

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

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

PRELIMINARY PARAGRAPHS

Language is added specifying that the Attorney General may electronically file a statement of economic interests directly with the Fair Political Practices Commission (FPPC).

EXECUTIVES AND EXECUTIVE/DIRECTORATE OFFICE AND PROGRAMS

The heading for this section of the code is changed from “EXECUTIVES AND EXECUTIVE OFFICE AND PROGRAMS” to “EXECUTIVES AND EXECUTIVE/DIRECTORATE OFFICE AND PROGRAMS.” This is a non-substantive change.

The position “Chief, Division of Legal Affairs” is deleted because the position no longer exists.

The position “Director of the Office of Community and Consumer Affairs” is deleted because the position no longer exists.

The position “Chief of the Diversity, Equity, Inclusion, and Belonging Office” has been added and assigned to Disclosure Category 14, which covers financial interests in providers of services, supplies, materials, or machinery to the position’s division. While this is a high level position, the scope of the role is narrow and focused on policies to make the Department a more diverse, equitable, and inclusive workplace.

The position “Director, Office of Program Oversight and Accountability” is moved to “OFFICE OF GENERAL COUNSEL.” This is a non-substantive change.

The positions “Auditors (all levels), Office of Program Oversight and Accountability” are moved to “OFFICE OF GENERAL COUNSEL.” This is a non-substantive change.

The positions “Members of the California Law Enforcement Telecommunications System Advisory Committee” are moved to “DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES.” This is a non-substantive change.

The position “Staff Services Manager, Communication and Imaging Resource Center” is changed to “Business Services Officer (Supervisor), Print Shop, Office of Communications.” This reflects a reorganization of the position within the Department.

The positions “Associate Governmental Program Analysts, Strategic Section, Office of Communications” are changed from “Conference Coordinators” formerly under the heading “DIVISION OF OPERATIONS.” This is a non-substantive change.

OFFICE OF GENERAL COUNSEL

This section is added to the code to reflect the new Office of General Counsel.

The position “Chief Information Security Officer” is added and assigned to Disclosure Category 1, which is the broadest disclosure category. The position oversees “Research Services,” “Cybersecurity,” and “Security and Risk Management Unit,” all of which have moved to the Office of General Counsel from other divisions. The position has broad authority and management responsibility for protecting the privacy, confidentiality, integrity, and availability of the Department’s information, and oversees extensive risk and information security oversight, incident management, reporting, governance, communications, education, and consulting. The position supervises other positions assigned to Disclosure Category 1.

The position “Director, Office of Program Oversight and Accountability” is moved here from “EXECUTIVES AND EXECUTIVE/DIRECTORATE OFFICE AND PROGRAMS.” This is a non-substantive change.

The positions “Auditors (all levels), Office of Program Oversight and Accountability” are moved here from “EXECUTIVES AND EXECUTIVE DIRECTORATE OFFICE AND PROGRAMS.” This is a non-substantive change.

The positions “Deputy Attorneys General (all levels)” include transfers from the Government Law Section of the Division of Civil Law. The positions will remain assigned to Disclosure Category 1 as the positions’ substantive work has not changed. The positions “Deputy Attorneys General (all levels)” also include transfers from the Appeals, Writs, and Trials Section of the Division of Criminal Law and new positions. Both the transferred positions and new positions are expected to have work that crosses over with the work of Disclosure Category 1 filers and, accordingly, are assigned to Disclosure Category 1.

The positions “Research Data Supervisors, Research Services (all levels)” are moved here from “DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES.” This is a non-substantive change.

The positions “Research Data Specialists, Research Services (all levels)” are moved here from “DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES.” This is a non-substantive change.

The positions “Members, Research Advisory Panel” are moved here from “DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES.” This is a non-substantive change.

The position “Executive Secretary, Research Advisory Panel” is moved here from “DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES.” This is a non-substantive change.

The position “Staff Services Manager I, Executive Admin Unit” is added and assigned to Disclosure Category 14, which covers financial interests in providers of services, supplies, materials, or machinery to the position’s division. The position reviews purchase orders,

procurements, contracts, and bids for division equipment, services, and ergonomics. The position supervises other positions assigned to Disclosure Category 14.

