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TRANSCRIPTION OF RECORDED INTERVIEW

OF

Thomas Domich

September 12, 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.  
September 25, 2012  
New York, New York

(SA201210710)

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1 MR. PATTON: All right. Today's  
2 date is September 12, 2012. Time is 2:13 p.m.  
3 This is Thomas M. Patton, Deputy Attorney  
4 General. And with me today is Investigator  
5 Patricia Ruiz, also of the Department of  
6 Justice. And we have with us Mr. Tom Domich.

7 If you'd introduce yourself and  
8 spell your last name.

9 MR. DOMICH: Thomas Domich,  
10 D-O-M-I-C-H.

11 MR. PATTON: And Mr. Domich, you --  
12 I want to start -- just go through your --  
13 sounds like, based on our little informal chat  
14 before we started taping, you indicated to me  
15 you had a long career at Parks.

16 MR. DOMICH: That's correct.

17 MR. PATTON: So let's just kind of  
18 go through your history of when you started  
19 with Parks and the different things --  
20 different positions you held.

21 MR. DOMICH: Okay. I have some  
22 notes because --

23 MR. PATTON: Great.

24 MR. DOMICH: -- there are many  
25 years.

1 MR. PATTON: Yeah. Well, I'm glad  
2 you did that.

3 MR. DOMICH: And there's no way I'd  
4 remember it all. But I started with the  
5 department in the Budget section in 1969, late  
6 '69, and approximately sometime in 1973, I  
7 became the Budget Officer for the department.  
8 After three years of doing that, I requested  
9 and received training and development  
10 assignment to our district office headquarters  
11 in Santa Rosa as the Administrative Officer.

12 MR. PATTON: So from '73 to about  
13 '76, you were the Parks Budget Officer?

14 MR. DOMICH: Yes.

15 MR. PATTON: Okay. And then around  
16 '76?

17 MR. DOMICH: '76, for two years, I  
18 went to Santa Rosa which was our District 2  
19 headquarters office, and I was the  
20 Administrative Officer there. And I had done  
21 that for a couple of purposes. As Budget  
22 Officer, I realized that things were done  
23 differently in the field, and I wanted to know  
24 more about the budget process in the field and  
25 how we could respond better to their needs,

1 and I also wanted to learn about the other  
2 Administrative Services because ultimately my  
3 goal was to be a Chief of Administrative  
4 Services, so I needed to learn all functions.

5 When I returned from Santa Rosa  
6 approximately 1978, I was asked by the Chief  
7 Deputy Director for the department to accept a  
8 position as the Administrative -- Chief  
9 Administrative Officer at Cal Expo.

10 MR. PATTON: Who was the -- you were  
11 asked by the Chief Deputy of the department?

12 MR. DOMICH: Yeah.

13 MR. PATTON: Of Parks?

14 MR. DOMICH: Of Parks.

15 MR. PATTON: Because back then, Cal  
16 Expo was part of Parks.

17 MR. DOMICH: It had just become part  
18 of Parks, yes.

19 MR. PATTON: And who was the Chief  
20 Deputy that asked you to take that?

21 MR. DOMICH: That was Les McCargo.

22 MR. PATTON: McCargo?

23 MR. DOMICH: Yes, M-C C-A-R-G-O.

24 MR. PATTON: Okay. Asked you to  
25 take over as Cal Expo what?

1 MR. DOMICH: Chief Administrative  
2 Officer.

3 MR. PATTON: Okay.

4 MR. DOMICH: There had just been an  
5 audit of Cal Expo that was Sacramento Bee  
6 front page news, and there were many  
7 irregularities at Cal Expo, and so they wanted  
8 to replace the Administrative Officer and  
9 asked me to accept the job, and I agreed to do  
10 that. And it was actually one of the easier  
11 jobs I had because I had a blueprint of all  
12 the problems when I walked in, and that's what  
13 I directed my attention to immediately, and we  
14 eventually resolved all of the audit concerns.

15 And over the years, the Cal Expo  
16 actually became self-sufficient with the help  
17 of the legislature who took away our General  
18 Fund appropriation and said you will become  
19 self-sufficient.

20 MR. PATTON: And is Cal Expo still  
21 part of Parks Department?

22 MR. DOMICH: No. During the time I  
23 was there, which was 1978 to approximately  
24 1984, I think about 1982 it became a separate  
25 State entity.

1 MR. PATTON: Okay.

2 MR. DOMICH: And at that time, I  
3 believe it reported directly to the Resources  
4 Agency and no longer reported to Parks and  
5 Recreation.

6 MR. PATTON: Okay.

7 MR. DOMICH: And I had expressed my  
8 desire at that time to stay with Parks and  
9 Recreation and the bill that transferred it  
10 did say, any employee of Cal Expo had a return  
11 right to Parks and Recreation when there was a  
12 vacancy at their level.

13 MR. PATTON: Um-hum.

14 MR. DOMICH: And so it was two years  
15 before that occurred. And at the same time,  
16 the department's budget office was under fire  
17 for irregularities, performance issues, and  
18 the --

19 MR. PATTON: Parks Department?

20 MR. DOMICH: Parks Department. And  
21 the Chief Deputy Director at Parks at the  
22 time, Garth Tanner, asked me if I would come  
23 back as Budget Officer and --

24 MR. PATTON: So in '82 when Expo is  
25 separating out -- you actually were at Expo

1 until '84, you said?

2 MR. DOMICH: Yeah, because there  
3 wasn't a vacancy at --

4 MR. PATTON: Okay. So --

5 MR. DOMICH: -- at my level so --

6 MR. PATTON: So you stay with Expo  
7 even after --

8 MR. DOMICH: Yeah.

9 MR. PATTON: -- it becomes separate  
10 for a couple years and then --

11 MR. DOMICH: Right, because  
12 basically I'm a surplus employee --

13 MR. PATTON: Right.

14 MR. DOMICH: -- at the time.

15 MR. PATTON: In '84, you say the  
16 Parks Department Admin Services section was  
17 under some --

18 MR. DOMICH: No. The Chief Deputy  
19 of the department --

20 MR. PATTON: Yeah.

21 MR. DOMICH: -- asked me to come  
22 back to Admin Services as the Budget Officer  
23 again.

24 MR. PATTON: Okay. And that was  
25 Chief Deputy who?

1 MR. DOMICH: Garth Tanner.

2 MR. PATTON: Garth Tanner.

3 MR. DOMICH: And also the Director  
4 who, I think, was Bill Breiner at the time.

5 MR. PATTON: Okay. Asked you to  
6 come back and be the Budget Officer again?

7 MR. DOMICH: Right.

8 MR. PATTON: And I thought I heard  
9 that there was a reason, there was something  
10 going on that needed attending to.

11 MR. DOMICH: Well, there was lots of  
12 performance issues, and the budget office was  
13 sort of in disarray.

14 MR. PATTON: Okay. That's what I  
15 thought I heard. So asked you to come back,  
16 be Parks Budget Officer again, so you did in  
17 '84?

18 MR. DOMICH: Right.

19 MR. PATTON: Okay. And where do we  
20 go from there?

21 MR. DOMICH: In 1987, I was promoted  
22 to the Chief of the Fiscal Services --

23 MR. PATTON: Um-hum.

24 MR. DOMICH: -- branch which  
25 included supervision over the Accounting

1 section, the Budget section, Business  
2 Services, and Contracts.

3 MR. PATTON: Um-hum. Budgets,  
4 Accounting, Business services, Contracts?

5 MR. DOMICH: Right. And I was  
6 basically in that position for the rest of my  
7 career; however, in 1998, I was designated the  
8 Assistant Deputy Director, and Information  
9 Technology and the department's training  
10 program were assigned --

11 MR. PATTON: Assistant Deputy  
12 Director for Admin Services?

13 MR. DOMICH: Right.

14 MR. PATTON: And I'm sorry. I  
15 interrupted you. You were --

16 MR. DOMICH: And I also took on the  
17 responsibility of Information Technology --

18 MR. PATTON: Okay.

19 MR. DOMICH: -- and the training  
20 section.

21 MR. PATTON: And so you were  
22 Assistant Deputy Director from '98 until the  
23 time you retired?

24 MR. DOMICH: Yes.

25 MR. PATTON: Which was?

1 MR. DOMICH: December 2004.

2 MR. PATTON: Okay.

3 MR. DOMICH: And these dates are  
4 approximate because I have not kept any  
5 records of --

6 MR. PATTON: Um-hum.

7 MR. DOMICH: -- my days at Parks and  
8 Recreation.

9 MR. PATTON: Were you -- you've done  
10 a great job piecing it together. It's --  
11 you've made that part of it very easy for me.

12 MR. DOMICH: Well, in 2000, I also  
13 took on the responsibility of the Personnel  
14 section. The only things I wasn't in charge  
15 of at that time that reported directly to the  
16 Deputy Director of Administration, who I think  
17 at that time was -- title was Chief Deputy  
18 Director, and that was Denzil Verardo -- was  
19 Labor Relations which, by law, had to report  
20 to the Director's office and did so through  
21 him and the total quality management program.

22 MR. PATTON: So in '84, Chief Deputy  
23 Garth Tanner and Director Bill Breiner asked  
24 you to come back, you come back as Budget  
25 Officer, and then you're promoted in '87 to

1 Chief of the Fiscal Services, so now you're  
2 supervising Budgets, Accounting, Business  
3 Services, and Contracts?

4 MR. DOMICH: Correct.

5 MR. PATTON: And who was -- who had  
6 promoted you in '87? That was still the same,  
7 Tanner and Breiner?

8 MR. DOMICH: I believe it was the  
9 Chief of Admin at the time, who I believe was  
10 Frank Torkelson. He had come over from  
11 Department of Finance.

12 MR. PATTON: Okay. Frank Torkelson.

13 MR. DOMICH: Right. And he's  
14 deceased.

15 MR. PATTON: Okay.

16 MR. DOMICH: I replaced Bob Cates  
17 (ph.) who became the Chief of the Planning and  
18 Development Division.

19 MR. PATTON: Okay. So --

20 MR. DOMICH: And Bill Breiner, I  
21 believe, was still the Director at the time.

22 MR. PATTON: So when you come over  
23 as Chief of Fiscal Services, you're reporting  
24 to -- is there a Deputy Director for Admin  
25 Services or that's basically you at that

1 point?

2 MR. DOMICH: At that time, there was  
3 the Deputy Director for Admin Services which  
4 was Frank Torkelson.

5 MR. PATTON: Yeah.

6 MR. DOMICH: Then there was a Chief  
7 of Fiscal which was me --

8 MR. PATTON: Yeah.

9 MR. DOMICH: -- and a Chief of  
10 Personnel.

11 MR. PATTON: Okay. So you're  
12 reporting to the Chief of Admin Services?

13 MR. DOMICH: Right. The functions  
14 are basically split, and we reported to the  
15 Chief of Admin.

16 MR. PATTON: Who was Torkelson.

17 MR. DOMICH: Torkelson.

18 MR. PATTON: And who were the chiefs  
19 then that you reported to from '87 on? You  
20 reported -- in '87, you reported to  
21 Torkelson --

22 MR. DOMICH: Right.

23 MR. PATTON: -- as Chief of Admin.

24 MR. DOMICH: And I believe that was  
25 about five years.

1 MR. PATTON: Um-hum.

2 MR. DOMICH: And then Raye

3 Harrington --

4 MR. PATTON: Around '92 --

5 MR. DOMICH: Yeah.

6 MR. PATTON: -- you became -- Raye

7 Harrington was --

8 MR. DOMICH: Right.

9 MR. PATTON: -- Chief of Admin?

10 MR. DOMICH: Right. And she --

11 MR. PATTON: That's a she?

12 MR. DOMICH: That's a she.

13 MR. PATTON: R-A-E?

14 MR. DOMICH: R-A-Y-E.

15 MR. PATTON: R-A-Y-E. Harrington?

16 MR. DOMICH: Yes.

17 MR. PATTON: Okay.

18 MR. DOMICH: She's retired and, I

19 believe, lives in Santa Barbara, and I

20 don't -- I haven't talked to her since she

21 left the department --

22 MR. PATTON: Okay.

23 MR. DOMICH: -- so I don't know what

24 her status is.

