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TRANSCRIPTION OF RECORDED INTERVIEW

OF

Rob Boriskin

September 13, 2012

Sacramento, California

Investigation of Department of Parks &
Recreation - Financial Irregularities

Interviewed by: Thomas M. Patton
Deputy Attorney General
Office of the Attorney
General
State of California

Transcribed by: David Rutt,
eScribers, Inc.
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(SA201210710)

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1 MR. PATTON: Okay. This is Thomas
2 M. Patton, Deputy Attorney General, and I am
3 here with Rob Boriskin.

4 MR. BORISKIN: Yes, Rob Boriskin.

5 MR. PATTON: How do you spell your
6 last name?

7 MR. BORISKIN: B, like in boy,
8 O-R-I-S-K-I-N.

9 MR. PATTON: And it is 4:15,
10 Thursday, September 13, 2012.

11 And Rob, I called you up on the
12 phone and just -- as I indicated to you, I
13 wanted to get on record our conversation --

14 MR. BORISKIN: That's fine.

15 MR. PATTON: -- because I've been
16 interviewing all kinds of people that work for
17 or have worked for Parks Department.

18 MR. BORISKIN: Yes.

19 MR. PATTON: So start by just giving
20 me some of your background. I don't know how
21 long you worked for Parks and when exactly --

22 MR. BORISKIN: Yeah, I can --

23 MR. PATTON: -- so tell me about
24 your (indiscernible - simultaneous speaking).

25 MR. BORISKIN: -- just kind of give

1 you the little story.

2 MR. PATTON: Yeah.

3 MR. BORISKIN: I worked for Parks, I
4 think, April of 2005 to 2006, '05, '06, yeah,
5 2005, 2006. I had worked at the Department of
6 Fish and Game as the Assistant Deputy for
7 Admin. My manager there was Michael Harris.
8 I worked for him for about five years. He
9 went to Parks. There was an opportunity for
10 someone to work for him. I liked working for
11 him. I interviewed and got the position and
12 started working there. So I worked there --

13 MR. PATTON: And the position being?

14 MR. BORISKIN: The position was
15 similar to that, assistant -- he was the
16 Deputy for Admin, and I was one of the
17 Assistant Deputies, and I was over Budgets, I
18 was over Procurement and Contracts, three
19 units. I don't even remember what they were,
20 but I was -- that was my position at the time.
21 Tom somebody was who I replaced, and I don't
22 know if you have the org charts for back then.

23 MR. PATTON: I do.

24 MR. BORISKIN: Oh, good.

25 MR. PATTON: Tom Domich?

1 MR. BORISKIN: Yeah, Tom Domich was
2 who I replaced. And so when Tom left, I came
3 and took that position.

4 MR. PATTON: Okay.

5 MR. BORISKIN: And I worked there
6 for a little -- I think a year, and then I
7 retired from State government.

8 MR. PATTON: Okay.

9 MR. BORISKIN: I actually worked
10 there less than a full year because I had
11 decided to retire, used up some of my vacation
12 and then was there. So I was actively playing
13 the role there for less than a year.

14 MR. PATTON: Okay.

15 MR. BORISKIN: Michael Harris, who
16 hired me, after about a month or so -- do you
17 have the org chart from back there? After
18 about a month or so, yeah, Deputy Michael
19 Harris -- that was me, Fiscal Management.

20 MR. PATTON: I'm going to make a
21 note for the record, for my transcribers,
22 because we -- a number of times I've used the
23 phrase "org chart" --

24 MR. BORISKIN: Oh, okay.

25 MR. PATTON: -- and I've seen

1 transcripts, they come back and they read
2 "Orrick charts", and I don't know what an
3 Orrick chart is.

4 MR. BORISKIN: Organization chart.

5 MR. PATTON: For the record, "org
6 chart" is organization charts. So you're
7 using the same word.

8 MR. BORISKIN: Right.

9 MR. PATTON: Appreciate it.

10 MR. BORISKIN: Yeah, that's right.
11 And I was over Business, Procurement,
12 Accounting Services, and Contracts, right, and
13 Gayle Bohlmann --

14 MR. PATTON: Okay. Slow down.

15 MR. BORISKIN: Oh, sure.

16 MR. PATTON: So you were the
17 Assistant Deputy Director for Admin Services.

18 MR. BORISKIN: It was actually
19 called Fiscal Management Division so -- didn't
20 call me assistant, but that's what it was
21 like.

22 MR. PATTON: Okay.

23 MR. BORISKIN: Yeah.

24 MR. PATTON: Financial Management
25 Division.

1 MR. BORISKIN: Yeah, that was my
2 title.

3 MR. PATTON: And you were the head
4 of the Financial Management Division --

5 MR. BORISKIN: Correct.

6 MR. PATTON: -- of Admin Services.

7 MR. BORISKIN: Correct.

8 MR. PATTON: And then this --

9 MR. BORISKIN: -- reporting to
10 Michael Harris.

11 MR. PATTON: Who was the
12 Administrative Services Division Deputy
13 Director?

14 MR. BORISKIN: Right.

15 MR. PATTON: All right.

16 MR. BORISKIN: And he --

17 MR. PATTON: And that title, I
18 think, shortly after -- and on some list,
19 you're shown as Assistant Deputy Director for
20 Admin --

21 MR. BORISKIN: Okay.

22 MR. PATTON: -- Services.

23 MR. BORISKIN: Okay.

24 MR. PATTON: So you say you were
25 over Budgets, Procurement, and what else?

1 MR. BORISKIN: Accounting.

2 MR. PATTON: Accounting.

3 MR. BORISKIN: And Contracts.

4 MR. PATTON: Okay.

5 MR. BORISKIN: And Asset Management.

6 MR. PATTON: Okay. So in '05 and
7 '06?

8 MR. BORISKIN: Right.

9 MR. PATTON: Okay. And so as -- we
10 started talking about this on the phone, and
11 that's when I said --

12 MR. BORISKIN: Um-hum.

13 MR. PATTON: -- let me come down and
14 we'll get this on tape.

15 MR. BORISKIN: Sure.

16 MR. PATTON: It's -- you know, we've
17 looked at it. It's come to pretty much
18 everyone's attention that there was some
19 disparity in the funds reported. The
20 Accounting side of things, I understand,
21 there's sort of a constant -- it's the ledger,
22 it's the accounting record, and at the end of
23 the year they give a final year-end statement
24 of their accounts with the Controller's
25 office, and there's a continuous

1 reconciliation. That sound right?

2 MR. BORISKIN: Well, you know, it's
3 been a long time, but yes, there -- here's how
4 I remember it, okay. There are fund
5 conditions and then authority to spend.

6 MR. PATTON: Yeah.

7 MR. BORISKIN: And the budget shop
8 develops the authority to spend, okay, but
9 they develop the authority to spend based on
10 the available funds.

11 MR. PATTON: Yeah.

12 MR. BORISKIN: And one of the ways
13 you know how much funds are available are the
14 fund conditions.

15 MR. PATTON: Okay.

16 MR. BORISKIN: And those things are
17 both displayed in different places, okay. The
18 issue that's in the paper that you're wanting
19 to know what I know about --

20 MR. PATTON: Yeah.

21 MR. BORISKIN: -- is there was a
22 discrepancy between the fund condition -- and
23 I don't remember where -- whether the
24 accounting people say here's the fund
25 condition and then I looked at the budget

1 documents and said, here's the fund condition,
2 and those two conditions, not authority to
3 spend but the conditions were different and --

4 MR. PATTON: In '05? Do you
5 remember by how much?

6 MR. BORISKIN: No, but it was a big
7 number.

8 MR. PATTON: It was a big number.

9 MR. BORISKIN: I was --

10 MR. PATTON: Some number of
11 millions?

12 MR. BORISKIN: Yes, in the millions.

13 MR. PATTON: Tens of millions?

14 MR. BORISKIN: Yeah. I thought it
15 was thirty-five million, but I could be wrong,
16 okay. That was way back -- you know, I don't
17 remember. No, I don't know.

