

COMMISSION ON STATE MANDATES

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



October 16, 2012

Ms. Laura Luna
Los Angeles Police Department
Fiscal Ops. Division
100 West First Street, Room 774
Los Angeles, CA 90012

Ms. Jill Kanemasu
Division of Accounting and Reporting
State Controller's Office
3301 C Street, Suite 700
Sacramento, CA 95816

Re: **Notice of Complete Filing and Schedule for Comments**

Incorrect Reduction Claim

Peace Officer Procedural Bill of Rights (POBOR), 12-4499-I-02

Government Code Sections 3300-3310

Statutes 1976, Chapter 465; Statutes 1978, Chapters 775, 1173, 1174, and 1178;

Statutes 1979, Chapter 405; Statutes 1980, Chapter 1367; Statutes 1982, Chapter 994;

Statutes 1983, Chapter 964; Statutes 1989, Chapter 1165; and Statutes 1990, Chapter 675

Fiscal Years: 2003-2004, 2004-2005, 2005-2006, 2006-07, and 2007-08

City of Los Angeles, Claimant

Dear Ms. Luna and Ms. Kanemasu:

On September 28, 2012, the City of Los Angeles filed an incorrect reduction claim (IRC) with the Commission on State Mandates (Commission) based on the *Peace Officer Procedural Bill of Rights (POBOR)* program for fiscal years 2003-2004 through 2007-2008 in the amount of \$29,441,896. Commission staff reviewed this initial filing and determined that it was incomplete under the Commission's regulations because some of the content requirements for an incorrect reduction claim filing had not been met. The specific section that was incomplete was as follows:

- Section 1185, subdivision (f)(1), which states: "A copy of the Office of State Controller's claiming instructions that were in effect during the fiscal year(s) of the reimbursement claim(s)."

The claimant was notified of the incomplete status in a letter dated October 5, 2012. On October 10, 2012, the claimant submitted copies of the State Controller's claiming instructions that were in effect during the fiscal years of the reimbursement claims. Upon the receipt of this supplemental information, staff has determined that the IRC filing is complete.

Government Code section 17551(b) requires the Commission to hear and decide claims by local agencies and school districts that the State Controller's Office (SCO) has incorrectly reduced payments to the local agencies or school districts.

SCO Review and Response. Please file the SCO response and supporting documentation regarding this claim within 90 days of the date of this letter. Please include an explanation of the reasons for the reductions and the computation of reimbursements. All documentary evidence must be authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so and be based on the declarant's personal knowledge,

Ms. Luna and Ms. Kanemasu

October 16, 2012

Page Two

information or belief. The failure of the SCO to respond within this 90-day timeline shall not cause the Commission to delay consideration of this IRC.

Claimant's Rebuttal. Upon receipt of the SCO response, the claimant and interested parties may file rebuttals. The rebuttals are due 30 days from the service date of the response.

Process for Filing Responses and Rebuttals.

The Commission's regulations require that the responses and rebuttals filed with the Commission be simultaneously served on all parties and interested parties on the mailing list, and accompanied by a proof of service (Cal. Code Regs., tit. 2, 1181.2 and 1185.1). However, this requirement may also be satisfied by electronically filing your documents on the Commission's website. For instructions on electronic filing, please see the Commission's website at http://www.csm.ca.gov/dropbox_procedures.shtml. The comments will be posted on the Commission's website and the mailing list will be notified by electronic mail of the posting and the comment period. This procedure will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.2.

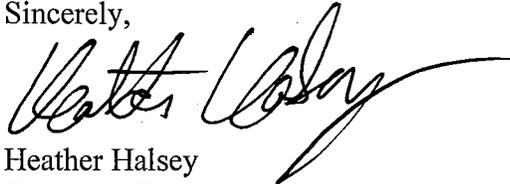
Prehearing Conference. A prehearing conference will be scheduled if requested.

Public Hearing and Staff Analysis. The public hearing on this claim will be scheduled after the record closes. A staff analysis will be issued on the IRC at least eight weeks prior to the public hearing.

Withdrawal of Incorrect Reduction Claims. Under section 1185.6(a) of the Commission's regulations, an IRC may be withdrawn by written application any time before a decision is adopted or by oral application at the time of hearing. If such an application is made, the Executive Director shall issue a letter dismissing the claim.

Please contact Jason Hone at (916) 323-3562 if you have any questions.

Sincerely,



Heather Halsey
Executive Director