

March 12, 2009

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BEFORE THE STATE OF CALIFORNIA  
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of:	)	
	)	
STATE OF CALIFORNIA, Employer,	)	Unfair Practice
and PEACE OFFICERS OF CALIFORNIA,	)	Charge No.
Petitioner, and CALIFORNIA	)	SA-SV-171-S
STATEWIDE LAW ENFORCEMENT ASSOC.,	)	
Exclusive Representative.	)	
	)	
_____	)	

MARCH 12, 2009

SHAWN CLOUGHESY  
Administrative Law Judge

PUBLIC EMPLOYMENT RELATIONS BOARD  
1031 18th Street, Room 214  
Sacramento, CA

Transcribed by: Leisa M. Miller

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APPEARANCES

Administrative Law Judge

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1 from you right here. And I need to admonish you not to  
2 discuss your testimony with any witnesses, but you're  
3 free to discuss it with anyone at these three tables  
4 here.

5 THE WITNESS: Okay.

6 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And do you  
7 understand the admonishment?

8 THE WITNESS: Yes, I do, sir.

9 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And with that,  
10 Exclusive Rep V is admitted.

11 (Exclusive Representative's Exhibit V received  
12 in evidence.)

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: We are off the  
14 record.

15 (Off the record.)

16 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.  
17 We're back on the record. We have the next witness  
18 called by the Exclusive Representative. Can I ask you to  
19 raise your right hand?

20 (Witness sworn by the Judge.)

21 THE WITNESS: I do.

22 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Please state  
23 your name for the record, spelling your last name.

24 THE WITNESS: Shelley Bishop. B-I-S-H-O-P.

25 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. And

1 Shelley is with an E-Y at the end, I take it?

2 THE WITNESS: It is with an E-Y, sir.

3 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. I  
4 have a couple preliminary questions. But before that,  
5 I'm going to be marking as Exclusive Representative W  
6 what appears to be a Declaration of this witness.

7 (Exclusive Representative's Exhibit W marked  
8 for identification.)

9 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. Let  
10 me get to those questions. Did you ever remember  
11 receiving transcripts of any of these proceedings?

12 THE WITNESS: Receiving them?

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Yes.

14 THE WITNESS: No.

15 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay. Well, do  
16 you remember reading them?

17 THE WITNESS: I read a part of a transcript from our  
18 website, CSLEA website.

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay. Do you  
20 remember how long ago that was?

21 THE WITNESS: Honestly, it's -- no, I don't. It's  
22 maybe a month ago or so. I'm not really sure.

23 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay. But you  
24 don't remember reading the transcripts -- I put that back  
25 already -- such as -- such as this, anything like that?

1 THE WITNESS: Oh, no, nothing like that.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Okay.

3 THE WITNESS: I would remember that, yes.

4 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Well, most  
5 people don't like to read them. But anyway, regardless,  
6 additionally, do you know who James Cline is?

7 THE WITNESS: It's taking too long to remember, so  
8 not that I can recall of now.

9 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.  
10 Passing to you Exclusive Representative W.

11 THE WITNESS: Uh-hmm.

12 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And I'm going to  
13 be asking you, do you recognize that document?

14 THE WITNESS: Yes, I do, sir.

15 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And what do you  
16 recognize it as?

17 THE WITNESS: It's my Declaration.

18 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And if you could  
19 turn to your signature page?

20 THE WITNESS: Yes.

21 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And is that your  
22 signature?

23 THE WITNESS: Yes, it is.

24 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And did you sign  
25 it on the date and location set forth?

1 THE WITNESS: Yes, I did.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. And  
3 are the contents of that Declaration true and accurate to  
4 the best of your recollection?

5 THE WITNESS: I did find one typo mistake.

6 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. And  
7 where is that?

8 THE WITNESS: It's on page three. For some reason  
9 right here on number nine, it says there are  
10 approximately 16 Investigator positions. It should be  
11 146. It's a big difference.

12 ADMINISTRATIVE LAW JUDGE CLOUGHESY: That is. Okay.  
13 Why don't you scratch out the 16 and then put in the  
14 number and initial and date it. All right. And witness  
15 has done so. And did everyone get that number? Hundred  
16 and forty-six instead of 16.

17 All right. Any other corrections?

18 THE WITNESS: Not that I've noticed, sir.

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Mr. Messing,  
20 pass the witness.