25 And then Denzil Verardo took over

1 approximately in 1994, and I worked for him  
2 until he retired, and I think that was 2003, a  
3 year before I retired.

4 MR. PATTON: Okay. So when Denzil  
5 left in '03, a year before you retired, who  
6 took over Denzil's spot? Denzil was Chief of  
7 Admin, right?

8 MR. DOMICH: Right. I had been  
9 asked to take over the position, and I  
10 declined because that just wasn't my cup of  
11 tea. I liked my level and --

12 MR. PATTON: Um-hum.

13 MR. DOMICH: -- being involved in  
14 problem solving and day-to-day management, not  
15 being the top person.

16 MR. PATTON: So did somebody come in  
17 in '03 when Denzil got out?

18 MR. DOMICH: I think an Operations  
19 person, Ron Brean --

20 MR. PATTON: Yeah.

21 MR. DOMICH: -- came in for a short  
22 period of time until Michael Harris was hired  
23 from the Department of Fish and Game where he  
24 had the same position.

25 MR. PATTON: Was -- did Michael

1 Harris go into that Chief of Admin Services  
2 before you left?

3 MR. DOMICH: Yes.

4 MR. PATTON: He went in there before  
5 you left in '04?

6 MR. DOMICH: He -- yes. He came in  
7 a year before I left roughly, and I agreed to  
8 stay for a year to help him with the  
9 transition. And basically at that point, all  
10 of the managers reported to him because I  
11 was -- we had an unexpected retirement in the  
12 training section, Broc Stenman --

13 MR. PATTON: Um-hum.

14 MR. DOMICH: -- and we were just  
15 starting a new ranger training program in  
16 Asilomar and Monterey, and we had a number of  
17 other programs there. Training reported to  
18 me. We had no training manager, so I was  
19 working half-time in Monterey running the  
20 training program, half-time in Sacramento  
21 mentoring Michael and working with him.

22 MR. PATTON: Okay. So the people  
23 you reported to in reverse order with the most  
24 recent going backwards was Michael Harris for  
25 about a year, Ron Brean for some brief period

1 of time --

2 MR. DOMICH: Right, maybe six  
3 months.

4 MR. PATTON: -- Denzil Verardo for a  
5 number of years --

6 MR. DOMICH: Right.

7 MR. PATTON: -- from '94 until about  
8 '03, so for quite a while, nine years or so.

9 MR. DOMICH: Right.

10 MR. PATTON: And then Raye  
11 Harrington and before that Torkelson.

12 MR. DOMICH: Right.

13 MR. PATTON: Okay. Raye Harrington  
14 starting in '92 to '94. Got it. Okay.

15 So now --

16 MR. DOMICH: Now, I did retire in  
17 2004, but I came back to the department.

18 MR. PATTON: Okay.

19 MR. DOMICH: So I'm not quite  
20 finished.

21 MR. PATTON: Yeah. Go ahead.  
22 Please do.

23 MR. DOMICH: I think it was 2005,  
24 about a year later --

25 MR. PATTON: Um-hum.

1 MR. DOMICH: -- [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

5 MR. PATTON: Okay.

6 MR. DOMICH: I think the only person  
7 that communicated with him was the Director.

8 MR. PATTON: Okay.

9 MR. DOMICH: He had, in the interim,  
10 retired -- or hired, I believe his name was  
11 Rob Boriskin to replace me, and the Director  
12 and executive staff was having problems with  
13 Mr. Boriskin's performance; they weren't happy  
14 with it, they didn't think it was a good fit.

15 MR. PATTON: So Boriskin replaced  
16 you as Chief of Fiscal?

17 MR. DOMICH: As the Deputy  
18 Director -- Assistant Deputy Director.

19 MR. PATTON: Assistant --

20 MR. DOMICH: Right, and basically  
21 with the responsibilities I had.

22 MR. PATTON: The Assistant Deputy  
23 Director for Admin, it sounds to me, kind of  
24 performed the functions that your title used  
25 to be as Chief of Fiscal -- or financial

1 management .

2 MR. DOMICH: Right, right.

3 MR. PATTON: Okay.

4 MR. DOMICH: And I think that that's  
5 what he did. I don't think he had anything to  
6 do with the personnel or --

7 MR. PATTON: Yeah.

8 MR. DOMICH: -- training or other  
9 programs. I think he just did the fiscal.

10 MR. PATTON: Okay.

11 MR. DOMICH: And Michael handled the  
12 other stuff.

13 MR. PATTON: So Michael had hired  
14 Boriskin to replace you as Assistant Deputy  
15 Chief of Admin.

16 MR. DOMICH: Right.

17 MR. PATTON: And you said something  
18 about there was a problem --

19 MR. DOMICH: Well, they had  
20 performance issues and concerns, the  
21 Director's office --

22 MR. PATTON: Okay.

23 MR. DOMICH: -- and executive staff,  
24 and the Director contacted me and asked me,  
25 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] to

1 come back and take over Michael's job until --

2 MR. PATTON: Um-hum, as Chief of  
3 Admin Services?

4 MR. DOMICH: As Chief of Admin until  
5 he returned and to work with Boriskin on his  
6 performance issues.

7 MR. PATTON: And so did you do that?

8 MR. DOMICH: I did that.

9 MR. PATTON: When did you come back  
10 then?

11 MR. DOMICH: It was, I believe, in  
12 2005 --

13 MR. PATTON: Okay.

14 MR. DOMICH: -- for a few months.  
15 He -- Boriskin, after a few months, decided to  
16 retire.

17 MR. PATTON: Okay.

18 MR. DOMICH: So when he retired, I  
19 went to the Director and said, you know, I'm  
20 ready to stop working as a retired annuitant  
21 and return to full retired life. I had  
22 obligations, as I mentioned to you earlier,  
23 about grandkids and elder parents. And she  
24 brought in, I believe, Keith Demetrak at that  
25 time to fill in until Michael came back

1 because there was no -- he had been out quite  
2 a while, and there was no timetable for his  
3 return. And I understand when we did return,  
4 the Director felt that he should not go back  
5 into that position --

6 MR. PATTON: Okay.

7 MR. DOMICH: -- that he -- and so  
8 she assigned him to the Director's office.

9 MR. PATTON: As Chief Deputy  
10 Director?

11 MR. DOMICH: No. I think he just  
12 did special projects initially and --

13 MR. PATTON: Okay.

14 MR. DOMICH: -- eventually worked  
15 his way up to Chief Deputy Director --

16 MR. PATTON: Okay.

17 MR. DOMICH: -- over those years,  
18 but I wasn't there then, so I'm not exactly  
19 sure what happened.

20 MR. PATTON: Okay.

21 MR. DOMICH: And so they did -- I  
22 believe it was Michael and Ruth recruited for  
23 a new Chief of Admin and --

24 MR. PATTON: While you were there in  
25 '05?

1 MR. DOMICH: No. I was gone --

2 MR. PATTON: Okay.

3 MR. DOMICH: -- when they did  
4 that --

5 MR. PATTON: Okay.

6 MR. DOMICH: -- when they did the  
7 interviews. And also Manuel Lopez had been  
8 hired as Budget Officer after I had retired.  
9 So I only knew him during that short period of  
10 time where I was filling in for Michael  
11 Harris.

12 MR. PATTON: Um-hum.

13 MR. DOMICH: And he was still on  
14 probation, and I had, on his probation report,  
15 written him up for work habits, not being  
16 there when he needed to be there, and he was  
17 very upset about that, claimed that he could  
18 work from home with his cell phone, and I  
19 said, no, that's not appropriate, you need to  
20 be there with your staff, I have complaints  
21 from the staff, they need you in the office.  
22 And he didn't really like that feedback. And  
23 then right before I left, when Keith Demetrak  
24 had taken over, his second probation report  
25 came due, and Keith came to me and said, you

1 know, I really don't know this guy, you know  
2 him, you write the performance report and I'll  
3 sign it, because he was his immediate  
4 supervisor at that time.

5 MR. PATTON: Yeah.

6 MR. DOMICH: So I wrote up basically  
7 the same report, and so Manuel went down to  
8 Keith and threw a fit about it again, and then  
9 I was gone, so Manuel, I'm sure, didn't care  
10 anything about what I thought. And the final  
11 probation report was done after I left, and I  
12 don't know who signed that, if it was Keith or  
13 if it ever got signed at all, to tell you the  
14 truth.

15 MR. PATTON: So you weren't there  
16 when Mr. Lopez was hired, and he came in, I  
17 think, in '05 into the Budget Officer  
18 position. Would you --

19 MR. DOMICH: No, I was not there.

20 MR. PATTON: You were not there.

21 MR. DOMICH: I don't know; I was not  
22 part of that.

23 MR. PATTON: But then you did come  
24 back while he was in that position. You  
25 filled in for Mike Harris has the Admin

1 Division Chief --

2 MR. DOMICH: Right.

3 MR. PATTON: -- for a while, and  
4 that's when you did a couple probationary  
5 reports.

6 MR. DOMICH: Right. And that was --  
7 you know, I didn't have a lot of contact with  
8 him other than that, and trying to find him  
9 because, like I said, he came in late, he left  
10 early, took long lunches, and I wasn't used to  
11 that.

12 MR. PATTON: So you were telling  
13 me --

14 MR. DOMICH: I had great employees  
15 working for me for all the years before.

16 MR. PATTON: You were telling me  
17 something about Mr. Lopez having been  
18 selected, and you had made a caution, was that  
19 when he was brought in as Budget Officer or  
20 later when he was promoted to Chief  
21 (indiscernible - simultaneous speaking).

22 MR. DOMICH: It was when he was  
23 promoted to Chief of Administrative Services.  
24 They had advertised. Apparently, they had six  
25 candidates, and I think was Michael Harris and

1 the director who interviewed the candidates  
2 and --

3 MR. PATTON: This is in, like,  
4 '07 --

5 MR. DOMICH: -- but I can't --

6 MR. PATTON: -- is when --

7 MR. DOMICH: Yeah.

8 MR. PATTON: -- is my understanding  
9 of when Lopez became --

10 MR. DOMICH: Yeah.

11 MR. PATTON: -- Chief of Admin  
12 Services.

13 MR. DOMICH: Yeah.

14 MR. PATTON: So you had retired?

15 MR. DOMICH: I had retired.

16 MR. PATTON: So you stayed in  
17 contact then with -- since your retirement,  
18 you stayed in contact with --

19 MR. DOMICH: No.

20 MR. PATTON: -- Harris and Coleman?

21 MR. DOMICH: No, I hadn't had any  
22 contact with Harris, but Ruth Coleman called  
23 me --

24 MR. PATTON: Uh-huh.

25 MR. DOMICH: -- to tell me that they

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1 had selected him, and she knew I had had some  
2 concerns about him, and she wanted to go over  
3 it with me, and she told me really what you  
4 think I should do because the other candidates  
5 are all very weak. I think they were from all  
6 from outside the department. And she felt  
7 comfortable with Manuel. And I told her about  
8 any experience with him, the short time that I  
9 had him, and that I thought it was a mistake  
10 to hire him --

11 MR. PATTON: Um-hum.

12 MR. DOMICH: -- which, I understand,  
13 she later told him, and I think she did that  
14 to motivate him to improve and be better  
15 because she didn't want to have to be watching  
16 him every minute, but that's just my own  
17 speculation.

