

In the Supreme Court of the State of California

In re C.B., a Person Coming Under the Juvenile Court Law.	Case No. S237801	
THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff and Respondent, v. C.B., Defendant and Appellant.	First Appellate District, Division Three, Case No. A146277 Contra Costa County Superior Court, Case No. J1301073 The Honorable Thomas M. Maddock, Judge	SUPREME COURT FILED MAY 23 2018 Jorge Navarrete Clerk <hr/> Deputy
In re C.H., a Person Coming Under the Juvenile Court Law.	Case No. S237762	
THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff and Respondent, v. C.H., Defendant and Appellant.	First Appellate District, Division Three, Case No. A146120 Contra Costa County Superior Court, Case No. J1100679 The Honorable Thomas M. Maddock, Judge	

RESPONDENT'S SUPPLEMENTAL BRIEF

XAVIER BECERRA
Attorney General of California
GERALD A. ENGLER
Chief Assistant Attorney General
JEFFREY M. LAURENCE
Senior Assistant Attorney General

ERIC D. SHARE
Supervising Deputy Attorney General
ENID A. CAMPS
Deputy Attorney General
State Bar No. 113183
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3771
Fax: (415) 703-1234
Email: Enid.Camps@doj.ca.gov
Attorneys for Respondent

In anticipation of oral argument in these consolidated cases, respondent calls attention to two decisions that were not available at the time of its briefs on the merits. (Cal. Rules of Court, rule 8.520(d).)

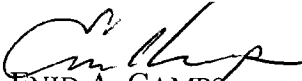
1. *People v. Valencia* (2017) 3 Cal.5th 347, 357, 365-367, 372-375 [declining to find Proposition 47 amended Proposition 36 when the initiative and ballot materials are silent to that possibility and observing that a contrary rule “would not protect the voters’ right to directly enact laws but could very likely encourage the subversion and manipulation of that democratic right”];

2. *People v. Harris* (2017) 15 Cal.App.5th 47, 57-66 & fn. 9, review granted Nov. 21, 2017, S244792 [opinion by Division One of the Fourth Appellate District reassessing its decision in *Alejandro N. v. Superior Court* (2015) 238 Cal.App.4th 1209, denying DNA sample expungement after Proposition 47 resentencing, and rejecting equal protection and privacy claims associated with retention of DNA database samples collected for offenses impacted by Proposition 47].

Dated: May 23, 2018

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
GERALD A. ENGLER
Chief Assistant Attorney General
JEFFREY M. LAURENCE
Senior Assistant Attorney General
ERIC D. SHARE
Supervising Deputy Attorney General


ENID A. CAMPS
Deputy Attorney General
Attorneys for Respondent

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DECLARATION OF SERVICE

Case Name and No.: *In re C.B. (S237801)*
In re C.H. (S237762)

I declare:


I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On May 23, 2018, I served the attached **RESPONDENT'S SUPPLEMENTAL BRIEF** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Anne Hanson Mania Attorney at Law 1946 Embarcadero, Suite 220 Oakland, CA 94606 <i>Attorney for Defendants C.B. and C.H.</i> (2 copies)	Superior Court of California County of Contra Costa Wakefield Taylor Courthouse 725 Court Street Martinez, CA 94553-1233
The Honorable Mark Peterson District Attorney Contra Costa County District Attorney's Office 900 Ward Street Martinez, CA 94553 (BY E-MAIL: by transmitting a PDF version of this document via electronic mail to: appellate.pleadings@contracostada.org)	Attn.: Executive Director First District Appellate Project 475 Fourteenth Street, Suite 650 Oakland, CA 94612 (BY E-MAIL: by transmitting a PDF version of this document via electronic mail to: eservice@fdap.org)
First Appellate District Division Three Court of Appeal of the State of California Division Three 350 McAllister Street San Francisco, CA 94102 (served via TrueFiling)	

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 23, 2018, at San Francisco, California.

J. Wong
Declarant


Signature

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