18 MR. PATTON: All right.

19 MR. BORISKIN: Okay. So I brought
20 that to Becky Brown who -- when I was there --
21 and just a little side. Becky Brown, when I
22 was interviewing for the position, was one of
23 the people that I think gave a favorable nod
24 to me, okay. I worked for her husband at
25 Caltrans, the incestuous department -- you

1 know, the incestuous role and had some
2 interaction with -- had interaction with Becky
3 before I came to Parks because she was one of
4 the most highly respected Budget Officers in
5 the state. At her retirement, it was just
6 amazing all the people who came. She was very
7 knowledgeable, really smart, I had a lot of
8 respect for her, and so I came there.

9 So I'm in the new position. I
10 noticed the difference. I bring it to her
11 attention, and she says not to worry about it.
12 And the only reason I remember that
13 conversation is this is a person I liked and
14 respected, and she's telling me not to do
15 that, and that's not my nature, and I felt
16 uncomfortable about it.

17 MR. PATTON: So you saw that there
18 was a difference in the financial condition
19 reported to the -- in the report to the
20 Controller versus to the Department of
21 Finance?

22 MR. BORISKIN: It could be that
23 clear. That sounds a lot like it. I don't
24 remember it at that level. All I knew was
25 there was a difference.

1 MR. PATTON: In reports being
2 issued?

3 MR. BORISKIN: Right. I just saw --
4 I'm a spreadsheet kind of guy --

5 MR. PATTON: Yeah.

6 MR. BORISKIN: -- one of the things
7 they told me not to do.

8 MR. PATTON: Yeah.

9 MR. BORISKIN: But I did a lot of
10 spreadsheets because it helped me
11 understand --

12 MR. PATTON: Uh-huh.

13 MR. BORISKIN: -- the new department
14 I was in. So I must have done a spreadsheet,
15 and on the spreadsheet, I saw how much money
16 was in the funds, and then I saw this other
17 document showed a different amount, and that
18 concerned me.

19 MR. PATTON: So you went to Becky,
20 and she said -- and you showed her what -- you
21 showed her the spreadsheet?

22 MR. BORISKIN: Oh, I'm not sure how
23 the conversation -- I don't remember it
24 (indiscernible - simultaneous speaking).

25 MR. PATTON: You talked to her about

1 you'd seen a difference --

2 MR. BORISKIN: I'd seen a
3 difference, right.

4 MR. PATTON: -- and the best of your
5 recollection, maybe thirty-five million?

6 MR. BORISKIN: Right.

7 MR. PATTON: And she said what? She
8 knew about it?

9 MR. BORISKIN: Well, yeah, she said
10 don't worry about that. I was blown off
11 basically.

12 MR. PATTON: Okay. So you got the
13 impression she knew about it?

14 MR. BORISKIN: Yes.

15 MR. PATTON: Okay. She wasn't
16 surprised with the news?

17 MR. BORISKIN: No.

18 MR. PATTON: Okay. And so she told
19 you -- and before we look at this, she told
20 you then, don't worry about it. And what else
21 did she tell you?

22 MR. BORISKIN: You know, we didn't
23 have a conversation. What happened is I got
24 uncomfortable, and I must have said something
25 like, no, this is my job, I need to know that.

1 And I have no idea what happened. I just know
2 I left there feeling uncomfortable and shut
3 off.

4 MR. PATTON: Well, did you talk to
5 somebody else about it?

6 MR. BORISKIN: I eventually talked
7 to Michael Harris about it, but I don't
8 remember specifically the conversation, but
9 I'm sure Michael and I talked. [REDACTED]

[REDACTED]

14 MR. PATTON: Okay.

15 MR. BORISKIN: So I'm new trying to
16 learn this thing, is the person who's helped
17 me, I asked them this question, they say not
18 to worry about it. I don't think it concerned
19 me too much because --

20 MR. PATTON: But did Michael tell
21 you the same thing?

22 MR. BORISKIN: No. I think Michael
23 probably said, well, Becky knows what she's
24 doing, you need to trust her, or something to
25 that effect.

1 MR. PATTON: Okay.

2 MR. BORISKIN: Yeah. Michael then
3 left, okay. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
4 I became sort of acting him and went to
5 meetings. I believe, and yet it's not as
6 clear as I wish it was that I went to a
7 meeting with Ruth Coleman in -- because I was
8 acting for -- somebody had to fill in for a
9 short period of time -- well, I was filling
10 in, and I went to a meeting, and I said, well,
11 here's some of the issues that are on my plate
12 and this is one of them, because there
13 continued to be an issue for me, and she gave
14 me similar advice but more specifically said,
15 you need to be looking at bigger overall
16 pictures, not spending so much time doing
17 spreadsheets. So at that point, I realized I
18 wasn't a really good match for Parks and
19 Recreation and started my plans to leave.

20 MR. PATTON: So you went first to
21 Becky. You had seen that there was a
22 discrepancy in the magnitude of tens of
23 millions.

24 MR. BORISKIN: Um-hum.

25 MR. PATTON: And we're talking about

1 the State Parks and Recreation Fund, correct?

2 MR. BORISKIN: I just -- I don't
3 know if it was one of them or both of them,
4 together.

5 MR. PATTON: What would the other
6 one be?

7 MR. BORISKIN: The Off Road Vehicle
8 Fund.

9 MR. PATTON: Off Highway Vehicle
10 Fund?

11 MR. BORISKIN: Yeah.

12 MR. PATTON: Okay.

13 MR. BORISKIN: So there's two funds.
14 They have --

15 MR. PATTON: Are these the major
16 funds there?

17 MR. BORISKIN: No. I think the
18 General Fund is the major fund there. I think
19 most of the money that Parks and Recreation
20 spends is the General Fund.

21 MR. PATTON: Okay.

22 MR. BORISKIN: So I don't -- as I
23 remember it back then, I'm looking at this,
24 I'm looking at all the funds that support the
25 department, and I'm saying, well, that's

1 weird, it's not an expenditure issue, it's not
2 an authority issue, it's just a fund condition
3 issue.

4 MR. PATTON: Um-hum.

5 MR. BORISKIN: And I had the sense
6 that the people that told me not to worry
7 about it were trying to protect the department
8 and keep a rainy day fund.

9 MR. PATTON: What gave you that
10 sense?

11 MR. BORISKIN: Well, I don't know
12 why. That was -- I mean, I'm assuming I might
13 have felt more of a --

14 MR. PATTON: Let me --

15 MR. BORISKIN: Sure.

16 MR. PATTON: Let me try -- I want to
17 just elaborate a little bit so I understand
18 what your perception was.

19 MR. BORISKIN: Sure.

20 MR. PATTON: You said it wasn't an
21 authority -- a spending authority issue --

22 MR. BORISKIN: Right.

23 MR. PATTON: -- it was a fund
24 condition issue --

25 MR. BORISKIN: Right.

1 MR. PATTON: -- meaning an issue
2 related to how much money is in these funds.

3 MR. BORISKIN: Right.

4 MR. PATTON: And so -- and then you
5 say you got the feeling that it -- that there
6 was some sort of like a protection as rainy
7 day thing going on. So what you were seeing
8 then is you're telling me what you saw was
9 that there appeared to be an underreporting of
10 funds; there were more funds in existence than
11 were being -- than were indicated on some of
12 these records.

13 MR. BORISKIN: Right. So every --

14 MR. PATTON: And if you take the two
15 combined, Off Highway Vehicle and the State
16 Parks and Rec Fund, in your recollection it's
17 (indiscernible - simultaneous speaking).

18 MR. BORISKIN: But remember, each --
19 most funds are -- there's legislation that
20 controls the expenditure from the fund --

21 MR. PATTON: Right.

22 MR. BORISKIN: -- I think more so
23 the Off Road Vehicle. So there's legislation
24 that says we're going to collect the money and
25 how we're going to collect money is everybody

1 who uses the park is going to pay -- I think
2 Off Road Vehicle is actually part of vehicle
3 registration fee or something like that. I
4 don't even remember where it come -- but it
5 comes from some source. And then the law
6 says, we're going to take this money, put it
7 in this fund, and then you can only be spent
8 for these purposes, okay. So how much money
9 is in the fund and what it can be spent for,
10 then during the budget cycle, they say we have
11 these needs for this fund, yes there's enough
12 money, you have the authority to spend it.
13 But even if there's ten million dollars in
14 there but the legislature says no, we only
15 want you to spend one million of that, then
16 the fund's there; it's not -- and they don't
17 spend all the money in the fund every year.

