



July 18, 2019

Ms. Stephanie Karnavas
County of San Diego
1600 Pacific Highway, Room 355
San Diego, CA 92101

And Parties, Interested Parties, and Interested Persons (See Mailing List)

**RE: Notice of Limited Hearing Postponement and Request for Comment Period
Approval**

Youth Offender Parole Hearings, 17-TC-29

Penal Code Sections 3041, 3046, 3051, and 4801; Statutes 2013, Chapter 312 (SB 260);
Statutes 2015, Chapter 471 (SB 261); and Statutes 2017, Chapters 675 and 684
(AB 1308 and SB 394)

County of San Diego, Claimant

Dear Ms. Karnavas:

On July 17, 2019 the County of San Diego (claimant) filed a request with the Commission on State Mandates (Commission) for the provision of a comment period on the Proposed Decision, and for postponement of the July 26, 2019 hearing on the above-captioned Test Claim to the October 25, 2019 hearing.

Specifically, the claimant requests that a three-week comment period on the Proposed Decision issued July 12, 2019 be provided due to the inclusion of significant new discussion relating to Government Code section 17556(c) and (g), that raises two additional independent grounds for rejection of the County's Test Claim that were neither advanced by the Department of Finance (Finance) or addressed in the Draft Proposed Decision, issued on March 25, 2019. Due to the complexity of issues raised, more time is needed to provide comments and legal analysis for the Commission's consideration.

Section 1187.9(b) of the Commission's regulations provide that each request for postponement will be considered on its own merits and must fully explain the reasons for the request. While postponements are disfavored and pursuant to Government Code section 17530, and the executive director has a duty to expedite all matters before the Commission, a request for postponement filed by the claimant less than 15 days before the hearing due to the number and complexity of the issues may be approved for good cause to the next regularly scheduled hearing of the Commission. (Gov. Code § 17553(a)(3), Cal. Code. Regs., tit. 2 §§ 1187.9(b)(1)(F) and 1187.9(b)(3)(C).) The request for postponement of hearing is therefore approved for good cause, but only to the next regularly scheduled hearing which is on September 27, 2019.

However, Commission regulations do not provide a comment period on a Proposed Decision. Nonetheless, in this case, I am granting claimant a three-week period to file written comments on the Proposed Decision in order to address the issues and to ease the decision-making process for the Commission Members, who would otherwise only have claimant's oral and written comments on the Proposed Decision provided at the hearing on the matter without the benefit of staff review and analysis. Accordingly, claimant's comments on the Proposed Decision, issued

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July 12, 2019, must be filed by **August 2, 2019**. This matter is now set for hearing on **September 27, 2019**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Heather Halsey". The signature is fluid and cursive, with the first name being more prominent.

Heather Halsey
Executive Director

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 July 18, 2019, I served the:

- **Notice of Limited Hearing Postponement and Request for Comment Period Approval issued July 18, 2019**
- **Claimant's Request for Postponement of Hearing and Comment Period filed July 17, 2019**

Youth Offender Parole Hearings, 17-TC-29

Penal Code Sections 3041, 3046, 3051, and 4801; Statutes 2013, Chapter 312 (SB 260); Statutes 2015, Chapter 471 (SB 261); Statutes 2017, Chapter 675 (AB 1308); Statutes 2017, Chapter 684 (SB 394)

County of San Diego, 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 July 18, 2019 at Sacramento, California.



Jill L. Magee
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 7/12/19

Claim Number: 17-TC-29

Matter: Youth Offender Parole Hearings

Claimant: County of San Diego

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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