



Sacramento County District Attorney's Office

THIEN HO  
District Attorney

February 9, 2026

Commission on State Mandates  
980 9th Street, Suite 300  
Sacramento, CA 95814

**Re: Written Comments on Draft Proposed Decision – Custody of Minors – Child Abduction and Recovery Program**

Incorrect Reduction Claim: No. 24-4237-I-04  
Fiscal Years 2016–2017, 2017–2018, and 2018–2019

Director Gmur and Commission Members:

On behalf of the Sacramento County District Attorney's Office, we respectfully submit these comments in response to the Draft Proposed Decision issued on January 30, 2026, regarding the above-referenced Incorrect Reduction Claim.

The Sacramento County District Attorney's Office agrees with staff's conclusion that the Controller's reduction of \$32,276 in salaries and benefits associated with "good cause" cases was incorrect as a matter of law. As set forth in the Draft Proposed Decision, activities performed by district attorney offices pursuant to Family Code sections 3130 and 3131 require active assistance in resolving child custody and visitation matters, including the enforcement of custody and visitation orders through appropriate civil or criminal proceedings, up to the point of a defendant's first appearance in court for offenses defined in Penal Code sections 278 or 278.5. The Draft Proposed Decision correctly recognizes that Penal Code section 278.7 does not impose separate or distinct state-mandated activities, but instead defines and contextualizes the scope of the existing mandate. Accordingly, staff's recommendation to reinstate these costs is consistent with the Parameters and Guidelines and supported by the record.

With respect to the disallowance of shared costs, the Sacramento County District Attorney's Office respectfully acknowledges the framework applied in the Draft Proposed Decision, including the conclusion that only actual costs traceable to the Child Abduction and Recovery program and supported by contemporaneous source documentation are reimbursable under the Parameters and Guidelines, and that allocated unit-wide costs generally do not qualify as direct costs for this mandate. The Office also recognizes the distinction drawn between direct costs claimed for program-

specific activities and costs recoverable, if at all, through established indirect cost procedures.

At the same time, our Office notes that OMB Circular A-87, which is referenced in the Parameters and Guidelines, was formally superseded and consolidated into 2 CFR Part 200 in 2014. While the Parameters and Guidelines continue to reference A-87, the successor guidance reflects the current articulation of the cost principles that replaced it. In particular, 2 CFR section 200.405(a)(2) recognizes that costs benefiting both a specific program and other work of an organization may be distributed using reasonable methods that approximate proportional benefit, and section 200.405(d) further provides that where precise proportions cannot be readily determined due to the interrelated nature of the work involved, costs may be allocated on any reasonable and documented basis. These principles reflect the operational reality that the Child Abduction and Recovery program is implemented in Sacramento County where a specialized unit performs multiple state-mandated functions and necessarily relies on shared personnel, equipment, and services to carry out reimbursable activities.

Within this context, the Office respectfully requests narrow reconsideration of the disallowance of certain shared costs to the extent contemporaneous employee time records and supporting documentation exist that identify actual hours devoted to Child Abduction and Recovery activities. Where such documentation supports the portion of shared labor, materials, or services attributable to reimbursable program activities, those costs represent actual costs incurred to implement the mandate, notwithstanding that the same resources also support other programs. This request is not intended to challenge the overall legal conclusions of the Draft Proposed Decision or to recharacterize unit-wide costs as direct costs without adequate support, but rather to allow limited reassessment of whether specific portions of the disallowed shared costs can be substantiated as actual, documented costs incurred in performing reimbursable Child Abduction and Recovery activities.

For these reasons, the Sacramento County District Attorney's Office supports the Draft Proposed Decision's allowance of costs associated with "good cause" cases and the recommendation to reinstate \$32,276 plus related indirect costs. The Office respectfully requests, however, that the Commission reconsider the disallowance of shared costs where those costs can be supported by documentation demonstrating actual program-specific work and proportional benefit in implementing the state-mandated program.

Thank you for the opportunity to submit these comments and for your consideration of our position.

Respectfully submitted,



Michael Blazina  
Assistant District Attorney

### **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 February 10, 2026, I served the:

- **Current Mailing List dated February 3, 2026**
- **Claimant's Comments on the Draft Proposed Decision filed February 10, 2026**

*Child Abduction and Recovery, 24-4237-I-04*

Family Code Sections 3060-3064, 3130-3134.5, 3408, 3411, and 3421;

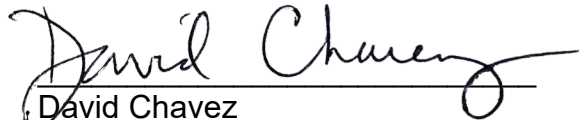
Penal Code Sections 277, 278, and 278.5; Welfare and Institutions Code Section 11478.5; Statutes 1976, Chapter 1399; Statutes 1992, Chapter 162; Statutes 1996, Chapter 988

Fiscal Years: 2016-2017, 2017-2018, 2018-2019

County of Sacramento, Claimant

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 February 10, 2026 at Sacramento, California.



David Chavez

Commission on State Mandates

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 2/3/26

**Claim Number:** 24-4237-I-04

**Matter:** Child Abduction and Recovery

**Claimant:** County of Sacramento

### 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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