

Date: July 30, 2026

To: The California Off-Highway Motor Vehicle Recreation Commission

From: Will Harris, Sacramento, CA

RE: Systemic Civil Service Evasion at California State Parks Confirmed by the State Personnel Board

Dear Commissioners,

Merit-based civil service law is established by Article VII of the California Constitution and Government Code sections 18500 et seq. Since at least 2015, California State Parks (State Parks) has disregarded it. The Compliance Review Division of the State Personnel Board (SPB) has issued four Compliance Review Reports that document State Parks' evasion of its legal responsibilities:

- **December 23, 2015 Report:** This audit exposed compliance failures in State Parks' hiring practices for most of the files reviewed, including widespread failure to retain mandatory merit-system records, such as job opportunity bulletins, applications, and, notably, Notices of Personnel Action (NOPAs), which provide the paper trail proving a hire was conducted legally. The report also flagged the hiring of someone who was ranked well below the top three ranks on a certification list. State Parks could not produce documentation as to why higher ranked candidates had been bypassed, leaving the appointment's legality unverifiable.
- **September 30, 2019 Report:** In this investigation, the SPB found State Parks failed to retain mandatory appointment records, including NOPAs, job bulletins, interview notes, and applications for dozens of appointments reviewed. Six entire appointment files were missing outright. The report also found that State Parks authorized a hire above the minimum salary rate without documenting the extraordinary, hard-to-recruit skills necessary to justify such a hire.
- **November 23, 2022 Report:** This compliance review identified repeated internal control deficiencies, including two out-of-class pay authorizations that were miscalculated, resulting in the affected employees being undercompensated.
- **May 14, 2025 Report:** This inquiry confirmed four unlawful appointments were made in direct violation of civil service laws. Additionally, while there was improvement from State Parks' previous NOPA record-keeping failures, lapses still occurred. The SPB noted that this was the fourth consecutive compliance review to identify the same documentation lapse.

An SPB Compliance Review Report is based largely on the examination of a semi-random cross-sectional mix of personnel records across different appointment types and job classifications. In the SPB reports cited above, the documented repetition of departmental abuses over a ten-year span establishes that State Parks pays no heed to SPB corrective mandates. Otherwise, State Parks would never have allowed the nine-year vacancy and “acting” violations for the District Superintendent position at the Oceano Dunes District, an issue I previously discussed at your February 26, 2026 meeting.

But now it seems the SPB has had enough. Once alerted to the near decade-long District Superintendent vacancy at Oceano Dunes, the SPB initiated a Special Investigation of State Parks. They discovered what their Compliance Review Reports strongly imply: Systemic disregard of merit system law within State Parks. Initial SPB findings reveal:

- **Substantiated Violations:** SPB Compliance Review Division staff confirmed that State Parks executives illegally used “acting” assignments to fill the District Superintendent role at the Oceano Dunes District. Under California civil service law, managerial out-of-class pay kicks in after a 90-day waiting period and is capped at 9 months, while the assignment itself carries a strict, absolute limit of one year. State Parks executives illegally installed Chief Ranger Kevin Pearce as the “acting” District Superintendent for more than seven years. And newly installed District Superintendent Jon O’Brien served more than 14 months in the “acting” role.
- **Paperwork Manipulation and Conflict of Interest:** SPB records reveal that between 2017 and 2019, State Parks altered the classification code for the “acting” Oceano Dunes District Superintendent position three separate times, so that administratively, Chief Ranger Kevin Pearce’s uninterrupted multiyear “acting” assignment was masked as three separate and “legal” short-term appointments. SPB’s own Compliance Review Analyst acknowledged internally that this was a “grey area” that “should have been looked at more closely.” Compounding this sleight of hand, the State Parks HR manager who approved these maneuvers was later appointed as a CalHR compliance analyst, effectively placing her in an oversight role potentially responsible for auditing her own prior actions taken on behalf of State Parks.
- **Department-Wide Scale:** An SPB senior staff attorney confirmed in a July 7, 2026 email that the SPB’s current Special Investigation extends beyond a single State Parks district. It encompasses the investigative files of “approximately 25 or so Parks employees.” These include 18 named State Parks lay employees and

an undisclosed number of State Parks peace officers that includes Oceano Dunes District Chief Ranger Pearce.

