

# **CONFLICT OF INTEREST CODE**

## **DEPARTMENT OF JUSTICE**

The Political Reform Act requires state and local government agencies to adopt and promulgate conflict of interest codes. (Gov. Code, § 81000 et seq.) The Fair Political Practices Commission (the “FPPC”) has adopted a regulation (Title 2, California Code of Regulations, Section 18730) that contains the terms of a standard conflict of interest code, that can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code may be amended by the FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of Title 2, California Code of Regulations, Section 18730, and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Department of Justice (the “Department”).

Individuals holding designated positions shall file their statements of economic interests with the Department, which will make the statements available for public inspection and reproduction. (Gov. Code, § 81008.) Upon receipt of the Attorney General’s statement, the Department shall make and retain a copy and forward the original to the FPPC. The Department shall forward copies of all other statements for appointed members of multi-member boards and commissions to the FPPC. All other statements will be retained by the Department. Statements of economic interests filed by the Attorney General and designated positions of the Department are maintained at 1300 I Street, Sacramento, CA 95814.

NOTE: Authority cited: Sections 81008, 87300, 87306, Government Code. Reference: Section 87302, Government Code.

# CONFLICT OF INTEREST CODE

## DEPARTMENT OF JUSTICE

### APPENDIX A

#### DESIGNATED POSITIONS

<b>Designated Positions</b>	<b>Disclosure Categories</b>
<b>EXECUTIVE OFFICE AND PROGRAMS</b>	
Chief Deputy Attorneys General	1
Chief Assistant Attorneys General	1
Special Assistant Attorneys General	1
Special Assistants and Special Counsels	1
Senior Assistant Attorneys General	1
Division Directors	1
Deputy/Assistant Division Directors	1
Director in charge of the Legislative Affairs Unit and the advocates who work under this position	1
Solicitor General and the attorneys who work under this position	1
Director of the Office of Equal Employment Rights and Resolutions	1
Exempt Appointments or Career Executive Appointments equal to or above the position of Staff Services Manager I	1
Director and Assistant Director of the Office of Program Review and Audits	1
Research Program Specialist II in the Division of Recidivism, Reduction and Re-Entry	2
Auditors (all levels) assigned to the Office of Program Review and Audits	9
Director of Communications	1
Press Secretary	1

<b>Designated Positions</b>	<b>Disclosure Categories</b>
Deputy Attorneys General (all levels)	1
Members of the California Law Enforcement Telecommunications System Advisory Committee	13
Staff Services Managers II and III	14
<b>DIVISION OF CIVIL LAW</b>	
Deputy Attorneys General (all levels)	1
-- in Government Law Section	
-- in Business and Tax Section	
-- in Opinion Unit	
Deputy Attorneys General (all levels)	3
-- in Licensing Section	
-- in Health Quality Enforcement Section	
-- in Health, Education and Welfare Section	
-- in Employment and Administrative Mandates Section	
Deputy Attorneys General, Tort and Condemnation Section (all levels)	5
<b>DIVISION OF CRIMINAL LAW</b>	
Executive Secretary, Research Advisory Panel	7
Members, Research Advisory Panel	7
Deputy Attorneys General, Bureau of Medi-Cal Fraud and Elder Abuse (all levels)	8
Auditors, Bureau of Medi-Cal Fraud and Elder Abuse (all levels)	8
Special Agents, Bureau of Medi-Cal Fraud and Elder Abuse (all levels)	8
Director of the Office of Native American Affairs	1
Deputy Attorneys General, E-Crime Unit (all levels)	15

<b>Designated Positions</b>	<b>Disclosure Categories</b>
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Director of Privacy Education and Policy	15
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Auditors, E-Crime Unit (all levels)	15
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**DIVISION OF PUBLIC RIGHTS**

Registrar of Charitable Trusts	1
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Auditors (all levels)	1
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-- in Charitable Trusts Section

-- in Corporate Fraud Section

Auditors, Consumer Law Section (all levels)	2
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Auditors, Tobacco Litigation and Enforcement Section (all levels)	11
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Deputy Attorneys General (all levels)	1
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-- in Environment Section