21 MR. MESSING: Okay.

22 TESTIMONY OF  
23 SHELLEY BISHOP,  
24 Having been duly and regularly sworn, testified as  
25 follows:

1 DIRECT EXAMINATION

2 BY MR. MESSING:

3 Q. So how long have you been employed in positions  
4 that are within Bargaining Unit 7?

5 A. Approximately 24 years. A little over.

6 Q. Okay. And how many years have you been active --  
7 pardon me. CASI is an affiliate of CSLEA?

8 A. Yes.

9 Q. Okay. And how long have you been active in CASI?

10 A. That would be for a little over 24 years.

11 Q. Okay. And how long over -- during that 24-year  
12 period did you hold positions on the Board of Directors  
13 or as an officer?

14 A. With CASI as an officer, I started as Director at  
15 Large in I want to say probably 2004. That's an  
16 approximate date.

17 Q. I'm sorry?

18 A. Approximately 2004 I believe it was when I was a  
19 Director at Large.

20 Q. Okay. And your current position is?

21 A. As a President.

22 Q. Okay. Now, in your position on the Board of  
23 Directors and as President, if there were complaints  
24 about individual representation in grievances,  
25 disciplines, IAs, is that something that would normally

1       come to your attention?

2           A.   Some of them would.

3           Q.   Okay.  Can you characterize -- I'm talking now  
4       about individual representation issues.  That would be  
5       grievances, disciplines and the like.  Can you  
6       characterize the feedback that you've gotten from your  
7       members on how CSLEA has done in those areas?

8           A.   The one that -- incident that comes to mind was a  
9       new higher, and he was said to have been cheating in the  
10      academy, and he was let go from even being on probation.  
11      He was just let go.  And CSLEA picked up the case.  It  
12      went to hearing.  And he was reinstated with full  
13      benefits and back pay.  And he's happily employed with  
14      ABC right now.

15          Q.   Okay.  Do you recall since let's say 2004, when  
16      you became a Director, do you recall any complaints about  
17      the nonresponsiveness of CSLEA when people called in for  
18      grievances, disciplines or IAs?

19          A.   No.  I have not had any negative in that area.

20          Q.   Okay.  Now, let's move over to the area of  
21      bargaining.  Can you tell us since 2004 what kind of  
22      feedback you've received from your members regarding how  
23      CSLEA has done with bargaining?

24          A.   With our members, the object of getting more  
25      money has always been a goal.  And for some reason, ABC

1 Investigators have been in competition with Department of  
2 Justice, and they always think they should get the same,  
3 even though the job is different. So that would have  
4 been the only complaint through the last contract was  
5 they wanted more money.

6 Q. Now, in 2006 there were some adjustments that  
7 were made which gave different increases to different  
8 levels.

9 A. Yes.

10 Q. Did you receive some complaints from any of your  
11 members regarding the level of pay that ABC Investigators  
12 was afforded?

13 A. That was what I was referring to. They felt they  
14 should have had the 25 percent instead of, I believe, the  
15 17.

16 Q. Okay. Okay. I think I will pass the witness  
17 over to Mr. Rose.

18 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Sir?

19 MR. ROSE: Thank you.

20 CROSS-EXAMINATION

21 BY MR. ROSE:

22 Q. Good morning, Ms. Bishop.

23 A. Good morning, sir.

24 Q. My name is Joe Rose. I'm attorney for Peace  
25 Officers of California.

1 A. Uh-hmm.

2 Q. Were you on the CSLEA Board in 2003?

3 A. No.

4 Q. All right. Other than the -- well, tell me again  
5 who it is in Bargaining Unit 7 that you work with that is  
6 not sworn at the ABC?

7 A. The Licensing Reps.

8 Q. Okay.

9 A. Well, Licensing Representatives is the full  
10 title.

11 Q. And are there any other non-sworn employees at  
12 the ABC that you work with regularly?

13 A. Not in our bargaining unit. We have other  
14 employees.

15 Q. How about outside of your bargaining unit?

16 A. I'm not sure what you're asking.

17 Q. Do you work with other non-sworn employees that  
18 are not in Bargaining Unit 7?

19 A. Oh, like clerical? Yes.

20 Q. Okay. Clerical would be one?

21 A. Yes.

22 Q. Do you work with any others?

23 A. Supervisors aren't represented, so it would just  
24 be the clerical.

25 Q. Okay. And so just clerical, supervisors and

1 Licensing Representatives is the --

2 A. That are non-sworn, yes, sir.

3 Q. Okay. Now --

4 A. Well, supervisors are sworn.

5 Q. Okay.

6 A. But they're not represented.

7 Q. So the only other category of non-sworn employees  
8 you work with at ABC are clerical?

9 A. Correct.

10 Q. All right.

11 A. And LRs, Licensing Reps.

12 Q. Okay. Very good. Now, you describe in your --  
13 in your Declaration at page three that the ABC  
14 Investigators are skilled undercover officers.

