

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

87300 Jeanne P.

June 17, 1977

Sherrie Marske  
Staff Services Analyst  
Department of Youth Authority  
4241 Williamsborough Drive,  
Suite 115  
Sacramento, California 95823

A-77-412

Re: Request for Approval of Non-Substantive Amendments to the Conflict of Interest Code for the Department of Youth Authority

Dear Mrs. Marske:

Attached please find the Conflict of Interest Division's response to your request for approval of non-substantive amendments to your Code. Part II of the memorandum contains staff's recommendations pursuant to 2 Cal. Adm. Code §18752 et seq.

The items deemed permissible shall take effect on an interim basis from the date of receipt of this letter, pursuant to 2 Cal. Adm. Code §18752(b), and must be submitted to the Fair Political Practices Commission for permanent approval by January 31 of the year succeeding the calendar year in which the non-substantive alteration is approved.

The non-permissible items must be submitted for approval by the regular amendment process pursuant to Government Code §87306, Amendments for Changed Circumstances.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alfredo Flores".

Alfredo Flores  
Research Specialist  
Conflicts of Interest Division  
(916) 322-6444

AF:ma  
Attachment

# Memorandum

To : Sherrie Marske  
Department of Youth Authority

Date : June 17, 1977

From : FAIR POLITICAL PRACTICES COMMISSION - Alfredo Flores  
Conflicts of Interest Division

Subject: Youth Authority's Request for Approval of a Non-Substantive  
Amendment to its Conflict of Interest Code Pursuant to  
2 Cal. Adm. Code §18752

- I. The Department of Youth Authority, pursuant to 2 Cal. Adm. Code §18752(c), hereby submits for approval the following amendments to its Conflict of Interest Code.
  - A. The amendments sought are the result of changed circumstances within the agency caused by internal reorganization of the agency, resulting in the following changes (see attachment).
    1. The Parole and Institutions Branch has been split into two branches and renamed - Institutions and Camps Branch and Parole Services Branch, respectively.
      - a. Consequently, the Deputy Director of the Institutions and Camps Branch no longer has responsibility for services to parolees [Category IIC(1)]. Accordingly, this category is changed to reflect this loss.
        - (1) Deputy Director, Camps and Institutions Branch, is changed to I, IIA(1) [previously I, IIA(1), C(1)].
    2. The creation of the new Parole Services Branch results in the creation of two new positions:
      - a. Deputy Director of Parole Services, who is also made a member of the Director's Executive Team. This new position inherits the pre-existing category I, IIA(1), C(1).

- b. Assistant Deputy Director of Parole Services is the other newly-created position and is also designated I, IIA(1), C(1).
3. Chiefs of the Northern and Southern Divisions, Institutions and Camps Branches, are no longer responsible for services to parolees and no longer make or participate in decisions affecting real property.
  - a. Chiefs' of the Northern and Southern Division disclosure category is therefore changed to IIA(1) [previously I, IIA(1), C(1)].
4. Parole Zone Administrators are renamed Parole Regional Administrators, and their duties are increased to involve real property decisions. Their categories are thus changed to I, IIA(2), C(2), from a previous IIA(2), C(2).
5. All Parole Zones are changed to Parole Regions.
6. The following programs have been removed from the Chief of the Northern Division Institutions and Camps Branch Northern Division and transferred to Region 1 and placed under the direction of the Regional Administrator of Region 1.
  - a. Result - the Regional Administrator's categories are thus changed from IIA(2), C(2) to I, IIA(2), C(2).
    - (1) Project Director - Tri County; Assistant-Project Director, Tri County are transferred to the Regional Administration Region 1; and
    - (2) Project Director, Citizens Initiative, is transferred to the Deputy Director of the Parolees Services Branch (Branch 1).
7. The following programs have been removed from the Chief of the Southern Division Institutions and Camps Branch and transferred to Region 3 under the supervision of the Regional Administrator of Region 3.

- a. Project Director, Space, and
  - b. Assistant Project Director, Space.
8. The Divisions of Planning and Program Development and the Division of Program Evaluation are consolidated to form one Division - the Division of Planning and Program Analysis, resulting in the elimination of a designated position, which is the Chief of the Division of Program Evaluation.
  9. Under the Division of Staff Services, Institutions and Camps Branch, the following designated positions are eliminated: Chief, Operations Planning Program Monitoring Section, Supervisor of Correctional Education Program and Community Centered Drug Administrator.
  10. Finally, in the Northern Division of Institutions and Camps, under the Karl Holton School, the categories for Superintendent and Assistant Superintendent should be changed from IIA(2) to IIA(2), II. The "II" was inadvertently left off and should be added accordingly.

## II. Amendment Classification Permission

The staff's determinations are numerically sequenced to conform to the amendments listed above.