-- in Antitrust Law Section

-- in Natural Resources Law Section

-- in Charitable Trusts Section

-- in Civil Rights Enforcement Section

-- in Indian and Gaming Law Section

-- in Corporate Fraud Section

Deputy Attorneys General, Land Law Section (all levels)	6
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Deputy Attorneys General, Consumer Law Section (all levels)	2
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Deputy Attorneys General, Tobacco Litigation and Enforcement Section (all levels)	11
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**DIVISION OF ADMINISTRATIVE SUPPORT**

Accounting Administrators (all levels)	9
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Staff Services Managers (all levels)	9
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Senior Administrative Analysts, Accounting Systems	9
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<b>Designated Positions</b>	<b>Disclosure Categories</b>
Conference Coordinator	12
Principal Law Librarian	14
Legal Office Administrators (all levels)	14
Deputy Attorneys General, Office of Professional Development (all levels)	9
Deputy Attorneys General, Labor Relations Unit (all levels)	1

### **DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES**

Bureau Chiefs	1
Assistant Bureau Chiefs	1
Data Processing Managers II, III, and IV	14
Department of Justice Administrators (all levels)	14
Information Officers II	14
Latent Print Supervisors	14
Senior Information Systems Analyst Supervisors	14
Staff Information Systems Analyst Supervisors	14
Senior Programming Analyst Supervisors	14
System Software Specialist Supervisors II and III	14
Staff Services Managers (all levels)	14

Positions that are regularly assigned tasks involving the development, review, or award of bids/contracts for information technology services or products that are employed in the following positions, and whose names are listed on the Contract Decision-Making List maintained by the filing officer.

System Software Specialists (Tech) (all levels)	4
Staff Information Systems Analysts (Spec)	4
Senior Information Systems Analysts (Spec)	4
Staff Programmer Analysts (Spec)	4

**Designated Positions****Disclosure Categories****DIVISION OF LAW ENFORCEMENT**

Bureau Chiefs	1
Assistant Bureau Chiefs	1
Special Agents-In-Charge and Senior Special Agents-In-Charge, Special Investigations Team Program	1
Department of Justice Administrators (all levels)	14
Staff Services Managers (all levels)	14
Criminalist Managers	14
Criminalist Supervisors	14
Special Agents-In-Charge and Senior Special Agents-In-Charge	14
Special Agent Supervisor in charge of the Facilities Protection Unit	14
Forensic Scientist Toxicologists IV	14
Investigative Auditor IV Supervisors	14
Latent Print Supervisors	14
Questioned Document Supervisors	14
Senior Industrial Hygienists	14
Training Officers II	14
Special Agents, E-Crime Unit (all levels)	15
<b>Bureau of Firearms:</b>	
Special Agents (all levels)	17
Field Representatives	17
Department of Justice Administrators (all levels)	17
Staff Services Managers (all levels)	17

**Designated Positions****Disclosure Categories****Bureau of Gambling Control:**

Department of Justice Administrators (all levels)	16
Staff Services Managers (all levels)	16
Special Agents (all levels)	16
Research Managers I	16
Auditors (all levels)	16
Field Representatives	16
Associate Government Program Analysts, Licensing Section	16
Staff Services Analyst, Licensing Section (all levels)	16

**SPECIAL TEAMS AND TASK FORCES**

Deputy Attorneys General (all levels)	10
Special Agents and Auditors (all levels)	10
All other positions that make, participate in the making, or use their official position to influence the making of governmental decisions as a member of the special team or task force	10

**CONSULTANTS/NEW POSITIONS**

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\* Consultants and new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code (i.e., Category 1), except the Chief Deputy may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based on that description, a statement of the extent of the disclosure requirements. The Chief Deputy’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code, § 81008.)

**Note:** The Attorney General is covered by Government Code section 87200, and as such, must file a statement of economic interests pursuant to that section and not the Department’s conflict of interest code.