15 A. That is correct.

16 Q. Would you say the same is true with respect to  
17 Licensing Representatives, that they are skilled  
18 undercover officers?

19 A. They are not peace officers, sir. No.

20 Q. Okay. And would -- you mention that the  
21 Investigators at ABC buy drugs from dealers in your  
22 Declaration.

23 A. At times, yes.

24 Q. Would you say the same is true with respect to  
25 Licensing Representatives, they also buy drugs from

1 dealers?

2 A. They are non-sworn, so it would be no.

3 Q. All right. And do Licensing Representatives  
4 arrest prostitutes?

5 A. No, sir.

6 Q. Do they arrest intoxicated patrons?

7 A. Again, they are non-sworn. They don't.

8 Q. And do they -- how do the Investigators of the  
9 ABC prevent alcohol sales and consumption to or by  
10 minors?

11 A. You mean the programs that we run? Well, we do a  
12 couple things. We run decoy programs, which is a  
13 undercover minor.

14 Q. I'm sorry. I can't hear you. Can you --

15 A. Okay. I'm sorry. We run decoy operations. And  
16 with the decoy operations, they are like an arm of law  
17 enforcement, but they're minors. But they're under our  
18 care. And we'd put them in a position to go into  
19 licensed locations and attempt to purchase alcohol.

20 We also do a program called shoulder tap, and it  
21 would be using those same decoys, but they would approach  
22 citizens to see if they would go and get alcohol from a  
23 store for them.

24 And then the old regular way of doing enforcement is  
25 sitting outside and watching minors try to go in and buy

1 alcohol. Or if we're in a licensed premises, to see if  
2 somebody would go and furnish, be it a waitress, cocktail  
3 server, bartender.

4 Q. Okay. And so the decoy operation that you  
5 described, that involves the minors and the  
6 Investigators?

7 A. Yes.

8 Q. But the Licensing Representatives are not  
9 participating in that decoy operation?

10 A. Once again, they're not sworn, so they would not.

11 Q. Okay. And then shoulder tap that you described,  
12 that also involves the minor decoys and the  
13 Investigators, but not the Licensing Representatives?

14 A. That's correct.

15 Q. And sitting outside and watching for minors going  
16 in and out of the store or service to by a wait staff,  
17 that also just involves Investigators, not Licensing  
18 Representatives?

19 A. Yes. Only sworn personnel, sir, correct.

20 Q. All right. Licensing Representatives do not  
21 write search warrants?

22 A. I have to stop and think. Not that I'm aware of,  
23 so no. If they ever did, it would be for searching  
24 records of someone trying to get a license. But usually  
25 it gets passed to the sworn.

1 Q. Okay. And they never execute a search warrant?

2 A. No.

3 Q. And the Licensing Representatives do not conduct  
4 interrogations of suspects in criminal cases?

5 A. No, not in criminal.

6 Q. And they do not conduct interrogations of  
7 witnesses in criminal cases?

8 A. That's correct, they don't.

9 Q. The Licensing Representatives have contact with  
10 the public?

11 A. Yes.

12 Q. And the contact is in the -- in the context of  
13 either applying for or renewing a ABC license, correct?

14 A. That's one aspect of it. They also answer  
15 general questions of ABC laws and procedures.

16 Q. All right. Now, the -- you mention in your  
17 Declaration on page three at the bottom of the page,  
18 paragraph sixteen, that there are assignments -- certain  
19 Investigators have been assigned to various task forces  
20 throughout the state.

21 A. That is correct.

22 Q. Are Licensing Representatives assigned to task  
23 forces?

24 A. Not law enforcement task forces, no.

25 Q. All right. And you mention at page four of your

1 Declaration, paragraph eighteen, that Investigators like  
2 yourself do not perform traditional police patrol  
3 functions like a sheriff or police agency might.

4 A. That is correct.

5 Q. And would it be also fair to say that Licensing  
6 Representatives do not perform traditional patrol police  
7 functions like sheriffs or police?

