutes. Please call my cell: 805.459.8924.

Sent from my iPhone

On Feb 9, 2023, at 9:11 AM, Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)> wrote:

**\*\*\* EXTERNAL MESSAGE \*\*\***

Hi Kory,

In order to respond to you latest request to separate out the non-exempt items that require programming verses manual review of files. I would like to talk and get some clarification. Are you available to talk today? I am off tomorrow attending a family funeral. If you are not available, then we can talk next week, but I will not be able to respond until next week.

Please let me know asap. Thank you!

Thomas Frye  
Senior Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)

<image001.png>

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**From:** Kory DeClark <[declark@braunhagey.com](mailto:declark@braunhagey.com)>  
**Sent:** Tuesday, January 31, 2023 11:16 AM  
**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>; Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>  
**Cc:** Caitlin Shaw <[Shaw@braunhagey.com](mailto:Shaw@braunhagey.com)>  
**Subject:** RE: Initial Response to PRA

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Thomas,

Yes, that's fine. Please provide a full response by February 10.

Thank you,

Kory DeClark  
**BRAUNHAGEY & BORDEN LLP**  
Direct: (415) 869-6487  
[braunhagey.com/impact](http://braunhagey.com/impact)

---

**From:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>  
**Sent:** Tuesday, January 31, 2023 8:08 AM  
**To:** Kory DeClark <[declark@braunhagey.com](mailto:declark@braunhagey.com)>; Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>  
**Subject:** RE: Initial Response to PRA

**\*\*\* EXTERNAL MESSAGE \*\*\***

Hi Josh,

I apologize for the wait. I am waiting on our computer tech person to give me further information related to your request. I think our response should either be at the end of the week or next week at the latest. Will that work?

Thomas Frye  
Senior Deputy District Attorney

County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)

<image001.png>

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**From:** Kory DeClark <[declark@braunhagey.com](mailto:declark@braunhagey.com)>  
**Sent:** Monday, January 30, 2023 11:01 PM  
**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>; Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>  
**Subject:** RE: Initial Response to PRA

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Mr. Frye,

I'm following up on the email we sent on 12/29. Please provide a response. We are happy to speak with you on the phone, if that would be helpful.

Kory DeClark  
**BRAUNHAGEY & BORDEN LLP**  
Direct: (415) 869-6487  
[braunhagey.com/impact](http://braunhagey.com/impact)

---

**From:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>  
**Sent:** Monday, January 9, 2023 3:08 PM  
**To:** Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>; Kory DeClark <[declark@braunhagey.com](mailto:declark@braunhagey.com)>  
**Subject:** RE: Initial Response to PRA

**\*\*\* EXTERNAL MESSAGE \*\*\***

Hi Josh and Kory,

Thank you for your clarification. We are looking at this further and will be in touch.

Thanks again.

Thomas Frye  
Senior Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)

<image001.png>

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**From:** Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>  
**Sent:** Thursday, December 29, 2022 12:35 PM  
**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>; Kory DeClark <[declark@braunhagey.com](mailto:declark@braunhagey.com)>  
**Subject:** Re: Initial Response to PRA

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Mr. Frye,

Thank you for your response and for your assistance with our request.

The first part of this conversation is simply a request for clarification: manual extraction and programming are separate processes requiring different amounts of time and effort to produce the requested data. We would like to know which data requires programming, as opposed to a manual search, to produce.

As far as we are concerned, if the data is tracked by the DA's office, the public is entitled to it absent a valid legal exemption. The CPRA is clear that public agencies must produce digital records, even if they require programming to compile. Once we know which subcategories of data we request can be extracted by programming, we can discuss the exemptions asserted in your March 31, 2022 letter. You did not assert legal exemptions for all data labelled as requiring "manual

review of file or programming to extract."

Kory Declark (cc'd here) is taking over as the primary contact for this request. Please include him on your response email. We look forward to hearing from you.

Regards,

**Joshua Wilner**

**BRAUNHAGEY & BORDEN LLP**

**San Francisco**

351 California Street, 10<sup>th</sup> Floor  
San Francisco, CA 94104

Tel: (415) 599-0210

**New York**

7 Times Square

27<sup>th</sup> Floor

New York, NY 10036-6524

Tel: (646) 829-9403

---

**From:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>

**Sent:** Friday, December 23, 2022 3:07 PM

**To:** Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>

**Subject:** RE: Initial Response to PRA

**\*\*\* EXTERNAL MESSAGE \*\*\***

Dear Mr. Wilner:

I am in receipt of your follow-up request.

