



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

JACKIE LACEY • District Attorney
JOSEPH P. ESPOSITO • Chief Deputy District Attorney

PAMELA BOOTH
Assistant District Attorney

VIA ELECTRONIC MAIL
sagarwal@aclunc.org

August 21, 2019

Shilpi Agarwal
Senior Staff Attorney
sagarwal@aclunc.org

Dear Ms. Agarwal:

CALIFORNIA PUBLIC RECORDS ACT REQUEST

The Los Angeles County District Attorney's Office (LADA) is in receipt of your California Public Records Act (PRA) request dated July 29, 2019, seeking:

"copies of the following materials in the agency's possession, regardless of who wrote them, from 1990 onwards: 1. Any training materials related to jury selection; 2. Any training materials related to the constitutional requirements under Batson v. Kentucky and People v. Wheeler, including training materials related to handling Batson-Wheeler claims or motion."

We have conducted a search of our records for documents responsive to your request. We have located six sets of responsive documents:

1. Dual Juries, Author: DDA Antony Myers, January 4, 1993.
2. Jury selection After *Johnson vs. California & Miller-el vs. Dretke*: Should I be Worried? It Depends! A Perspective, Author DDA Brian Kelberg, September 10, 2005.
3. *Wheeler/Batson* 2011, Author: DDA William Woods, December 17, 2011.
4. *Wheeler/Batson* 2014, Author: DDA William Woods.
5. *Wheeler/Batson* 2016, Author: DDA William Woods.
6. *Wheeler/Batson* Related Materials, Author: Habeas Corpus Litigation Team, November 17, 2018.

Because your request seeks records dating back to 1990, our search is still ongoing. We expect that we may have additional records that are responsive to your request. We will send these records to your after we have located and reviewed them.

Hall of Justice
211 West Temple Street
Suite 1200
Los Angeles, CA 90012
(213) 257-2905

Please be advised that some of the records and information you requested are exempt from disclosure under the Public Records Act and will not be released. The following records are exempt from disclosure:

Preliminary drafts, notes, interagency or intra-agency memoranda. See Gov. Code § 6254, subdivision (a);

Documents that constitute attorney work product. See Gov. Code §§ 6254, subs. (a) and (k), and 6255; Pen. Code § 1054.6; *ACLU of N. Cal. v. United States DOJ* (9th Cir. 2018) 880 F.3d 473, *Nat'l Ass'n of Crim. Def. Lawyers v. United States DOJ Exec. Office of United States Attys.* (D.C. Cir. 2016) 844 F.3d 246, *DocuFreedom Inc. v. United States DOJ* (Dist. Kan. 2019) 2019 U.S. Dist. LEXIS 138879.

Documents provided to our office by a governmental agency which we agreed to treat as confidential. See Gov. Code § 6254.5, subd. (e);

Burdensome requests. See *American Civil Liberties Union v. Deukmejian* (1982) 32 Cal.3d 440, 452-453; *County of Los Angeles v. Superior Court (Kusar)* (1993) 18 Cal.App.4th 588, 591-592.

Thank you for your patience while we fulfill your request.

Very truly yours,

JACKIE LACEY
District Attorney

By



Ruth Low, Deputy District Attorney
Special Assistant
Administration