8 A. That would be a correct statement, yes.

9 Q. All right. And would it -- you mention in your  
10 Declaration Investigators perform investigative tasks,  
11 much like Detectives or State or Federal Agents, such as  
12 the DEA.

13 A. That is correct. At times we do, yes.

14 Q. Licensing Representatives do not perform tasks  
15 working much like Detectives or Federal Agents, do they?

16 A. I'm giving a minute here. Because there have  
17 been times not the same. But when we get an application,  
18 they do financial investigations, and that could be  
19 construed just like an Investigator would. Because they  
20 look for signs of money laundering, false ownerships. So  
21 when -- so it kind of overlaps. So I can't say a  
22 complete yes or no to that.

23 Q. And those financial reviews are made in  
24 connection with an application for renewal --

25 A. That is --

1 Q. -- or an initial application for an Alcoholic  
2 Beverage Control license?

3 A. That is correct, sir.

4 Q. But once they identify something suspicious or  
5 criminal, they would refer it to a peace officer,  
6 correct?

7 A. It would really depend on the district office on  
8 how that was handled. Sometimes it goes directly to a  
9 supervisor and they'll handle it. If they want us to do  
10 further investigations -- because these people aren't  
11 licensed yet, so we would have to go through the formal  
12 route. But if they wanted a license, they would have to  
13 provide more documents. So it's -- it could go either  
14 way, depending on how the supervisor would like it to go.

15 Q. Is the supervisor a peace officer?

16 A. Yes, they are.

17 Q. Now, do the Licensing Representatives -- their  
18 field work consists of visiting the sites of applicants  
19 for ABC licenses?

20 A. Yes.

21 Q. And also notifying persons within proximity to  
22 the establishment that's applying for a license?

23 A. Correct.

24 Q. Other than that, would it be fair to say that the  
25 Licensing Representative's work is conducted in the

1 office?

2 A. Well, they also -- when they're doing the  
3 investigation, they're doing a little bit more. So  
4 they're going to the county or the city planning  
5 departments and talking to them. They may even have to  
6 go to the local sheriff or police departments and talk to  
7 them to see if they have any objections or concerns. It  
8 could go either way. It could be through phone, or it  
9 could be done in person. But that's all part of their  
10 role.

11 Q. All right. And then other than what you've just  
12 described and in addition to what I mentioned, would it  
13 be fair to say, then, that all the additional duties they  
14 perform are in the office?

15 A. Yes.

16 Q. Now, do you as a Investigator have much interface  
17 with local building departments?

18 A. It depends on the case, sir. We can. And  
19 sometimes we work jointly with the local planning  
20 commissions or departments because of conditional use  
21 permits and some problems they may have in like a  
22 disorderly house, and we may want to go in that direction  
23 to get other city or county agencies involved with it  
24 also. So it can happen.

25 Q. Is that an infrequent occurrence?

1           A. It depends on the area and the cases. Some  
2 cases, like in bigger cities, you'll have it more  
3 frequently because of more problems. Smaller  
4 communities, like in the desert area, it would be not as  
5 frequent.

6           Q. All right. And you mention in your Declaration  
7 at page four, line twelve, that you are issued standard  
8 peace officer protective gear?

9           A. Yes, we are, sir.

10          Q. And also --

11          MR. MESSING: We're going to stipulate that Licensing  
12 Representatives are not issued peace officer protective  
13 gear.

14          ADMINISTRATIVE LAW JUDGE CLOUGHESY: Well, I'll take  
15 that stipulation.

16          MR. MESSING: So we don't have to go through item by  
17 item.

18          ADMINISTRATIVE LAW JUDGE CLOUGHESY: Then let's get  
19 the next question.

20          MR. ROSE: All right. And so I accept the  
21 stipulation, by the way.

22          BY MR. ROSE:

23          Q. Would you say that if an Investigator at the ABC  
24 does not come to work some day, that the Licensing  
25 Representative could fill in for the shoes of the

1 Investigator?

2 A. No, they could not.

3 Q. Would you say that if a Licensing Representative  
4 didn't come to work one day that the Investigator could  
5 fill in for the shoes of the Licensing Representative?

6 A. They can always work out of class under out of  
7 class, yes, like that.

8 Q. All right. Is that a routine occurrence that a  
9 special -- that an Investigator at ABC would fulfill the  
10 role of a Licensing Representative when a Licensing  
11 Representative is out on vacation or sick leave?