As you know, we have expended considerable resources over the last year responding to this CPRA request and have even engaged in programming for which we did not seek reimbursement. Although not required, we

summarized the numerical data in the excel document we sent you.

Do you have additional information or specific legal authority entitling your client to the requested information? If so, can you please provide it for my further review?

I will be out of the office until January 3, 2023, due to the holidays, so I will be delayed in my response. But when I return, I will look at this further. I look forward to hearing from you.

Thomas Frye  
Senior Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)

<image001.png>

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**From:** Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>  
**Sent:** Tuesday, December 20, 2022 9:40 AM  
**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>  
**Cc:** Dean, Rachele <[Rachele.Dean@ventura.org](mailto:Rachele.Dean@ventura.org)>  
**Subject:** Re: Initial Response to PRA

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Mr. Frye,

Please see the request for clarification below.

Regards,

Joshua Wilner  
BRAUNHAGEY & BORDEN LLP

San Francisco

351 California Street, 10<sup>th</sup> Floor

San Francisco, CA 94104

Tel: (415) 599-0210

**New York**

7 Times Square

27<sup>th</sup> Floor

New York, NY 10036-6524

Tel: (646) 829-9403

---

**From:** Josh Wilner <[Wilner@braunhagey.com](mailto:Wilner@braunhagey.com)>

**Sent:** Friday, December 9, 2022 2:02 PM

**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>

**Cc:** Dean, Rachele <[Rachele.Dean@ventura.org](mailto:Rachele.Dean@ventura.org)>

**Subject:** Re: Initial Response to PRA

Mr. Frye,

Thank you for your assistance with our requests and for the data you have produced so far. In the letter attached below, the availability of certain subcategories of data is listed as "Data exists in records but would require manual review of file or programming to extract." It is not clear which data requires manual review and which requires programming. For the data requiring programming to extract, we request such programming occur and that data be produced.

Please let us know when this process has been initiated or if you have any questions.

Regards,

**Joshua Wilner**

**BRAUNHAGEY & BORDEN LLP**

**San Francisco**

351 California Street, 10<sup>th</sup> Floor  
San Francisco, CA 94104

Tel: (415) 599-0210

**New York**

7 Times Square

27<sup>th</sup> Floor

New York, NY 10036-6524

Tel: (646) 829-9403

---

**From:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>  
**Sent:** Thursday, March 31, 2022 3:07 PM  
**To:** PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>  
**Cc:** Dean, Rachelle <[Rachelle.Dean@ventura.org](mailto:Rachelle.Dean@ventura.org)>  
**Subject:** RE: Initial Response to PRA

**\*\*\* EXTERNAL MESSAGE \*\*\***

Please see that attached PRA response.

Thomas Frye  
Senior Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)

<image001.png>

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**From:** PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>  
**Sent:** Friday, March 4, 2022 11:05 AM  
**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>  
**Cc:** Dean, Rachelle <[Rachelle.Dean@ventura.org](mailto:Rachelle.Dean@ventura.org)>; PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>  
**Subject:** Re: Initial Response to PRA

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[Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Mr. Frye,

Thank you for your response. Our office is willing to agree to an extension to May 1, 2022, subject to the following stipulation:

By April 1, 2022, we ask that you respond in writing to each subcategory of our request. For each subcategory, we ask that you identify:

1. If the data is tracked in any form by your office.
2. If the data is tracked, what method would be necessary to produce the data to us (searching through paper files, manually searching individual electronic files, running a report in your case management system, writing code to extract the data because it is not available in a report, etc.)
3. If the data could be produced, would you produce it or would it be withheld subject to a legal exemption. Please provide the specific exemption you plan to use to withhold the data for that subcategory.

We would be happy to answer any questions you have by email or over the phone. We look forward to your response.

Regards,

**Joshua Wilner**

**BRAUNHAGEY & BORDEN LLP**

**San Francisco**

351 California Street, 10<sup>th</sup> Floor  
San Francisco, CA 94104

Tel: (415) 599-0210

**New York**

7 Times Square

27<sup>th</sup> Floor

New York, NY 10036-6524

Tel: (646) 829-9403

---

**From:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>  
**Sent:** Wednesday, March 2, 2022 1:52 PM  
**To:** Ellen Leonida <[Leonida@braunhagey.com](mailto:Leonida@braunhagey.com)>  
**Cc:** Dean, Rachelle <[Rachelle.Dean@ventura.org](mailto:Rachelle.Dean@ventura.org)>  
**Subject:** FW: Initial Response to PRA

**\*\*\* EXTERNAL MESSAGE \*\*\***

Dear Ms. Leonida,

Attached is the Ventura County District Attorney's Office initial response to your Public Records Act request of February 10, 2022, and in the email chain below, you will find our first extension request and your response agreeing to March 4, 2022.