18 MR. PATTON: So the bottom line was
19 you saw in some of the reports more money than
20 there was authorization to spend; there was
21 additional funds sitting.

22 MR. BORISKIN: Yes.

23 MR. PATTON: Right.

24 MR. BORISKIN: But that would be in
25 multiple funds, I'm assuming. I don't

1 remember it in detail. I just remember in
2 this fund I noticed the difference between two
3 places where it was reported, and it bothered
4 me.

5 MR. PATTON: And do you remember
6 where the places were that it was being
7 reported?

8 MR. BORISKIN: No, I don't.

9 MR. PATTON: No. Okay.

10 MR. BORISKIN: Yeah.

11 MR. PATTON: All right. And then
12 you say you -- so you went to Becky, and she
13 basically, according to what you've told me,
14 said don't worry about it.

15 MR. BORISKIN: Yes.

16 MR. PATTON: So it sounds to me like
17 that indicated that she was aware of it. She
18 didn't show any surprise over it.

19 MR. BORISKIN: No, she did not.

20 MR. PATTON: Okay. So you --

21 MR. BORISKIN: I believe she was
22 aware of it.

23 MR. PATTON: You took away from that
24 that she was aware of it?

25 MR. BORISKIN: Yes.

1 MR. PATTON: Told you not to worry
2 about it. And that was the extent of the
3 conversation with her?

4 MR. BORISKIN: Yeah. And then she
5 was in her transition leaving and --

6 MR. PATTON: Did you ask her any
7 more questions about how long has it been like
8 this or --

9 MR. BORISKIN: No.

10 MR. PATTON: -- is there ever going
11 to be --

12 MR. BORISKIN: No.

13 MR. PATTON: -- attempt to do
14 anything about it?

15 MR. BORISKIN: I was new.

16 MR. PATTON: Yeah.

17 MR. BORISKIN: I was uncertain of my
18 position. I was trying to break into a new
19 job.

20 MR. PATTON: Yeah.

21 MR. BORISKIN: I wasn't going to
22 push things. She was someone who helped me
23 get there.

24 MR. PATTON: Yeah.

25 MR. BORISKIN: I mean, it just -- it

1 was --

2 MR. PATTON: Okay. So you saw this
3 pretty early then in '05. You said you
4 started in April of '05?

5 MR. BORISKIN: Yes.

6 MR. PATTON: And so you saw this, it
7 sounds like, pretty quickly.

8 MR. BORISKIN: Yeah. I don't
9 remember exactly when but fairly early, yes.

10 MR. PATTON: And then -- and so you
11 backed off. She told you don't worry about
12 it --

13 MR. BORISKIN: Right.

14 MR. PATTON: -- you backed off.

15 MR. BORISKIN: And it didn't feel at
16 the moment like it was a critical issue.

17 MR. PATTON: And then how much time
18 elapsed before you then had a conversation
19 with Harris about it?

20 MR. BORISKIN: Oh, I'm assuming
21 fairly soon after that. I mean, Becky and I
22 talked, and I would have -- Michael and I were
23 fairly friendly, and I'm assuming I went in
24 and said, hey, Michael, I talked to Becky
25 about this thing, and she thought -- she told

1 me to back off, and he said, well, you know,
2 she knows, she's been here a long time, Rob,
3 you probably ought to believe that.

4 MR. PATTON: And so you -- did
5 you -- how many times did you discuss it with
6 Becky? Just the once?

7 MR. BORISKIN: All I remember is the
8 one time.

9 MR. PATTON: And how many times did
10 you discuss it with Michael?

11 MR. BORISKIN: Probably just the
12 once. The only person I discussed it a lot
13 with is my wife. She still remembers. She
14 remembers -- it's really funny. She says to
15 me, I remember when you came home, you were
16 all worried about that. But yeah.

17 MR. PATTON: When did you start
18 discussing it with your wife? Back then in
19 '05 when --

20 MR. BORISKIN: Oh, sure, yeah, the
21 day it happened. I came home and I said, I
22 had a crappy day, what happened with you? I
23 talked to Becky who's been really helpful and
24 everything, and this weird thing came up and
25 it just made me feel uncomfortable.

1 MR. PATTON: Yeah.

2 MR. BORISKIN: And that was probably
3 the extent of it. She remembers. My wife's
4 real smart and remembers things.

5 MR. PATTON: Oh, that's good. We
6 need smart people.

7 MR. BORISKIN: Yeah, yeah, we do.

8 MR. PATTON: And then you say you
9 were filling in for Michael who was the Deputy
10 Director for Admin Services.

11 MR. BORISKIN: Right. So let's say
12 that -- and I don't know the time line, really
13 this would -- I'm hopeful you have that
14 figured out.

15 MR. PATTON: Yeah.

16 MR. BORISKIN: So I'm sitting here.
17 I'm new here in April.

18 MR. PATTON: As the --

19 MR. BORISKIN: Assistant reporting
20 to Michael.

21 MR. PATTON: Right, right.

22 MR. BORISKIN: I'm probably there a
23 month, maybe two months, something like that.

24 [REDACTED]

[REDACTED]

1 MR. PATTON: Okay. So you've seen
2 this and discussed it with both Becky and
3 Michael --

4 MR. BORISKIN: Right.

5 MR. PATTON: -- within two months.

6 MR. BORISKIN: Right. And then I'm
7 starting to have meetings with Ruth and --

8 MR. PATTON: So you're now a Deputy
9 Director -- acting Deputy Director in
10 Michael's absence.

11 MR. BORISKIN: And I'm sitting in
12 meetings here. And she had one-on-ones with
13 people. And I get called in for a one-on-one.
14 I'm talking about a variety of things. At
15 that meeting --

16 MR. PATTON: Had a one-on-one
17 meeting with Ruth?

18 MR. BORISKIN: One-on-one with Ruth.

19 MR. PATTON: Okay.

20 MR. BORISKIN: At that meeting, the
21 two things that came away -- well, the one
22 thing that came -- the only one thing that
23 came away from that meeting is Ruth said, if
24 you're going to be moving up in State
25 government, you need to look at the bigger

1 picture of things, because I was telling her
2 some of the issues, this being one of them, I
3 believe, okay. Now, these are the problems --
4 I said, it's a one-on-one with your boss.

5 MR. PATTON: Tell me how you
6 described the issue to her of the fund
7 discrepancy.

8 MR. BORISKIN: I think that's all I
9 would have said. I said there's just a
10 difference in the balance in two places. It
11 never --

12 MR. PATTON: Did you tell her by
13 on -- of what magnitude?

14 MR. BORISKIN: I'm not sure. I
15 really don't remember that. I just said, hey,
16 one of the things I noticed is there's a
17 difference within the fund balances; it seems
18 like it's something we should try to resolve.
19 I'm assuming it's said -- it was said
20 something like that.

21 MR. PATTON: Well, it wasn't an
22 insignificant difference or you wouldn't be
23 bringing it up.

24 MR. BORISKIN: No. I thought it was
25 important. And at that meet -- I've thought a

1 lot of things were important though.

2 MR. PATTON: Yeah.

3 MR. BORISKIN: And at that meeting
4 is when Ruth told me, you really have to learn
5 how to look at the broader scope of things;
6 you're now acting Deputy and you'll have to
7 look at the big picture. And she
8 complained -- and she says, I understand you
9 do spreadsheets all the time. And I said,
10 yeah, it helps me understand things. And she
11 said, that's interesting. Anyhow, and all of
12 a sudden I didn't feel comfortable in my
13 position.

14 MR. PATTON: So she was sort of like
15 suggesting you shouldn't spend time studying
16 spreadsheets?

17 MR. BORISKIN: Absolutely.

18 MR. PATTON: When you discussed the
19 disparity -- I really want you to try to dig
20 back and remember the details of this
21 interaction --

22 MR. BORISKIN: Yeah.

23 MR. PATTON: -- to the best you can.
24 Today I don't think you're able to identify
25 from memory which funds you were talking

1 about.