The position “Associate Governmental Program Analyst, Executive Admin Unit” is added and assigned to Disclosure Category 14, which covers financial interests in providers of services, supplies, materials, or machinery to the position’s division. The position researches and makes recommendations related to contract procedures, develops requirements for contracts, and obtains market quotes for services.

The position “Staff Services Analyst, Executive Admin Unit” is added and assigned to Disclosure Category 14, which covers financial interests in providers of services, supplies, materials, or machinery to the position’s division. The position independently procures division equipment and makes recommendations with regard to division purchase of office equipment.

DIVISION OF CIVIL LAW

The organizational unit “Executive Unit” is added below “Deputy Attorneys General (all levels)” designated in Disclosure Category 1. The Executive Unit was not previously identified in the code, but there are DAGs in the unit performing high level legal and advisory work for the Chief Assistant Attorney General of the Division of Civil Law.

DIVISION OF CRIMINAL LAW

The positions “Deputy Attorneys General, Financial Fraud and Special Prosecutions (all levels)” is amended to say “Deputy Attorneys General, Special Prosecutions Section.” This reflects a renaming of the section. This is a non-substantive change.

The positions “Auditors, Financial Fraud and Special Prosecutions (all levels)” is changed to “Auditors, Special Prosecutions Section (all levels)” This reflects a renaming of the section. This is a non-substantive change.

DIVISION OF PUBLIC RIGHTS

The positions “Auditors, Healthcare Rights and Access Section” are added and assigned to newly created Disclosure Category 19, which covers financial interests in healthcare entities. Auditors conduct audits of healthcare entities to detect fraud, deception, diversion of assets, and mismanagement.

The organizational unit “Executive Unit” is added below “Deputy Attorneys General (all levels)” designated in Disclosure Category 1. The Executive Unit was not previously identified, but a new position Deputy Attorney General Supervisor has been added. The position serves as a high level advisor to the Chief Assistant Attorney General of the Public Rights Division on the division’s most complex investigation and litigation matters.

The positions “Deputies Attorneys General (all levels) -- in Indian and Gaming Law Section” are changed to “Deputies Attorneys General (all levels) -- in Native American and Tribal Affairs Section.” This reflects a renaming of the section. This is a non-substantive change.

The positions “Deputies Attorneys General (all levels) -- in Health Care Rights and Access Section” are changed to “Deputies Attorneys General (all levels) -- in Healthcare Rights and Access Section.” This reflects a renaming of the section. This is a non-substantive change.

The positions “Deputies Attorneys General, Tobacco Litigation and Enforcement Unit, Health Care Rights and Access Section all levels)” are changed to “Deputies Attorneys General, Tobacco Litigation and Enforcement Unit, Healthcare Rights and Access Section (all levels).” This reflects a renaming of the section. This is a non-substantive change.

The positions “Deputy Attorneys General, Police Practices Section (all levels)” are added and assigned to Disclosure Category 18, which covers financial interests in peace officers and organizations that represent, advocate on behalf of, or consist primarily of, peace officers, and financial interests in business entities that provide services, supplies, and materials to the program. The positions are responsible for reviewing and making recommendations on law enforcement use of force policies.

DIVISION OF OPERATIONS

The position “Director, Office of Fiscal Management” is changed to “Director, Office of Fiscal Services.” This reflects a renaming of the office. This is a non-substantive change.

The positions “Staff Services Managers (all levels)” are changed to “Staff Services Managers except in Legal Support Services (all levels).” This change is needed because “Legal Office Administrators” in Legal Support Services were reclassified as “Staff Services Managers,” but the reclassification did not change their duties or their disclosure category, which is different than that specified for “Staff Services Managers” in the current version of the code. This is a non-substantive change.

The positions “Legal Office Administrators (all levels)” are changed to “Staff Services Managers, Legal Support Services (all levels).” This change is needed because “Legal Office Administrators” in Legal Support Services were reclassified as “Staff Services Managers.” This is a non-substantive change.

The position “Principal Law Librarian” is changed to “Principal Librarian” to accurately reflect the classification for the position. This is a non-substantive change.

The positions “Conference Coordinators” are moved to “EXECUTIVES AND EXECUTIVE/DIRECTORATE OFFICE AND PROGRAMS” and changed to “Associate Governmental Program Analysts, Strategic Section, Office of Communications.” This reflects transfers and renaming and is a non-substantive change.