As mentioned previously, we possess over 200,000 case files that fall within the timeframe for which you are seeking records. We intend to provide you with records in accordance with the CPRA. However, given this massive undertaking we need further time to research and assess which records are subject to the Public Records Act. We are asking for a two-month extension to May 1, 2022.

If you have any questions about this email please do not hesitate to contact me, or Chief Deputy District Attorney Rachelle Dean, at 805.654.2719.

Thomas Frye  
Deputy District Attorney  
County of Ventura  
5720 Ralston Ave, Suite 300  
Ventura, CA 93003  
(805) 662-1753  
[thomas.frye@ventura.org](mailto:thomas.frye@ventura.org)

<image001.png>

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**From:** Dean, Rachelle <[Rachelle.Dean@ventura.org](mailto:Rachelle.Dean@ventura.org)>  
**Sent:** Monday, February 28, 2022 2:15 PM  
**To:** Frye, Thomas <[Thomas.Frye@ventura.org](mailto:Thomas.Frye@ventura.org)>  
**Subject:** FW: Initial Response to PRA

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**From:** Drescher, Kevin <[Kevin.Drescher@ventura.org](mailto:Kevin.Drescher@ventura.org)>  
**Sent:** Friday, February 18, 2022 7:23 AM  
**To:** Dean, Rachelle <[Rachelle.Dean@ventura.org](mailto:Rachelle.Dean@ventura.org)>  
**Subject:** Fwd: Initial Response to PRA

FYI

Get [Outlook for iOS](#)

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**From:** PRA Response <[praresponse@braunhagey.com](mailto:praresponse@braunhagey.com)>  
**Sent:** Friday, February 18, 2022 8:12 AM  
**To:** Drescher, Kevin  
**Cc:** PRA Response  
**Subject:** Re: Initial Response to PRA

**WARNING:** If you're not expecting this email and believe it may be malicious, forward it to the Security Team by clicking on the Phish Alert Button (PAB).

Mr. Drescher,

Thank you for your response. Our office agrees to an extension to March 4, 2022.

Have a good weekend.

Regards,

**Joshua Wilner**  
**BRAUNHAGEY & BORDEN LLP**

**San Francisco**

351 California Street, 10<sup>th</sup> Floor  
San Francisco, CA 94104

Tel: (415) 599-0210

**New York**

7 Times Square

27<sup>th</sup> Floor

New York, NY 10036-6524

Tel: (646) 829-9403

---

**From:** Drescher, Kevin <[Kevin.Drescher@ventura.org](mailto:Kevin.Drescher@ventura.org)>

**Sent:** Thursday, February 17, 2022 11:45 AM

**To:** Ellen Leonida <[Leonida@braunhagey.com](mailto:Leonida@braunhagey.com)>

**Subject:** Initial Response to PRA

**\*\*\* EXTERNAL MESSAGE \*\*\***

Good Morning Ms. Leonida,

Attached is the Ventura County District Attorney's Office initial response to your PRA letter sent and received on February 10, 2022.

As you will see in our response, we are seeking additional time to determine what non-exempt material, in likely over 200,000 case files, we can collect, compile and provide you if possible. We will provide you non-exempt records in accordance with the CPRA. However, as you can imagine, this request is extremely voluminous and will take additional time and resources to determine what, how and when we could provide you with the information you have requested.

Chief Deputy District Attorney Rachelle Dean usually handles these requests, but was not available to formally respond to this letter. I anticipate Ms. Dean handling this matter moving forward, once she is free from her current work obligations.

If you have any questions about this letter, feel free to contact me. Note though, I will be out of the office until 2/22.

Kevin Drescher  
Chief Deputy District Attorney  
Ventura County District Attorney's Office  
Special Prosecutions Division  
5720 Ralston Street, Suite 300  
Ventura, CA 93003  
[kevin.drescher@ventura.org](mailto:kevin.drescher@ventura.org)  
(805) 662-1701

<image002.png>

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