18 MR. PATTON: You think she told  
19 Manuel that you had given her a pretty  
20 negative report about him?

21 MR. DOMICH: Yes, I do.

22 MR. PATTON: And when she contacted  
23 you around the time that they were selecting  
24 him to be promoted to Chief of Admin, you  
25 indicated she had already selected him, but

1     apparently she had not.  She was asking -- she  
2     was getting ready to make the decision.

3             MR. DOMICH:  Right, exactly.

4             MR. PATTON:  Okay.

5             MR. DOMICH:  And that's what they  
6     were leaning towards.

7             MR. PATTON:  And you were trying to  
8     warn her off.

9             MR. DOMICH:  And she wanted to give  
10    me some feedback on it that --

11            MR. PATTON:  She wanted you to give  
12    her feedback?

13            MR. DOMICH:  Right.  And ultimately  
14    I said, you know, if you feel that that's the  
15    only person that is capable of doing the job  
16    and that's who you want to hire --

17            MR. PATTON:  Yeah.

18            MR. DOMICH:  -- my feeling is you  
19    need to keep him on a short leash, you're  
20    going to have to be much more involved in  
21    administrative affairs than you've been  
22    because you're going to have to monitor his  
23    time and what he's doing.

24            MR. PATTON:  All right.  Now, let's  
25    talk about what I alluded to earlier.  We --

1 because what we're looking at is what's come  
2 to light in terms of the budget numbers going  
3 to Finance not being in accord with the  
4 financial statements going to the Controllers,  
5 and we're talking about the State Parks and  
6 Rec Fund.

7 MR. DOMICH: Um-hum.

8 MR. PATTON: And so the question is,  
9 who let you know about it and what did you do  
10 with that information.

11 MR. DOMICH: I don't recall ever  
12 knowing about a surplus --

13 MR. PATTON: Not a surplus --

14 MR. DOMICH: -- or --

15 MR. PATTON: -- just a discrepancy  
16 in the two reports.

17 MR. DOMICH: No one ever told me  
18 about it that I recall.

19 MR. PATTON: Well, see, I've had  
20 someone tell me that they did have numerous  
21 meetings with you where it was discussed.

22 MR. DOMICH: I do not remember any  
23 such meetings.

24 MR. PATTON: Let me show you the  
25 numbers. The Department of Finance has now

1 gone back to really, I think, the beginning of  
2 when this all started getting reported in  
3 CALSTARS. And this top section is the SPRF,  
4 State Parks and Rec Fund, and so what they're  
5 showing is that the adjusted balance reported  
6 by the accounting side of Parks to the  
7 Controller's office, let's look at fiscal year  
8 ending June 30, 2000, was 21,858,000, and the  
9 balance showing in the budget materials  
10 prepared by the Budget section and sent to the  
11 Finance Department were about twenty million  
12 less and that this disparity -- there's been  
13 an underreporting that crept up to close to  
14 thirty million by '03, and then in the last  
15 several years has been around twenty million,  
16 but it reached twenty million around 2000.

17           The disparity grew a little bit for  
18 a few years, came back down, and around the  
19 time you were leaving, for that fiscal year,  
20 it was at -- there was about a twenty-six  
21 million dollar disparity in reporting. And  
22 this -- you can see from the chart that it  
23 appears to have -- there was always some  
24 amount of disparity, and it appears to have  
25 grown from six million to 9.3 million in '98

1 to 13.8 million in '99 to almost twenty  
2 million for the year -- fiscal year ending  
3 June 30, 2000. And you've indicated that for  
4 some period of time you were the Budget  
5 Officer '84 to '87, and then in '87 went to be  
6 the Chief of Fiscal services so you were  
7 supervising the Budget office and  
8 Accounting --

9 MR. DOMICH: Right.

10 MR. PATTON: -- who were submitting  
11 both of these reports and then went to, in  
12 '98, the Assistant Deputy Director for Admin  
13 Services, and again, you're still supervising  
14 the financial side of Budget and Accounting,  
15 right?

16 MR. DOMICH: Right.

17 MR. PATTON: So are you telling me  
18 you'd never been aware that there's a  
19 disparity in what the budget documents are  
20 reflecting to Finance?

21 MR. DOMICH: I never recall being  
22 aware of any such disparity, but my total  
23 focus wasn't on this always. I had other  
24 responsibilities during that time. I had some  
25 particular problems where I was practically

1 running Information Technology and some of the  
2 other programs, and I counted totally on my  
3 Budget staff and Accounting staff to take care  
4 of these kinds of issues. My Budget Officer  
5 had worked for me for thirty years. I had  
6 total complete confidence in her.

7 MR. PATTON: And that was who?

8 MR. DOMICH: That was Becky Brown.

9 MR. PATTON: Okay.

10 MR. DOMICH: And my Accounting  
11 Officer, Freda Luan-Dun, had worked for me for  
12 ten years, and I had total confidence in her.  
13 Had I known about that, I don't, quite  
14 frankly, know that I would have been  
15 particularly concerned because of the way the  
16 budget is structured where the State Parks and  
17 Recreation Fund is this allocation, which is  
18 the majority of funds, and then there's the  
19 General Fund.

20 And it was very hard to predict what  
21 amount of money we would get in SPRF, if we  
22 could get enough to meet the allocation in the  
23 budget. If we didn't, we would have to reduce  
24 expenditures. And because of the timing of  
25 revenues arriving in SPRF, that was pretty

1 much a guessing game, but we couldn't take the  
2 chance of ending the year with a deficiency,  
3 because by law we were all personally liable,  
4 personally liable for any deficiency.

5 So if there was any surplus money in  
6 there, it would be left to offset the bad  
7 years because, you see, July, August,  
8 September is when the majority of SPRF funds  
9 will come in. If you have a late winner or a  
10 bad summer, fog in the LA County beaches,  
11 problems at Hearst Castle, high fees for  
12 driving there so attendance is down, they can  
13 significantly lower your revenue. And what  
14 became the biggest problem was June. June is  
15 a huge revenue month. It's the last month of  
16 the fiscal year, and you don't get the numbers  
17 until July or August after the fiscal year has  
18 ended. So you have to guess what that's going  
19 to be and how much do you hold back if you  
20 think you're going to be short. If the --

21 MR. PATTON: So you routinely want  
22 to keep a little bit of a cushion because you  
23 never know if the year -- you may end up short  
24 in June.

25 MR. DOMICH: Right. So there would

1 be some money in SPRF to offset that  
2 shortfall.

3 MR. PATTON: So having a little bit  
4 of a reserve amount in SPRF was not a -- is a  
5 good thing.

6 MR. DOMICH: Right, exactly.

7 MR. PATTON: Is there a reserve line  
8 item in SPRF?

9 MR. DOMICH: No, not that I know of,  
10 no.

11 MR. PATTON: So really it's just in  
12 whatever the revenue numbers are that are  
13 remaining in SPRF?

14 MR. DOMICH: Right.

15 MR. PATTON: Okay.

16 MR. DOMICH: Right. And I recall  
17 year after year wondering if we were going to  
18 be making enough SPRF. Had I know about those  
19 numbers, I wouldn't have worried that much  
20 about it, to tell you the truth, because it --

21 MR. PATTON: Well, is there a reason  
22 then you're -- see, I realize that the annual  
23 report that goes to the Controller is the  
24 balance statement, it's the ledger, it's the  
25 actual monies and accounts payable and

1 receivable that are in the pipeline, right?

2 MR. DOMICH: Right.

3 MR. PATTON: So that's very  
4 accurate, and it's reconciled continuously and  
5 then at the end of the year with the  
6 Controller, and the numbers have to match up  
7 or the Controller's office is calling and  
8 saying, why are you numbers different than  
9 ours.

10 MR. DOMICH: Right. And our  
11 year-end statements were all cleared as far as  
12 I know. We received certificates for on time,  
13 excellence --

14 MR. PATTON: That's right. I've  
15 seen that.

16 MR. DOMICH: -- matching numbers.

17 MR. PATTON: I've seen that. So  
18 explain to me, is there a reason why that  
19 number in the fund condition statement that  
20 budget's preparing could legitimately be  
21 different in what's going to Finance and a  
22 lower number --

23 MR. DOMICH: Well, I don't know  
24 that --

25 MR. PATTON: -- like encumbrances --

1 MR. DOMICH: -- was the case.

2 MR. PATTON: -- future encumbrances  
3 maybe.

4 MR. DOMICH: You know, I don't know  
5 how they handled it because I didn't know it  
6 was there. I saw the fund condition  
7 statements, and everything looked fine because  
8 I would always review the budget and the  
9 gallies before it went over there.

10 MR. PATTON: Um-hum.

11 MR. DOMICH: And I don't recall  
12 anyone telling me that there was this huge  
13 deficiency between the two, and it could have  
14 been timing, it could have been where they  
15 were holding the money, which I'm not an  
16 accountant, I don't know how they would do  
17 that or where it would be put, but we were  
18 constantly being audited. There were two or  
19 three audit teams there, it seemed, all the  
20 time. And we responded to every audit.

21 MR. PATTON: Who --

22 MR. DOMICH: I reviewed every audit.

23 MR. PATTON: Who would do the  
24 audits?

25 MR. DOMICH: The department had

1 internal auditors that would do an audit every  
2 other year. They weren't staffed completely  
3 to handle it sometimes, so they would contract  
4 with outside auditors to do it. We would have  
5 finance auditors there.

6 MR. PATTON: From Department of  
7 Finance?

8 MR. DOMICH: From Department of  
9 Finance. We had the Controllers office  
10 auditors there. We had Auditor General's  
11 auditors there over this period of time.  
12 Nobody ever said there was a discrepancy or  
13 problem in those funding sources that I'm  
14 aware of. I reviewed all audits. I worked  
15 with the appropriate person to make sure all  
16 corrections were made.

17 MR. PATTON: Well, let me show you  
18 these memos from the Finance Department. One  
19 is dated April 2002 and one is dated June  
20 2003. And to let you know, these two memos,  
21 which the author, Yoshi Fujiwara (ph.),  
22 program budget -- Budget Operations support,  
23 Department of Finance, she's the same author  
24 of both, and it's the same memo.

25 MR. DOMICH: Um-hum.

1 MR. PATTON: And she says, recent  
2 State Controller's Office review revealed many  
3 differences between corresponding prior year  
4 fund balances and the State Controller's  
5 Office annual report and the governor's  
6 budget. So the Controller's Office review has  
7 seen that differences between what's being  
8 reported as the prior year fund balance in the  
9 SCO report versus the governor's budget report  
10 to Finance, right?

11 MR. DOMICH: Um-hum.

12 MR. PATTON: Departments are  
13 responsible for reconciling those differences  
14 for special funds, which the SPRF is a special  
15 fund, right?

16 MR. DOMICH: Yes.

17 MR. PATTON: Finance designates an  
18 administering organization which, I assume,  
19 means the department's budget offices --

20 MR. DOMICH: Um-hum.

21 MR. PATTON: -- and it would be the  
22 administering organization or Admin Services.

23 MR. DOMICH: Um-hum.

24 MR. PATTON: The administering  
25 organization prepares the fund condition

1 statement for the governor's budget, in other  
2 words, for the Department of Finance to go in  
3 the governor's budget and must reconcile fund  
4 balance differences between the Controller's  
5 annual report and the governor's budget.

