



OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE

MICHAEL A. HESTRIN
DISTRICT ATTORNEY

June 8, 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 appreciate your patience as we have worked on our CMS. As a result of our efforts to update our system, we are happy to report that today we are providing you updated records pertaining to Request #3a, years 2015 through the date of your request. Enclosed please find a spreadsheet which includes the Riverside Superior Court case numbers (this includes misdemeanor and felony case numbers) and zip code.

We are releasing this information with the caveat that this data is obtained through manual data entry and is subject to inadvertent human error. Zip codes are obtained through police agency reports that may be inadvertently inaccurate or missing. Additionally, crimes can also occur over more than one zip code. If that is the case, our system does not track such data.

The data being released today is limited to filed felony and misdemeanor cases where our system contains *both* the criminal case number *and* a zip code. It should be noted that there are thousands of cases during this time period where a zip code was not manually entered in our CMS and so the zip code is not available electronically. To

accurately fulfill your request in its entirety would require that our office potentially undertake a hand search of thousands of cases to manually read each report, obtain the zip code, and enter the zip code into our CMS. A hand search this volume of files would be unduly burdensome, and thus not in the overall public interest. (Gov. Code, § 7922.000; *County of Los Angeles v. Superior Court* (1993) 18 Cal.App.4th 588.)

Furthermore, the scope of your request potentially 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 according to Welfare and Institutions Code sections 827 and 832. As such, the District Attorney denies your request to the extent it seeks information regarding juvenile cases or adjudications.

This information is the most up to date information our office possesses at this time with respect to this field. As for updates regarding your request in general, we will provide you with an update on or before **July 10, 2023**. Please note that this letter incorporates all of the previous exemptions and privileges indicated in all previous letters relating to this request. We appreciate your patience.

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