

12/4/12

TO: Save Our State
P.O. Box 160965
Sacramento, CA 95816

ATTN: Davi Rodrigues

Attached are copies of the CHP-288 which the Department has determined is appropriate to provide to Save Our State.

California Highway patrol
6 Massie Court
Sacramento, CA 95823



STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
An Internationally Accredited Agency
REPORT OF COLLISION - NEWS RELEASE

TYPE OF COLLISION <input checked="" type="checkbox"/> Fatal <input checked="" type="checkbox"/> Hit & Run <input type="checkbox"/> Injury <input type="checkbox"/> Property Damage	DATE 11/09/2012	TIME 23:15	INVESTIGATING OFFICER WARMERDAM 18548	AREA South Sacramento					
LOCATION MARTIN LUTHER KING Jr. BLVD. AT 40TH AVE.				WEATHER COOL, DRY					
PERSONS INVOLVED NAME	PARTY NO.	AGE	SEX	SAFETY EQUIP USED	CITY OF RESIDENCE	DIR. of TRAVEL	VEHICLE YEAR & MAKE	INJURY/HOSPITAL	*ARREST
<input type="checkbox"/> Driver <input type="checkbox"/> Passenger <input checked="" type="checkbox"/> Pedestrian <input type="checkbox"/> Motorcyclist <input type="checkbox"/> Bicyclist	2	50	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SACRAMENTO	<input type="checkbox"/> N <input checked="" type="checkbox"/> E <input type="checkbox"/> S	N/A	<input type="checkbox"/> MINOR <input type="checkbox"/> MODERATE <input type="checkbox"/> MAJOR <input checked="" type="checkbox"/> FATAL	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input checked="" type="checkbox"/> Driver <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Motorcyclist <input type="checkbox"/> Bicyclist	1	59	<input type="checkbox"/> M <input checked="" type="checkbox"/> F	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SACRAMENTO	<input type="checkbox"/> N <input type="checkbox"/> E <input checked="" type="checkbox"/> S	1996/ OLDS	<input type="checkbox"/> MINOR <input type="checkbox"/> MODERATE <input type="checkbox"/> MAJOR <input type="checkbox"/> FATAL	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Driver <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Motorcyclist <input type="checkbox"/> Bicyclist			<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S		<input type="checkbox"/> MINOR <input type="checkbox"/> MODERATE <input type="checkbox"/> MAJOR <input type="checkbox"/> FATAL	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Driver <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Motorcyclist <input type="checkbox"/> Bicyclist			<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S		<input type="checkbox"/> MINOR <input type="checkbox"/> MODERATE <input type="checkbox"/> MAJOR <input type="checkbox"/> FATAL	<input type="checkbox"/> YES <input type="checkbox"/> NO
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Fatal victim information releasable through coroner.

* Refer to releasable information on reverse.

SUMMARY
On 11/08/2012 at approximately 2315 hours, P-1 was driving V-1, traveling southbound on Martin Luther King Jr. Blvd. in the vicinity of 40th Ave. P-2 was walking eastbound on Martin Luther King Jr. Blvd. in the vicinity of 40th Ave. For an unknown reason, P-2 walked into the path of V-1 and was struck by V-1. After the collision, P-1 fled the scene but was later apprehended. P-2 was pronounced deceased at the scene. This collision is still under investigation.

SUBMITTED BY: WARMERDAM 18548	DATE 11/10/2012	TIME 08:30	CORONER'S OFFICE CASE NUMBER 12-05158
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STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
An Internationally Accredited Agency



REPORT OF ARREST / UNUSUAL INCIDENT - NEWS RELEASE

In accordance with the provisions of Section 6254(f) of the Government Code the following information is releasable unless the information would endanger the successful completion of an investigation or endanger the safety of the person involved in an investigation.

