

**COMMISSION ON STATE MANDATES**

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SACRAMENTO, CA 95814  
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September 27, 2002

Allan P. Burdick  
MAXIMUS, Inc.  
4320 Auburn Blvd., Suite 2000  
Sacramento, CA 95841

*And Affected State Agencies and Interested Parties (see enclosed mailing list)*

Re: *Crime Statistic Reports for the Department of Justice, 02-TC-04*  
City of Newport Beach, Claimant  
Statutes 1980, Chapter 1340 (SB 1447); Statutes 1982, Chapter 147 (SCR 64);  
Statutes 1984, Chapter 1609 (SB 1472); Statutes 1989, Chapter 1172 (SB 202);  
Statutes 1992, Chapter 1338 (SB 1184); Statutes 1993, Chapter 1230 (AB 2250);  
Statutes 1995, Chapters 803 and 965 (AB 488 and SB 132); Statutes 1998, Chapter 933  
(AB 1999); Statutes 1999, Chapter 571 (AB 491); Statutes 2000, Chapter 626 (AB 715);  
Statutes 2001, Chapters 468 and 483 (SB 314 and AB 469); and  
California Department of Justice, Criminal Justice Statistics Center, Criminal Statistics  
Reporting Requirements and Requirements Spreadsheet, March 2000

Dear Mr. Burdick:

Commission staff has reviewed the above-named test claim and determined that it is complete. A copy of the test claim is being provided to affected state agencies and interested parties because of their interest in the Commission's determination.

The key issues before the Commission are:

- Do the provisions listed above impose a new program or higher level of service within an existing program upon local entities within the meaning of section 6, article XIII B of the California Constitution and costs mandated by the state pursuant to section 17514 of the Government Code?
- Does Government Code section 17556 preclude the Commission from finding that any of the test claim provisions impose costs mandated by the state?

The Commission requests your participation in the following activities concerning this test claim:

- **Informal Conference.** An informal conference may be scheduled if requested by any party. See Title 2, California Code of Regulations, section 1183.04 (the regulations).
- **State Agency Review of Test Claim.** State agencies receiving this letter are requested to analyze the merits of the test claim and to file written comments on the key issues before the Commission. Alternatively, if a state agency chooses not to respond to this request, please submit a written statement of non-response to the Commission. Requests for

extensions of time may be filed in accordance with sections 1183.01 (c) and 1181.1 (g) of the regulations. State agency comments are due 30 days from the date of this letter.

- **Claimant Rebuttal.** The claimant and interested parties may file rebuttals to state agencies' comments under section 1183.02 of the regulations. The rebuttal is due 30 days from the service date of written comments.
- **Hearing and Staff Analysis.** A hearing on the test claim will be set when the draft staff analysis of the claim is being prepared. At least eight weeks before a hearing is conducted, the draft staff analysis will be issued to parties, interested parties, and interested persons for comment. Comments are due at least five weeks prior to the hearing or on the date set by the Executive Director, pursuant to section 1183.07 of the Commission's regulations. Before the hearing, a final staff analysis will be issued.
- **Mailing Lists.** Under section 1181.2 of the Commission's regulations, the Commission will promulgate a mailing list of parties, interested parties, and interested persons for each test claim and provide the list to those included on the list, and to anyone who requests a copy. Any written material filed on that claim with the Commission shall be simultaneously served on the other parties listed on the mailing list provide by the Commission.
- **Dismissal of Test Claims.** Under section 1183.09 of the Commission's regulations, test claims may be dismissed if postponed or placed on inactive status by the claimant for more than one year. Prior to dismissing a test claim, the Commission will provide 150 days notice and opportunity for other parties to take over the claim.

If the Commission determines that a reimbursable state mandate exists, the claimant is responsible for submitting proposed parameters and guidelines for reimbursing all eligible local entities. All interested parties and affected state agencies will be given an opportunity to comment on the claimant's proposal before consideration and adoption by the Commission.

Finally, the Commission is required to adopt a statewide cost estimate of the reimbursable state-mandated program within 12 months of receipt of an amended test claim. This deadline may be extended for up to six months upon the request of either the claimant or the Commission.

Please contact Nancy Patton at (916) 323-8217 if you have any questions.