The positions “Deputy Attorneys General, Office of Professional Development (all levels)” are deleted as the positions no longer exist in the Office of Professional Development.

The positions “Deputy Attorneys General, Labor Relations Unit (all levels)” are deleted as the positions no longer exist in the Labor Relations Unit.

The positions “Associate Business Management Analysts, Contracts and Purchasing Unit” are added and assigned to Disclosure Category 9, which covers financial interests in business entities of the type that contracts to provide services, supplies, materials, or machinery to the Department. The positions perform the same type of procurement-related duties for the Department as the “Associate Governmental Program Analysts, Contracts and Purchasing Unit” and “Staff Services Analysts, Contracts and Purchasing Unit,” but were not previously designed as filers in the code.

DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES

The heading for this section of the code has been changed from “CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION” to “DIVISION OF CALIFORNIA JUSTICE INFORMATION SERVICES” to accurately reflect the current name of the division. This is a non-substantive change.

The positions “Research Data Supervisors, Research Services (all levels)” are moved to “OFFICE OF GENERAL COUNSEL.” This reflects transfers of the positions and is a non-substantive change.

The positions “Research Data Specialists, Research Services (all levels)” are moved here from “OFFICE OF GENERAL COUNSEL.” This reflects transfers of the positions and is a non-substantive change.

The position “Director, Firearms Information Technology System Modernization” is a new position with authority to make, participate in making, and influence decisions concerning information technology procurements and policy. The position is assigned to file in Disclosure Category 4, which concerns financial interests in business entities that provide services, supplies, materials or machinery to the Department involving the field of information technology.

The positions “Members of the California Law Enforcement Telecommunications System Advisory Committee” are moved from “EXECUTIVES AND EXECUTIVE/DIRECTORATE OFFICE AND PROGRAMS.” This reflects transfers of the positions and is a non-substantive change.

The positions “Members, Research Advisory Panel” are moved to “OFFICE OF GENERAL COUNSEL.” This is a non-substantive change.

The position “Executive Secretary, Research Advisory Panel” is moved to “OFFICE OF GENERAL COUNSEL.” This is a non-substantive change.

DIVISION OF LAW ENFORCEMENT

The positions “Special Agents-In-Charge and Senior Special Agents-In-Charge, Special Investigations Team Program” are changed to “Special Agents-In-Charge and Senior Special Agents-In-Charge, who oversee a Special Investigations Team.” This change is for clarity as Special Agents-In-Charge and Senior Special Agents-In-Charge are in different disclosure categories depending on whether they oversee a Special Investigations Team. This is a non-substantive change.

The positions “Special Agents-In-Charge and Senior Special Agents-In-Charge” are changed to “Special Agents-In-Charge and Senior Special Agents-In-Charge, except those who oversee a Special Investigations Team.” This change is for clarity as Special Agents-In-Charge and Senior Special Agents-In-Charge are in different disclosure categories depending on whether they oversee a Special Investigations Team. This is a non-substantive change.

The positions “Forensic Scientist Toxicologist IVs” are deleted. The position is an abolished classification and the Department has reclassified the positions as “Criminalist Supervisors.” Criminalist Supervisors are already designated in the code in the same disclosure category as Forensic Scientist Toxicologist IVs.

The positions “Questioned Document Supervisors” are deleted. The position is an abolished classification and the Department has reclassified the positions as “Criminalist Supervisors.” Criminalist Supervisors are already designated in the code in the same disclosure category as Questioned Document Supervisors.

The positions “Special Agents, e-Crime Unit (all levels)” are changed to “Special Agents, White Collar Investigations Teams (all levels).” The e-Crime Unit no longer exists and all Special Agents previously in that unit are now on White Collar Investigations Teams and handle the duties for the former e-Crimes Unit. This is a non-substantive change.

The positions “Special Agents, Tobacco Investigation Unit (all levels)” are changed to “Special Agents (Tobacco), Tax Recovery in the Underground Economy Program (all levels).” The Tobacco Investigation Unit no longer exists. All Special Agents were moved as “Special Agents (Tobacco)” to the Tax Recovery in the Underground Economy Program.

DISCLOSURE CATEGORY 19 (NEW)

Disclosure Category 19 is added to the code. This new disclosure category is narrowly tailored to only require disclosure of financial interests income from healthcare entities that may be subject to audit by the Department.