

August 13, 2026

California Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
Submitted via e-filing dropbox

**Re: Public Comment — Incorrect Reduction Claim No. 25-4237-I-05, Custody of Minors Child Abduction and Recovery Program, County of Los Angeles, Claimant (Item 4, August 14, 2026 hearing)**

I write as an independent investigative journalist covering California family court and child-abduction cases, and as an interested person on this matter. I submit this comment in support of the Proposed Decision's finding that good-cause defense work under Penal Code section 278.7 is properly reimbursable because that statute helps define the scope of duties the Legislature already imposed under Penal Code section 277 and Family Code sections 3130 and 3131, rather than creating a separate, unreimbursed obligation. Good-cause defense is not new to this mandate: in the pre-1996 version of the child-abduction statute, a "good cause" determination was itself an element of the offense defined in section 277, with domestic violence expressly recognized as a qualifying basis — the same substantive inquiry section 278.7 now carries forward in more detailed form.

Penal Code section 278.7 is not merely a reporting requirement. It is a statutory defense that allows a parent to lawfully withhold a child under specified circumstances, provided the parent meets defined conditions: notifying the district attorney's office within a reasonable time, providing the child's and parent's current address and telephone number, stating the reasons for the withholding, commencing a custody proceeding within a reasonable time, and keeping the district attorney's office informed of any change of address.

Across a large sample of California cases, including *People v. Giselle Smiel* (Los Angeles County), **I have documented instances in which parents were not informed that this defense existed, agencies did not make the required "county" notice form readily available to parents, shelters, or the public, and no documented substantive acknowledgment, response, or evaluation of a parent's asserted good cause appears to have occurred before child-abduction enforcement proceeded.**

The scale of this disparity is documented in the counties' own audit responses. Sacramento County reported that good-cause work represented **only 2.6 percent of overall program labor**. Orange County described entering a single good-cause report as a two-to-three-minute task performed three to six times a week — **roughly 8 to 16 hours annually**.

Riverside County took the opposite position, telling auditors that good-cause determinations are **"inextricably intertwined"** with its child-abduction duties, **because prosecutors cannot decide whether to pursue a case without first assessing whether a parent acted with a good-faith, reasonable belief the child was in danger, and stating that the office will not return a child it believes may be placed in danger by doing so.**

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Riverside's account confirms what protective parents have argued for years: investigating an abuse allegation and deciding whether a child should be returned are not separable tasks, even where the audit record has treated them as such.

I raise this to illustrate why the legal question before the Commission has practical consequences. Work that is not recognized as reimbursable tends not to be staffed, prioritized, or documented. If good-cause defense continues to be treated as incidental to the mandated program rather than integral to it, agencies have little institutional incentive to inform parents of the defense, make the required notice form available, or perform and document the defense — and the threshold question of whether a parent's withholding was lawful under section 278.7 can go unanswered before **substantial and traumatic recovery and enforcement activity occurs**. Recognizing this work as reimbursable, as the Proposed Decision recommends, would help align the incentive with the correct sequence.

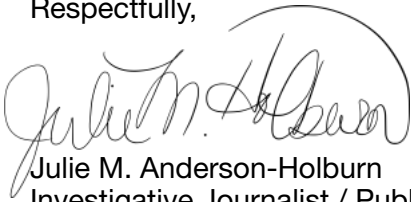
I recognize the Commission's role in this proceeding is to determine whether the Controller's reduction was correct as a matter of law under the program's Parameters and Guidelines for the claimed fiscal years, not to audit individual cases, and I am not asking the Commission to reduce this claim based on any individual case. **Los Angeles County's claim in this matter exceeds \$10 million.** A figure of that size makes clear why the documentation standard attached to this work going forward matters: the state should be able to show, claim by claim, that reimbursed hours reflect the good cause defense step that was actually informed to parents and actually performed — not simply time billed to the task.

I ask that the Commission consider pairing recognition of this work as reimbursable going forward with a documentation requirement — for example, through the pending Parameters and Guidelines amendment request (25-PGA-01 / CSM-4237) — so that future claims for good-cause defense hours are supported by a documented determination showing the defense was made known to the withholding parent and reviewed by staff. Reimbursement should follow evidence that the work was actually performed, not the other way around.

I raise the broader policy question of how good-cause defense should be documented and funded going forward with the Department of Finance, and the question of statutory notice requirements to parents with the Legislature, where each more properly belongs.

I appreciate the Commission's consideration and am available to provide any of the underlying documentation referenced in my reporting.

Respectfully,



Julie M. Anderson-Holburn  
Investigative Journalist / Publisher, Unveiled & Uncensored

## **DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On August 14, 2026, I served the:

- **Current Mailing List dated July 29, 2026**
- **Interested Person's Comments on the Proposed Decision filed August 14, 2026**
- **Interested Person's Comments on the Proposed Decision filed August 13, 2026**

*Child Abduction and Recovery, 25-4237-I-05*

Family Code Sections 3060-3064, 3130-3134.5, 3408, 3411, and 3421; Penal Code Sections 277, 278, and 278.5; Welfare and Institutions Code Section 11478.5; Statutes 1976, Chapter 1399; Statutes 1992, Chapter 162; Statutes 1996, Chapter 988 Fiscal Years: 2017-2018, 2018-2019, 2019-2020, 2020-2021  
County of Los Angeles, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on August 14, 2026 at Sacramento, California.



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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 7/29/26

**Claim Number:** 25-4237-I-05

**Matter:** Child Abduction and Recovery

**Claimant:** County of Los Angeles

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Each 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, § 1181.3.)

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