

COMMISSION ON STATE MANDATES

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March 27, 2009

Mr. Leonard Kaye
Office of the Auditor-Controller
County of Los Angeles
500 West Temple Street, Room 525
Los Angeles, CA 90012-2766

Ms. Ginny Brummels
State Controller's Office
Division of Accounting & Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

And Affected State Agencies and Interested Parties (See Enclosed Mailing List)

RE: Adopted Statewide Cost Estimate
Domestic Violence Arrests and Victim Assistance, 98-TC-14
Penal Code Sections 264.2, and 13701
Statutes 1998, Chapter 698, and Statutes 1998, Chapter 701

Dear Mr. Kaye and Ms. Brummels:

On March 27, 2009, the Commission on State Mandates adopted the statewide cost estimate of \$11,110,949 for the above-named program. This amount will be included in our next Report to the Legislature.

Please call Nancy Patton at (916) 323-8217 if you have questions.

Sincerely,


PAULA HIGASHI
Executive Director

Enclosures

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Adopted: March 27, 2009

STATEWIDE COST ESTIMATE

Penal Code Sections 264.2 and 13701
Statutes 1998, Chapters 698 and 702

Domestic Violence Arrests and Victim Assistance
98-TC-14

County of Los Angeles, Claimant

Test Claim Filed: May 21, 1999

Reimbursement Period for this Estimate: July 1, 1998 through June 30, 2009

Eligible Claimants: Any City, County, and City and County

The statewide cost estimate includes eleven fiscal years for a total of **\$11,110,949**. This averages to \$1,010,086 annually in costs for the state. Following is a breakdown of estimated total costs per fiscal year:

| Fiscal Year | Number of Claims Filed with SCO | Estimated Cost |
|-----------------------|---------------------------------|---------------------|
| 1998-1999 | 72 | \$ 292,553 |
| 1999-2000 | 120 | \$ 702,303 |
| 2000-2001 | 138 | \$ 794,975 |
| 2001-2002 | 147 | \$ 878,282 |
| 2002-2003 | 157 | \$ 938,406 |
| 2003-2004 | 166 | \$ 1,027,700 |
| 2004-2005 | 167 | \$ 1,092,509 |
| 2005-2006 | 176 | \$ 1,250,928 |
| 2006-2007 | 229 | \$ 1,310,050 |
| 2007-2008 | N/A | \$ 1,387,343 |
| 2008-2009 (estimated) | N/A | \$ 1,435,900 |
| TOTAL | | \$11,110,949 |

Summary of the Mandate

Penal Code section 264.2 requires law enforcement officers who investigate and assist victims of specified sex crimes to, among other things, give the victim a Victim of Domestic Violence card (victim card). The test claim statute (Stats. 1998, ch. 698) amends section 264.2 to add two crimes for which a victim card is given: victims of spousal battery, and victims of corporal injury on a spouse or other specified victim.

The Commission on State Mandates (Commission) adopted its Statement of Decision that section 13701, subdivision (c)(9)(D) and (H) (as amended by Stats. 1998, ch. 702), and section 264.2, subdivision (a) (as amended by Stats. 1998, ch. 698), impose a reimbursable state-mandated program on local agencies within the meaning of section 6, article XIII B of the California Constitution and Government Code section 17514.

The claimant filed the test claim on May 21, 1999. The Commission adopted the Statement of Decision on December 4, 2004, and the parameters and guidelines on October 26, 2006. Eligible claimants were required to file initial reimbursement claims with the State Controller's Office (SCO) by May 2, 2007, and late claims by May 2, 2008.

Assumptions

Staff made the following assumptions:

- *The actual amounts claimed will not increase for fiscal years 1998-1999 through 2005-2006 because May 2, 2008 was the last day to file late or amended claims for the initial reimbursement period.*
- *The same cities and counties that filed initial reimbursement claims for fiscal year 2005-2006 will file claims for fiscal years 2006-2007 and beyond.*
- *Costs for fiscal years 2006-2007 and beyond may increase if new claimants file reimbursement claims.*

On average, half of counties (26 out of 58) and cities (238 out of 480) have filed reimbursement claims for this program since 2006-2007. This means that at least some of the remaining cities and counties may file claims in the future. Thus, if any of the remaining cities and counties file reimbursement claims for fiscal years 2006-2007 and beyond, the cost of the program could exceed the proposed statewide cost estimate.

- *Costs for fiscal years 2006-2007 and beyond may decrease over time because statewide, the number of domestic violence calls is decreasing.*

Department of Justice reports that domestic violence calls statewide have decreased from 1994 to 2004 by 26%.²

- *There is a wide variation in costs among claimants.*

There is a wide variation in costs among claimants. For example, for the 2006-2007 fiscal year, the City of Woodland claimed \$2,638 for 336 domestic violence-related service calls. In contrast, the City of Cupertino claimed \$2,786 for only 99 domestic violence-related service calls. Following is a table showing a sample of claimants and their claimed amounts:

TABLE 1. COMPARISON OF COSTS CLAIMED

| City or County | 2006-2007 Claim Total | Number of Domestic Violence-Related Service Calls in 2006 ³ |
|--------------------|-----------------------|--|
| Siskiyou County | \$ 1,316 | 106 |
| City of Roseville | \$ 1,592 | 297 |
| Calaveras County | \$ 2,096 | 167 |
| City of Woodland | \$ 2,638 | 336 |
| City of Cupertino | \$ 2,786 | 99 |
| City of South Gate | \$ 4,559 | 235 |

² Information obtained from Department of Justice's Criminal Justice Center at <http://ag.ca.gov/cjsc/>.

³ Information obtained from Department of Justice's Criminal Justice Center at <http://ag.ca.gov/cjsc/>.

Commission on State Mandates

Original List Date: 11/17/2003
Last Updated: 5/19/2006
List Print Date: 03/27/2009
Claim Number: 98-TC-14
Issue: Domestic Violence Arrests and Victim Assistance

Mailing Information: Notice of Adopted SCE

Mailing List

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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| Ms. Juliana F. Gmur MAXIMUS 2380 Houston Ave Clovis, CA 93611 | Claimant Representative Tel: (916) 485-8102 Fax: (916) 485-0111 |
| Ms. Annette Chinn Cost Recovery Systems, Inc. 705-2 East Bidwell Street, #294 Folsom, CA 95630 | Tel: (916) 939-7901 Fax: (916) 939-7801 |
| Mr. Allan Burdick MAXIMUS 3130 Kilgore Road, Suite 400 Rancho Cordova, CA 95670 | Tel: (916) 471-5538 Fax: (916) 366-4838 |
| Mr. Leonard Kaye County of Los Angeles Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012 | Claimant Tel: (213) 974-9791 Fax: (213) 617-8106 |
| Mr. Jim Spano State Controller's Office (B-08) Division of Audits 300 Capitol Mall, Suite 518 Sacramento, CA 95814 | Tel: (916) 323-5849 Fax: (916) 327-0832 |