1. Item #1, concerning the Deputy Director of Institutions and Camps Branch, appears to be governed by §18752(d)(1), which provides:

"(d) Non-substantive alterations of conflict of interest codes shall be limited to the following:

(1) The reclassification or renaming of previously designated positions, provided no designated positions are created or deleted, and provided no existing disclosure responsibilities are modified;..."

It would thus appear that because existing disclosure responsibilities are being modified, resulting in a deletion of disclosure responsibilities. This can not be regarded as a non-substantive change under §18752(d) and is therefore not permissible.

2. Item #2, concerning the creation of two new positions, Deputy Director of Parole Services and the Assistant Deputy Director, appears to fall within §18752(d) (4) which provides:

"(4) The creation of new positions which must be designated pursuant to Government Code Section 87302(a), which are subject to an existing agency disclosure category or categories; or the transfer of a position previously designated to a more inclusive category; provided, however, that any person occupying a position designated pursuant to this subsection may within 10 working days of notification of designation file objection with the filing officer of the agency. The filing of an objection shall render the proposed designation ineffective until the provisions of Government Code Section 87311 are satisfied with respect to the designation of the position."

Under §18752(d) (4), the above-mentioned positions are not positions which must be designated pursuant to Government Code §87302(a), and the new positions are subject to an existing disclosure category. (Both the Deputy Director of Parole Services and the Assistant Deputy Director's disclosure categories are identical to a pre-existing category [I, IIA(1), C(1)]). This change is therefore permissible, subject to the possibility that the affected employees may object pursuant to §18752(d) (4).

3. Item #3, concerning the Chiefs of the Northern and Southern Divisions, Institutions and Camps Branches, falls within the proviso to §18752(d) (1), and therefore cannot be non-substantive - again, because existing disclosure categories are modified and is therefore not permissible.

4. Item #4, concerning the Parole Regional Administrators, falls within §18752(d)(4), specifically "...the transfer of a position previously designated to a more inclusive category;..." This change is therefore permissible however, the Agency must permit the employee to object within 10 working days, necessitating a full hearing.
5. Item #5, the changing of Parole Zones to Parole Regions falls within §18752(d)(3), which provides:

"(3) The modification of any provision of a conflict of interest code, provided no disclosure or disqualification obligation of any designated employee is disturbed thereby;..."

This change is permissible.
6. Items #'s 6 and 7, concerning the Chiefs of the Southern and Northern Divisions' Institutions and Camps Branches, are previously discussed in 3., above.
7. Item #'s 6a. and 7a., concerning the transfer of Project Director - Tri-County, Assistant Project Director - Tri-County, Project Director - Citizen's Initiative, Project Director - Space and Assistant Project Director - Space, falls within §18752(d)(1) and is permissible.
8. Item #8, concerning the consolidation of the Divisions of Planning and Program Development and the Division of Program Evaluation resulting in the elimination of the Chief of the Division of Program Evaluation, a previously designated position, falls within §18752(d)(1), and is, therefore, not permissible because a position is deleted.
9. Item #9, dealing with the elimination of various designated positions under the Division of Staff Services Institutions and Camps Branch, falls within the proviso to §18752(d)(1) and is, therefore, not permissible, since existing designated positions are deleted.
10. Item #10, concerning the correction of a clerical error, is within §18752(a)(3) and is, therefore, permissible.

## Memorandum

Executive Director  
Fair Political Practices Commission  
1100 "K" Street  
Sacramento, California

Date: May 16, 1977

Subject: Request For Approval of  
Non-Substantive Alterat  
to Our Conflict of  
Interest Code

From : Division of Personnel Management

The attached Exhibit A reflects necessary changes to Section 4029, Enumeration of Designated Positions.

The changes are due to a reorganization. The former Parole and Institutions Branch has been split to form two branches. The new names are Institutions & Camps Branch and Parole Services Branch. This organization change has created some new positions and changed responsibilities for others.

Two new positions, Deputy Director and Assistant Deputy Director, Parole Services Branch are designated. The Deputy Director is a member of the Director's Executive Team, sets policy and is the administrative head of the Parole Services Branch. The Assistant Deputy Director has delegated responsibility within the Parole Services Branch to make policy decisions independently or with the Deputy Director as well as to participate in the overall administration of the branch itself.

Changes in responsibility of previously designated positions which have resulted from the organizational change are as follows:

- Deputy Director, Institutions & Camps Branch is no longer responsible for services to parolees, (Category IIC (1)).
- Chiefs, Northern & Southern Divisions, Institutions and Camps Branch are no longer responsible for services to parolees and are no longer involved in determining location of parole offices. (Category I, IIC (1)).
- Parole Regional Administrators (formerly Zones) have more responsibility in determining location of parole offices, therefore should be required to disclose real estate investments. (Category I)

Other changes include changing the name of all Parole Zones to Parole Regions and Parole Zone Administrator to Regional Administrators; some parole offices have closed. There also has been some reassignment of special projects to parole regions.

