

## **STATEMENT OF REASONS IN SUPPORT OF PROPOSED AMENDMENTS TO CONFLICT OF INTEREST CODE FOR THE DEPARTMENT OF JUSTICE**

The Department of Justice proposes the following amendments to its conflict of interest code for the following reasons:

### **EXECUTIVES AND EXECUTIVE OFFICE AND PROGRAMS**

The position “Chief of Staff” is added. This position is already covered by the code under the general position “Special Assistant to the Attorney General,” but is added for clarity. This is a non-substantive change.

The position “Director of the Office of Community Awareness, Response, and Engagement” is added. This position is already covered under the general position “Exempt Appointments and Career Executive Appointments Equal to or above the position of Staff Services Manager I,” but is added for clarity. This is a non-substantive change.

The position “Deputy Attorneys General, Opinion Unit (all levels)” is deleted because it is already covered by the code under the general position “Deputy Attorneys General (all levels).” This is a non-substantive change.

### **DIVISION OF CIVIL LAW**

The Business and Tax Section has been renamed Business Litigation Section. Thus, the designated position “Deputy Attorneys General (all levels) -- in Business and Tax Section” is amended to reflect this change. This is a non-substantive change.

### **DIVISION OF CRIMINAL LAW**

The Research Advisory Panel has moved from the Division of Criminal Law to the California Justice Information Services Division. The positions “Executive Secretary, Research Advisory Panel” and “Members, Research Advisory Panel” are moved from the Division of Criminal Law to the California Justice Information Services Division without any changes. These are non-substantive changes.

The Bureau of Medi-Cal Fraud and Elder Abuse (BMFEA) has been moved to its own division and renamed the Division of Medi-Cal Fraud and Elder Abuse (DMFEA). Former BMFEA position “Bureau Director or Chief” is deleted because it no longer exists. These are non-substantive changes.

## **DIVISION OF MEDI-CAL FRAUD AND ELDER ABUSE (NEW)**

The position “Assistant/Deputy Bureau Directors or Chiefs” is moved from former BMFEA to the newly created DMFEA and changed to “Assistant Bureau Chiefs.” These are non-substantive changes.

The positions “Deputy Attorneys General (all levels),” “Special Agents (all levels),” “Auditors (all levels),” and “Nurse Evaluators (all levels)” are moved from former BMFEA to the newly created DMFEA without any changes. These are non-substantive changes.

The positions “Nurse Consultants (all levels),” “Medical Consultants (all levels),” “Information Technology Specialists (all levels),” and “Information Technology Supervisors (all levels)” are added to the code. Like Special Agents, Auditors, and Nurse Evaluators in DMFEA, these positions work closely with attorneys to investigate and prosecute cases involving Medi-Cal fraud, elder abuse, and the diversion of controlled pharmaceuticals to the illicit market. These positions are assigned Disclosure Category 8, which is the disclosure category assigned to Special Agents, Auditors, and Nurse Evaluators in DMFEA. This disclosure category is narrowly tailored to economic interests relating to health-care-related services, goods, supplies, or merchandise, and businesses that contract with DMFEA.

The position “Staff Services Managers (all levels)” is added to the code. This position is part of DMFEA’s executive staff, which is led by a Chief Assistant Attorney General and includes Assistant Bureau Chiefs. This position is assigned Disclosure Category 8, which is the disclosure category assigned to Assistant Bureau Chiefs, Deputy Attorneys General, Special Agents, Auditors, and Nurse Evaluators in DMFEA. This disclosure category is narrowly tailored to economic interests relating to health-care-related services, goods, supplies, or merchandise, and businesses that contract with DMFEA.

## **DIVISION OF PUBLIC RIGHTS**

The position “Auditors (all levels)” in the newly created Worker Rights and Fair Labor Section is added to the code. This position works closely with attorneys to investigate business entities and individuals engaged in employment practices or activities that may be in violation of state or federal labor standards or business-related tax laws. The work performed by this position affects a broad range of identifiable economic interests. Therefore, this position is assigned Disclosure Category 1, the broadest disclosure category requiring disclosure of all economic interests.

The Consumer Law Section has been renamed Consumer Protection Section. Thus, the designated positions “Auditors, Consumer Law Section (all levels)” and “Deputy Attorneys General, Consumer Law Section (all levels)” are amended to reflect this change. These are non-substantive changes.

The former Tobacco Litigation and Enforcement Section has moved to the Health Care Rights and Access Section and has been renamed the Tobacco Litigation and Enforcement Unit. The

positions “Deputy Attorneys General (all levels) – in Health Care Rights and Access Section” and “Deputy Attorneys General, Tobacco Litigation and Enforcement Section (all levels)” are amended to reflect this organization change. These are non-substantive changes.

The position “Deputy Attorneys General (all levels)” in the newly created Worker Rights and Fair Labor Section is added to the code. This position conducts investigations, brings civil and criminal actions, and publishes reports regarding worker protection issues in California. The work performed by this position affects a broad range of identifiable economic interests. Therefore, this position is assigned Disclosure Category 1, the broadest disclosure category requiring disclosure of all economic interests.

The Land Law Section has been renamed Land Use and Conservation Section. Thus, the designated position “Deputy Attorneys General, Land Law Section (all levels)” is amended to reflect this change. This is a non-substantive change.

## **DIVISION OF OPERATIONS**

The position “Assistant Director, Office of Human Resources” is added. This position is already covered under the general position “Exempt Appointments and Career Executive Appointments Equal to or above the position of Staff Services Manager I” in Executives and Executive Office and Programs, but is added for clarity. This is a non-substantive change.

The position “Labor Relations Managers (all levels)” is added to the code. This position is responsible for the labor relations duties of the Office of Human Resources, including acting as a consultant for managers, supervisors, and program specialists on labor relations issues, and representing the Department of Justice in negotiations with employee organizations and the Department of Human Resources. The work performed by this position affects a broad range of identifiable economic interests. Therefore, this position is assigned Disclosure Category 1, the broadest disclosure category requiring disclosure of all economic interests.

The positions “Associate Governmental Program Analysts, Contracts and Purchasing Unit” and “Staff Services Analysts, Contracts and Purchasing Unit” are added because these positions are regularly assigned tasks involving the development, review, or award of bids and/or contracts. These positions are assigned Disclosure Category 9, which is the disclosure category assigned to Staff Services Managers (all levels) in the Division of Operations. This disclosure category is narrowly tailored to only include businesses of the type that contract with the Department of Justice or State of California to provide services, supplies, materials, or machinery of any type to the Department of Justice.

## **CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION**

The position “Data Processing Managers II, III, and IV” is deleted because it no longer exists. This is a non-substantive change.

The positions “Executive Secretary, Research Advisory Panel” and “Members, Research Advisory Panel” are moved from the Division of Criminal Law to the California Justice Information Services Division without any changes. These are non-substantive changes.

#### **DIVISION OF LAW ENFORCEMENT**

The position “Special Agents (all levels)” in the newly created California Police Shooting Investigation Team Program is added to the code. This position investigates incidents of peace-officer-involved shootings resulting in the death of unarmed civilians and is assigned to newly created Disclosure Category 18.

#### **DISCLOSURE CATEGORY 18 (NEW)**

Disclosure Category 18 is added to the code. This new disclosure category is narrowly tailored to only require disclosure of the following: income from individuals subject to investigations by the California Police Shooting Investigation Team Program; organizations that are likely to represent, or advocate on behalf of, individuals subject to investigations by the California Police Shooting Investigation Team Program, and; income from, and interests in, business entities of the type that provide services, supplies, materials, or machinery to the designated employee’s bureau or program.