



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811
(916) 322-5660

October 6, 2025

Amar Mehta, MD
Deputy Director, Statewide Mental Health Program
California Department of Corrections & Rehabilitation

Re: Your Request for Informal Assistance
Our File No. I-25-124

Dear Dr. Mehta:

This letter responds to your request for advice on behalf of yourself, Amar Mehta, Deputy Director of the California Department of Corrections & Rehabilitation (CDCR's) Statewide Mental Health Program regarding the gift provisions of the Political Reform Act (the "Act").¹ Please note that we are only providing advice under the conflict of interest provisions of the Act and not under other general conflict of interest prohibitions such as common law conflict of interest or Section 1090. Because the questions presented are general in nature and no specific payments or costs for each activity have been identified, we are treating your request as one for informal assistance.²

Also note that we are not a finder of fact when rendering advice (*In re Oglesby* (1975) 1 FPPC Ops. 71), and any advice we provide assumes your facts are complete and accurate. If this is not the case or if the facts underlying these decisions should change, you should contact us for additional advice.

QUESTION

Are payments for meals, transportation, and three nights of lodging provided by the International Association for Correctional and Forensic Psychology (IACFP) to you for attending the IACFP International Correctional Mental Health Leadership Network meeting reportable and subject to the gift limits under the Act?

CONCLUSION

Payments made to you by the IACFP for subsistence including meals and beverages, transportation, and three nights of lodging to attend the IACFP International Correctional Mental Health Leadership Network meeting are reportable on your statement of economic interest, but not

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² Informal assistance does not provide the requester with immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

subject to the gift limits under the Act. However, other gifts received during the trip may be reportable and subject to the gift limits under the Act. Additionally, reportable gifts may require future disqualification from governmental decisions affecting the source of the gifts.

FACTS AS PRESENTED BY REQUESTER

You have been invited by the IACFP Board of Directors to attend the third IACFP International Correctional Mental Health Leadership Network meeting (the “Meeting”) in October 2025, in Oslo, Norway. You have been a member of the IACFP for several years. Leadership at CDCR has approved of you attending the Meeting. Your attendance and participation in the Meeting will not result in any cost to the State. You confirmed via email that you are a “designated employee” at CDCR, and CDCR has a partnership with Norway corrections. The IACFP is a 501(c)(3) non-profit incorporated in North Carolina. The invitation email provided by you states that funding for all meals, local transportation, and three nights of lodging for network participants will be provided by the IACFP. All lodging and activities (other than the visit to Ile Prison) will take place at the Thon Hotel in Oslo. You are seeking clarification as to whether these payments made by the IACFP for your participation in the Meeting qualify as gifts and are reportable under the Act.

This Meeting is by invitation only and is being issued to a select group of practitioner leaders who can discuss current and emerging issues in the field. Attendance will be limited to 20 invited current network participants and select new and emerging leaders. This Meeting will also be attended by the IACFP Board. The primary goal of this Meeting is to continue the dialogue between correctional mental health practitioner leaders from around the world that has been established through previous in-person meetings and online quarterly meetings. It will begin with a welcome dinner on October 21, 2025, to allow attendees to get to know one another and refresh professional relationships. The majority of October 22, 2025, will be spent at Ile Prison and then there will be a gathering to discuss observations and make comparisons with participants’ systems. During the final day, October 23, 2025, the group will meet with Christine Friestad, a researcher with the Center for Research and Education in Forensic Psychiatry from Oslo University Hospital, regarding the preliminary results of PreVio (a five-year study on violence and mental health) and then discuss how network members can expand applied research in the field. Four jurisdictions will present their different models for delivering assessments and treatment to justice impacted individuals within their systems. The remainder of the Meeting will highlight the best practices represented by those in attendance in the areas of diversion, treatment, and re-entry. A summary of the discussions and recommendations will be prepared and published by the IACFP.

ANALYSIS

Under the Act, the term “gift”, defined in Section 82028(a) includes: “[a]ny payment that confers a personal benefit on the recipient, to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value” unless the rebate or discount is offered to members of the public in the regular course of business without regard to an official’s status. To reduce improper influences on public officials, the Act regulates the receipt of gifts by public officials in three ways:

- First, the Act places limitations on the acceptance of gifts by certain public officials. The current limit is \$630 from a single source in a calendar year. (Section 89503; Regulation 18940.2.) This gift limit applies to any employee designated in his or her agency's conflict-of-interest code, as adopted pursuant to Section 87300, if the employee would be required to disclose the receipt of income or gifts from the source of the gift on his or her statement of economic interest. (Section 89503.)
- Secondly, so that the public is made aware of any potential influences from gifts, the Act imposes reporting obligations on certain public officials requiring that any gift (or any gifts that aggregate to \$50 or more from the same source) received during the calendar year are disclosed on the officials' statements of economic interests. Reporting requirements apply to employees designated in an agency's conflict-of-interest code as specified in the code (Section 87302(b).)
- Finally, the Act prohibits any public official from making, participating in making, or using his or her position to influence the outcome of a governmental decision involving the donor of a gift or gifts with an aggregate value of \$630 or more provided to, received by, or promised to the official within the 12 months prior to the date the decision is made. (Sections 87100, 87103(e), Regulations 18700, 18702.4.)

