



NAPA COUNTY DISTRICT ATTORNEY'S OFFICE

1127 First Street, Suite C
Napa, CA 94559

Main: (707) 253-4211
Fax: (707) 253-4041
www.countyofnapa.org/da

ALLISON HALEY
District Attorney

Via NextRequest

December 21, 2020

Daniel Trautfield
dtrautfield@gmail.com

Re: Public Records Act request relating to sentencings under Penal Code Section 190.2.

Dear Daniel Trautfield,

Napa County received your Public Records Act request on December 17, 2020, seeking statistics and data relating to any individuals sentenced under Penal Code section 190.2 from 1991 through 2020.

Napa County generally does not keep or maintain records consisting of the statistics you seek. While the Public Records Act does not require the County to create a new record in response to your request¹, the County has, pursuant to the County's duty under Gov. Code sec. 6253 to assist you in obtaining the information you seek, compiled the following statistics in response to your request.

187 w/ 190.2

| Case Number | Sentencing Date | Special Circumstance Finding | Race | Gender | Age at Time of Sentencing |
|-------------|------------------|------------------------------|----------|--------|---------------------------|
| CR146945 | April 28, 2011 | 190.2(a)(15) | Hispanic | Male | 25 |
| CR125321 | January 11, 2007 | 190.2(a)(15) | White | Male | 27 |
| CR169462 | July 27, 2017 | 190.2(a)(18) | White | Female | 27 |
| CR169461 | July 27, 2017 | 190.2(a)(18) | White | Male | 29 |

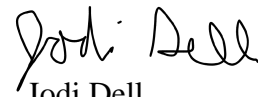
¹ See Gov. Code sec. 6252(e) (defining as "public records" as records actually prepared, owned, used, or retained by the public agency); *Haynie v. Superior Court* (2001) 26 Cal.4th 1061, 1075 ["We have no doubt that an agency may elect to create (a record) ... but we find nothing in the act itself that mandates any action other than opening for inspection the records identified. ... Preparing an inventory of potentially responsive records is not mandated by the CPRA."]

Please note that the list compiled above is pursuant to a reasonable search conducted by the District Attorney's Office. Napa County Superior Court is the custodian of the official case files relating to these cases. The Superior Court is a separate entity from Napa County, and thus should you desire to obtain the official case files from the Court, we suggest you submit a request directly with the Court.

Should you wish to submit a request in the future, Napa County has an online portal where you can submit requests online at <https://countyofnapa.nextrequest.com/>. Use of the online portal is not required and the County will still respond to requests submitted through other means, but submitting your request via the online portal may enable the County to more efficiently respond.

This concludes your Public Records Act request. Should you have any questions, please feel free to contact our office any time.

Sincerely,

A handwritten signature in black ink that reads "Jodi Dell". The signature is fluid and cursive, with the first name "Jodi" and last name "Dell" clearly distinguishable.

Jodi Dell

Chief Deputy District Attorney

CC: Allison Haley, District Attorney
Paul Gero, Assistant District Attorney
Corey Utsurogi, Deputy County Counsel