6 Departments must provide a written explanation  
7 of differences to their finance budget analyst  
8 and the Controller's office.

9           So for the year ending 2002, they're  
10 showing the SPRF fund as one of many special  
11 funds where there's been a discrepancy. In  
12 fact, the total was 1.9 billion dollars' worth  
13 of discrepancies for all the different special  
14 funds listed, and SPRF, account 0392, one of  
15 them was at 26,825,000 dollar difference  
16 between what's been reported to the Controller  
17 and what's been reported to Finance.

18           MR. DOMICH: Um-hum.

19           MR. PATTON: So you indicated there  
20 was never any communication, and so I wanted  
21 to show you these memos. There's another memo  
22 the next year, same memo. This is for -- I  
23 seem to have the -- oh, I've got the same, I  
24 got the old memo here. The 2002 memo has both  
25 OHV and SPRF, and it's showing a discrepancy

1 in the two reports in SPRF of 22,765,000. So  
2 I guess the answer to your observation is that  
3 it was such a memo, there was such a  
4 communication.

5 MR. DOMICH: Well, I don't recall  
6 that communication. And in looking at the  
7 dates, those were the dates after I had taken  
8 over the Personnel office. It was when  
9 Michael Harris was coming into the department.  
10 It was when the Budget office was working  
11 directly with him, and I was not all that  
12 involved at that -- when these were -- when  
13 these came?

14 MR. PATTON: For two years you  
15 weren't attending to Budgets and Accounts?

16 MR. DOMICH: No, because I was -- I  
17 had a staff to do that, and I had a lot of  
18 other responsibilities, seven other programs  
19 to work with, some that were very difficult  
20 and it --

21 MR. PATTON: So in '02 and '03, you  
22 did have Budgets and Accounts under your  
23 supervision?

24 MR. DOMICH: Right.

25 MR. PATTON: Right.

1           MR. DOMICH: But nobody brought me  
2 this information.

3           MR. PATTON: Okay.

4           MR. DOMICH: I've never seen these  
5 reports.

6           MR. PATTON: Never seen these.

7           MR. DOMICH: And I was never aware  
8 of a problem, an overage --

9           MR. PATTON: Did you look -- well,  
10 before the budget -- now, as --

11          MR. DOMICH: -- that I recall.

12          MR. PATTON: -- as supervisor of the  
13 Budget and the Accounting sections, did you  
14 look at what they were submitting as their end  
15 fiscal year statements and as the fund -- the  
16 end of year fiscal statement to Controller,  
17 the fund condition statement to the Department  
18 of Finance?

19          MR. DOMICH: I paid very little  
20 attention to the year-end statements that went  
21 to the Controller's office because we had been  
22 doing so well with them.

23          MR. PATTON: Um-hum.

24          MR. DOMICH: They all came back  
25 excellent. We had the certificates. I didn't

1 see a need to get into that. I'm not an  
2 accountant. The budget fund condition  
3 statements, up until the last year or two that  
4 I was there, I always reviewed those, but I  
5 had no reason to believe that they weren't  
6 accurate.

7 MR. PATTON: Okay. When was the  
8 last time you and Becky Brown communicated  
9 with each other?

10 MR. DOMICH: [REDACTED],  
11 about two months ago --

12 MR. PATTON: So it's September or --

13 MR. DOMICH: -- or a month ago.

14 MR. PATTON: -- sometime in August  
15 then?

16 MR. DOMICH: I don't know. I'd have  
17 to look, but --

18 MR. PATTON: A month ago. It's  
19 September now.

20 MR. DOMICH: Well, my actual  
21 birthday was in [REDACTED] and she had e-mailed  
22 me, we need to get together for your birthday,  
23 and we got together for roughly my [REDACTED]  
24 birthday because of one thing or another.

25 MR. PATTON: She talk about these

1 media reports?

2 MR. DOMICH: We talked about Manuel  
3 and the -- what had been done and what we read  
4 in the paper and that we couldn't believe that  
5 was happening to the department, and then, as  
6 usual, family situations and what we were  
7 doing now and what she was doing at Finance  
8 and her retired annuitant status and that sort  
9 of thing but nothing really specific.

10 MR. PATTON: Didn't talk about this  
11 budget discrepancy issue that was then  
12 reported to be under investigation?

13 MR. DOMICH: No.

14 MR. PATTON: You're aware --

15 MR. DOMICH: I mean, I said, it says  
16 this went back like ten years in the  
17 newspaper. I said I can't believe that, I  
18 didn't know of any discrepancy.

19 MR. PATTON: So you did talk about  
20 it with her?

21 MR. DOMICH: Well, that's all I  
22 said, I didn't know of any discrepancy, and  
23 she agree, and we carried on.

24 MR. PATTON: Okay.

25 MR. DOMICH: I mean, this was not

1 the focus of our lunch. It took up a few  
2 minutes of our hour or so together.

3 MR. PATTON: Well, it's been  
4 otherwise reported that you have been in a  
5 number of meetings with both Becky and Freda  
6 where this issue has been discussed. So I'm  
7 in the interesting predicament then of trying  
8 to figure out who is not giving the correct  
9 story.

10 MR. DOMICH: Well, I absolutely do  
11 not remember any of those meetings. I believe  
12 it's something I definitely would remember if  
13 that happened.

14 MR. PATTON: I would think.

15 MR. DOMICH: And that's really all I  
16 can say about it. I don't remember those  
17 meetings. They may have met on it, but like I  
18 say, I wasn't that involved in it in the last  
19 few years that I was there because I had other  
20 responsibilities --

21 MR. PATTON: Well, you'd been at --

22 MR. DOMICH: -- that were higher  
23 priority.

24 MR. PATTON: Let's just -- you're  
25 so -- I understand you say you had a higher

1 priority.

2 MR. DOMICH: I mean, this is a high  
3 priority --

4 MR. PATTON: Yeah, I'm not --

5 MR. DOMICH: -- if I knew about it.

6 MR. PATTON: Yeah, yeah. You've  
7 been the Budget Officer so you've prepared  
8 fund condition statements in the past, right?

9 MR. DOMICH: I prepared fund  
10 condition statements in the early '70s.

11 MR. PATTON: Um-hum.

12 MR. DOMICH: And as Budget Officer  
13 in '84, of course, I was very involved in  
14 reviewing the staff's preparation of fund  
15 condition statements --

16 MR. PATTON: Now, when --

17 MR. DOMICH: -- but after that, I  
18 was not.

19 MR. PATTON: When a fund condition  
20 statement is prepared, I'm assuming one of the  
21 components of it is going to be -- you're  
22 going to necessarily need to look at what the  
23 end of the year fund balance statement to the  
24 Controller's office was. That's a component  
25 of your fund condition statement, your budget

1 submission, right?

2 MR. DOMICH: I assume so. It's so  
3 long since I did one, I don't recall --

4 MR. PATTON: Well, I'm going to put  
5 it in --

6 MR. DOMICH: -- what --

7 MR. PATTON: I'm going to put it --

8 MR. DOMICH: -- we used to do it.

9 MR. PATTON: Let me put it in  
10 simplest terms I can. If I'm preparing a  
11 budget and I've never prepared a budget for  
12 the State, but if I'm trying to figure out  
13 what my next year's budget's going to be, I  
14 need to know as a starting point how much is  
15 in the bank, what my Controller's year-ending  
16 balance looks like, don't I?

17 MR. DOMICH: Yes, yes.

18 MR. PATTON: Yeah. So that  
19 information that goes to the Controller's  
20 office, I'm assuming the budget office  
21 necessarily has to have some access to it.

22 MR. DOMICH: It would, yes.

23 MR. PATTON: It's going to be a  
24 component of the budget submission.

25 MR. DOMICH: Correct.

1           MR. PATTON:   Okay.   So I can't be  
2   unaware, and I'm just -- I'm being shown  
3   numbers that tell me that the beginning  
4   balance -- the year-end balance reported to  
5   the Controller and that same place where it's  
6   put into the fund condition statement, they're  
7   off by twenty-plus million dollars.   And so  
8   that's what's got people's attention.

9           MR. DOMICH:   Yeah, I could see where  
10   it would.

11           MR. PATTON:   Now, if you -- you were  
12   a Budget Officer for a while, and you were the  
13   supervisor of it.   When you were a Budget  
14   Officer, if you saw that your number in the  
15   fund condition statement, the starting point  
16   number was in the millions different than what  
17   the ending fund balance statement from the  
18   Controller's office looked like, that would  
19   cause you concern, right?

20           MR. DOMICH:   Well, yes, it would.  
21   And what I would have done is worked with the  
22   Department of Finance to use the money.   We  
23   have budget change --

24           MR. PATTON:   Wait, wait, wait, wait,  
25   wait.   I'm just talking about the reports.

1 You're getting -- you're doing a fund  
2 condition statement, and the beginning  
3 number -- and you're looking at the prior  
4 year's fund condition statement, you're  
5 looking at the Controller's annual statements,  
6 and you're seeing that there's a twenty  
7 million dollar discrepancy in that component,  
8 the prior year ending balance.

9 MR. DOMICH: Right.

10 MR. PATTON: That discrepancy is  
11 going to cause -- that's going to cause you to  
12 take notice and cause some concern, right?

13 MR. DOMICH: Right.

14 MR. PATTON: Now, my next question  
15 is this. You see that -- you've got a  
16 discrepancy. It's not like -- I'm not  
17 suggesting --

18 MR. DOMICH: Right.

19 MR. PATTON: -- you ran across  
20 unspent money that needs to be spent.

21 MR. DOMICH: Right.

22 MR. PATTON: I'm suggesting that you  
23 have seen a sizable discrepancy, you're the  
24 Budget Officer, you've seen it, what are you  
25 going to do with that information? You're

1 going to call Finance?

2 MR. DOMICH: Well, first, I'd want  
3 to know why --

4 MR. PATTON: Okay.

5 MR. DOMICH: -- before I --

6 MR. PATTON: Sure.

7 MR. DOMICH: -- talk to anybody.

8 MR. PATTON: Yeah.

9 MR. DOMICH: And then I would talk  
10 with the Chief of Administrative Services --

11 MR. PATTON: Right.

12 MR. DOMICH: -- about it. And where  
13 Finance would come in is when we're doing  
14 budget change proposals, and it would be  
15 offered up as money that could be used to fund  
16 those --

17 MR. PATTON: No, don't start telling  
18 me about spending money yet. You would tell  
19 somebody.

20 MR. DOMICH: Yeah.

21 MR. PATTON: You'd bring it to the  
22 Chief of Admin Services.

23 MR. DOMICH: Yes, I would.

24 MR. PATTON: Okay. Because you got  
25 a disparity.

1           Now, if you're the Budget Officer,  
2 if you're Becky Brown, you're the Budget  
3 Officer and Tom Domich is the Assistant Chief  
4 Deputy with supervisory responsibility for  
5 Accounting and Budgets and Contracting and  
6 Purchasing, and then you've got a Director,  
7 Chief Deputy -- or Deputy Director for Admin  
8 Services who, at the time is Denzil Verardo,  
9 would -- could we expect then that Becky  
10 wouldn't report it to you, she'd report it  
11 only directly to the Deputy Director or Admin  
12 Services?

13           MR. DOMICH: Given the relationship  
14 Becky and I had, having worked together for so  
15 many years, and me basically giving her total  
16 authority, I can see her and Freda talking  
17 about it and what they were going to do about  
18 it, but I can also see them not bringing it to  
19 me, especially at this point in time when I'm  
20 transitioning out. I could see them bringing  
21 it to Michael Harris when he came in as the  
22 new Chief Deputy to say, you know, we've got  
23 this problem. But I do not honestly remember  
24 them bringing this to me or it would have made  
25 an impression that I would not forget.