May 16, 1977

Under Karl Holton School, Category II it was inadvertently left off for the Superintendent and Assistant Superintendent. This is in conformity with all other institutions disclosure categories for those two positions.

Under Division of Staff Services the following positions have been eliminated: Chief, Operations Planning Program Monitoring Section; Supervisor of Correctional Education Program; Community Centered Drug Administrator.

Other changes in the department include the consolidation of the Division of Planning and Program Development with the Division of Program Evaluation to form Division of Planning and Program Analysis. There are no new positions as a result of this change.

Your early approval of these changes will be appreciated. Our Conflict of Interest Code will become effective May 20, 1977 with June 20, 1977 as the final date for filing disclosure statements.

*Sherrie E. Marske*  
Sherrie E. Marske  
Staff Services Analyst  
(916) 445-0390

SEM:dj  
Attachment

**Memorandum**F P P O  
MAY 18 11 03 AM '77

To : Executive Director  
Fair Political Practices Commission  
1100 "K" Street  
Sacramento, California

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to Our Conflict of  
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May 16, 1977

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Sherrie E. Marske  
Staff Services Analyst  
(916) 445-0390

SEM:dj  
Attachment

	<u>Disclosure Category</u>
(2) <u>Division of Planning and Program Development Analysis</u>	
Chief of Division	IIA(1)
Chief, Program and Resources Dev. Sec.	IIA(1)
Chief, Planning Section	IIA(1)
<del>(3) <u>Division of Program Evaluation</u></del>	
<del>Chief of Division</del>	<del>IIA(1)</del>
<del>Youth Authority Administrator - PMES</del>	<del>IIA(1)</del>
(f) <del>PAROLE AND INSTITUTIONS BRANCH</del> Institutions & Camps Branch	
Deputy Director	I, IIA(1), <del>G(1)</del>
(1) <u>Division of Staff Services</u>	
Chief of Division	IIA(1)
Chief of Technical Assistance/and Consultation Sec.	IIA(1)
Chief, Wards Rights Section	IIA(1)
<del>Chief, Operation Planning Program Monitoring Sec.</del>	<del>IIA(1)</del>
Education Program Supervisor	IIB
Supervisor of Compensatory Education	IIB
<del>Supervisor of Correctional Education Program</del>	<del>IIB</del>
Training Officers	IIB
<del>Community Centered Drug Administrator</del>	<del>IIA(1)</del>
(2) <u>Northern Division</u>	
Chief of Division	I, IIA(1), <del>G(1)</del>
<del>Project Director - Tri-County</del>	<del>IIC(2)</del>
<del>Assistant Project Director - Tri-County</del>	<del>IIC(2)</del>
<del>Project Director - Citizen's Initiative</del>	<del>IIA(2)</del>
(A) <u>Institutions</u>	
1. <u>Northern Reception Center/Clinic</u>	
Superintendent	IIA(2), H
Assistant Superintendent	IIA(2), H
Supervising Dentist	IIE(2)
Chief Medical Officer	IIE(2)
Business Manager	IID(1), E(1)
Training Officer	IIA(2)
Program Administrator-Wintu	IIH

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(A) <u>Institutions--Cont'd.</u>	<u>Disclosure Category</u>
2. <u>O. H. Close School</u>	
Superintendent	IIA(2), H
Assistant Superintendent	IIA(2), H
Materials & Stores Supervisor (Canteen)	IIE(1)
Supervisor of Treatment Services	IIH
Training Officer	IIA(2)
3. <u>DeWitt Nelson Training Center</u>	
Superintendent	IIA(2), H
Assistant Superintendent	IIA(2), H
Materials & Stores Supervisor (Canteen)	IIE(1)
Supervisor of Treatment Services	IIH
Training Officer	IIA(2)
4. <u>Karl Holton School</u>	
Superintendent	IIA(2) H*
Assistant Superintendent	IIA(2) H*
Materials & Stores Supervisor (Canteen)	IIE(1)
Supervisor of Treatment Services	IIH
Training Officer	IIA(2)
5. <u>Preston School of Industry</u>	
Superintendent	IIA(2), H
Assistant Superintendent	IIA(2), H
Chief Medical Officer	IIE(2)
Program Administrator of: Sequoia Lodge	IIH
Manzanita Lodge	
Business Manager	IID(1), E(1)
Training Officer	IIA(2)
Receiving Officer (Canteen)	IIE(1)
Chief of Plant II	IID(2)
6. <u>Northern California Youth Center</u>	
Business Manager III	IID(1), E(1)
Chief Medical Officer	IIE(2)
Food Administrator II	IIE(3)
Chief of Plant III	IID(2)
Culinary Arts Instructor- Delta Room	IIE(3)
7. <u>Youth Conservation Camps</u>	
Superintendent	IID(1), E(1), H
Assistant Superintendent	IID(1), E(1), H

(3.)