2 MR. BORISKIN: Yeah.

3 MR. PATTON: To your recollection,
4 when you discussed this with Ruth, would you
5 have identified which funds you're talking
6 about?

7 MR. BORISKIN: Yes.

8 MR. PATTON: You would have?

9 MR. BORISKIN: I think I would have.

10 MR. PATTON: Let's look for a second
11 now --

12 MR. BORISKIN: Okay.

13 MR. PATTON: -- at these -- since
14 you do like looking at --

15 MR. BORISKIN: Whose are these?

16 MR. PATTON: These are from the
17 Department of Finance.

18 MR. BORISKIN: Oh.

19 MR. PATTON: And I kind of like
20 spreadsheets too.

21 MR. BORISKIN: Okay.

22 MR. PATTON: And it shows some
23 summary information for two different funds.
24 One is the State Parks and Recreation Fund,
25 the SPRF -- don't worry about this yet.

1 MR. BORISKIN: Oh, okay.

2 MR. PATTON: Let me explain to you
3 what we're looking at.

4 MR. BORISKIN: Okay.

5 MR. PATTON: Don't jump ahead of me.

6 MR. BORISKIN: All right.

7 MR. PATTON: One is the State Parks
8 and Recreation Fund.

9 MR. BORISKIN: Uh-huh.

10 MR. PATTON: You've heard of that?

11 MR. BORISKIN: Yes.

12 MR. PATTON: Shorthand for that I
13 always hear is the SPRF.

14 MR. BORISKIN: I don't remember that
15 shorthand but okay.

16 MR. PATTON: I'm told that this is a
17 fund where the park entrance fee revenues go
18 in and license fees and concession errors.

19 MR. BORISKIN: Okay.

20 MR. PATTON: Okay. You don't --

21 MR. BORISKIN: I don't remember that
22 detail.

23 MR. PATTON: You don't have a
24 recollection of the detail?

25 MR. BORISKIN: No.

1 MR. PATTON: The other is called the
2 Off Highway Vehicle Trust Fund.

3 MR. BORISKIN: Right. That sounds
4 more familiar.

5 MR. PATTON: You just told me about
6 you recall maybe some vehicle registration fee
7 part goes into this --

8 MR. BORISKIN: I thought so, yeah.

9 MR. PATTON: -- something like that.

10 MR. BORISKIN: Uh-huh.

11 MR. PATTON: What Finance is showing
12 here is that this is the -- on the ledger
13 basis annual report is the --

14 MR. BORISKIN: Controllers -- legal
15 basis says there's twelve million in there.
16 I'm assuming these are millions.

17 MR. PATTON: Yeah.

18 MR. BORISKIN: Reservation for
19 encumbrances.

20 MR. PATTON: Reserve for
21 encumbrances.

22 MR. BORISKIN: Right. Adjustment --

23 MR. PATTON: So we've got an
24 adjustment, and then we have the adjusted
25 Controller's balance.

1 MR. BORISKIN: Okay.

2 MR. PATTON: And then we have
3 something here that says "Finance, Governor's
4 Proposed Budget."

5 MR. BORISKIN: So that would be the
6 spending authority, and that would be the
7 balance in the budget.

8 MR. PATTON: No, no, not
9 necessarily.

10 MR. BORISKIN: Oh, okay. I didn't
11 know that.

12 MR. PATTON: Not necessary
13 authority. I don't want to use too broad of a
14 term.

15 MR. BORISKIN: Okay.

16 MR. PATTON: What I understand is
17 that this is the adjusted balance in the
18 ledger balance --

19 MR. BORISKIN: Okay.

20 MR. PATTON: -- that both the
21 accounting side of the Parks Operation and the
22 Controller have in their records --

23 MR. BORISKIN: Okay.

24 MR. PATTON: -- as being the
25 year-end adjusted balance.

1 MR. BORISKIN: Okay.

2 MR. PATTON: Okay. And it's
3 adjusted to reflect some reserves for
4 encumbrances, some other adjustments.
5 Basically at the year end, there's an eleven
6 million dollar and some change balance as
7 reported to the Controller.

8 MR. BORISKIN: Okay.

9 MR. PATTON: This is the ledger.
10 This number that is simply labeled "Finance,
11 Governor's Proposed Budget" is what I'm told
12 was reported through the budget side of the
13 Parks Department as being the fund condition,
14 the year-ending fund condition, that this is a
15 representation of how much is in this fund,
16 five million -- what does that say?

17 MR. BORISKIN: 6,576,000.

18 MR. PATTON: Okay. That this is --

19 MR. BORISKIN: Wait. Let's move
20 back up again. Adjusted balance. That's the
21 balance of the fund.

22 MR. PATTON: Yeah. But these are
23 two balances, that this is a balance reported
24 to Controller, and this is a balance reported
25 to Finance.

1 MR. BORISKIN: Really.

2 MR. PATTON: Yeah.

3 MR. BORISKIN: "Finance, Governor's
4 Proposed Budget." So that is just a display
5 in the governor's budget of the balance of the
6 fund.

7 MR. PATTON: Yeah. So this is what
8 I'm told so --

9 MR. BORISKIN: Wait a second. Why
10 is there -- then why is there a difference?

11 MR. PATTON: Well, that's why we're
12 here.

13 MR. BORISKIN: Oh, okay.

14 MR. PATTON: Okay. And this is the
15 difference you were talking to me about.

16 MR. BORISKIN: Oh, okay.

17 MR. PATTON: Now I'm trying to show
18 it to you in numbers.

19 MR. BORISKIN: Okay.

20 MR. PATTON: And so that's going
21 back quite a ways; that's to '93.

22 MR. BORISKIN: Three.

23 MR. PATTON: And that shows that
24 some four million, five hundred and -- what's
25 that? 68,000?

1 MR. BORISKIN: Yeah, uh-huh.

2 MR. PATTON: Less is reported in the
3 fund condition as part of the report to
4 Finance for the governor's budget than is
5 reported on the ledger to Controller.

6 MR. BORISKIN: Okay. So that's what
7 those mean. All right.

8 MR. PATTON: All right. So that's
9 in year ending June 30 --

10 MR. BORISKIN: '03.

11 MR. PATTON: -- '93.

12 MR. BORISKIN: Yeah, '93.

13 MR. PATTON: '93.

14 MR. BORISKIN: Oh.

15 MR. PATTON: So what we've been
16 referring this folded number at the bottom
17 under the equation is the amount underreported
18 to the Department of Finance versus --

19 MR. BORISKIN: So this has been
20 going on like forever.

21 MR. PATTON: A long time.

22 MR. BORISKIN: Okay.

23 MR. PATTON: This is '93, four and a
24 half million --

25 MR. BORISKIN: And so until the

1 research you guys have done is the
2 difference -- have you identified potentially
3 why there's a difference, like is -- because
4 it's all --

5 MR. PATTON: Let me walk you through
6 the numbers --

7 MR. BORISKIN: Oh, sure, sure.

8 MR. PATTON: -- and let me ask you
9 questions --

10 MR. BORISKIN: Okay, fine.

11 MR. PATTON: -- and maybe we'll be
12 able to.

13 MR. BORISKIN: Okay. All right.
14 All right. I was just --

15 MR. PATTON: That's a good question.

16 MR. BORISKIN: Okay. That's fine.

17 MR. PATTON: So let me handle
18 that --

19 MR. BORISKIN: Sure, sure. That's
20 fine.

21 MR. PATTON: -- aspect of this.
22 Let's walk through it.

23 MR. BORISKIN: Okay.

24 MR. PATTON: '93, 4.5 million
25 underreported --

1 MR. BORISKIN: Right.

2 MR. PATTON: -- four point something
3 one -- I can't read --

4 MR. BORISKIN: But it's not
5 cumulative, right?

6 MR. PATTON: Nope.

7 MR. BORISKIN: This is --

8 MR. PATTON: Every year this is the
9 difference --

10 MR. BORISKIN: This is each year --

11 MR. PATTON: That's right.

12 MR. BORISKIN: -- it's different --
13 I mean, this isn't --

14 MR. PATTON: That's right.

15 MR. BORISKIN: This isn't
16 cumulative. One year is four, then it's
17 three, then it's two, whatever.

18 MR. PATTON: Correct.

19 MR. BORISKIN: Okay. Got it.

20 MR. PATTON: Let's walk through
21 them. At the end of '94, the difference in
22 balances reported to Controller and to the
23 Finance Department is --

