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March 05, 2019
**Commission on
State Mandates**

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March 5, 2019

Via Drop Box

Heather Halsey
Executive Director
Commission on State Mandates
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RE: Request for Comment and Legal Argument Relating to the Reconsideration of the Request for Mandate Redetermination on Remand, 12-MR-01-R, Pursuant to *County of San Diego, et al. v. Commission on State Mandates, et al.* (2018) 6 Cal.5th 196

Reconsideration of the Request for Mandate Redetermination on Remand
Sexually Violent Predators (CSM-4509), 12 MR-01-R
Welfare and Institutions Code Sections 6601 through 6608
Statutes 1995, Chapter 762, Statutes 1995, Chapter 763, Statutes 1996, Chapter 4
Department of Finance, Requester

Dear Ms. Halsey:

Pursuant to 2 C.C.R. § 1187.9(a), the County of San Diego requests an extension of time within which to submit comments as requested in your letter dated February 8, 2019. In its letter the Commission directs “all parties, interested parties, and interested persons receiving this letter” to its new matter page, which contains DOF’s original 2013 request for redetermination and requests them to file written comments by March 11, 2019. For the reasons set forth below, we request an additional thirty days, to and including April 10, 2019, to file comments.

In its decision, the Supreme Court stated: “the parties admit – and the Court of Appeal found – that the current record is insufficient to establish how, if at all, the expanded SVP definition in Proposition 83 affected the number of referrals to local governments. . . . Under the circumstances, we find it prudent to remand the matter to the Commission to enable it to address these arguments in the first instance.”¹ Our office has requested statistical information from our District Attorney’s office so that we may knowledgeably address the questions raised by the Court but we have not yet received such information. In fact, we have been informed that we will probably not receive any of the information requested until the week of March 11th, which is after the deadline set by the Commission for providing comments.

¹ *County of San Diego v. Commission on State Mandates* (2018) 6 Cal. 5th 196, 217

As set forth above, good cause exists to grant the requested extension of time to provide comments. The extension of time should not require the hearing, currently set for July 26, 2019, to be continued, we do not believe that granting the request would result in prejudice to any party or interested party and we are not aware of any other good reason to deny the request.

We therefore request that you grant the request.

I declare under penalty of perjury that the foregoing, signed on March 5, 2019, is true and correct to the best of my personal knowledge, information or belief.

Very truly yours,

THOMAS E. MONTGOMERY, County Counsel

By 
TIMOTHY M. BARRY, Chief Deputy

14-90097

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.

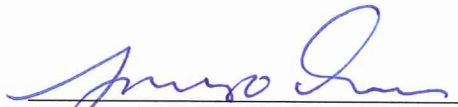
On March 6, 2019, I served the:

- **Notice of Limited Extension Request Approval issued March 6, 2019**
- **County of San Bernardino's Request for Extension of Time filed March 5, 2019**
- **County of Los Angeles's Request for Extension of Time filed March 5, 2019**
- **County of San Diego's Request for Extension of Time filed March 5, 2019**
- **County of Sacramento's Request for Extension of Time filed March 5, 2019**
- **County of Orange's Request for Extension of Time filed March 4, 2019**

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Sexually Violent Predators (CSM-4509), 12-MR-01-R
Welfare and Institutions Code Sections 6601 through 6608
Statutes 1995, Chapter 762; Statutes 1995, Chapter 763; Statutes 1996, Chapter 4
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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 March 6, 2019 at Sacramento, California.



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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 2/22/19

Claim Number: CSM-4509 (12-MR-01-R)

Matter: Sexually Violent Predators

Requester: Department of Finance

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

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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