

COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300
SACRAMENTO, CA 95814
PHONE: (916) 323-3562
FAX: (916) 445-0278
E-mail: csmlnfo@csm.ca.gov



September 7, 2006

Mr. Leonard Kaye
SB 90 Coordinator
County of Los Angeles
500 West Temple Street, Room 603
Los Angeles, CA 90012

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

RE: Final Staff Analysis and Proposed Statewide Cost Estimate
Crime Victim's Domestic Violence Incident Reports, 99-TC-08
County of Los Angeles, Claimant
Family Code Section 6228
Statutes 1999, Chapter 1022

Dear Mr. Kaye:

The final staff analysis and proposed statewide cost estimate are complete and enclosed for your review.

Commission Hearing

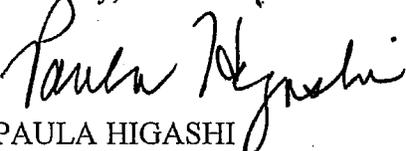
The hearing on this matter is set for Wednesday, **October 4, 2006**, at 1:30 p.m. in Room 126 of the State Capitol, Sacramento, California. This item will be scheduled for the consent calendar unless any party objects. Please let us know in advance of the hearing if you or a representative of your agency will testify at the hearing, and if other witnesses will also appear.

Special Accommodations

For any special accommodations such as a sign language interpreter, an assistive listening device, materials in an alternative format, or any other accommodations, please contact the Commission Office at least five to seven *working* days prior to the meeting.

If you have any questions, please contact Victoria Soriano at (916) 323-8213.

Sincerely,


PAULA HIGASHI
Executive Director

Enclosure

ITEM 12
FINAL STAFF ANALYSIS
PROPOSED STATEWIDE COST ESTIMATE

Family Code Section 6228

Statutes 1999, Chapter 1022

Crime Victim's Domestic Violence Incident Reports (99-TC-08)

County of Los Angeles, Claimant

EXECUTIVE SUMMARY

Summary of the Mandate

On September 25, 2003, the Commission on State Mandates (Commission) adopted a corrected Statement of Decision finding that Family Code section 6228, as added by Statutes 1999, chapter 1022, mandated a new program or higher level of service for local law enforcement agencies within the meaning of article XIII B, section 6 of the California Constitution, and imposed costs mandated by the state pursuant to Government Code section 17514 for the activity of storing domestic violence incident reports and face sheets for three years (Fam. Code, § 6228, subd. (e)) only.

The claimant filed the test claim on May 15, 2000. The Commission adopted a corrected Statement of Decision on September 25, 2003, and the parameters and guidelines on December 9, 2005. Eligible claimants were required to file initial reimbursement claims with the State Controller's Office (SCO) by June 14, 2006.

Statewide Cost Estimate

Staff reviewed the claims data submitted by 18 cities and 3 counties and compiled by the SCO. The actual claims data showed that 21 local agencies filed 90 claims between fiscal years 1999-2000 and 2004-2005, for a total of \$521,704.¹ A draft staff analysis and proposed statewide cost estimate were issued on August 3, 2006, but no comments were received. Therefore, no substantive changes were made to the proposed statewide cost estimate.

Staff made the following assumptions to develop a statewide cost estimate for this program:

1. The actual claiming data is unaudited but represents a reasonable estimate.
2. The actual amount claimed will increase when late or amended claims are filed. However, staff does not expect any late claims to be filed because most claimants will be unable to meet the \$1,000 minimum threshold for filing reimbursement claims, as this program is limited to two activities.
3. There will be no significant increase in the number of domestic violence incident reports and face sheets stored by claimants in 2004-2005.

¹ Claims data reported as of July 12, 2006.

STAFF ANALYSIS

Summary of the Mandate

On September 25, 2003, the Commission on State Mandates (Commission) adopted a corrected Statement of Decision finding that Family Code section 6228, as added by Statutes 1999, chapter 1022, mandated a new program or higher level of service for local law enforcement agencies within the meaning of article XIII B, section 6 of the California Constitution, and imposed costs mandated by the state pursuant to Government Code section 17514 for the activity of storing domestic violence incident reports and face sheets for three years (Fam. Code, § 6228, subd. (e)) only.

The claimant filed the test claim on May 15, 2000. The Commission adopted a corrected Statement of Decision on September 25, 2003, and the parameters and guidelines on December 9, 2005. Eligible claimants were required to file initial reimbursement claims with the State Controller's Office (SCO) by June 14, 2006.