24 MR. BORISKIN: Four million forty-
25 one, okay.

1 MR. PATTON: Okay. And then --

2 MR. BORISKIN: And then 2,389,000,
3 5,543,000, 6,370,000 (indiscernible -
4 simultaneous speaking).

5 MR. PATTON: Now -- slow down. Now,
6 that was '97, it was six million what?

7 MR. BORISKIN: 6,379,000.

8 MR. PATTON: Less is reported to
9 Finance than to Controller.

10 MR. BORISKIN: Right.

11 MR. PATTON: '98 it's --

12 MR. BORISKIN: Jumps to nine.

13 MR. PATTON: 9,363,000.

14 MR. BORISKIN: Right.

15 MR. PATTON: '99 it jumps to
16 13,974,000. 2000 it jumps to 19,949,000. Am
17 I reading that right?

18 MR. BORISKIN: Yeah, yeah, yeah.

19 MR. PATTON: The end of '01 it's
20 jumped to twenty-two what?

21 MR. BORISKIN: 22,765,000.

22 MR. PATTON: The end of '02 --

23 MR. BORISKIN: 26,825,000,
24 29,184,000.

25 MR. PATTON: Okay. Slow down.

1 29,184,000.

2 MR. BORISKIN: Oh, this keeps
3 going --

4 MR. PATTON: Let me get this right
5 side up. So we were at '03, it was
6 29,194,000.

7 MR. BORISKIN: Uh-huh.

8 MR. PATTON: '04 the difference was
9 twenty what?

10 MR. BORISKIN: 26,694,000.

11 MR. PATTON: 26,694,000. The end of
12 fiscal year '05, 22,929,000, right?

13 MR. BORISKIN: Right. Went down a
14 little that year.

15 MR. PATTON: Went down a little bit.

16 MR. BORISKIN: Down up down.

17 MR. PATTON: So at the end of '04 --
18 now, you say you came in April of '05.

19 MR. BORISKIN: Uh-huh.

20 MR. PATTON: So if you were looking
21 at the year-end reports for fiscal year ending
22 June 30, '05, you'd be looking, I think --

23 MR. BORISKIN: No, at this number.
24 This is June 30, '05.

25 MR. PATTON: Oh, right, right,

1 right, right.

2 MR. BORISKIN: Now, this is June 30,
3 '06.

4 MR. PATTON: Okay. So you'd be
5 looking at '05 here. And in the State Parks
6 and Rec Fund, according to Finance's --

7 MR. BORISKIN: Right.

8 MR. PATTON: -- reports, the
9 disparity is -- what was that?

10 MR. BORISKIN: 23,929,000.

11 MR. PATTON: Yeah. And the other
12 set of numbers is for the Off Highway Vehicle
13 Fund. And let's go back to the beginning.
14 Don't --

15 MR. BORISKIN: Yeah, okay. Three,
16 two (indiscernible - simultaneous speaking).

17 MR. PATTON: Hang on. Hold on.

18 MR. BORISKIN: Yeah.

19 MR. PATTON: So we've got the same
20 list here which is an adjusted Controller
21 balance.

22 MR. BORISKIN: Uh-huh.

23 MR. PATTON: Back in '93 it was
24 seventeen million reported to Controller.

25 MR. BORISKIN: Okay. So just so you

1 and I are clear about this, the Controller,
2 the budgetary legal basis of the fund, they
3 said there's thirty-three million dollars in
4 the fund as of June 30th, but there are
5 encumbrances --

6 MR. PATTON: Right.

7 MR. BORISKIN: -- commitments we
8 have made to spend money that are out there --

9 MR. PATTON: Right.

10 MR. BORISKIN: -- that are sixteen
11 million.

12 MR. PATTON: Right.

13 MR. BORISKIN: So the real balance
14 is this minus this and then if there was
15 payroll, leaving a balance of seventeen, but
16 what is reported in the governor's budget is
17 only fourteen, and that's kind of the
18 question, leaving a difference of three
19 million dollars.

20 MR. PATTON: Right.

21 MR. BORISKIN: Got it.

22 MR. PATTON: Right.

23 MR. BORISKIN: Okay.

24 MR. PATTON: So, yeah, after
25 considering reserves for encumbrances in the

1 Controller's report, instead of thirty-three
2 million, it's seventeen, and then fourteen
3 reported to the governor's office.

4 MR. BORISKIN: Look at this one.

5 MR. PATTON: Yeah. Now, I don't
6 want to get too fixated on this for this
7 reason. We're still kind of grappling with --
8 you're looking now at negatives where there
9 was more money --

10 MR. BORISKIN: Right, which is the
11 opposite --

12 MR. PATTON: The opposite.

13 MR. BORISKIN: -- which would be
14 more troublesome to somebody like me because
15 then that's saying we're spending money that
16 we don't really have.

17 MR. PATTON: We don't even have.

18 MR. BORISKIN: Yeah.

19 MR. PATTON: We're overreporting to
20 Finance that we have --

21 MR. BORISKIN: So that we can get
22 authority to -- well, I don't know if it means
23 (indiscernible - simultaneous speaking).

24 MR. PATTON: -- get authority.

25 MR. BORISKIN: Get authority to

1 spend but get authority the spend something
2 that we don't really have.

3 MR. PATTON: Asking for authority to
4 spend money that doesn't exist.

5 MR. BORISKIN: Right.

6 MR. PATTON: That would be
7 problematic.

8 MR. BORISKIN: That would be real
9 problematic.

10 MR. PATTON: All right. In any
11 event, here's what we've -- what the numbers
12 indicate is that consistently in the SPRF
13 fund, there's been an amount of money starting
14 back in '93 that was around four million that
15 started growing in about '98, it grew to
16 nine -- what is that?

17 MR. BORISKIN: 9,368,000.

18 MR. PATTON: 9.3 million, grew again
19 in '99 to thirteen, almost fourteen million,
20 thirteen-and-a-half million, grew in 2000 to
21 almost twenty million, grew again almost
22 twenty-three, then to twenty six and a half,
23 and by '03 it had grown to twenty-nine
24 million.

25 MR. BORISKIN: Um-hum.

1 MR. PATTON: And in '04, it came
2 down a little bit to twenty-six, came down
3 again a little bit in '05 to what is that,
4 twenty-three.

5 MR. BORISKIN: Twenty-three.

6 MR. PATTON: Almost twenty-four.

7 MR. BORISKIN: Yeah.

8 MR. PATTON: Now, when you're
9 looking at it, having come in in '04, you're
10 going to be look -- or you came in in '05, I
11 mean. You're going to be looking at this
12 number which was a twenty-three million dollar
13 underreport --

14 MR. BORISKIN: Um-hum.

15 MR. PATTON: -- in the SPRF fund.
16 In that particular year, in the OHV, the
17 numbers were pretty close --

18 MR. BORISKIN: Um-hum.

19 MR. PATTON: -- with only about a
20 million less reported to Finance than to the
21 Controller. And in the very next year,
22 thirty-five million more is reported to
23 Finance than to the Controller. So this is
24 one of these problematic areas. And again in
25 '07, much more is reported to the Controller

1 at thirty-one -- what is that number?