1 MR. PATTON: Um-hum.

2 MR. DOMICH: I had full confidence  
3 in them to do those things.

4 MR. PATTON: I get that. And I'll  
5 tell you that when -- we know that it came to  
6 their attention in 2000, and the problem, the  
7 basis for the discrepancy in the report was  
8 identified by about 2001. So you had not yet  
9 announced your retirement. You were there for  
10 four more years.

11 MR. DOMICH: No, but in 2000, my  
12 duties expanded to include all sections of  
13 Administrative Services with the exception of  
14 Labor Relations. We were having a particular  
15 difficult time with Information Technology,  
16 trying to get the program off the ground. Our  
17 Director at that time, Rusty Areias, was on me  
18 to make it happen, and we weren't funded to  
19 make it happen. So we were trying everything  
20 we could, and my time was spent in those areas  
21 more than anything because I had Becky, I had  
22 Freda, I had Olaya, and I had Gayle who had  
23 handled the fiscal obligations before.

24 The organization previously was  
25 Personnel Services, Human Rights Services, and



1 I was a problem solver, I wanted to fix these  
2 problems, and in the four fiscal areas,  
3 everything was going well. The audits showed  
4 going well. I reviewed all the audits. I  
5 worked with the managers on the audits. I  
6 never saw these papers.

7 MR. PATTON: You were reviewing --

8 MR. DOMICH: Now, if they came to me  
9 and mentioned it, it was something that didn't  
10 sink in because I didn't see it as a problem  
11 apparently, but I don't recall them discussing  
12 it with me. I simply don't.

13 MR. PATTON: It's been described to  
14 me as something that was discussed in your  
15 presence many times.

16 MR. DOMICH: No, I don't agree.

17 MR. PATTON: Of everything that goes  
18 on in Admin Services, Personnel, IT,  
19 Accounting, Budgeting, I would think that  
20 Admin Services -- you know, one of its main  
21 missions is to accurately track and account  
22 for all the monies because this is the life  
23 blood that any agency operates on, right?

24 MR. DOMICH: Right.

25 MR. PATTON: And to come up with the

1 best work in terms of budget possible.

2 MR. DOMICH: Oh, absolutely. And  
3 Becky Brown was known as one of the best  
4 Budget Officers in the state of California, if  
5 not the best, as evidenced by the fact when  
6 she retired she was hired by Department of  
7 Finance to work on the FisCal project. And  
8 thirty years of experience with her, I had no  
9 reason to be that involved in what she was  
10 doing. And it wasn't until Michael came when  
11 he wanted to get into the details of the  
12 budget and learn, as part of his transition,  
13 where we were and this and that, that she  
14 really had somebody that she was going to  
15 regular. She wasn't going to me regular.

16 MR. PATTON: Who was she going to  
17 regularly?

18 MR. DOMICH: When she went to  
19 anybody, she went to me, but I was only there  
20 half the time in that I was in Monterey a good  
21 part of the time doing the training program  
22 that was in trouble. And she would go to  
23 Denzil if I wasn't there. She went to Michael  
24 the whole time he was there as part of his  
25 training. She did not come to me at all.

1 MR. PATTON: So it's possible --  
2 you're telling me it's possible she might have  
3 reported this up the chain of command but not  
4 to you because you might not have been  
5 available; you were otherwise predisposed?

6 MR. DOMICH: Yes.

7 MR. PATTON: Do you --

8 MR. DOMICH: I'm shocked to hear  
9 that they said that, to tell you the truth,  
10 because I do not remember any discussions of  
11 surpluses.

12 MR. PATTON: Do you know how much,  
13 on average -- towards the end of your tenure  
14 there in '03-'04, do you recall how much  
15 revenue annually that SPRF typically or on  
16 average would generate?

17 MR. DOMICH: I have no idea. I do  
18 not recall. I'd have to go back and look at  
19 the budget. If I had to guess, I would say  
20 around 120 million but --

21 MR. PATTON: Okay.

22 MR. DOMICH: -- I don't know.

23 MR. PATTON: I've seen a figure of  
24 around eighty million in revenue, so eighty  
25 million, a hundred million, 120. Twenty or

1 twenty-six million out of a hundred million  
2 account is not an insignificant amount, right?

3 MR. DOMICH: No.

4 MR. PATTON: If you were the Budget  
5 Officer and you saw that, that would be cause  
6 for concern, wouldn't it?

7 MR. DOMICH: It would be cause for  
8 concern, but I just wouldn't let it sit there.

9 MR. PATTON: What would you do?

10 MR. DOMICH: I would use it to --

11 MR. PATTON: How are you going to  
12 use money that has apparently been  
13 underreported in the finance submissions? If  
14 the budget submissions had been underreported,  
15 then I'm thinking you can't have gotten a  
16 legislative appropriation and authorization to  
17 spend it because it's not been reported.

18 MR. DOMICH: Well, you go --

19 MR. PATTON: How are you going to  
20 spend it?

21 MR. DOMICH: You go to the  
22 Department of Finance and you say, this is  
23 what we have found --

24 MR. PATTON: We found some more  
25 money.

1 MR. DOMICH: Right. This is what we  
2 have found; we're trying to determine how this  
3 was there, that this money is available to  
4 augment SPRF and can be used to fund our  
5 budget change proposals; we don't need General  
6 Fund money, we've got this money or -- you  
7 just don't sit on it.

8 MR. PATTON: So you own up to  
9 there's been a mistake --

10 MR. DOMICH: Right.

11 MR. PATTON: -- in our documents,  
12 and we've discovered there's some more  
13 money --

14 MR. DOMICH: Exactly.

15 MR. PATTON: -- available in SPRF.

16 MR. DOMICH: Exactly. And we've  
17 always had good relationships with our finance  
18 analysts. We can always talk to them about  
19 those issues. I don't know why that wasn't  
20 done. If I had known of it, it would have  
21 been done. You own up to it. You don't let  
22 it get worse.

23 MR. PATTON: Okay.

24 MR. DOMICH: And I'm not afraid to  
25 own up to things. That's one of the reasons I

1 was in the position I was in, and that's one  
2 of the reasons my duties were expanded,  
3 because I was known as a problem solver. You  
4 can ask the Director. You can ask Denzil  
5 Verardo. You can ask any of them. That was  
6 my main responsibility in the last years with  
7 cleaning up the areas where there were  
8 problems. If I knew this was a problem, I  
9 would have been right on that.

10 MS. RUIZ: Did you ever do that?  
11 Did you ever go to Finance and, you know --

12 MR. DOMICH: No, because I didn't  
13 know there was a problem. I had gone to  
14 Finance in -- when he was a Budget Officer in  
15 1984, and Robin Baker was our analyst --  
16 finance analyst. I worked with her, and you  
17 can go back to the records and look. We  
18 increased SPRF annually. Our budget change  
19 proposals were funded by SPRF. I worked with  
20 her on that, and that's the only way we got  
21 any new money.

22 MR. PATTON: The only way was how?

23 MR. DOMICH: Using SPRF.

24 MR. PATTON: Using revenue --

25 MR. DOMICH: Additional --

1 MR. PATTON: Using revenues  
2 generated in SPRF --

3 MR. DOMICH: Right.

4 MR. PATTON: -- as opposed to  
5 General Fund --

6 MR. DOMICH: Right.

7 MR. PATTON: -- because --

8 MR. DOMICH: Because there was no  
9 General Fund. And we were told we wouldn't  
10 get BCPs and --

11 MR. PATTON: No budget change  
12 proposals as a result of additional General  
13 Fund dollars.

14 MR. DOMICH: Right, but they  
15 approved them.

16 MR. PATTON: During the time --

17 MR. DOMICH: And I've even told  
18 Department of Finance one time, I don't know  
19 if we can make that much State Parks and  
20 Recreation Fund money to cover these BCPs, but  
21 if that's the only way we can do it, then  
22 we'll do it and we'll try and figure out how  
23 to increase revenues to make it happen because  
24 we've got a development complete, a new  
25 campground that we can't open. How can you

1 justify that to anybody? Those are the kinds  
2 of conversations I had with her.

3 MR. PATTON: With her? With who?

4 MR. DOMICH: And we worked -- with  
5 Robin Baker who's also retired from the  
6 department --

7 MR. PATTON: Who is she?

8 MR. DOMICH: -- of Finance. She  
9 worked at Department of Finance for years as a  
10 Department of Finance analyst.

11 MR. PATTON: Uh-huh.

12 MR. DOMICH: She was on the -- she  
13 had worked at Parks and Recreation actually  
14 before she went to Finance. So I had known  
15 her from Parks and Recreation. We had a very  
16 good working relationship when she went to  
17 Finance, and we were able to accomplish some  
18 of these things. But based on that, that's  
19 how I would have handled it. I wouldn't have  
20 tried to hide it from Finance.

21 I suspect there may have been a  
22 reluctance later on to discuss it with Finance  
23 because the State Parks and Recreation Fund is  
24 what they call fungible and would likely have  
25 been used for other State programs or would

1 have been put into the Parks budget and  
2 General Fund would have been removed. There  
3 never would have been an augmentation with  
4 that money. And I think that's what's ironic  
5 now is that money is going to go for State  
6 Parks, but I would guess that in a year or two  
7 you'll see the General Fund reduced.

8 MR. PATTON: Yeah. You indicated  
9 that you'd experienced that. In the time you  
10 were there, it sounds to me like the General  
11 Fund allocation is never increased; if  
12 anything, they decreased.

13 MR. DOMICH: That is correct, to my  
14 knowledge.

15 MR. PATTON: Percentage-wise and/or  
16 gross dollars-wise?

17 MR. DOMICH: Well, when I was there,  
18 I would say gross dollars-wise is my  
19 recollection. I mean, and that was another  
20 concern of ours. We not only had to worry  
21 about SPRF coming in at the budgeted level or  
22 not being able to spend the money, but  
23 mid-year cuts in General Fund. Oftentimes, in  
24 the middle of the year, the administration  
25 would cut our budget across the board on

1 General Fund because they needed the money.  
2 And so then you have to withdraw allocations  
3 from this field where the field is already --  
4 the field is eighty-five percent of the  
5 budget, where they've already committed to  
6 spend it. You may not have it. You have to  
7 cancel encumbrances, you have a lot of things  
8 that you have to do to come up with that  
9 savings that's going to go for other programs.

10 MR. PATTON: So it sounds to me like  
11 keeping track of and keeping pace with sort of  
12 chronically diminishing allocations of General  
13 Fund dollars was always --

14 MR. DOMICH: Starting in 1992, we  
15 got a sixteen million dollar arbitrary  
16 reduction by the legislature, during budget  
17 hearings, in General Fund and told deal with  
18 it, figure it out. And beginning in 1992,  
19 from then on, it was a constant funding  
20 problem. And part of the department's budget  
21 that I'm not sure people understand is, in '84  
22 when I was the Budget Officer, we had twenty-  
23 six sources of funds. A department like  
24 Franchise Tax Board has one hundred percent  
25 General Fund. They know their budget; that's

1 all they have a play with. We have twenty-six  
2 sources of funds that we have to figure out  
3 and keep track of. It is one of the most --  
4 even though it's a small department, it's one  
5 of the most complex departments in the State  
6 of California to try and manage. And I can --

7 MR. PATTON: From a budgeting  
8 standpoint?

9 MR. DOMICH: Yeah, fiscally. And so  
10 I can see how things like this could happen.

11 MR. PATTON: Tell me, what do you  
12 see?

13 MR. DOMICH: I can see where errors  
14 may happen because your staff is being  
15 reduced, you're having to hold positions  
16 vacant to make salary savings. Our salary  
17 savings, if you look at the budgets, was  
18 increased many times over the last ten or so  
19 years. That was one way of getting General  
20 Fund savings; you keep more positions vacant.  
21 I think we had initially to keep like 200  
22 positions vacant to make our annual salary  
23 savings requirement, and like that doubled in  
24 just a few years.

