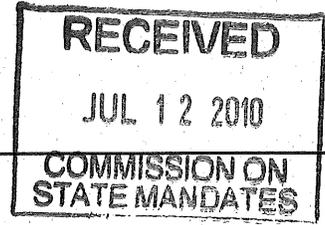




Cost Recovery Systems, Inc.



July 9, 2010

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

Mr. Glen Everoad
City of Newport Beach
330 Newport Beach Blvd.
P.O. Box 1768
Newport Beach, CA 92659

Ms. Nancy Gust
County of Sacramento
711 G Street
Sacramento, CA 95814

RE: Draft Staff Analysis, Proposed Parameters and Guidelines
Crime Statistics Report for the Department of Justice (02-TC-04 and 02-TC-11)

Dear Ms. Higashi,

I have reviewed your staff comments made to the Proposed Parameters and Guidelines for this case and have a comment and request clarification on a point. The issue is on page 14 of your analysis.

Penal Code Section 13730, subd. (a) states and the Statement of Decision allowed for the activity to "Support all domestic-violence related calls for assistance with a written incident report."

The claimant requested the language to read, in summary: "To gather information... draft, review and edit the domestic violence incident report."

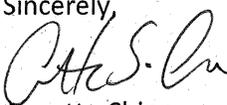
The State Controller modified this language to read: to "Prepare a written incident report." (striking out editing and reviewing as eligible activities).

Commission staff disagreed with both parties proposed language and recommended that it read: to "support all domestic violence (DV) related calls for assistance with a written incident report." We believe that the language suggested by the Commission is too vague, and in order to avoid confusion, would recommend that the more descriptive language proposed by the claimant be used.

It is impossible "support these cases with a written incident report" without having to produce a written report. In order to prepare this report, the document must also be reviewed by supervisory staff. I believe that it is standard law enforcement policy to have crime reports reviewed by supervisory or command staff. To support this, we have obtained and attached a declaration attesting to this fact by a Sergeant from the City of Newark.

We would appreciate a clearer description of what activity(s) should be tracked for consistency and for clarity between all parties.

Thank you for the opportunity to comment on this draft staff analysis.

Sincerely,

Annette Chinn
Cost Recovery Systems

Review of Proposed Parameters and Guidelines for
Crime Statistics Reports for the Department of Justice, 02-TC-03 and 01-TC-11

Declaration of Sergeant John Kovach

John Kovach makes the following declaration and statement under oath:

I John Kovach, a Sergeant with the Newark City Police Department am responsible for reviewing Domestic Violence reports.

Among the mandated duties of a Police Sergeant serving as a Watch Commander is the timely review and approval of all Police Reports (including those involving domestic violence) generated on any given shift. All domestic violence cases are considered "special reporting" cases that are required to be reported to the CA Dept. of Justice and F.B.I. on a monthly basis. In an effort to ensure that all Police Reports are thorough/complete and submitted on a timely basis they must be reviewed and signed by a supervisor. The supervisor's signature on the report is the "checks and balances" that ensures all Department policies, procedures and procedures have been followed and completed as required.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge, except as to matters which are stated as information and belief, as to these matters I believe them to be true.

07-09-10 / Newark, CA

Date and Place



Signature

PROOF OF SERVICE BY MAIL

I, the undersigned, declare as follows:

I am a resident of El Dorado County, and I am over the age of 18 years and not a party to the within action. My place of employment is 705-2 East Bidwell Street #294, Folsom CA 95630.

On July 9, 2010 I served:

By placing a true copy in an envelope address to each of the persons listed on the mailing list attached hereto, and sealing and deposing said envelope in the United States Mail at El Dorado Hills, CA, with postage fully prepaid.

I declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct, and that this declaration was executed this 9th day of July, 2010.



Annette S. Chinn

Commission on State Mandates

Original List Date:

Mailing Information: Draft Staff Analysis

Last Updated: 3/22/2010

List Print Date: 06/25/2010

Mailing List

Claim Number: 07-TC-10 (02-TC-04 & 11)

Issue: Crime Statistics Reports for the Department of Justice - Amended

Related Matter(s)

02-TC-04	Crime Statistic Reports for the Department of Justice
02-TC-11	Crime Statistic Reports for the Department of Justice

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.)

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