2 MR. BORISKIN: Yeah. Thirty-one
3 (indiscernible - simultaneous speaking).

4 MR. PATTON: Thirty-one
5 (indiscernible) more is reported to Finance
6 than to Controller.

7 MR. BORISKIN: Then you come back
8 here, and it's balanced some.

9 MR. PATTON: So you're kind of like
10 me. You're fascinated by these numbers.

11 MR. BORISKIN: Right.

12 MR. PATTON: Here's what I'm going
13 to tell you for right now.

14 MR. BORISKIN: Okay. Sure.

15 MR. PATTON: I'm going to give you a
16 short answer to this. We don't know. We
17 don't know why in the OHV one year they're
18 pretty close, as close as eleven dollars, and
19 in other years, they can be as much as thirty
20 million dollars unreported. Most recently, in
21 '11, it was almost thirty-four million
22 underreported to Finance, but in other years,
23 much -- a huge overreport to Finance. We
24 don't know. It appears to be -- and this --
25 and Finance is studying this to determine --

1 MR. BORISKIN: Well, your
2 encumbrances are really insane.

3 MR. PATTON: Yeah.

4 MR. BORISKIN: You should look at
5 those encumbrances.

6 MR. PATTON: All right. So anyhow,
7 we might bring you over to Finance to help
8 them undo all this, okay?

9 MR. BORISKIN: I'm not going to do
10 that.

11 MR. PATTON: But what I want to tell
12 you for right now is --

13 MR. BORISKIN: Right.

14 MR. PATTON: -- I don't want for us
15 then to fixate on trying to understand the OHV
16 issues because we've not yet been able to
17 identify -- and every year has to be
18 dissected --

19 MR. BORISKIN: Yeah.

20 MR. PATTON: -- to see just what you
21 were pointing out --

22 MR. BORISKIN: Yeah.

23 MR. PATTON: -- or is that
24 encumbrance number correct.

25 MR. BORISKIN: Yeah.

1 MR. PATTON: But we do see and have
2 a high level of competence with regard to the
3 SPRF fund that these are the numbers of what
4 was unreported.

5 MR. BORISKIN: Okay.

6 MR. PATTON: So when you look at
7 something and you -- I'm just -- I guess my
8 basic question is does this ring any bells in
9 terms of what you were looking at being a
10 disparity?

11 MR. BORISKIN: I don't think so,
12 which is real -- you mean this format?

13 MR. PATTON: Well, you didn't see
14 maybe this format.

15 MR. BORISKIN: I didn't see in
16 this -- and I did -- you know, I -- okay.

17 MR. PATTON: Do you remember what
18 funds you saw --

19 MR. BORISKIN: (Indiscernible -
20 simultaneous speaking).

21 MR. PATTON: -- that had
22 disparities?

23 MR. BORISKIN: If you take the
24 governor's budget --

25 MR. PATTON: Yeah.

1 MR. BORISKIN: -- and you look at a
2 department --

3 MR. PATTON: Uh-huh.

4 MR. BORISKIN: -- it displays a lot
5 of things. When I go apply for jobs, when I
6 was in state government, I would take the
7 governor's budget, I would get the numbers, I
8 would look at them, so if I -- during the
9 interview they ask me about -- you know,
10 because I had budgetary jobs, I had some sense
11 of what was going on with the budget. I'm
12 assuming it was something like that I had. It
13 was just the governor's budget, and then
14 somewhere I saw a report that said the balance
15 of the fund or one of these numbers. And
16 so -- but I never saw it laid out like this.

17 MR. PATTON: All right. So my
18 understanding is that in the Parks Department
19 there are something like twenty-six or so
20 different funds.

21 MR. BORISKIN: Yes.

22 MR. PATTON: I'm not sure what -- I
23 was trying to figure out if you recall which
24 fund or funds you were looking at when you saw
25 a discrepancy. Now, the first time I asked

1 you, what you said was you think it might have
2 been a combination of -- and you tell me --

3 MR. BORISKIN: Yeah. I said that,
4 but you know what, now that you show me this
5 and now that you remind me how many funds
6 there are -- I read the newspaper like
7 everybody else. Unfortunately, I might have
8 said, oh, yeah, I remember that, and it made
9 the two things -- I don't really know. I
10 can't tell you with certainty.

11 MR. PATTON: Okay. So what you do
12 recall is that you saw a discrepancy.

13 MR. BORISKIN: I saw a discrepancy;
14 that's what I remember. And why I remember
15 it --

16 MR. PATTON: Um-hum.

17 MR. BORISKIN: -- why it sticks with
18 me is because of the conversation I had with
19 Becky, the subsequent conversation with
20 Michael, and the final conversation with Ruth
21 that made me -- I mean, the rest of the stuff
22 is sort of -- I mean, it's important right now
23 in what you're doing but made me decide I
24 couldn't work with the department because I
25 didn't have the respect of those people. I

1 mean, you know, you keep jobs because you're
2 productive and you can do things, but if the
3 people you're working with don't respect you
4 or don't value what you bring to the table or
5 don't value the work that you do, you go, I
6 guess I'm leaving.

7 MR. PATTON: Okay. So what I can
8 understand from talking with you is just -- is
9 basically a couple basic things.

10 MR. BORISKIN: Okay.

11 MR. PATTON: You saw a discrepancy
12 that was sizable enough that it got your
13 attention.

14 MR. BORISKIN: Yep.

15 MR. PATTON: You don't really recall
16 in what fund or funds you saw it.

17 MR. BORISKIN: No.

18 MR. PATTON: You -- it was
19 significant enough that you brought it
20 shortly -- you saw it shortly after you
21 started in the Assistant Deputy Director
22 spot --

23 MR. BORISKIN: Yeah.

24 MR. PATTON: -- and you brought it
25 to the Budget Officer, Becky Brown's

1 attention.

2 MR. BORISKIN: Yes.

3 MR. PATTON: She told you don't
4 worry about it.

5 MR. BORISKIN: Correct.

6 MR. PATTON: You worried about it
7 some nevertheless, and you went to Michael
8 Harris.

9 MR. BORISKIN: Well, yeah, because I
10 didn't like -- one of the struggles I had with
11 Parks is I believe in chain of command.

12 MR. PATTON: Yeah.

13 MR. BORISKIN: So if she worked for
14 me, she should be telling me things and
15 answering my questions. She didn't --

16 MR. PATTON: Yeah.

17 MR. BORISKIN: -- and she didn't
18 work for Michael either; she worked for Ruth.
19 The chain of command was not followed from my
20 kind of experience there. There were a lot of
21 people that just talked to people who they
22 wanted so --

23 MR. PATTON: How do you know that
24 she worked for Ruth?

25 MR. BORISKIN: Well, I don't know

1 she worked for Ruth.

2 MR. PATTON: Why did you say that?

3 MR. BORISKIN: I just felt that she
4 had Ruth's ear and they had conversations and
5 that -- I don't know why I say that; I just
6 believe that.

7 MR. PATTON: Did you see her in
8 conversation with Ruth?

9 MR. BORISKIN: No, I did not. No, I
10 did not.

11 MR. PATTON: What makes you think
12 she had conversations with Ruth?

13 MR. BORISKIN: She seemed to have --
14 well, probably because Ruth would say, well,
15 Becky said this or Becky said that, and that
16 would validate that kind of, you know --

17 MR. PATTON: Okay. So you had --
18 there were various indications that Ruth and
19 Becky communicated directly?

20 MR. BORISKIN: Yes.

21 MR. PATTON: So you went to Michael.
22 He told you, Becky knows what she's doing, let
23 her do her job.

24 MR. BORISKIN: Right.

25 MR. PATTON: And then you say you

1 brought up the issue of a disparity.

2 MR. BORISKIN: Now remember, Michael
3 was also new there. Remember, Michael only
4 came in there a few months before I came in
5 there.

6 MR. PATTON: Okay.

7 MR. BORISKIN: Right. And Michael
8 and I, and most of State government, had a ton
9 of respect for Becky Brown.

10 MR. PATTON: Um-hum.

11 MR. BORISKIN: I mean, I was
12 thinking about the retirement party I went to.
13 I think there were senators there, and head of
14 Finance came, and all of these people. I
15 mean, Becky Brown was knowledgeable,
16 intelligent, knew people, worked hard, and
17 did, I'm assuming, tons of wonderful things
18 for the State of California.

19 MR. PATTON: Um-hum.

20 MR. BORISKIN: So -- and a very
21 well-respected person. So I knew -- I am a
22 pencil pusher. I do look at detail. I get
23 into stuff like that. I knew that I'd be a
24 better manager if I could focus on bigger-
25 picture things, but it didn't feel good, and

1 that's what (indiscernible).