12 A. I hate to keep going back to this, but it's -- it  
13 depends on the district office, the number of employees  
14 that they have there, the casework, what's coming in. We  
15 hope not to, but there have been many times in smaller  
16 offices Investigators do the interviews and they fill in  
17 for the Licensing Reps when they're on vacation.

18 Q. How often have you filled in for a Licensing Rep  
19 absent from work in the last two years?

20 A. I'm on a task force, so I'm not even in a  
21 district office.

22 Q. All right.

23 A. I have a desk there, but I'm not assigned to it.

24 Q. Okay. Do Licensing Representatives pass -- or  
25 must they pass a pre-employment psychological evaluation?

1 A. Not that I'm aware of.

2 Q. Are they required to pass a pre-employment peace  
3 officer medical examination?

4 A. No. Not that I'm aware of, sir.

5 Q. In your role as a Union official, are you aware  
6 whether Licensing Representatives have coverage by the  
7 Peace Officers Procedural Bill of Rights?

8 A. No.

9 Q. You're not aware?

10 A. No, I don't believe they do.

11 Q. All right. Are Licensing Representatives  
12 required to pass the POST basic course before employment?

13 A. No, sir.

14 Q. Or the POST basic investigator course?

15 A. No, sir.

16 Q. All right. Are seniority lists for Licensing  
17 Representatives different than the seniority lists for  
18 Investigators?

19 A. When you say different, they're two different  
20 lists, yes.

21 Q. All right. So --

22 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Next.

23 BY MR. ROSE:

24 Q. And there are different promotions processes for  
25 Licensing Representatives as compared to Investigators?

1 A. Yes, sir.

2 MR. ROSE: All right. Thank you very much.

3 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Ms. Truong.

4 THE WITNESS: Thank you.

5 MS. TRUONG: No questions for us.

6 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Mr. Messing?

7 MR. MESSING: Yes, I have a couple of questions. But  
8 first, if we could go off the record? I'd like to look  
9 at some -- an exhibit.

10 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Yes.

11 MR. MESSING: We haven't brought all of the exhibits  
12 with us, so --

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. Off  
14 the record.

15 MR. MESSING: -- if we could look at the ALJ's?

16 (Off the record.)

17 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.  
18 We're back on the record. And Mr. Messing.

19 MR. MESSING: Yeah. Just a few questions.

20 REDIRECT EXAMINATION

21 BY MR. MESSING:

22 Q. Do you know approximately when the classification  
23 of Licensing Representatives was created?

24 A. I have to think on that one. It's been  
25 approximately 10 years, I want to say, but I'm not sure.

1 Q. Okay. And do you know what the purpose of  
2 creating the new classification was?

3 A. The purpose was to bifurcate our agency so we  
4 could work both Licensing and then have an Enforcement  
5 Section.

6 Q. Okay. Do you know if Licensing Representatives  
7 do work that was previously performed by ABC  
8 Investigators?

9 A. Yes, they did.

10 MR. ROSE: Objection. Leading.

11 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Sustained.

12 BY MR. MESSING:

13 Q. Can you characterize what kind of duties the  
14 Licensing Representatives were supposed to take on at the  
15 time of the creation of the class?

16 A. What they were going to be doing is doing all the  
17 licensing that the Investigators used to do, and they  
18 would do complete from a new license to a transfer  
19 license, everything in between.

20 Q. By the way, do Licensing Representatives ever  
21 become Investigators?

22 A. Yes, they do.

23 Q. Okay. Do you know -- do you have any idea how  
24 many Licensing Reps have become Investigators?

25 A. Not off the top of my head I don't.

1 Q. Okay. One last thing, area. Did CASI always  
2 represent sworn and non-sworn employees?

3 A. Since the development of the Licensing Rep we  
4 have always represented them.

5 Q. Okay. Before the Licensing Rep did you represent  
6 non-sworn?

7 A. No. We only had Investigators.

8 Q. Okay. And did the Investigators in CASI take a  
9 vote to include -- or what action did -- was taken by the  
10 Investigators in CASI that resulted in the inclusion of  
11 the non-sworn?

12 A. To the best of my memory, it was a vote and to  
13 include the Licensing Reps.

14 Q. Okay. And the vote was -- okay. I think that's  
15 it. No further questions.

16 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Mr. Rose?

17 MR. ROSE: Yeah. Well, now that we've got Exhibit L  
18 on the table, I'll ask the witness to look at it.

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: The witness has  
20 it.