25 MR. PATTON: When was that? What

1 years was that?

2 MR. DOMICH: I don't remember what  
3 years it was --

4 MR. PATTON: In the '90s?

5 MR. DOMICH: -- but it was some  
6 time --

7 MR. PATTON: Well, you indicated --

8 MR. DOMICH: -- in the late '90s  
9 to --

10 MR. PATTON: Yeah, because you  
11 indicated --

12 MR. DOMICH: -- early 2000s.

13 MR. PATTON: You indicated in '92  
14 the legislature, you said, imposed an  
15 arbitrary sixteen million dollar General Fund  
16 cut --

17 MR. DOMICH: Right.

18 MR. PATTON: -- reduction. You were  
19 allocated sixteen million, apparently, that  
20 year --

21 MR. DOMICH: Exactly.

22 MR. PATTON: -- than it had been the  
23 year before.

24 MR. DOMICH: Exactly.

25 MR. PATTON: Do you remember out of

1     how many millions -- what -- how much of a  
2     percentage cut was that?

3             MR. DOMICH:  I don't remember, but  
4     it was a significant cut.  We had to reduce a  
5     number of positions to make it happen.  We had  
6     to pretty much eliminate our equipment  
7     purchasing program.

8             MR. PATTON:  Was it more than a ten  
9     percent cut?  Was the General Fund  
10    appropriation 160 million or more?

11            MR. DOMICH:  I'm quite certain it  
12    was more than ten percent.

13            MR. PATTON:  Okay.

14            MR. DOMICH:  And you know, one of  
15    the reasons it happened is one of the  
16    legislators on the budget committee had gone  
17    to a state park, and the park aide at the  
18    entrance station told him that the legislature  
19    was responsible for seasonal help being  
20    reduced and some of his friends losing their  
21    job because they cut our budget.  So our next  
22    budget hearing, that legislator ripped our  
23    Director up one side and down the other and  
24    said your budget's cut sixteen million, figure  
25    it out.

1 MR. PATTON: Oh. Who was that? Who  
2 was the legislator?

3 MR. DOMICH: You want me to say  
4 on --

5 MR. PATTON: Go ahead and tell me.

6 MR. DOMICH: Ross Johnson.

7 MR. PATTON: Okay. And that was  
8 in --

9 MR. DOMICH: Screaming, yelling. It  
10 was the most despicable thing I had ever seen.  
11 I couldn't believe it, and the Director was  
12 Donald Murphy.

13 MR. PATTON: What year? '92?

14 MR. DOMICH: I believe it was '92,  
15 yes.

16 MR. PATTON: Director was Donald  
17 Murphy?

18 MR. DOMICH: Right.

19 MR. PATTON: What happened after  
20 that?

21 MR. DOMICH: Donald Murphy came back  
22 and said, prepare a plan, figure it out. So  
23 the Administrative Services worked with  
24 Operations. Like I said, they're eighty-five  
25 percent of the budget, they're going to take

1 the biggest hit. And that was probably our  
2 first time we started talking about closing  
3 parks to do it.

4 MR. PATTON: When was that? In --

5 MR. DOMICH: Yeah, '92.

6 MR. PATTON: -- '92?

7 MR. DOMICH: I mean, that was one of  
8 the ideas that came up first, let's start  
9 closing some parks that cost us too much to  
10 operate, that we can safely secure, and we  
11 were able to work out a plan that didn't  
12 require doing that at that time, but we had a  
13 layoff plan in place. We ended up cutting the  
14 positions but all through attrition. I don't  
15 think but one person was laid off, maybe one,  
16 a historian because there was no place for him  
17 to go.

18 MR. PATTON: Sounds to me like it's  
19 been a -- it was a tough place to work, tough  
20 thing to run from a fiscal standpoint because  
21 you were constantly having to deal with budget  
22 stresses.

23 MR. DOMICH: It was; it was  
24 horrible, to tell you the truth. I loved  
25 Parks and Recreation. I loved the Parks and

1 Recreation family. I loved the product, but  
2 it was constant stress.

3           When I was the Budget Officer in the  
4 '70s and '84, we would get from Department of  
5 Finance maybe once or twice a year what they  
6 call an exercise which is within twenty-four  
7 hours we need to know what you will cut to  
8 meet this amount of money because the State  
9 needed money. All departments were given the  
10 same exercise. And then they made decisions  
11 who'd get cut and who wouldn't get cut, how  
12 much, and this and that.

13           By the time I left, we were getting  
14 those exercises two or three times a week  
15 where you have to drop everything and do that  
16 and meet their timetable. That job is one of  
17 the most stressful jobs in state service. I  
18 worked fifty- to sixty-hour weeks. I worked  
19 almost every Saturday as well as all week,  
20 nine- or ten-hour days just to keep things  
21 going. And when you had problems in other  
22 areas, it would take attention away from this.  
23 Becky Brown would be there at 7 in the morning  
24 and leave at 6 at night and work Saturdays to  
25 keep the Budget section together. She had

1 some good long-time loyal employees that would  
2 be there to work with her. One of the  
3 problems when she left, they left. And the  
4 budget office has never been the same,  
5 starting with Manuel and then Cheryl and -- I  
6 don't know who's there now.

7 MR. PATTON: Cheryl, you mean Cheryl  
8 Taylor?

9 MR. DOMICH: Yes.

10 MR. PATTON: What have you heard --  
11 because you weren't there when --

12 MR. DOMICH: No, but I was on an  
13 interview panel that she interviewed on.  
14 That's the only thing I know of her.

15 MR. PATTON: People have been  
16 telling you that things have not been the same  
17 since Becky left?

18 MR. DOMICH: Yes, I've heard that.

19 MR. PATTON: And who are your  
20 intelligence sources at Parks that you're  
21 hearing information from?

22 MR. DOMICH: Well, it's just general  
23 people and people that worked in the Budget  
24 section when we were there.

25 MR. PATTON: You stay in touch with

1 anybody?

2 MR. DOMICH: The only people I stay  
3 in touch regularly are retired. There's only  
4 a couple people that are still working that I  
5 have stayed in touch with.

6 MR. PATTON: Who are they?

7 MR. DOMICH: Jim Leskotoff (ph.),  
8 the Chief of Concessions who -- we've been  
9 friends for a number of years, and he just  
10 retired [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
11 [REDACTED]. And the Assistant Personnel -- or  
12 the acting Personnel Manager, Jason Summers --

13 MR. PATTON: Okay.

14 MR. DOMICH: -- who happens to be my  
15 son-in-law, but surprisingly refuses to talk  
16 to me about Parks issues, and as it turns out,  
17 I'm quite thankful of that since he was  
18 involved in the buy-down thing. He didn't  
19 take money in the buy-down thing, but he gave  
20 Manuel some bad information, saying that the  
21 buy-down would be appropriate when Manuel had  
22 already heard from two or three people that it  
23 wouldn't be appropriate. So he relies on the  
24 advice of the acting Personnel Manager who has  
25 virtually no personnel experience and is only

1 aware of buy-downs happening in the department  
2 previously. But like I say, we don't talk  
3 about Parks things. I had, on a couple of  
4 occasions, warned him about dealing with  
5 Manuel because of my concerns, but that didn't  
6 seem to stop him.

7 MR. PATTON: Tom, you want some  
8 water?

9 MR. DOMICH: No, that's okay. Okay.

10 MR. PATTON: You sure?

11 MR. DOMICH: Yeah.

12 MR. PATTON: Okay.

13 MR. DOMICH: But other than that --

14 MR. PATTON: You, young lady?

15 MS. RUIZ: No, I'm okay. Thank you.

16 MR. DOMICH: Only what I hear from  
17 Becky or Olaya because they still had contacts  
18 in the department that they had worked with  
19 closely, and they would tell them how awful it  
20 was and about hostile work environments, and  
21 when we have lunch, they would mention how  
22 awful it was working for Manuel. Olaya worked  
23 directly for Manuel for a period of time, and  
24 that's one reason she retired; she couldn't  
25 take it anymore.

1           MR. PATTON:    So you and Becky and  
2   Olaya have been friends and you've remained  
3   friends?

4           MR. DOMICH:    Yes.

5           MR. PATTON:    And you stay in touch  
6   periodically?

7           MR. DOMICH:    Yes, birthdays  
8   primarily.  And like I say, we've worked -- I  
9   worked -- I hired Becky in roughly 1974 into  
10  the Budget office, and when I went to Cal  
11  Expo, I hired her there as my Budget Officer.  
12  When I came back to the department as the  
13  Budget Officer, I hired her as my assistant  
14  Budget Officer and trained and groomed her to  
15  be the Budget Officer.  And then when I  
16  promoted to Chief of Fiscal, I made her --  
17  promoted her to the Budget Officer job.  So  
18  we've worked together for thirty years in  
19  budging.

20           Olaya I met at Cal Expo in business  
21  services.  When I came back to the department  
22  and became Chief of Fiscal, I hired her as my  
23  Business Service Manager, and I've worked with  
24  her for twenty-five years.  Gayle worked in  
25  the field at Folsom.  I had known her for

1 years as an Administrative Officer in the  
2 field.

3 MR. PATTON: Gayle Bohlmann?

4 MR. DOMICH: Gayle Bohlmann. And  
5 she wanted to get out of the field. She  
6 wanted an opportunity in headquarters, and she  
7 was very good in Contracts and Business  
8 Services, so I hired her and worked with her  
9 for ten years. And Freda Luan-Dun, who had  
10 had an auditing background, applied for the  
11 job and hired her, and she was outstanding.  
12 Prior to Freda in the Accounting office, I  
13 worked with Jack Vogelsang who had a  
14 Department of Finance audit background, was a  
15 department's Budget Officer in 1969 and is the  
16 person who hired me into state service, and I  
17 worked with him in that position for about  
18 five years. Before Freda was hired, he  
19 retired.

20 It's been a very full and  
21 complicated and at some times difficult  
22 career, but I loved it. But I knew 2004, at  
23 age 58, was the time to retire. I didn't  
24 think I could take it anymore, and I'm glad  
25 that I did.

1 MR. PATTON: So how often do you and  
2 Becky get together? How often do you talk?

3 MR. DOMICH: I talked to Becky at  
4 the lunch that I just mentioned which was a  
5 month or two ago. The last time I saw her was  
6 her birthday [REDACTED]. And I would say we  
7 get together two to three times a year.

8 MR. PATTON: What's her birthday?

9 MR. DOMICH: [REDACTED]. And we  
10 get together on Olaya's birthday [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15 MR. PATTON: [REDACTED]

16 MR. DOMICH: [REDACTED]

17 MR. PATTON: So you and Olaya and  
18 Becky celebrate birthday lunches. And who  
19 initiated this luncheon with Becky last month?

20 MR. DOMICH: Well, she had e-mailed  
21 me [REDACTED], saying we need to get  
22 together for your birthday lunch, give me some  
23 dates that might work for you. And because of  
24 my obligations with my parents and the  
25 grandkids and all, I never got back. It was

1 one of those things where the e-mail just sat  
2 there. And as my 65th-1/2 birthday approached  
3 and I was reading all this stuff in the  
4 newspaper about Parks and Recreation going  
5 down the tubes, I e-mailed her and said, maybe  
6 it's time to celebrate my birthday; it'll will  
7 my 65th-1/2 birthday.

