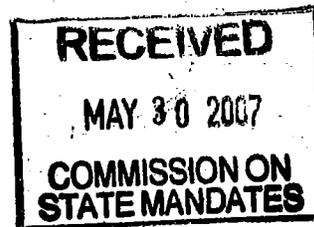


**DEPARTMENT OF CORRECTIONS AND REHABILITATION**

Office of Legal Affairs  
P.O. Box 942883  
Sacramento, CA 94283-0001  
(916) 445-0495  
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LATE FILING



May 25, 2007

Ms. Paula Higashi  
Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, California 95814

**COMMENTS TO THE REVISED STAFF ANALYSIS FOR CALIFORNIA YOUTH  
AUTHORITY SLIDING SCALE FOR CHARGES, 02-TC-01**

Dear Ms. Higashi:

This letter provides the California Department of Corrections and Rehabilitation, Division of Juvenile Justice's (formerly the California Youth Authority) comments to the revised draft staff analysis of Test Claim No. 02-TC-01 "California Youth Authority: Sliding Scale for Charges."

We do not have any objections to the staff analysis recommendation to deny the test claim. The staff analysis properly concludes that the state does not require that juveniles be committed to the Division of Juvenile Justice (DJJ). Rather, it is a decision that County officials independently make in connection with a judicial disposition proceeding. Therefore, we concur that the test claim statutes do not constitute a reimbursable state mandate.

It is noteworthy that, since this Test Claim was filed in 2002, the cost of housing juveniles at DJJ has risen dramatically, while the County's maximum contribution has stayed relatively low. The increase in cost is driven primarily by a lawsuit (*Farrell v. Tilton*, Superior Court of California, County of Alameda, Case No RG 03079344) that DJJ settled in 2003. In a consent decree, DJJ agreed to reform virtually its entire infrastructure including education, medical, mental health and safety and welfare. In 2002, it cost an average of \$ 75,830 per year to house a juvenile. Due in large part to *Farrell*, the estimated current cost to house a ward is \$175,616 per year. Thus, even the maximum amount that the county might pay under the test claim statutes is a small portion of the current cost of housing a juvenile with DJJ.

Attachment A

DECLARATION OF  
DEPARTMENT OF CORRECTIONS AND REHABILITATION  
DIVISION OF JUVENILE JUSTICE  
CLAIM No. CSM-02-TC-01

1. I am currently employed by the State of California, Department of Corrections and Rehabilitation, Division of Juvenile Justice (CDCR/DJJ). I am familiar with the duties of CDCR/DJJ, and am authorized to make this declaration on behalf of CDCR/DJJ.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

May 25, 2007  
at Sacramento, CA

  
Lisa Goodwill

Mr. Leonard Kaye, Esq.  
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Los Angeles, CA 90012

Mr. Steve Keil  
California State Association of Counties  
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A-15  
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Department of Finance  
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A-15  
Ms. Carla Castaneda  
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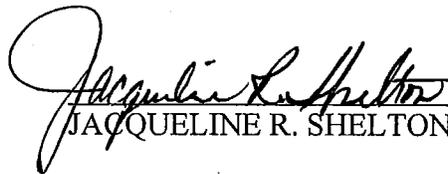
B-08  
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Roseville, CA 95661

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Mr. Glen Everroad  
City of Newport Beach  
3300 Newport Boulevard  
P.O. Box 1768  
Newport Beach, CA 92659-1768

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 May 25, 2007, at Sacramento, California.

  
JACQUELINE R. SHELTON  
5/25/07  
Date