



# County of Santa Cruz

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Sheriff-Coroner

5200 Soquel Ave Santa Cruz, CA 95060  
(831) 454-7600 FAX: (831) 454-7604

Jim Hart  
Sheriff-Coroner

July 27, 2021

To MuckRock News:

Pursuant to California Government Code section 6253(c), we write in response to the request received on June 30, 2021, that you sent to the County of Santa Cruz under the California Public Records Act, which was sent to the County via email (the "Requests"). We are submitting this response within the 10-day period for response set out in Government Code section 6253(c). We note that the Requests are limited only to records maintained in the normal course of business by the County and records that are in the County's custody and control.

Please note that we will not produce records that are privileged or otherwise exempt from disclosure pursuant to California Government Code section 6254(k). This includes documents protected by the attorney-client privilege, attorney work product, and official information privileges.

No preliminary drafts or memorandum not normally kept in the ordinary course of business will be produced pursuant to California Government Code section 6254(a). Records concerning real estate appraisals for pending acquisitions are also exempt from disclosure under California Government Code section 6254(h).

We will not produce documents that are subject to copyright protections, contain trade secrets, and/or proprietary and/or confidential information. *See* California Government Code sections 6253.9, 6254(k), 6254.9; California Evidence Code section 1060.

Moreover, we will not produce documents exempt from disclosure under the deliberative process privilege. *See Times Mirror Co. v. Superior Court* (1991) 53 Cal.3d 1325.

No documents will be produced where "the public interest served by not disclosing the record clearly outweighs the public interest by the disclosure of the record" under California Government Code section 6255. Additionally, no documents will be produced if they contain personnel, medical, private, confidential, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy under California Government Code section 6254(c) and/or the Health Insurance Portability and Accountability Act of 1996. And, to

the extent any of the records you are requesting are the subject of ongoing litigation and/or pending investigations, and/or are law enforcement investigatory records, such records are exempt from production. See Government Code sections 6254 (b), (f).

In addition, no documents or records will be produced to the extent such a production would violate California Penal Code §§ 832.7, 832.8, 11076, California Civil Code § 129, California Welfare and Institutions Code §§ 827, 828, 831, California Business and Professions Code § 805, or California Evidence Code § 1043.

Furthermore, as we review your Requests, we may discover other applicable privileges and/or exemptions under Government Code sections 6254, 6255, 6256 or other applicable state or federal laws, and we reserve all rights to assert those at any time.

The Sheriff's Office has produced data and records pertaining to your Request. This data and records are provided via email and accompany this letter. Please note that "Use of Force" data is only provided for years 2017 and 2018. Data was not tracked for years 2013, 2014 and 2016, and therefore not available.

Pertaining to your Request for the "total number of people that deputies used force against between 2013 to 2018", this specific data is not tracked, and therefore no responsive data is available.

Pertaining to your Request regarding the "total number of use of force complaints reported between 2013-2018" and the "total number of use of force complaints sustained", our response is as follows:

Per Sheriff's Office policy, we do not maintain files arising out of civilian complaints past 5 years, thus, records reviewed are from July 2016 to 2018. Related to Use of Force that fall within Penal Code 832.7, there are two (2):

2016 – One (1), Use of Force Administrative Investigation and sworn personnel was Exonerated  
2018 - One (1), Use of Force Administrative Investigation and sworn personnel was Exonerated

Pertaining to your Request for "policy manual of the Sheriff's department", and for "the current contract between the city and any sheriff's deputy/police officer unions", responsive records are provided via email and accompany this letter.

As always, the County reserves all rights.

Sincerely,

Jim Hart  
Sheriff-Coroner

by: Ana Espinoza *Ana Espinoza*  
Departmental Administrative Analyst

