



OFFICE OF  
THE DISTRICT ATTORNEY  
COUNTY OF RIVERSIDE

MICHAEL A. HESTRIN  
DISTRICT ATTORNEY

July 24, 2023

Ellen Leonida, Esq.  
Braun Hagey & Borden LLP  
[leonida@braunhagey.com](mailto:leonida@braunhagey.com)

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

After additional consultation with our Technology Services Bureau, we are now able to provide you with an additional data set - the age of the defendant *at the time of the offense* pursuant to your request numbered 2e with a date range of January 1, 2015, through the date of your request. **Our responsive records pursuant to request 2e are enclosed with this letter.** Please keep in mind that this data is subject to error and limitations, as is the case with any data that is manually entered. For example, a defendant may be charged in one complaint or information with crimes that span multiple dates, which is not captured by our Case Management System. Data that relates to juvenile delinquency cases will not be provided, as it violates Welfare and Institutions Code section 827 and is therefore exempt under Government Code section 7927.705 (documents exempted pursuant to other statutes or statutory privileges).

The data being released today is limited to filed felony and misdemeanor cases where our system contains *both* the criminal case number *and* an age at date of offense. It should be noted that there are thousands of cases during this time period where an age was not manually entered in our CMS and so the age 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 date of birth, and enter the age 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.)

This information is the most up to date information our office possesses at this time with respect to this field. As we stated previously, we continue to consult with our Technology Services Bureau to re-review your request and ascertain whether or not there is any additional data to provide. We will provide you with an update on or before **Wednesday, August 23, 2023**. Please note that this letter incorporates all of the previous exemptions and privileges indicated in all previous letters relating to this request. Please feel free to reach out to me at any time at [LauraWatts@Rivcoda.org](mailto:LauraWatts@Rivcoda.org) or by calling (951) 955-5400. We appreciate your patience.

Very truly yours,

MICHAEL A. HESTRIN  
District Attorney

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LAURA WATTS  
Deputy District Attorney