

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

JOYCE E. DUDLEY
District Attorney



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Chief Financial & Administrative Officer

**User Notification for Santa Barbara District
Attorney's Office eDiscovery System**

The purpose of this notification is to advise you (ATTORNEY AT LAW) of the Santa Barbara District Attorney's (DA) new Electronic Discovery Transfer Mechanism that will deliver electronic case Discovery data from DA to ATTORNEY AT LAW via the County of Santa Barbara, Information Technology Network and our Damion Electronic Discovery System herein referred to as "eDisclosure."

By accessing eDisclosure, you agree that you have read, understand and agree to be bound by the following terms and conditions:

1. You agree that you are the person or entity granted access to eDisclosure based on a request previously approved by the Santa Barbara District Attorney's Office. You agree that you may not share, provide, or lend your password or logon information for eDisclosure to any other person or entity. You agree that if you share, provide or lend your password or logon information for eDisclosure to any other person or entity, you are solely responsible for any misuse of the discovery contained herein, including all potential criminal and civil liabilities.
2. You agree that you have provided current, complete, and accurate information in your Request for Access, and that you are responsible for ensuring that information is updated as necessary.
3. You agree that eDisclosure is provided solely to facilitate access to criminal case discovery under Penal Code section 1054, and that any other use of eDisclosure is strictly prohibited.
4. You agree that the discovery provided to you through eDisclosure cannot be disseminated to third parties not covered by the attorney-client relationship, and that any unauthorized dissemination may expose you to civil or criminal liability.
5. You agree that any dissemination of a victim or witness address and/or telephone number(s) to unauthorized parties in violation of California Penal Code section 1054.2 is strictly prohibited, and may expose you to civil or criminal liability.
6. You agree that you will comply with the procedures of the California Law Enforcement Telecommunications System regarding electronic transmission and confidentiality of RAP sheets per Penal Code section 11105, and that any failure to comply with those procedures will result in termination of your access to eDisclosure, as well as expose you to civil or criminal liability.
7. You agree that with respect to any medical information contained in eDisclosure, you will comply with any applicable privacy laws, including but not limited to the Health Insurance

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Portability and Accountability Act of 1996, 110 Stat. 1936.

8. You agree that once Discovery Material has been downloaded or viewed online, ATTORNEY AT LAW will bear all responsibility for the Discovery material. DA will have no further liability. DA will then purge all Discovery items from the transferring eDisclosure within 3 days of confirmation of download.

9. You agree that any violation of the above terms may result in termination of your access to eDisclosure.

Notification

An Email will be sent to ATTORNEY AT LAW advising that discovery is available. An Index showing a detailed list of the electronic Discovery items sent by DA is embedded in the notification email.

ATTORNEY AT LAW will log into the eDisclosure portal to access Discovery material. In some instances, ATTORNEY AT LAW may be routed to alternate locations to download additional discovery. DA will assume that Discovery was successfully downloaded unless DA is advised otherwise. ATTORNEY AT LAW must reconcile the transmitted Discovery files against this detailed list to assure that all stated files by DA were actually received via eDisclosure.

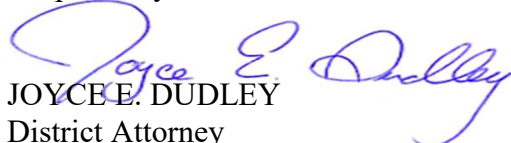
Due to the size and volume of some file types (video, audio, jail call recordings and/or proprietary formats of digital items) some files may not properly transmit electronically and, therefore, will only be available for pickup. You will receive email notification for the availability of such discovery for pickup.

NOTICE TO DEFENSE COUNSEL AND PERSONS ACTING AS THEIR OWN ATTORNEY: Penal Code Section 1054.2 provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 (Discovery) unless specifically permitted to do so by the court after a hearing and a showing of good cause."

Penal Code Section 1054.2(a) (3) provides: "Willful violation of 1054.2 by an attorney, persons employed by the attorney, or persons appointed by the court is a misdemeanor."

Dated: October 20, 2021

Respectfully,


JOYCEE. DUDLEY
District Attorney

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