Here, the gift provisions of the Act apply to you as a "designated employee" of CDCR, a state agency. As a designated employee, you are limited to accepting \$630 in gifts from a single source in a calendar year. Although certain officials are also required to disclose on their statement of interest gifts that in the aggregate total \$50 or more from a singular source in a calendar year, you should refer to CDCR's conflict of interest code for your specific reporting requirements. Discussed in more detail below, you may also be prohibited from participating in governmental decisions involving the donor of a gift.

Gifts of Travel

Travel costs paid for by a third party generally are reportable gifts under the Act. Therefore, absent an exception, the value of transportation, lodging, and meals for the Meeting, would be considered reportable gifts. (Section 82028.) Under Regulation 18946.5(a), the value of a commercial plane ticket is the price that the airline carrier charges the public for the same class seat on flight provided to the official and a "commercial flight" is defined a flight where seats are sold to the public in the general course of business.

Gifts of Travel -- Exceptions

Under some circumstances, even though a payment for transportation, lodging, and subsistence may be a reportable gift under the Act, the gift is not subject to the Act's gift limit, which is currently \$630. (Regulation 18940.2.) The Act provides an exception from the gift limits for certain travel payments: "Payments, advances, or reimbursements for travel, including actual transportation and related lodging and subsistence". These travel payments are not prohibited or limited under the Act so long as the payment "is reasonably related to a legislative or governmental purpose, or to an issue of state, national, or international public policy" and the travel is provided for by a 501(c)(3) non-profit organization. (Section 89506(a); Section 89506(a)(2).)

Here, the Meeting's purpose is to "continue the dialogue between correctional mental health practitioner leaders from around the world" and to bring together a "group of practitioner leaders who can discuss current and emerging issues in the field." The travel is reasonably related to issues of state and international public policy. Additionally, the travel is provided by the IACFP, a 501(c)(3) nonprofit organization. Thus, the value of actual transportation, lodging, and the subsistence that the IACFP would provide you with to attend the Meeting, are reportable gifts, but are not prohibited gifts or subject to gift limits pursuant to Section 89506(a)(2). Please note that payments made for items other than actual travel, related lodging, and subsistence made to you, such as expenses paid for entertainment purposes or other gifts provided at the Meeting, are reportable gifts and are subject to the gift provisions of the Act.

Organized Meals

The itinerary includes a welcome dinner to start the Meeting, and the invitation also indicates other meals will be provided throughout the travel. While the Act's exception for travel paid for by a 501(c)(3) nonprofit covers subsistence such as meals and beverages, payments made for activities arranged in coordination with a meal do not fall within the exception for travel paid for by a 501(c)(3) nonprofit merely because the activities occur simultaneously with the meal. To the extent you receive anything of value during a meal including the welcome dinner such as paid entertainment or other items provided to the guests, you may wish to seek additional advice. We also caution that the gift exception for meals and beverages applies only to subsistence. To the extent the welcome dinner or any of the meals provided may exceed what would be typical subsistence provided to a traveling official or are lavish or extravagant in nature, you may wish to seek further advice fully describing the circumstances and nature of the meal.

Conflict of Interest Disqualification

As mentioned above, a public official who receives a gift or gifts totaling \$630 or more from a singular source may have a financial conflict of interest under the Act. (Sections 87100 *et seq.*) The official must disqualify themselves from voting or otherwise participating in a governmental decision affecting that source if the payment was received or promised to the official within 12 months preceding the decision. Therefore, if the public official accepts gifts valued at \$630 or more, the official may be prohibited from taking part in governmental decisions affecting the source of those gifts. Your acceptance of any gift(s) valued at or more than \$630 from one source such as the IACFP may prohibit you from taking part in governmental decisions with a financial effect on the IACFP. Accordingly, you may wish to seek additional advice prior to taking part in any decisions implicating the IACFP.

If you have other questions on this matter, please contact me at mroeckl-navazio@fppc.ca.gov.

Sincerely,

Dave Bainbridge
General Counsel

By: *Margaret L. Roeckl-Navazio*

Margaret Roeckl-Navazio
Counsel, Legal Division

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