ARRESTEE* / PARTY INFORMATION

FULL NAME MARIA CLEOFAS CASTILLO		DOB 03/31/1953	SEX Female	CHARGES 20001(a)VC, 192(c)(2)PC, 12500(a)VC	
ADDRESS (EXCEPT AS EXEMPTED BY STATE LAW, INCLUDING CVC 1808.4) 3719 46TH AVE. #2		PHYSICAL DESCRIPTION BRN/BRN/5-04/200			
CITY, STATE, ZIP SACRAMENTO, CA, 95824		ARREST LOCATION 3719 46TH AVE.			
ARREST DATE & TIME 11/10/2012 00:50	BOOKING DATE & TIME 11/10/2012 03:30	RESISTANCE BY SUSPECT N/A		PURSUIT NECESSARY N/A	
DESCRIPTION OF EVIDENCE SEIZED OR WEAPON USED BY SUSPECT (e.g. Handgun, not S&W .38) N/A		ANY REQUEST FOR ASSISTANCE FROM THE PUBLIC N/A		USE OF WEAPON BY OFFICER N/A	
WARRANT INFORMATION / PAROLE / PROBATION HOLDS N/A		BAIL AMOUNT UNKNOWN		TIME AND MANNER OF RELEASE UNKNOWN	
FULL NAME		DOB	SEX	CHARGES	
ADDRESS (EXCEPT AS EXEMPTED BY STATE LAW, INCLUDING CVC 1808.4)		PHYSICAL DESCRIPTION			
CITY, STATE, ZIP		ARREST LOCATION			
ARREST DATE & TIME	BOOKING DATE & TIME	RESISTANCE BY SUSPECT		PURSUIT NECESSARY	
DESCRIPTION OF EVIDENCE SEIZED OR WEAPON USED BY SUSPECT (E.G. Handgun, not S&W .38)		ANY REQUEST FOR ASSISTANCE FROM THE PUBLIC		USE OF WEAPON BY OFFICER	
WARRANT INFORMATION / PAROLE / PROBATION HOLDS		BAIL AMOUNT		TIME AND MANNER OF RELEASE	

FACTUAL CIRCUMSTANCES SURROUNDING ARREST OR INCIDENT:

NON-RELEASABLE INFORMATION:

- Identity of suspect prior to arrest.
- Results of investigating procedures prior to arrest.
Items 1 & 2 can be released if:
 - will aid in arrest
 - will aid in investigation
 - will warn public of danger
- Investigative procedures involving officer involved shootings or other personnel actions.
- Prior criminal record, reputation or character of suspect.
- Identity of any personal information of a juvenile arrestee or suspect.
- Confession or existence of a confession.
- The Officers opinion of a possible plea bargain.
- Any photographs or mug shots except:
 - will aid in arrest
 - will aid in investigation
 - will warn public of danger
- The identity, credibility, or testimony of prospective witnesses.
 - Any personal opinion as to the suspects guilt, innocence, or merits of the case.
 - Any information that would be known to be inadmissible in court.
 - References to investigative procedures such as fingerprints, polygraph tests, or ballistic tests.

*** Juvenile arrest information relating to a collision cannot be disclosed.**

*NOTE: Information on juvenile in custody arrests or detentions is not subject to disclosure to the public. Such disclosures are limited to other enforcement agencies or persons or agencies having a legitimate official need for purposes of official disposition of the case. (Welfare and Institution Code Section 827 - 28) Refer inquiries to Juvenile Court.



OFFICE OF THE
DISTRICT ATTORNEY

SACRAMENTO COUNTY

JAN SCULLY
DISTRICT ATTORNEY

STEPHEN J. GRIPPI
CHIEF DEPUTY

LORI GREENE
ASSISTANT DISTRICT ATTORNEY

April 21, 2014

David Rodrigues
Save Our State
PO Box 160965
Sacramento, CA 95816

Re: Public Records Act 4/11/14

Dear Mr. Rodrigues:

This is in response to your Public Records Act received in this office on April 11, 2014. Your request was as follows:

All records relating to the arrest, prosecution, or case management of Maria Cleofas Castillo on 11/10/2012. You referenced a press release issued by the California Highway Patrol as a reference to her arrest on 11/10/12.

The District Attorney's case management system notates that the CHP referred the case to this office and it was rejected for prosecution for insufficient evidence on 5/13/2013.

All records that were in the possession of this office at that time have been purged according to normal retention policy. Thus we have none of the documents you request. Furthermore, even if we still possessed the report submitted by CHP, pursuant to Government Code section 6254(f), we would not provide investigative records of a law enforcement agency under the Public Records Act, even when that matter is closed. See *Rivero v. Superior Court* (1997) 54 Cal.App.4th 1048; *Williams v. Superior Court* (1993) 5 Cal.4th 337.

Sincerely,

JAN SCULLY
DISTRICT ATTORNEY

LORI GREENE
Assistant District Attorney

LG:cv