

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 of Director of the Office of Program Oversight and Accountability has been renamed from the Director of the Office of Program Review and Audits, and has moved from the Division of Operations. This position is added to this part of the code to conform to the Department's current organization. This is a non-substantive change.

The position of Auditor (all levels) of the Office of Program Oversight and Accountability has been renamed from Auditor (all levels) of the Office of Program Review and Audits, and has moved from the Division of Operations. This position is added to this part of the code to conform to the Department's current organization. This is a non-substantive change.

The position of Staff Services Manager (all levels) in the Communications and Imaging Resource Center has moved from the Division of Operations. This position is added to this part of the code to conform to the Department's current organization. This is a non-substantive change.

DIVISION OF CIVIL LAW

The position of Deputy Attorneys General (all levels) in the newly created Cannabis Control Section is added to the code. This position represents various state licensing agencies that implement and enforce the Medicinal and Adult-Use Cannabis Regulation and Safety Act in administrative, trial court and appellate proceedings. The work performed by this position is most similar to work performed by the same position in the Licensing Section, which is assigned disclosure Category 3. Therefore, this position is assigned disclosure Category 3. Disclosure Category 3 is narrowly tailored to only those economic interests affected by the agencies represented by attorneys in the Cannabis Control Section.

DIVISION OF CRIMINAL LAW

In 2011, the Department created a Mortgage Fraud Strike Force. The Strike Force has merged with Financial Fraud and Special Prosecutions.

The existing position of Deputy Attorneys General (all levels) in Financial Fraud and Special Prosecutions is added to the code. The duties of this position have expanded from the investigation and prosecution of criminal cases related to the underground economy to include the investigation and prosecution of criminal cases related to financial, securities, mortgage and environmental fraud. 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 position of Auditors (all levels) in Financial Fraud and Special Prosecutions is added to the code. The duties of this position have expanded from the investigation and prosecution of criminal cases related to the underground economy to include the investigation of criminal cases related to financial, securities, mortgage and environmental fraud. 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.

DIVISION OF PUBLIC RIGHTS

The position of Deputy Attorneys General (all levels) in the newly created Health Care Rights and Access Section is added to the code. This position performs legal work relating to the areas of healthcare consumers, nonprofit healthcare transactions, antitrust, healthcare privacy and healthcare civil rights legal and policy work. The work performed by this position affects a broad range of identifiable economic interests and is a combination of work previously performed by the position of Deputy Attorneys General (all levels) in other sections (e.g., Antitrust Law, Charitable Trusts, Civil Rights Enforcement), which is assigned disclosure Category 1. Therefore, this position is assigned disclosure Category 1, the broadest disclosure category requiring disclosure of all economic interests.

DIVISION OF OPERATIONS

The position of Director of the Office of Budget and Fiscal Management has been renamed to the Director of the Office of Fiscal Management. This is a non-substantive change.

The position of Director of the Office of Program Review and Audits has been renamed and moved to Executive Office. This position is deleted from this part of the code to conform to the Department's current organization. This is a non-substantive change.

The position of Auditor (all levels) of the Office of Program Review and Audits has been renamed and moved to the Executive Office. This position is deleted from this part of the code to conform to the Department's current organization. This is a non-substantive change.

CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION

The position of Staff Services Manager II, Research Center is deleted from the code. This position no longer exists in the California Justice Information Services Division. This is a non-substantive change.

The position of Research Data Supervisor, Research Center (all levels) is added to the code. The job duties of this newly-created position include supervision of highly skilled social science researchers and the development of complex policy reports that help shape Department policy decisions. The Research Center conducts research on diverse topics such as crime, immigration,

police practices, firearms, consumer protection, cannabis, tobacco, and pollution. 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 position of Research Data Specialist, Research Center (all levels) is added to the code. The job duties of this newly-created position include independently developing research methodology in areas where precedents are lacking, or a sparse body of knowledge or experience in the area exists. Employees in this position work independently with primary responsibility for a major project. Research outcomes are used to advise executive staff on proposed or existing Department programs. The Research Center conducts research on diverse topics such as crime, immigration, police practices, firearms, consumer protection, cannabis, tobacco, and pollution. 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.

All obsolete information technology positions have been renamed and are deleted from this part of the code. Last year, the Department of Human Resources reorganized all civil service information technology positions statewide by consolidating 36 information technology positions into 9 positions. Information technology employees within the Department moved into the new positions, although their job duties did not change.

All reclassified information technology positions are relisted under a new heading in the code entitled “Information Technology Positions Department Wide” because some information technology positions in the California Justice Information Services Division moved to other divisions, but the job duties did not change.

DIVISION OF LAW ENFORCEMENT

The position of Special Agent, Tobacco Investigation Unit (all levels) in the Bureau of Investigation is added to the code. This newly-created position works closely with attorneys in the Tobacco Enforcement and Litigation Section in the Division of Public Rights, which is assigned disclosure Category 11. Therefore, this position is assigned disclosure Category 11. Disclosure Category 11 is narrowly tailored to economic interests relating to business entities that engage in the manufacture, marketing, distribution or sale of tobacco products, and business entities that are of the type that provide services or supplies to the Bureau of Investigation.