2 MR. PATTON: Whatever you saw was
3 significant enough it didn't feel good.

4 MR. BORISKIN: Yeah.

5 MR. PATTON: And so you brought it
6 up then to Ruth, among a number of issues.

7 MR. BORISKIN: I believe -- I
8 mean -- and I --

9 MR. PATTON: Well, you recall a
10 conversation in which she (indiscernible -
11 simultaneous speaking).

12 MR. BORISKIN: Well, I recall a
13 conversation, the most specific -- the most
14 significant part of the conversation was the
15 spreadsheet thing, for me, not -- obviously
16 for your investigation, it doesn't matter, but
17 for me as a person working in a job, wanting
18 to do good, wanting to be respected, to have
19 the person I'm reporting to tell me I
20 shouldn't be doing spreadsheets stuck with me,
21 and I've carried it with me the rest -- you
22 know --

23 MR. PATTON: I got it.

24 MR. BORISKIN: Yeah.

25 MR. PATTON: What I'm trying to get

1 is the best -- hang on.

2 MR. BORISKIN: Okay, okay.

3 MR. PATTON: Don't answer -- don't
4 help me (indiscernible - simultaneous
5 speaking).

6 MR. BORISKIN: Okay. I won't -- go
7 ahead. You go ahead.

8 MR. PATTON: Very difficult for the
9 transcriber if you're talking on me.

10 MR. BORISKIN: That's fine.

11 MR. PATTON: So obviously then you
12 had some conversation which you recall as
13 being a one-on-one with Ruth --

14 MR. BORISKIN: Um-hum.

15 MR. PATTON: -- where apparently you
16 were talking about the details and
17 spreadsheets.

18 MR. BORISKIN: Um-hum.

19 MR. PATTON: Right?

20 MR. BORISKIN: Yes.

21 MR. PATTON: Okay. And you
22 indicated before that this issue of a
23 discrepancy had caught your attention --

24 MR. BORISKIN: Uh-huh.

25 MR. PATTON: -- and it sounded

1 before like, to the best of your recollection,
2 you brought up the issue of a discrepancy, I
3 noticed.

4 MR. BORISKIN: Um-hum.

5 MR. PATTON: Correct?

6 MR. BORISKIN: Yes.

7 MR. PATTON: To Ruth. And you don't
8 remember what other issues you might have
9 brought up?

10 MR. BORISKIN: No, I don't.

11 MR. PATTON: And then Ruth
12 questioned why you're fixated on spreadsheets
13 and not looking at the big picture.

14 MR. BORISKIN: Yes.

15 MR. PATTON: And you don't -- so you
16 don't have any more detailed recollection?

17 MR. BORISKIN: You know, it's
18 interesting, as I try to think back what would
19 be some of the other issues I was worried
20 about. At that point, I was acting as Michael
21 and I was trying to learn personnel issues,
22 which I wasn't as skilled in, and I believe I
23 talked about issues in that area too, how some
24 things -- so I don't -- I'm sure I walked in
25 there with a list of questions, and I said,

1 hey, Ruth --

2 MR. PATTON: Yeah. I'm mostly
3 interested in any discussions about --

4 MR. BORISKIN: Yeah.

5 MR. PATTON: -- discrepancy
6 (indiscernible - simultaneous speaking).

7 MR. BORISKIN: And I can't say with
8 absolute certainty that I had a conversation
9 specifically with her about this. I believe I
10 did, but I couldn't say that with absolute
11 certainty.

12 MR. PATTON: Now, did you go -- how
13 long did you fill in for Michael Harris?

14 MR. BORISKIN: I think only about a
15 month or so, and they weren't happy with what
16 I was doing, and then they brought in not Tom
17 but -- I think there was a Jack guy or -- he
18 was another retired -- he's not on there.
19 They brought this other guy in, and he sat in
20 Michael's place, and then things got just
21 totally bad for me, and that's when I came to
22 the conclusion that I had enough years of
23 State service I could retire and still
24 survive.

25 MR. PATTON: Well, the next year, on

1 the next organization chart for '06, there's a
2 Paul Romero listed as Chief Deputy Director.

3 MR. BORISKIN: No, no, it wasn't --
4 it was this interim guy. I'm sure he doesn't
5 show up on a spreadsheet, and I think --

6 MR. PATTON: And there was a Ron
7 Brean there for a little bit?

8 MR. BORISKIN: No.

9 MR. PATTON: I don't know of any
10 Jack.

11 MR. BORISKIN: Okay. I believe
12 there was a guy, he had horses.

13 MR. PATTON: Someone named Tom
14 Domich.

15 MR. BORISKIN: No. Tom Domich was
16 who I used to work for, but they brought in
17 some other guy. Where did he work? Some
18 other section. Anyhow, he acted for Michael
19 for a period of time.

20 MR. PATTON: Okay.

21 MR. BORISKIN: And I don't remember
22 all the details, but we had those
23 conversations about who reported to who and
24 how I'm supposed to do things, and I just -- I
25 realized I wasn't a good match for Parks.

1 MR. PATTON: Did you ever go -- I
2 understand that there's something called an
3 executive committee, and there's a director's
4 large executive committee and a small
5 executive committee. And according to what
6 I've been given, the deputy directors of the
7 various divisions including Admin Services are
8 part of the large executive committee, and the
9 Deputy Director for Admin Services is also
10 part of the small executive committee.

11 MR. BORISKIN: Yeah. I went to two
12 or three of those meetings.

13 MR. PATTON: Okay. Did you ever
14 discuss any concerns you'd seen on the
15 spreadsheets about financial disparity?

16 MR. BORISKIN: No, because those
17 things had been -- no.

18 MR. PATTON: You've never --

19 MR. BORISKIN: And I felt really
20 uncomfortable in those meetings. So no --

21 MR. PATTON: Because you were the
22 newcomer.

23 MR. BORISKIN: I was a newcomer, and
24 I also, by that time, didn't feel -- by the
25 time I was going to those meetings, I was

1 feeling very isolated in --

2 MR. PATTON: How was -- what was
3 your -- what was the relationship like with
4 Tom Domich?

5 MR. BORISKIN: Tom was retired when
6 I got there --

7 MR. PATTON: Uh-huh.

8 MR. BORISKIN: -- but he came back.
9 A bright guy, intelligent, fun. He never --
10 he just came in and talked mostly. He tried
11 to be helpful. He tried to explain how to get
12 along in the organization, but I didn't have
13 many interactions with him.

14 MR. PATTON: Okay. Did you form
15 any --

16 MR. BORISKIN: Close bonds?

17 MR. PATTON: -- friendships?

18 MR. BORISKIN: Gayle Bohlmann was
19 probably the only person I've talked to since
20 leaving there. When she retired, we had
21 contact. Some of the people that worked for
22 me, I -- what are their names again? I don't
23 even remember their names. I'm not real good
24 at that stuff, but --

25 MR. PATTON: Let me get you the

1 right year.

2 MR. BORISKIN: Okay.

3 MR. PATTON: Anybody contacted you
4 since the media stories --

5 MR. BORISKIN: No.

6 MR. PATTON: -- started to come out?

7 MR. BORISKIN: No. I've been gone
8 for six years.

9 MR. PATTON: Yeah.

10 MR. BORISKIN: Yeah. And I didn't
11 leave in a really -- well, I hired Manuel
12 Lopez. I mean, that -- and I knew Manuel
13 Lopez from Caltrans. I worked at Caltrans,
14 and I didn't know him very well, but he seemed
15 hardworking, seemed knowledgeable. He
16 interviewed well. Michael, somebody from
17 personnel and I were there. We had three
18 people; we chose Manuel.

19 As soon as he got there, it became
20 fairly uncomfortable. He -- it was just like
21 the whole organization, people just choose to
22 report to who they wanted to. It really felt
23 out of control there. He seemed to have
24 developed a relationship with Ruth, and that's
25 a "seem to" about me having any direct

1 knowledge of that, but I guess the subsequent
2 things makes it true. And that became
3 difficult.

4 Olaya I didn't -- I liked Olaya and
5 Freda. Margie and I didn't know that -- oh,
6 Allen Friedman and I kind of liked each other.
7 I went to a play he was in. He did some
8 acting on the side. But no, I didn't -- I
9 never ended out developing any close
10 connections with people there, part of the
11 reason I left, I guess.