8 So naturally we discussed Manuel who  
9 we both have a very negative opinion of. He  
10 followed her into the Budget office, and he  
11 was -- they overlapped, and she wanted to  
12 train him on the department's budget where we  
13 were. He didn't want anything to do with it;  
14 he knew about budgeting. And so she basically  
15 just washed her hands and had to let him go on  
16 his own. But at any rate -- so we had a  
17 negative -- and we weren't surprised to see  
18 what had happened on that buy-down thing, and  
19 we talked about that and couldn't believe that  
20 that would happen, and we reminisced about our  
21 days in Parks, and we were quite upset to see  
22 what was happening to our department.

23 MR. PATTON: Have you talked with  
24 her since your lunch?

25 MR. DOMICH: I have not,

1 intentionally so.

2 MR. PATTON: Were you -- she make  
3 you aware -- did you know that she at the  
4 present time a lot of records -- she kept a  
5 good paper record of the work she did. Are  
6 you aware of that?

7 MR. DOMICH: Yes, I am. She was  
8 excellent at keeping records. She had a whole  
9 history of the Budgets going back to the  
10 beginning of the time, the legislative analyst  
11 reports, all from which I've been told has  
12 been dumped by Manuel.

13 MR. PATTON: Who told you -- by  
14 Manuel?

15 MR. DOMICH: Yeah, Manuel and his  
16 person --

17 MR. PATTON: Who told --

18 MR. DOMICH: -- the Budget Officer  
19 he picked.

20 MR. PATTON: Who told you that it  
21 had been dumped?

22 MR. DOMICH: Becky.

23 MR. PATTON: She told you that she  
24 learned that from -- that -- and did she tell  
25 you who she learned that from?

1 MR. DOMICH: She did not tell me who  
2 she learned it from, but --

3 MR. PATTON: How do you know it was  
4 by Manuel?

5 MR. DOMICH: Well, it was after  
6 Becky left, so Manuel was the Budget Officer  
7 for a period of time.

8 MR. PATTON: All right.

9 MR. DOMICH: I don't know if he  
10 directed it or I don't know if it was Cheryl  
11 or if it was whoever succeeded Cheryl, but  
12 I've been told it's no longer there.

13 MR. PATTON: Did you -- you knew  
14 Dorothy Kroll pretty well?

15 MR. DOMICH: I did not know Dorothy  
16 Kroll very well. I worked with Freda Luan-Dun  
17 for ten years, and when Freda accepted a  
18 promotion to Department of Finance, I  
19 combined, if I'm remembering right, Olaya's  
20 duties into Accounting and Business Services,  
21 and Dorothy Kroll reported to her. And when  
22 Dorothy Kroll was promoted to Accounting, and  
23 I can't even remember if I was there, but I  
24 had reservations because she had a very  
25 volatile personality and would often --

1 MR. PATTON: Who did?

2 MR. DOMICH: Dorothy.

3 MR. PATTON: Wait, wait. Go back.

4 I was looking at -- it looked to me like Freda  
5 was the Accounting Chief until about the  
6 time -- until -- up until the time you left?

7 MR. DOMICH: Yeah. Well, it was  
8 right about that time.

9 MR. PATTON: And then what were you  
10 going to say?

11 MR. DOMICH: Then my recollection is  
12 I put Accounting under Olaya.

13 MR. PATTON: When Freda left?

14 MR. DOMICH: When Freda left. And  
15 Dorothy reported to Olaya.

16 MR. PATTON: Uh-huh.

17 MR. DOMICH: And then shortly after  
18 that, I believe that Dorothy Kroll was made  
19 the Accounting Officer.

20 MR. PATTON: Okay. And then what  
21 were you saying about her personality?

22 MR. DOMICH: Well, I think Olaya  
23 told me that Dorothy was going to become the  
24 Personnel office and she was confident she  
25 could do the job, and I expressed my concern

1 that she could do the job because a few  
2 actions I was aware of with Dorothy is she had  
3 a very volatile personality, even when she was  
4 working for Freda, that she would just  
5 explode, and I didn't think she had the kind  
6 of demeanor that would be appropriate for that  
7 position because I always was for customer  
8 service. Operations Division is right; we  
9 need to -- we work for them. We wouldn't be  
10 here if there wasn't an Operation Division.  
11 But I had little to do with Dorothy.

12 MR. PATTON: Okay. Did you work  
13 with Mr. Boriskin?

14 MR. DOMICH: Boriskin?

15 MR. PATTON: Yeah.

16 MR. DOMICH: Rob Boriskin. Oh, he  
17 was hired to replace me. And when the  
18 Director asked me to come back to fill in for  
19 Michael -- see, Michael had hired Rob, Rob had  
20 worked for him at Fish and Game; they were  
21 friends. When I was asked to come back for  
22 that period of time while Michael was on  
23 leave --

24 MR. PATTON: You were asked by Ruth?

25 MR. DOMICH: I was asked by Ruth,

1 and at that time, she told me that they were  
2 having performance problems with him --

3 MR. PATTON: Right

4 MR. DOMICH: -- and I believe, but I  
5 don't know for certain, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] And when I came in, I was  
10 asked to work with him and the performance  
11 issues. These are some of the things you need  
12 to work with him on.

13 MR. PATTON: He was the Assistant  
14 Deputy.

15 MR. DOMICH: He was the Assistant  
16 Deputy in my old job.

17 MR. PATTON: Yeah.

18 MR. DOMICH: So that would have been  
19 an appropriate thing to do. And so I worked  
20 with him, and I was quite honest with him  
21 about the executive office's concerns and  
22 things that I thought he needed to do to  
23 improve.

24 MR. PATTON: What were the concerns  
25 with his performance?

1 MR. DOMICH: Well, apparently, he  
2 had binders like this of statistics.

3 MR. PATTON: Big thick binders.

4 MR. DOMICH: Big thick binders that  
5 he took to every meeting, and they didn't  
6 really have the kind of information a manager  
7 at that level would have, your big picture,  
8 your -- not minutia. That's what your staff  
9 does is the minutia. You can work with them  
10 on that. He also, in his efforts to learn the  
11 very -- each of the program areas, such as  
12 Budget and Accounting, this and that, he was  
13 constantly in their face, so to speak, trying  
14 to get in and learn everything they do down to  
15 the greatest detail.

16 MR. PATTON: So he couldn't get out  
17 of the forest to see the trees?

18 MR. DOMICH: Right.

19 MR. PATTON: He wasn't giving  
20 executive summaries.

21 MR. DOMICH: Right.

22 MR. PATTON: Ruth personally  
23 recruited you to come --

24 MR. DOMICH: Yes.

25 MR. PATTON: -- fill in for Michael?

1 MR. DOMICH: Yes, and asked me to  
2 talk the job again. She --

3 MR. PATTON: But you'd known Ruth  
4 the entire time she'd been Director; you were  
5 there the entire time?

6 MR. DOMICH: I knew Ruth before  
7 that. Ruth started at the Legislative  
8 Analyst's Office when I was the Budget Officer  
9 in '84. And Ruth and I had a very honest  
10 working relationship, and so when she ended  
11 upcoming to the department as the legislative  
12 liaison, I knew her, and we worked very well  
13 together on legislation and budget issues  
14 because she understood budgeting, she had a  
15 budgeting (indiscernible - simultaneous  
16 speaking).

17 MR. PATTON: She understands the  
18 Parks budget, which you've indicated is one of  
19 the most complex budgets in the state  
20 government.

21 MR. DOMICH: Correct.

22 MR. PATTON: Tell me -- walk me  
23 through a little bit how it works, the  
24 budget -- the process works. The Budget  
25 section works up a proposed budget to submit

1 to Finance --

2 MR. DOMICH: Right.

3 MR. PATTON: -- which I assume gets  
4 some amount of review then by the Chief Deputy  
5 Director -- by the Admin Services Director,  
6 the Chief Deputy Director, and the Director;  
7 is that right?

8 MR. DOMICH: And the Chief of  
9 Operations.

10 MR. PATTON: Okay.

11 MR. DOMICH: And the Chief of  
12 Operations Assistant who monitors the field.  
13 I mean, it all starts out by the field  
14 submitting their --

15 MR. PATTON: So Operations --

16 MR. DOMICH: -- budget requests.

17 MR. PATTON: -- Operations is  
18 involved in watching what's going on with the  
19 budget preparation as well because they're  
20 very much impacted by it.

21 MR. DOMICH: Operations was totally  
22 involved in the years we were there. After we  
23 left, I don't know that they were and --

24 MR. PATTON: Totally involved in  
25 what sense?

1 MR. DOMICH: In the budget  
2 situations and preparations, because there was  
3 always this thing between Operations and  
4 Administration in the early days when they  
5 didn't trust one another.

6 MR. PATTON: Why was that?

7 MR. DOMICH: Because Administration  
8 had the authority to make all the decisions on  
9 the budget, and there were certain Chiefs of  
10 Administration that had no regard for  
11 Operations and simply made those decisions and  
12 said this is it and this is how it's going to  
13 be.

14 MR. PATTON: And the lion's share of  
15 the money goes to operations, right?

16 MR. DOMICH: Yeah, roughly  
17 eighty-five percent of it goes to Operations,  
18 and that's why I always said they need to be  
19 involved. We need to serve them, that's why  
20 we're here.

21 MR. PATTON: And who was --

22 MR. DOMICH: That's why I went into  
23 the field on assignment, because I wanted to  
24 know how they did it, what their problems were  
25 with headquarters and --

1 MR. PATTON: When you were Budget  
2 Officer and then Financial Service Manager and  
3 then Deputy -- Assistant Deputy Director for  
4 Admin Services, who was the Parks Operations  
5 Directors that you worked with?

6 MR. DOMICH: How far back?

7 MR. PATTON: Well, you became Budget  
8 Officer, I think you said, in '87; is that  
9 right?

10 MR. DOMICH: No, '84 --

11 MR. PATTON: '84.

12 MR. DOMICH: -- is when I came back.

13 MR. PATTON: You became -- when did  
14 you become Budget Officer?

15 MR. DOMICH: When I first became  
16 Budget Officer was 1973, and I worked Jack  
17 Knight, the Chief of Operations, and Bill  
18 Hosler (ph.), one of the deputies of  
19 Operations who handled the budgeting issues.

20 MR. PATTON: Bill -- Jack Knight --

21 MR. DOMICH: Jack Knight and --

22 MR. PATTON: -- and Bill --

23 MR. DOMICH: -- Bill Hosler.

24 MR. PATTON: Hosler?

25 MR. DOMICH: Yes.

1 MR. PATTON: Okay.

2 MR. DOMICH: And that was under  
3 William Penn Mott(ph.) as the director.

4 MR. PATTON: Of the entire  
5 department?

6 MR. DOMICH: Yes.

7 MR. PATTON: Back in what year?  
8 '96?

9 MR. DOMICH: That was '69 when I  
10 started, and I was Budget Officer in '73.  
11 William Penn Mott was released from his duties  
12 the first time Jerry Brown became governor,  
13 about a year after Jerry Brown became governor  
14 and --

15 MR. PATTON: In '84, you came back  
16 at the request of Director Bill Breiner and  
17 deputy -- and Chief Deputy Director Garth  
18 Tanner.

19 MR. DOMICH: Right.

20 MR. PATTON: You came back --

21 MR. DOMICH: Chief --

22 MR. PATTON: You came back as the  
23 Budget Officer.

24 MR. DOMICH: Right. And I reported  
25 to Bob Cates who was the Chief of Fiscal at

1 the time, and I worked with Garth Tanner on  
2 the Operations side of Budget.