## APPENDIX B

### DISCLOSURE CATEGORIES

1. Designated positions in this category shall disclose all interests in real property, investments, income, including receipt of gifts, loans and travel payments, and business positions.
2. Designated positions in this category shall disclose all investments, income, including receipt of gifts, loans and travel payments, and business positions.
3. Designated positions in this category shall disclose investments, income, including receipt of gifts, loans and travel payments, and business positions to the extent that they know or have reason to know that the business entity, in which the designated position holds the investment or business position, or the income, or source of income, is subject to regulation by or possesses a contract with any of the agencies, departments, boards, commissions or bureaus which are clients of the designated position's section. A list of each section's clients will be maintained by the filing officer and provided to the designated position along with the statement of economic interests. In addition, designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.
4. Designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department or the State of California to provide services, supplies, materials or machinery to the Department involving the field of information technology.
5. Designated positions in this category shall disclose business positions, investments, and income, including receipt of gifts, loans and travel payments, to the extent that the business entity, in which the designated position holds the investment or business position, or source of income engages in the general liability insurance business, or the income is derived in whole or part, from the general liability insurance business. Designated positions also shall disclose interests in real property. In addition, designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.



6. Designated positions in this category shall disclose interests in real property, investments, business positions, and income, including receipt of gifts, loans and travel payments, to the extent that the interest in real property, the business entity in which the designated position holds the investment or business position, or the income, or source of income, is engaged in the production of oil and gas or the exploitation of geothermal resources or which they know or have reason to know is directly subject to regulation by or possesses a contract with any agencies, departments, boards, commissions or bureaus which are clients of the position's section. A list of each section's clients will be maintained by the filing officer and provided to the designated position along with the statement of economic interests. In addition, designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.
7. Designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type which has within the preceding two years received approval from the Research Advisory Panel on drug-related research projects. In addition, designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.
8. Designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from providers of health-care-related services, goods, supplies, or merchandise as defined by California Code of Regulations, Title 22, and Section 51051. In addition, designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.
9. Designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department or the State of California to provide services, supplies, materials, or machinery of any type to the Department.
10. Designated positions in this category shall disclose their interests pursuant to category 1, unless the Chief Deputy determines, in writing, that a more limited category satisfies the disclosure requirements of the Political Reform Act. Such written determination shall include a description of the position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Deputy's determination is a public

record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

11. Designated positions in this category shall disclose investments in and income, including receipt of gifts, loans, and travel payments, from business-entities that engage in the manufacture, marketing, distribution or sale of tobacco products. In addition, designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.
12. Designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of type that contracts with the Department to provide services, supplies, materials, or machinery in connection with the rental of conference facilities, meeting rooms, hotel rooms or the provision of food service.
13. Designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that provides services, supplies, materials or machinery involving the fields of telecommunications and information technology.
14. Designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department or the State of California to provide services, supplies, materials, or machinery of any type to the position's division.
15. Designated positions in this category shall disclose investments in and income, including receipt of gifts, loans, and travel payments, from financial institutions and from business entities that engage in the manufacture, marketing, sale, or distribution of information technology or entertainment products. In addition, designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.
16. Designated positions in this category shall disclose all investments, income, including receipt of gifts, loans and travel payments, and business positions to the extent that the business entity, in which the designated position holds the investment or business position, or source of income, is a licensee, registrant or anyone required to apply for a license, registration, finding of suitability, or any other approval required under the Gambling Control Act or Tribal State Gambling Compact or a designated agent of such applicant, licensee or registrant. Designated positions also shall disclose interests in real property. In addition, designated positions in this category shall disclose business

positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.

17. Designated positions in this category shall disclose income, including receipt of gifts, loans and travel payments, from investments in business entities that engage in the manufacture, marketing, distribution or sale of firearms. In addition, designated positions in this category shall disclose business positions and investments in and income, including receipt of gifts, loans and travel payments, from any business entity that is of the type that contracts with the Department to provide services, supplies, materials, or machinery of any type to the position's section or bureau, not including contracts which benefit the Department as a whole.