12 MR. PATTON: So -- but what you
13 observed was that people sort of developed
14 whatever reporting process they felt they
15 wanted.

16 MR. BORISKIN: Or they could achieve
17 so --

18 MR. PATTON: So they would skip an
19 intermediate supervisor if they were able to
20 go --

21 MR. BORISKIN: Right.

22 MR. PATTON: -- to a higher level.

23 MR. BORISKIN: Right.

24 MR. PATTON: And you got the sense
25 that Becky had attained that with regard to

1 communications with Ruth --

2 MR. BORISKIN: Absolutely.

3 MR. PATTON: -- because of various
4 things you heard --

5 MR. BORISKIN: Right.

6 MR. PATTON: -- from people's mouths
7 apparently. And you got the same sense with
8 Manuel Lopez?

9 MR. BORISKIN: Absolutely.

10 MR. PATTON: Do you recall anything
11 specific that led you to believe he had Ruth's
12 ear directly?

13 MR. BORISKIN: No. Just a general
14 feeling and then the end result was true. I
15 left, and I think a few months later he didn't
16 only take my job, but he took Michael Harris's
17 job.

18 MR. PATTON: Okay.

19 MR. BORISKIN: So that was kind of
20 proof that what I felt was true.

21 MR. PATTON: I guess the one thing
22 you did know then was that he wasn't bringing
23 everything -- he wasn't reporting everything
24 directly to you.

25 MR. BORISKIN: No, he was not.

1 MR. PATTON: Okay.

2 MR. BORISKIN: Yeah.

3 MR. PATTON: So you would get --
4 you'd get information coming down from above
5 you saying we've decided such and such or
6 we're going to do such and such.

7 MR. BORISKIN: I'm not sure it was
8 ever that --

9 MR. PATTON: How did you know you
10 were cut out of the loop?

11 MR. BORISKIN: Probably meetings
12 with Manuel where he said, well, Ruth said
13 this or that.

14 MR. PATTON: Okay.

15 MR. BORISKIN: And then I said,
16 well, that's interesting, what did you tell --
17 well, I just saw her and I just did it. Then
18 there were the excuses and things like that,
19 and I'm going, okay, wow.

20 MR. PATTON: Same sort of thing you
21 would experience with regard to Becky?

22 MR. BORISKIN: Right. Except she
23 had been there for years and years and -- I
24 mean, you got to -- well, she had been there
25 for years and years. It appeared to me she

1 was taking a significant role in that
2 department but in a lesser position. Tom
3 Domich, who was her supervisor, appeared to
4 not supervise her too much and let her do her
5 thing because she was smart, she worked hard,
6 she cared about the department, she cared
7 about where they were going.

8 And these are all people I think,
9 even with this mess that's going on, are
10 people who cared a lot about their jobs and
11 the department and the resources and things
12 they were trying to protect. So these aren't
13 bad people. They made some -- I mean, I don't
14 know if they're good or bad. I'm not going to
15 make a judgment like that. But these aren't
16 people that don't go to work or don't show up
17 or don't do that. These are hardworking
18 people but --

19 MR. PATTON: Were you able to
20 observe any particular alliances that had been
21 clearly formed among various employees there?
22 Any of these people you're working with?

23 MR. BORISKIN: Ted Jackson, it
24 seemed like Ted and Manuel had developed sort
25 of a friendship too, but it was like -- it was

1 funny.

2 I was at a meeting, one of the
3 supervisors meeting, and I was sitting next to
4 this guy, and Manuel was speaking, because I
5 wasn't -- if it was on a budget thing, it was
6 his thing, and the guy turned to me, he says,
7 oh, is he your boss? And it was one of those
8 really funny little things that happen. And I
9 said, well, actually, he works for me.

10 But it really struck me that Manuel
11 was articulate, smart, connected well with
12 people, understood budgets and things like
13 that. Those were the reasons I hired him, and
14 yet in terms of what I would call more
15 respectful behavior in terms of chains of
16 command and things like that, didn't find it
17 important. Okay. So -- and you know, and who
18 knows, how much of it was me. How much of it
19 was me just not learning as quick as Manuel
20 and not knowing things as quickly. I don't
21 know.

22 So when I left, I sort of did my
23 soul searching. The good news is I'm doing
24 something I know how to do and I'm loving it.
25 And so the world changes. And so it could

1 have been me, I would have been the Peter in
2 the Peter principal here. I don't know, but I
3 just know it didn't work for me.

4 MR. PATTON: Okay. Is there
5 anything else you can think of that we ought
6 to be aware of?

7 MR. BORISKIN: No. I think those
8 are the -- I mean, you know -- oh, the one
9 last thing is, as I watch the newspapers and I
10 see what happens, Michael Harris is the only
11 person that's supposedly been fired, and
12 Michael Harris and Ruth Coleman go back a long
13 ways, they were at the LAO together, and I
14 believe, without any knowledge of anything,
15 that if that's true and if he's the only
16 person who was fired, that he probably would
17 have taken the bullet for Ruth. I just think
18 Michael is a very -- my experience with him, a
19 very honorable person. So I don't know if he
20 really did something wrong that deserved to be
21 fired. I don't know that, maybe. But I do
22 believe that given a tough situation, Michael
23 would have done those things, and I still hold
24 that respect for him.

25 MR. PATTON: He would have done

1 whatever --

2 MR. BORISKIN: He would have -- oh,
3 wow, if this is going to come and hit you,
4 I'll take the hit.

5 MR. PATTON: Okay.

6 MR. BORISKIN: That's what I
7 think --

8 MR. PATTON: You said they worked
9 together at the legislative analyst's office?

10 MR. BORISKIN: Yeah, they were
11 legislative analysts before they both went
12 their own ways and --

13 MR. PATTON: I had heard that. I
14 knew that about Ruth, and I understood that
15 she -- one of the things she did was she would
16 examine the Parks Department budgets as part
17 of her LAO (indiscernible - simultaneous
18 speaking).

19 MR. BORISKIN: As LAO
20 responsibilities, and then that's what led
21 her, I don't know that. That could have been.

22 MR. PATTON: Did you know anything
23 about Michael Harris's work history at LAO?

24 MR. BORISKIN: No. I just knew he
25 worked at the LAO which was one of the things

1 that made me -- God, this guy really knows a
2 lot of things. And then he worked for --

3 MR. PATTON: Did you know whether or
4 not he worked with Ruth at the LAO?

5 MR. BORISKIN: That's my
6 understanding.

7 MR. PATTON: Okay.

8 MR. BORISKIN: Yes, it's my
9 understanding they worked together at the LAO.
10 I'm not sure at what point in time.

11 MR. PATTON: And then you met him at
12 Fish and Game.

13 MR. BORISKIN: Fish and Game, right.

14 MR. PATTON: So if he had worked
15 with Ruth at the LAO, it would have been years
16 before.

17 MR. BORISKIN: Yes, years before,
18 right.

19 MR. PATTON: So your understanding
20 was that their relationship, at least the
21 professional relationship, went back a long
22 ways.

23 MR. BORISKIN: Yeah. [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] I struggled
25 with Ruth personally. I don't think she ever

1 really liked me, for whatever reason, but she
2 cared about Michael. [REDACTED]

[REDACTED]

[REDACTED] So, you know, like I
5 said, there's a lot of good people in this
6 ugly mess.

7 MR. PATTON: Sure.

8 MR. BORISKIN: And I just -- my kind
9 of take on it is somehow Michael's taken a
10 bigger share of the brunt of this thing than
11 maybe is true, but I don't know. I mean, I
12 don't know what he did. I don't know how he
13 changed. It's been six years ago.

14 MR. PATTON: Anything else you can
15 think of we ought to be aware of?

16 MR. BORISKIN: No, I think that's
17 it.

18 MR. PATTON: Okay. I appreciate
19 your time, Mr. Boriskin.

20 MR. BORISKIN: Yeah.

21 MR. PATTON: And we're going to go
22 off the record at 5:06.

23 (End of audio)

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TRANSCRIBER'S CERTIFICATE
Rob Boriskin interview on 9-13-12

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