21 RE-CROSS-EXAMINATION

22 BY MR. ROSE:

23 Q. Take a moment -- take a moment, Ms. Bishop, if  
24 you would, please, and just review that document silently  
25 to yourself. And then when you're ready, let me know.

1 A. Okay.

2 Q. I'll ask you some questions.

3 (Pause on the record.)

4 THE WITNESS: All right, sir.

5 BY MR. ROSE:

6 Q. Now, then, we have a three-page document. The  
7 first two pages are a memo dated February 16, 2001?

8 A. Correct.

9 Q. And the third page is an e-mail dated  
10 December 19, 2001?

11 A. Yes.

12 Q. Do you recall having received either or both of  
13 these documents?

14 A. I can't remember. We receive a lot of memos.

15 Q. I mean it's only been eight years ago.

16 A. Oh, yes, it's only -- yes. No. I remember when  
17 it happened.

18 Q. Okay.

19 A. But I don't remember the specific memo that we  
20 received.

21 Q. And when you say "it happened," are you referring  
22 to the bifurcation process --

23 A. Yes.

24 Q. -- that you mentioned earlier?

25 A. Yes.

1 Q. All right. And that's bifurcating the Department  
2 so that some employees are focused mostly on licensing,  
3 or almost exclusively, correct?

4 A. Correct.

5 Q. And some employees are focused almost exclusively  
6 on enforcement?

7 A. Correct.

8 Q. And so when we look at the Licensing  
9 Representatives, those would be in the enforcement -- or  
10 excuse me, the licensing category?

11 A. Yes.

12 Q. And the Investigators would be in the other  
13 category, being enforcement?

14 A. Most of the -- that would be their primary job.  
15 But remember, Investigators may go and become  
16 licensing -- active licensing people, too. They do do  
17 licensing occasionally.

18 MR. ROSE: Okay. Thank you. Nothing further.

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Ms. Truong?

20 MS. TRUONG: Nothing.

21 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Mr. Messing?

22 MR. MESSING: Just one more thing.

23 FURTHER REDIRECT EXAMINATION

24 BY MR. MESSING:

25 Q. Do Licensing Representatives participate in

1 hearings?

2 A. Yes, they do.

3 Q. Okay. Are those hearings in the same offices  
4 where you work or in different offices?

5 A. I'm not sure I'm clear. They're held in the area  
6 in which they're -- as example, it would be like the  
7 biggest city next to it. In Rancho Mirage it would be  
8 Riverside.

9 Q. Okay. But I guess what I'm asking is, are those  
10 offices ABC offices, or are they offices -- other State  
11 offices or local offices?

12 A. Where the hearings are at?

13 Q. Yes.

14 A. They're usually in conference rooms where we can  
15 get -- an administrative law judge hears it. But it  
16 depends on the area. Usually we like it in a State  
17 building, if possible.

18 MR. MESSING: Okay. Nothing further.

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Mr. Rose?

20 MR. ROSE: Thank you. No, nothing.

21 MS. TRUONG: No.

22 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. Let  
23 me give you an admonishment not to discuss your testimony  
24 with any of the other witnesses. You're free to discuss  
25 your testimony with anyone at these three tables.

1 THE WITNESS: All right.

2 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Do you  
3 understand the admonishment?

4 THE WITNESS: Yes, sir, I do.

5 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. And  
6 I'm going to be also admitting Exclusive Representative  
7 W.

8 (Exclusive Representative's Exhibit W received  
9 in evidence.)

10 ADMINISTRATIVE LAW JUDGE CLOUGHESY: And we are off  
11 the record.

12 (Off the record.)

13 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right.  
14 We're back on the record. And we have another witness  
15 called by the Exclusive Representative. Sir, I'm going  
16 to ask you to raise your right hand.

17 (Witness sworn.)

18 THE WITNESS: I do.

19 ADMINISTRATIVE LAW JUDGE CLOUGHESY: Please state  
20 your name for the record, spelling your last name.

21 THE WITNESS: Allan Widmeyer. W-I-D-M-E-Y-E-R.

22 ADMINISTRATIVE LAW JUDGE CLOUGHESY: All right. A  
23 couple of preliminary questions, Mr. Widmeyer. Have you  
24 received copies of or received copies or the transcripts  
25 of any of the days of these proceedings?

CERTIFICATION AND  
DECLARATION OF TRANSCRIBER

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