Sincerely,



SHIRLEY OPIE  
Assistant Executive Director

Enclosure: Copy of Test Claim

WORKING BINDER:  
CHRON: FILE:  
DATE: 9/27/07  
MAILED: FAXED: INITIAL: VS

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# Commission on State Mandates

Original List Date: 09/27/2001

Mailing Information Completeness Determination

Last Updated: 09/27/2002

List Print Date: 09/27/2002

## Mailing List

Claim Number: 02-TC-04

Issue: Crime Statistic Reports for Department of Justice

Director,  
Department of Justice  
Criminal Justice Statistics Center  
Special Requests Unit 4949 Broadway, Room E-203  
Sacramento CA 95820  
Tel: (916) 227-3509 Fax: (916) 227-0427

Executive Director;  
California Peace Officers' Association

1455 Response Road Suite 190  
Sacramento CA 95815  
Tel: (916) 263-0541 Fax: (916) 000-0000

Ms. Harmeet Barkschat,  
Mandate Resource Services

5325 Elkhorn Blvd. #307  
Sacramento CA 95842  
Tel: (916) 727-1350 Fax: (916) 727-1734

Ms. Susan Geanacou, Senior Staff Attorney (A-15)  
Department of Finance

915 L Street, Suite 1190  
Sacramento CA 95814  
Tel: (916) 445-3274 Fax: (916) 324-4888

Ms. Annette Chinn,  
Cost Recovery Systems

705-2 East Bidwell Street #294  
Folsom CA 95630  
Tel: (916) 939-7901 Fax: (916) 939-7801

Mr. Keith Gmeinder, Principal Analyst (A-15)  
Department of Finance

915 L Street, 6th Floor  
Sacramento CA 95814  
Tel: (916) 445-8913 Fax: (916) 327-0225

Mr. Mark Cousineau,  
County of San Bernardino  
Office of the Auditor/Controller-Recorder  
222 West Hospitality Lane  
San Bernardino CA 92415-0018

Tel: (909) 386-8850 Fax: (909) 386-8830

Ms. Juliana Gmur,  
MAXIMUS

4320 Auburn Blvd. Suite 2000  
Sacramento CA 95841  
Tel: (916) 485-8102 Fax: (916) 485-0111

Claimant

Mr. Glen Everroad, Revenue Manager  
City of Newport Beach

3300 Newport Blvd. P. O. Box 1768  
Newport Beach CA 92659-1768

Tel: (949) 644-3127 Fax: (949) 644-3339

Claimant

Mr. Michael Havey, Bureau Chief (B-8)  
State Controller's Office

Division of Accounting & Reporting  
3301 C Street Suite 500  
Sacramento CA 95816

Tel: (916) 445-8757 Fax: (916) 323-4807

# Commission on State Mandates

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## Mailing List

Issue: Crime Statistic Reports for Department of Justice

Mr. Leonard Kaye, Esq.,  
County of Los Angeles  
Auditor-Controller's Office  
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Los Angeles CA 90012

Tel: (213) 974-8564 Fax: (213) 617-8106

Mr. Steve Shields,  
Shields Consulting Group, Inc.

1536 36th Street  
Sacramento CA 95816

Tel: (916) 454-7310 Fax: (916) 454-7312

Mr. Steve Keil,  
California State Association of Counties

1100 K Street Suite 101  
Sacramento CA 95814

Tel: (916) 327-7523 Fax: (916) 441-5507

Mr. Steve Smith, CEO  
Mandated Cost Systems, Inc.

11130 Sun Center Drive Suite 100  
Rancho Cordova CA 95670

Tel: (916) 669-0888 Fax: (916) 669-0889

Mr. Paul Minney,  
Spector, Middleton, Young & Minney, LLP

7 Park Center Drive  
Sacramento CA 95825

Tel: (916) 646-1400 Fax: (916) 646-1300

Ms. Pam Stone, Legal Counsel  
MAXIMUS

4320 Auburn Blvd. Suite 2000  
Sacramento CA 95841

Tel: (916) 485-8102 Fax: (916) 485-0111 Interested Person

Mr. Keith B. Petersen, President  
SixTen & Associates

5252 Balboa Avenue Suite 807  
San Diego CA 92117

Tel: (858) 514-8605 Fax: (858) 514-8645

Mr. David Wellhouse,  
David Wellhouse & Associates, Inc.

9175 Kiefer Blvd Suite 121  
Sacramento CA 95826

Tel: (916) 368-9244 Fax: (916) 368-5723

Mr. Gerry Shelton, Director (E-8)  
California Department of Education  
Fiscal and Administrative Services Division

1430 N Street Suite 2213  
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Tel: (916) 323-8068 Fax: (916) 327-8306

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**Issue:** Crime Statistic Reports for Department of Justice

TO ALL PARTIES AND INTERESTED PARTIES h commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