Southern Division

Chief of Division

↓, IIA(1), ~~C(1)~~

~~Project Director - SPACE~~

~~II(2), E(1)~~

~~Assistant Project Director - SPACE~~

~~II(2), E(1)~~

(A) Institutions

Disclosure  
Category

1. Fred C. Nelles School

Superintendent IIA(2), H  
Assistant Superintendent IIA(2), H  
Chief of Medical Services IIE(2)  
Training Officer IIA(2)  
Business Manager IID(1), E(1)  
Chief of Plant II IID(2)

2. Oak Glen Youth Conservation Camp

Superintendent IID(1), E(1), H  
Assistant Superintendent IID(1), E(1), H

3. El Paso de Robles School

Superintendent IIA(2), H  
Assistant Superintendent IIA(2), H  
Chief of Medical Services IIE(2)  
Training Officer IIA(2)  
Business Manager IID(1), E(1)  
Chief of Plant II IID(2)  
Materials & Stores Supervisor II  
(Canteen) IIE(1)

4. Southern Reception Center-Clinic

Superintendent IIA(2), H  
Assistant Superintendent IIA(2), H  
Program Administrator - Marshall IIH  
Chief of Medical Services IIE(2)  
Training Officer IIA(2)  
Business Manager IID(1), E(1)  
Dentist III IIE(2)

5. Ventura School & Clinic

Superintendent IIA(2), H  
Assistant Superintendent IIA(2), H  
Material & Stores Supervisor I  
(Canteen) IIE(1)  
Chief of Medical Services IIE(2)  
Training Officer IIA(2)  
Business Manager IID(1), E(1)  
Food Administrator I IIE(3)  
Chief of Plant II IID(2)

6. Youth Training School

Superintendent IIA(2), H  
Assistant Superintendent IIA(2), H  
Chief, Medical Officer IIE(2)  
Training Officer IIA(2)  
Business Manager IID(1), E(1)

(g) Parole Services Branch

Deputy Director  
Asst. Deputy Director  
Proj. Director Citizens Initiative

I, IIA (1), C (1)  
I, IIA (1), C (1)  
IIA (2)

Proj. Director Tri-County IIC (2)  
Asst. Proj. Director - Tri-County IIC (2)

1. ~~Zone I~~ Region I

Regional <del>Parole Zone</del> Administrator	I, IIA(2), C(2)
Program Planner	IIC(2)
Assistant to Parole Zone Administrator	IIA(1), C(2)
Supervising Parole Agents	IIC(2)
Hayward	IIC(2)
<del>Richmond</del>	<del>IIC(2)</del>
San Jose	IIC(2)
Oakland	IIC(2)
JOBS	IIC(2)
<del>Santa Cruz</del>	<del>IIC(2)</del>
Santa Rosa	IIC(2)
San Francisco Case Management Component	IIC(2)
San Francisco Treatment Component	IIC(2)
Redwood City	IIC(2)
Administrator, San Francisco Project	IIC(2)

2. ~~Zone II~~ Region II

Regional <del>Parole Zone</del> Administrator	I, IIA(2), C(2)
Program Planner	IIC(2)
Assistant to Parole Zone Administrator	IIA(2), C(2)
Supervising Parole Agents	IIC(2)
North Valley	IIC(2)
Sacramento	IIC(2)
Stockton	IIC(2)
Stockton CPC	IIC(2)
Fresno	IIC(2)

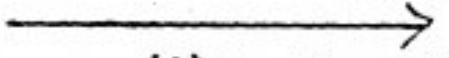
Proj. Director SPACE IIC(2), E(1)  
Asst. Proj. Director SPACE IIC(2), E(1)

(3)✓.

~~Zone III~~ Region III

Regional  
~~Parole Zone~~ Administrator  
Program Planner  
Assistant to Parole Zone  
Administrator  
Supervising Parole Agents  
Downey  
El Monte/Covina  
Esperanza CPC  
Jefferson CPC  
Long Beach  
L.A. North  
L.A. South  
San Fernando Valley  
Socorro  
Ujima CPC  
Watts CPC

I, IIA(2), C(2)  
IIC(2)  
  
IIA(2), C(2)  
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(4)✓.

~~Zone IV~~ Region IV

Regional  
~~Parole Zone~~ Administrator  
Assistant to Parole Zone  
Administrator  
Program Planner  
Supervising Parole Agents  
Bakersfield  
La Mesa  
Park Centre  
Riverside  
San Bernardino  
San Diego  
Santa Ana  
Santa Barbara

I, IIA(2), C(2)  
  
IIA(2), C(2)  
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