- **Defaulting to Out-of-Class “acting” Appointments:** In an April 21, 2026 internal email that includes a five-page spreadsheet detailing recent out-of-class “acting” appointments by State Parks, an SPB Compliance Review Analyst notes, “Parks seems to default to OOC [“acting”] assignments, in most cases before even attempting to advertise. In addition, similar to the initial complaint, vacancies remain vacant for many years...OOO [“acting assignments”] are intended as a last resort but it’s almost as if they use them as a pre-recruitment.”
- **Recruitment in Name Only:** SPB’s own internal accounting of the Oceano Dunes District Superintendent vacancy shows that the position had been open since September 2016 and documents six formal recruitment cycles between 2018 and 2026. The first five cycles produced no hire. In the final cycle, State Parks finally filled the position, but that was with Jon O’Brien, someone State Parks executives had hand-selected to serve as the “acting” District Superintendent, a role he filled beyond legal timeframes and for which he gained an unfair incumbency advantage over other applicants.
- **No Reasons Given Until the “Acting” Applied:** Per SPB’s own tabulated accounting of the six Oceano Dunes District Superintendent recruitment cycles, there were more than 113 applicants for the position. I say “more than” because the number of applicants in the second of two 2019 cycles is listed as “unknown” due to missing State Parks records. The compiled recruitment cycle information reveals a department that couldn’t, or wouldn’t, explain its rejections of applicants. For example, in the first 2019 cycle, when 29 people applied, State Parks offered only that it was “unable to find suitable candidate [sic] for this position.” In the second 2019 cycle, State Parks blamed COVID for not making a selection. There were 21 applicants for the 2021 recruitment cycle, and State Parks conducted interviews. Yet no hire was made, and State Parks did not document why. For the two most recent failed cycles, in 2022 and 2024, no interviews were conducted even though the 2024 recruitment drew 50 applicants. Then in 2026, Jon O’Brien applied while still serving as “acting” District Superintendent, and State Parks suddenly found the words it had withheld from every prior candidate, calling him “clearly the successful candidate” with “well rounded and extensible [sic] knowledge and experience.” The pattern is unambiguous: qualified candidates were turned away without explanation for years, and then, once the hand-selected “acting” District Superintendent applied, written selection rationale was effusive.
- **Eligibility Lists Ignored:** The SPB has found that active eligibility lists for the State Parks District Superintendent I/II classification have existed, and been merged, since 2016. Per the SPB, this indicates that State Parks has never been

without access to qualified, competitively certified candidates. And it reinforces the concern that the six documented Oceano Dunes District Superintendent recruitment cycles State Parks executives conducted between 2018 and 2026 veiled a permanent selection that was ultimately made thanks to an incumbency advantage gained via a sustained and illegal “acting” appointment.

- **As Directed from Above:** Manipulation of this scale, that stretches over a decade, that includes altering civil service classification codes three separate times, and that has impacted at least 25 State Parks employees department-wide and more than 113 job applicants for the Oceano Dunes position alone, does not occur in a vacuum. It is a management strategy imposed by State Parks’ executives. Current Chief Deputy Director Liz McGuirk was appointed to her State Parks position in 2015. For Oceano Dunes, records show she was involved early in the recruitment process for the District Superintendent. And as the second-in-charge at State Parks, she was the most senior State Parks executive to sit on at least one interview panel for the position when no applicants were selected. In 2020, the appointments of Armando Quintero to State Parks Director and Sarah Miggins as Deputy Director to oversee the off-highway “division,” took place. That these three gubernatorial appointees oversaw six more years of recruitment failures and illegal “acting” assignments for this position alone demonstrates an ongoing failure of their executive leadership.

Finally, I’m troubled to note that Diane Ross-Leech, the Commission’s newly installed chair, disclosed at your February 26, 2026 meeting that she was “proud to be part of the interview team for the Oceano Dunes District Superintendent.” A political appointee and Commission chair sitting on an interview panel for a civil service position, a process governed by merit system law, is a significant departure from standard practice and can be viewed as a conflict of interest. Functionally her role as commissioner is one of oversight, not management and personnel selection. Her proud admission of participation suggests she was not aware of that conflict or disregarded it. It also raises the question as to why such an unusual arrangement was made to fill a civil service position already marred by nine-plus years of merit system law abuse.

In consideration of everything I have presented herein, I respectfully ask this Commission to request that State Parks executives or Commissioner Ross-Leech directly disclose:

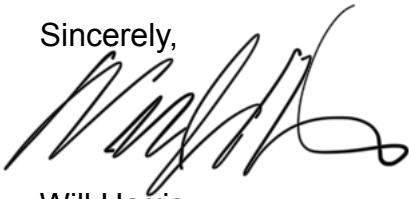
- The other participants on the Oceano Dunes District Superintendent interview panel.
- The person who asked Ross-Leech to participate on the panel.

- Whether Ross-Leech disclosed to the Commission beforehand her intent to participate on the panel.
- The number of District Superintendent applicants the panel formally interviewed for the Oceano Dunes position.

Additionally, I ask that the Commission request a briefing from SPB on its Special Investigation findings regarding State Parks, to be presented before the end of this calendar year, for the benefit of both the Commission and the public.

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read 'Will Harris', with a stylized, flowing script.

Will Harris