

FOR IMMEDIATE RELEASE

Statement from Receiver Kelso Disagreeing with Legal Conclusion of Governor's Office

SACRAMENTO – Federal Receiver J. Clark Kelso issued the following statement today regarding a letter from the Governor’s Legal Affairs Secretary:

“I have received a letter from the Governor’s Legal Affairs Secretary asserting that my prior letter to Cabinet Secretary Dan Dunmoyer exempting all CDCR staff in adult institutions from the Governor’s Executive Order is beyond my authority as Receiver. The letter concedes my authority over the CDCR health care delivery system, but asserts that I lack authority over other divisions and functions of CDCR, even when the proper management of those divisions and functions directly impacts the delivery of health care. I respectfully disagree with the legal conclusion reached by the Governor’s legal staff in the unusual circumstances presented here.

“Notwithstanding that jurisdictional disagreement, Secretary Matt Cate and I will continue to work closely together to appropriately manage expenses and limit immediate expenditures consistent with our respective constitutional obligations. Secretary Cate and I have been in close contact over the course of the last week and today to ensure that we stay coordinated. Secretary Cate will be implementing appropriate cost-saving measures cognizant of their potential impact upon health care, and I appreciate his efforts.

“Over the course of the last six months, the Receivership has established good working relationships with the Governor’s Office, CDCR and other departments so that the Receivership could move quickly to accomplish its goals. In a conversation with Governor Schwarzenegger this afternoon, I have reaffirmed my commitment to work collaboratively with the Administration as we move forward. Even though we disagree about the scope of my authority with respect to this one issue, we will not let that jurisdictional disagreement get in the way of the important work that lies ahead, and I want to thank the Governor for his continued support.”

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