February 4, 2022

Nick Gerda
Staff Writer
Voice of OC

Dear Mr. Gerda,

In compliance with Government Code § 6253, this letter addresses your California Public Records Act (Gov. Code § 6250 et seq) request dated January 11, 2022. We previously claimed an additional 14 calendar days on January 21, 2022 to consult with another agency and complete our search for records. This letter constitutes our formal response, which is made within that statutorily required time, to your public record demand.

Please find below your requests and our responses to those requests:

**Request No. 1:** “Pursuant to the Public Records Act, I request the Aug. 19, 2015 memo by Assistant District Attorney Jennifer Contini regarding Peter Hardin.”

**Response:** We have conducted an exhaustive search of the Orange County District Attorney’s (OCDA) physical and digital files for the requested record, but we have been unable to locate the requested record in any of the OCDA’s physical and/or digital files.

**Request No. 2:** “I additionally request all communications in response to the memo, and all communications in response to those communications.”

**Response:** We have been unable to locate a responsive record to Request No. 1, therefore, we are unable to comply with our obligations under the Public Records Act and conduct a reasonable search for responsive records. Additionally, this request calls for the disclosure of records that are exempt from disclosure pursuant to the following exemptions:

1. Government Code section 6254, subdivision (c), Personnel, and/or similar records, the disclosure of which would constitute an unwarranted invasion of privacy.
In conclusion, the OCDA claims for its records, such as might exist, all applicable exemptions from the California Public Records Act disclosure. In maintaining the lawful confidentiality of these records, the OCDA claims, enforces, and applies all applicable exemptions, privileges, and proscriptions against public disclosure or records, including but not limited to, those listed in Article 2 of Government Code, Title 1, Division 7, Chapter 3.5, the California Evidence and Penal Codes, and the Federal Rules of Evidence.

While we have set forth our reasons for our denials, we reserve the right to present additional theories, and authority for non-disclosure in the future.

Sincerely,

Johanna Kim
Deputy District Attorney
Special Prosecutions Unit