The position of Deputy Attorneys General (all levels) in the Bureau of Gambling Control is added to the code. The job duties of this position include representing the Bureau and the Gambling Control Commission in litigation involving their respective gambling regulatory programs. Employees in this position perform the same work as a deputy in the Indian and Gaming Law Section in the Division of Public Rights, which is assigned disclosure Category 1. Therefore, this position is assigned disclosure Category 1, the broadest disclosure category requiring disclosure of all economic interests.

INFORMATION TECHNOLOGY POSITIONS DEPARTMENT WIDE

All information technology positions in the Department are relisted in this part of the code because some information technology positions moved out of the Division of Criminal Justice Information Services to other divisions, but the job duties did not change.

The Department of Human Resources has reorganized all civil service information technology positions statewide by consolidating 36 information technology positions into 9 positions. Information technology employees within the Department moved into the new positions, although their job duties did not change. As part of the reorganization, the Department of Human Resources also created a new position, Information Technology Specialist III. The Department anticipates employees promoting to the new position in the future.

The following table depicts the reclassification and consolidation of the outdated positions:

New Position	Outdated Position Designated in Code
Information Technology Manager (all levels)	Data Processing Manager III and IV Systems Software Specialist III (Supervisory)
Information Technology Supervisor (all levels)	Data Processing Manager I and II Senior Information Systems Analyst (Supervisor) Staff Information Systems Analyst (Supervisor) Systems Software Specialist II (Supervisory) Senior Programmer Analyst (Supervisor)
Information Technology Specialist III	None
Information Technology Specialist I, II	Systems Software Specialist (Technical) Senior Information Systems Analyst (Specialist) Staff Information Systems Analyst (Specialist) Staff Programmer Analyst (Specialist)
Information Technology Associate	Associate Information Systems Analyst (Specialist) Assistant Information Systems Analyst (Specialist), Range C
Information Technology Technician	Assistant Information Systems Analyst (Specialist), Range A and B

The newly reclassified position of Information Technology Manager (all levels) is added to this part of the code. This position renames and consolidates the obsolete positions of Data Processing Manager III and IV and Systems Software Specialist III, which are currently designated in the code under the heading, "California Justice Information Services Division." The job duties of the affected employees in the new position did not change as a result of the reclassification and therefore the assigned disclosure category remains the same. This is a non-substantive change.

The newly reclassified position of Information Technology Supervisor (all levels) is added to this part of the code. This position renames and consolidates the obsolete positions of Data Processing Manager I and II, Senior Information Systems Analyst (Supervisor), Staff Information Systems Analyst (Supervisor), Systems Software Specialist II (Supervisory), and Senior Programmer Analyst (Supervisor), which are currently designated in the code under the heading, "California Justice Information Services Division." The job duties of the affected employees in this new position did not change as result of the reclassification and therefore the assigned disclosure category remains the same. This is a non-substantive change.

The newly created Information Technology Specialist III position is added to this part of the code. This position does not replace any obsolete information technology position but was created as a promotional opportunity for lower-level information technology employees. This position is the expert advisor level where incumbents represent the highest level of expertise and have extensive decision-making authority. The job duties of this position are similar to the duties of an Information Technology Supervisor, which is assigned to disclosure Category 14. Therefore, this position is assigned disclosure Category 14. Disclosure Category 14 is narrowly tailored to economic interests relating to business entities that are of the type that provide services or supplies to the employee's division.

The newly reclassified positions of Information Technology Specialist I and II are added to this part of the code. These positions rename and consolidate the obsolete positions of Systems Software Specialist (Technical), Senior Information Systems Analyst (Specialist), and Staff Information Systems Analyst (Specialist), Staff Programmer Analyst (Specialist), which are currently designated in the code under the heading, "California Justice Information Services Division." The job duties of the affected employees in this new position did not change as result of the reclassification and therefore the assigned disclosure category remains the same. This is a non-substantive change.

The newly reclassified position of Information Technology Associate is added to this part of the code. This position renames and consolidates the obsolete positions of Associate Information Systems Analyst (Specialist), and Assistant Information Systems Analyst (Specialist), Range C, which are currently designated in the code under the heading, "California Justice Information Services Division." The job duties of the affected employees in this new position did not change as result of the reclassification and therefore the assigned disclosure category remains the same. This is a non-substantive change.

The newly reclassified position of Information Technology Technician is added to this part of the code. This position renames and consolidates the obsolete positions of Assistant Information Systems Analyst (Specialist), Range A and B, which are currently designated in the code under the heading, "California Justice Information Services Division." The job duties of the affected employees in this position did not change as result of the reclassification and therefore the assigned disclosure category remains the same. This is a non-substantive change.