Reimbursable Activities

The Commission approved the following reimbursable activities for this program:

A. One-Time Activity

1. Revise existing policies and procedures regarding the storage of domestic violence incident reports and face sheets in a readily accessible format to include the *additional* three-year requirement.

B. Ongoing Activity

1. Store domestic violence incident reports and face sheets in a readily accessible hard copy, microfiche, or electronic image format for an *additional* three years. This is limited to the cost of retaining domestic violence incident reports and face sheets in a readily accessible format, including file storage, for the three-year period of time after the pre-existing mandatory two-year retention period provided in Government Code sections 26202 and 34090. Any activities that flow from this previous requirement are not reasonably necessary to carry out this mandate (e.g., scanning reports for archive, reviewing files, transferring or shipping files for storage).

Statewide Cost Estimate

Staff reviewed the claims data submitted by 18 cities and 3 counties and compiled by the SCO. The actual claims data showed that 21 local agencies filed 90 claims between fiscal years 1999-2000 and 2004-2005, for a total of \$521,704.² A draft staff analysis and proposed statewide cost estimate were issued on August 3, 2006, but no comments were received. Based on this data, staff made the following assumptions and used the following methodology to develop a statewide cost estimate for this program. If the Commission adopts this proposed statewide cost estimate, it will be reported to the Legislature along with staff's assumptions and methodology.

Assumptions

Staff made the following assumptions:

² Claims data reported as of July 12, 2006.

**TABLE 1. BREAKDOWN OF ESTIMATED
TOTAL COSTS PER FISCAL YEAR**

Fiscal Year	Number of Claims Filed with SCO	Estimated Cost
1999-2000	5	17,154
2000-2001	13	61,043
2001-2002	17	95,021
2002-2003	17	112,187
2003-2004	17	113,581
2004-2005	21	122,718
2005-2006 (estimated)	N/A	127,013
2006-2007 (estimated)	N/A	130,950
2007-2008 (estimated)	N/A	139,331
TOTAL	90	\$ 918,998

Staff Recommendation

Staff recommends that the Commission adopt the proposed statewide cost estimate of **\$918,998** (\$102,111 in annual costs) for costs incurred in complying with the *Crime Victim's Domestic Violence Incident Reports* program. If the statewide cost estimate is adopted, staff will report the estimate to the Legislature.

Commission on State Mandates

Original List Date: 5/18/2000
Last Updated: 8/31/2006
List Print Date: 09/07/2006
Claim Number: 99-TC-08
Issue: Crime Victims' Domestic Violence Incident Reports

Mailing Information: Notice of Proposed SCE.

Mailing List

Related Matter(s)

02-TC-18

Crime Victims' Domestic Violence Incident Reports

TO ALL PARTIES AND INTERESTED PARTIES:

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, § 1181.2.)

Mr. Mark Sigman

Riverside County Sheriffs Office
4095 Lemon Street
P O Box 512
Riverside, CA 92502

Tel: (951) 955-2700

Fax: (951) 955-2720

Mr. Steve Smith

Steve Smith Enterprises, Inc.
4633 Whitney Avenue, Suite A
Sacramento, CA 95821

Tel: (916) 483-4231

Fax: (916) 483-1403

Ms. Hameet Barkschat

Mandate Resource Services
5325 Elkhorn Blvd. #307
Sacramento, CA 95842

Tel: (916) 727-1350

Fax: (916) 727-1734

Mr. Allan Burdick

MAXIMUS
4320 Auburn Blvd., Suite 2000
Sacramento, CA 95841

Tel: (916) 485-8102

Fax: (916) 485-0111

Ms. Annette Chinn

Cost Recovery Systems, Inc.
705-2 East Bidwell Street, #294
Folsom, CA 95630

Tel: (916) 939-7901

Fax: (916) 939-7801

Mr. Jim Spano

State Controller's Office (B-08)
Division of Audits

Tel: (916) 323-5849

Fax: (916) 327-0832

Ms. Sandra Thornton
California Teachers Association
9548 Duchess Lane
Stockton, CA 95209

Tel: (209) 473-2850

Fax:

Ms. Ginny Brummels
State Controller's Office (B-08)
Division of Accounting & Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

Tel: (916) 324-0256

Fax: (916) 323-6527