3 MR. PATTON: Who was the head of  
4 Operations back in those days in the --

5 MR. DOMICH: Garth Tanner, he was  
6 the Chief Deputy Director for Operations.

7 MR. DOMICH: Okay. And you became  
8 Chief of Fiscal in '87, and in the '90s, who  
9 was in charge of Parks Operations? Who was  
10 the Deputy Director for Parks operations?

11 MR. DOMICH: I believe at that time  
12 it was Ken Jones. He was the Deputy Director  
13 for quite a long time.

14 MR. PATTON: And in the '90s when  
15 you were -- you were Chief of Fiscal, and then  
16 in '98, you got designated Assistant Deputy  
17 Director for Admin Services --

18 MR. DOMICH: Right.

19 MR. PATTON: -- as Chief of Fiscal  
20 overseeing Budgets, Accounting, Business  
21 Services, Contracts, I assume you're pretty  
22 involved in the annual budget preparations.

23 MR. DOMICH: Yes, and I worked  
24 closely with Ted Crane in Operations who was  
25 the assistant to Ken Jones. Ken Jones and

1 Denzil Verardo worked together as the Deputy  
2 Directors.

3 MR. PATTON: Okay. And who was --  
4 who's the Deputy Director for Parks Operations  
5 then? Is that Ken Jones?

6 MR. DOMICH: He was then, yes.

7 MR. PATTON: And then it became who?

8 MR. DOMICH: And then I believe it  
9 became Dick Troy and then, I think, Bill  
10 Barry.

11 MR. PATTON: And you worked with all  
12 these people in the annual budget --

13 MR. DOMICH: Yes.

14 MR. PATTON: -- preparations?

15 MR. DOMICH: Absolutely.

16 MR. PATTON: Okay.

17 MR. DOMICH: And in all the  
18 reduction exercises.

19 MR. PATTON: Yeah.

20 MR. DOMICH: And all the park  
21 closure exercises. We had lists for years of  
22 the order of which parks would close, how much  
23 we would save, and that's when I read in the  
24 paper prior to this whole Parks thing that  
25 when they were closing parks that the

1 department didn't even have any good  
2 information on -- to justify the parks they  
3 were closing, I was shocked because we had  
4 spreadsheets with the parks ranked with  
5 every -- with their personnel services costs,  
6 their operating costs, their equipment costs,  
7 staffing, everything, and what the net savings  
8 or costs would be to close the parks.

9 We felt we needed that rationale to  
10 make a recommendation if it came to that. So  
11 from '92 on, at least, if not earlier, during  
12 your time at Parks, there's -- it doesn't  
13 sound to me like there's ever been a year  
14 where things got financially better; it was  
15 always an exercise in prepare for more cuts.

16 MR. DOMICH: Always. It was  
17 ulcer-inducing, gut-wrenching from year to  
18 year.

19 MR. PATTON: Was that true  
20 throughout your time there, from '69 to the  
21 entire career you spent there?

22 MR. DOMICH: I was always amazed  
23 that Becky Brown could say Budget Officer as  
24 long as she did. I was Budget Officer, as you  
25 can see a few times. I couldn't take more

1 than three cycles --

2 MR. PATTON: Because it was too --

3 MR. DOMICH: -- at a time.

4 MR. PATTON: -- ulcer inducing. The  
5 budget situation was always bleak and dire?

6 MR. DOMICH: Yeah, yeah. And I  
7 could never understand it because we had such  
8 a great program. And we were operating at a  
9 very successful and high level despite that.  
10 We were one of the five departments selected  
11 to participate in the performance-based  
12 budgeting program. All four departments  
13 dropped out but us. We were the last  
14 standing.

15 During the course of that, we won  
16 the Eureka Award which is the government  
17 equivalent of the Baldrige Award given to  
18 corporate agencies for high performance in all  
19 areas. The Eureka committee came into the  
20 department; they interviewed employees on what  
21 they did, how they did it, why they did it.  
22 It was one of the most thorough management  
23 audits you can get from anywhere.

24 MR. PATTON: You know, Tom, what  
25 you've told me today gives me a little bit of

1 a window into the mentality. I've had a hard  
2 time understanding what would be the reason  
3 why people would make the decision not to own  
4 up to and come forward with these funds. And  
5 until I talked to you, I don't think I had an  
6 appreciation for how grim the financial  
7 picture was year in and year out. And  
8 apparently, in '92, a legislator by the name  
9 of Ross Johnson took a personal dislike for  
10 Parks -- you're nodding your head yes -- and  
11 the hammer really came down to the tune of,  
12 you said, a sixteen percent General Fund --

13 MR. DOMICH: Sixteen million dollar  
14 (indiscernible - simultaneously speaking) --

15 MR. PATTON: We don't know --

16 MR. DOMICH: I'm not sure what the  
17 percent was, but it was a devastating amount  
18 of money for us to absorb.

19 MR. PATTON: And so it's always  
20 been -- it almost reminds me of the book  
21 series and movies, Hunger Games, of  
22 competition for ever declining resources.

23 MR. DOMICH: Well, and it was within  
24 the Resources Agency where you have Fish and  
25 Game, Fire, Boating and Waterways, you have

1 these departments that are popular programs,  
2 they're needed programs. I think the  
3 Resources Agency represents like one percent  
4 of the state budget, yet they were constantly  
5 taking cuts.

6 My personal feeling is part of it is  
7 if you cut those programs that are well liked  
8 by the public, the cuts resonate more than if  
9 you cut something in social services or in  
10 other agencies. That's my personal opinion.  
11 It's my personal opinion that the parks did  
12 not have to be closed this go-round, that  
13 there was resources to keep them open, but the  
14 Administration had a tax bill to sell --

15 MR. PATTON: We've been consistently  
16 told that -- because I've been trying to  
17 understand the rationale behind not -- we've  
18 had numerous people, you're not included in  
19 that list, but we've had numerous people tell  
20 us, yes, we were aware of this discrepancy,  
21 and people in high positions were aware, and a  
22 conscious decision was made not to go about  
23 correcting it with the Department of Finance,  
24 not revealing it, and that the reason given  
25 consistently, the justification for not doing

1 so and owning up to it was if Finance and  
2 therefore the governor and therefore the  
3 legislature to become aware that we have more  
4 money in SPRF than we're reflecting, our  
5 General Fund appropriation is going to take --  
6 it's going to get cut more, we'll lose ground  
7 in General Fund.

8 MR. DOMICH: I can understand that,  
9 but it's not something that I would have done  
10 unless directed to do it.

11 MR. PATTON: And you're telling me,  
12 even though I've been told by others that you  
13 were aware, you're telling me you weren't  
14 aware, so you're not going to tell me anybody  
15 gave you a direction not to fix it?

16 MR. DOMICH: Correct. I was not  
17 aware, you know, but I can't say for sure that  
18 they're wrong and that they told me about it,  
19 and it's something that went in one ear and  
20 out the other. But it's just too big of an  
21 amount. It's something that I would have  
22 remembered.

23 MR. PATTON: Would have got your  
24 attention.

25 MR. DOMICH: Exactly. And based on

1 the person I am, I would have worked to try  
2 and resolve it. I just wouldn't let it sit  
3 there and keep accumulating because  
4 eventually, you have to solve it; it's not  
5 going to stay "hidden".

6 MR. PATTON: All right. I don't  
7 think I have any more questions. I appreciate  
8 your time. And we've got your contact  
9 information if we need to get a hold of you  
10 again.

11 And we will conclude at this point  
12 at 3:48 p.m.

13 (Break in audio)

14 MR. PATTON: We're back on the  
15 recording at 3:53 just for a minute.

16 We were talking about -- I was  
17 trying to get a little bit of Ruth Coleman's  
18 history. You said you knew her -- you told us  
19 before you knew her when she was at the  
20 legislative analyst's office and you had been  
21 the Budget Officer.

22 MR. DOMICH: That's correct.

23 MR. PATTON: That was way back when.

24 MR. DOMICH: Right. There was  
25 roughly in '84, I believe, and we worked very

1 closely together on budgeting.

2 MR. PATTON: And then she came over  
3 to Parks, you indicated, in what capacity?

4 MR. DOMICH: She came over as an  
5 exempt employee as the Chief of Legislation.

6 MR. PATTON: And who brought her  
7 there?

8 MR. DOMICH: I can't recall exactly  
9 who brought her there. It may have been Rusty  
10 Areias, but it could possibly have been the  
11 previous director --

12 MR. PATTON: Okay.

13 MR. DOMICH: -- and she was there  
14 when Rusty got there.

15 MR. PATTON: And you said she and  
16 Rusty worked well together.

17 MR. DOMICH: She and Rusty worked  
18 well together. They had known each other from  
19 her work at the legislature. After she left  
20 the LAO's office, she worked for various  
21 legislators in the legislature, and that's why  
22 she was very well qualified to be our  
23 legislative coordinator.

24 MR. PATTON: Um-hum.

25 MR. DOMICH: So I worked with her in

1 that capacity. And eventually, Rusty promoted  
2 her to Chief Deputy Director, and I worked  
3 with her in that capacity. And then when  
4 Rusty ran for the State Senate, he asked Gray  
5 Davis to appoint her as Director, is my  
6 understanding, and that was done. She became  
7 Director and I had worked with her ever since.  
8 She was reappointed by Arnold Schwarzenegger  
9 and --

10 MR. PATTON: So during all these  
11 years that you worked with her, did you  
12 guys -- you had a good working relationship, I  
13 assume?

14 MR. DOMICH: We had an excellent  
15 working relationship. We didn't socialize  
16 but --

17 MR. PATTON: Did you communicate  
18 with her in the workplace directly or -- I  
19 mean, she was -- it sounds like you had the  
20 kind of relationship where you could go and  
21 you wouldn't necessarily run everything  
22 through the head of Admin Services and the  
23 Chief Deputy Director, you and Ruth could  
24 talk.

25 MR. DOMICH: Yes, that's true.

1 MR. PATTON: Okay. So -- and you've  
2 told us quite a bit about difficult financial  
3 times. I'm assuming that you and she talked  
4 with some frequency about the financial  
5 struggles the department faced.

6 MR. DOMICH: Yes.

7 MR. PATTON: Did you -- did the two  
8 of you ever problem solve together? Were  
9 there any particular issues that you  
10 collaborated on dealing with?

11 MR. DOMICH: None that I can  
12 specifically recall, but she would ask me to  
13 work on certain things, to solve certain  
14 problems, especially related to personnel  
15 issues.

16 MR. PATTON: Like, in '92 when you  
17 took the sixteen million dollar hit, where was  
18 she? Was she at the department then?

19 MR. DOMICH: No.

20 MR. PATTON: Okay.

21 MR. DOMICH: No. Cindy Shamrock was  
22 the legislative person at the time, and I  
23 was --

24 MR. PATTON: Did you ever work there  
25 any financial crises with Ruth?

1           MR. DOMICH: Well, we went through a  
2 number of park closure exercises over the  
3 years, and she was involved in meetings on  
4 that, but she and I didn't work one on one on  
5 any particular thing other than she may call  
6 me occasionally and say, you know, we have  
7 this issue that needs to be resolved. I think  
8 she respected me as a problem solver and  
9 creative thinker, and I would do what I could  
10 to help solve those problems.

11           MR. PATTON: Okay. Let's go back  
12 off the record at 3:57.

13           (End of audio)

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Thomas Domich interview on 9-12-12

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[& - annual]

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[condition - director]

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[director's - exercise]

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[olaya's - picture]

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