

January 30, 2018

Donna R. Ziegler  
Alameda County Counsel  
1221 Oak Street  
Oakland, CA 94612

VIA EMAIL

Re: SB 190 Public Records Act Request

Dear Ms. Ziegler:

I am writing on behalf of our client, Western Center on Law & Poverty, to request a copy of the records detailed below.

We are researching how California counties are implementing Senate Bill 190 (Mitchell, Lara, juvenile fees, 2017-18, "SB 190"). Effective January 1, 2018, SB 190 repeals county authority to assess specified administrative fees in California's juvenile delinquency system.

For the purposes of this request, "juvenile fees" include the specified administrative fees now prohibited by SB 190, including fees for detention, legal representation, electronic monitoring (GPS), probation or home supervision, drug or alcohol testing, diversion and other service programs, and costs of transporting minors to a juvenile facility.

To the extent that you are aware of records that may be directly related or relevant to this request, but which we do not specifically describe, we ask that you provide these records in addition to the records specifically requested below.

Unless otherwise specified below, we request all records from January 1, 2016, through the present. The underlined headings below are for informational purposes only.

Please provide all records relating to:

1. ASSESSMENT: The last day the county stopped assessing juvenile fees, including the list of fees assessed and the rate assessed (dollar amount per day, month, unit, etc.) per type of juvenile fee just prior to the date the county stopped assessing juvenile fees.
2. COLLECTION: The total dollar amount of previously assessed juvenile fees considered currently owed to the county regardless of when and how it was assessed (including but not limited to the amount owed in outstanding bills, fee agreements, stipulations, civil judgments, Franchise Tax Board referrals, and liens), and the number of accounts and/or families assessed juvenile fees that are still considered owed to the county.
3. DISCHARGE: The total dollar amount of previously assessed juvenile fees that has been discharged, declared satisfied, or written-off, and the number of accounts and/or families relieved of juvenile fee debt obligations.
4. REFUNDS: The total dollar amount of payments made on previously assessed juvenile fees that have been refunded to families, and the number of families refunded.

5. SB 190: All records and correspondence regarding SB 190, regardless of the author, source, or form in which reference to the bill appears in records.

To the extent possible, please note which records relate to which requests according to the numbered sections above.

This public records request applies to all documents in your agency's possession, including emails, video, audiotapes, and other electronic records.<sup>1</sup> It also includes documents that were created by a member of another government agency or a member of the public.<sup>2</sup> If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions.<sup>3</sup>

If you maintain records in electronic format, please provide all requested documents in one of the following electronic formats<sup>4</sup>: .xlsx, .xls, or .csv. For records containing correspondence, we ask you provide those in .pdf or .doc electronic formats.

We are not requesting personally identifying information for any individual youth or his/her family. All information we are seeking is statistical or aggregated information and, thus, the exceptions for certain criminal justice records and for certain personal information relating to minors do not apply.

Please acknowledge receipt of this request and respond within ten (10) days, either by providing all the requested records or by providing a written response setting forth the legal authority for withholding or redacting any document and stating when the documents will be made available.<sup>5</sup>

Please note that the Public Records Act allows a member of the public to request records by describing their content, rather than asking for specific documents by name; an agency that receives such a request must "search for records based on criteria set forth in the search request."<sup>6</sup> Please provide entire documents, even if only parts of them are responsive to this request.

If I can provide any clarification that will help identify responsive documents or focus this request,<sup>7</sup> please contact me by email at [sb190@clinical.berkeley.law.edu](mailto:sb190@clinical.berkeley.law.edu).

Thank you for your time and attention to this matter.

Sincerely,

Wesley Saver  
Clinical Student

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<sup>1</sup> CAL. GOV'T CODE § 6252(e).

<sup>2</sup> See *California State University v. Superior Court*, 90 Cal. App. 4th 810, 824-25 (1999).

<sup>3</sup> CAL. GOV'T CODE § 6253 (a).

<sup>4</sup> CAL. GOV'T CODE § 6253.9.

<sup>5</sup> CAL. GOV'T CODE §§ 6253(c), 6255.

<sup>6</sup> *California First Amendment Coalition v. Superior Court*, 67 Cal. App. 4th 159, 165-66 (1998).

<sup>7</sup> CAL. GOV'T CODE § 6253.1.