

**Duty Statement**

 Office of Law Enforcement Support
 Health and Human Services Agency
State of California

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| **Classification Title**Assistant Chief Counsel | **Section/Unit**OLES Legal Division |
| **Position Number** | **Effective Date**5/14/2025 |
| **Name** | **Date Prepared**5/14/2025 |

# OLES Mission and Vision

**Our Vision**: Be the premier investigative and legal monitoring resource driving improvement and instilling accountability at the Department of State Hospitals and the Department of Developmental Services.

**Our Mission**: Ensuring the safety and security of patients and residents within California’s state hospitals and developmental centers through contemporaneous oversight, investigations and collaborative partnerships to achieve systemic improvements in policies, procedures and partnerships.

**General Statement**

Under the direction of the Director of the Office of Law Enforcement Support (OLES), the Assistant Chief Counsel (ACC) will have full administrative and managerial responsibility for the statewide supervision of Attorney/Investigation Monitors (AIM). The ACC will review and oversee the monitoring and reporting on sensitive, complex and controversial, or other high level investigations involving allegations of misconduct and critical incidents that occur within the California Department of State Hospitals (DSH) and the California Department of Developmental Services (DDS). The ACC will supervise the monitoring of the involved State entities, including the departments’ attorneys, the institutional Offices of Protective Services (OPS), and other departmental employees, to ensure the appropriateness of policies, practices and disciplinary decisions within the departments.

The ACC must possess sound and effective communication skills, use good judgment in decision-making, exercise creativity and flexibility in problem identification and resolution, manage time and resources effectively, and be responsive to OLES management needs.

# Job Functions

Essential Functions

40% The AIM attorneys are geographically distributed throughout the state. It is their responsibility to monitor criminal and administrative investigations conducted by the Office of Protective Services (OPS) within the Department of State Hospitals (DSH) and the Department of Developmental Services (DDS). The ACC will ensure supervision of attorneys; maintain separate chains of supervision for monitors of criminal and administrative cases (*Kastigar* issues); ensure statewide consistency of monitoring, report writing, disciplinary recommendations, provide executive review of disagreements with department attorneys and discuss and resolve disputes between OLES AIM and department attorneys.

The ACC will have primary responsibility for accepting, regularly reviewing, and closing all cases for critical incidents and independent reviews. The ACC will be responsible for determining the monitoring level and assignment of all monitored cases. The ACC will also assign AIM attorneys to their respective institutions and liaison responsibilities. The ACC shall regularly check statute of limitations dates on pending cases and supervise the process to ensure timely completion of cases. The ACC will be responsible to ensure that all entries in the Tracking and Oversight Program (TOP) are done in an appropriate and timely manner.

The ACC will attend training necessary to the performance of their duties. The ACC will also be responsible for remaining current and developing expertise in the policies and practices of the departments, as well as the following areas of the law: criminal, employment, administrative, civil and civil rights.

The ACC will supervise the day-to-day attendance and performance of their team, including the review of monthly timesheets and mileage logs. The ACC shall complete probation reports and annual reviews of their team members and meet regularly with them to address any issues necessary for the proper functioning of the team in accomplishing their mission. The ACC shall assist and oversee the training of new employees, monitor, and schedule on-going training of the team and ensure all requirements are met. The ACC will handle personnel issues including the first level for any employee grievances or discipline and counseling, in accordance with State policies and the policies of OLES.

The ACC will attend and share responsibility for leading regular all-staff and all-AIM meetings and phone conferences, as well as attend senior manager meetings at the direction of the Director. The ACC will oversee AIM operations, including the ordering of supplies, maintenance, and inventory of equipment, and interaction with the OLES administrative team to ensure the proper functioning of the regional AIM attorneys.

25% The ACC shall regularly visit all State Hospitals, Developmental Centers, and OPS offices to meet with the managers and assess the performance of their AIM team and address any other issues of mutual concern. The ACC will serve as a back-up for team members on any critical monitoring tasks that they are unable to perform, including the review of reports, attendance at interviews, case discipline meetings, or State Personnel Board hearings. The ACC shall meet regularly with the departments’ Chief Counsels, the departments’ Police Chiefs, the institutional Police Chiefs and Commanders, institutional Executive Directors, Hospital Administrators and other relevant executive staff.

25% The ACC will review and oversee the monitoring and reporting on sensitive, complex and controversial, or other high level investigations involving allegations of misconduct, and critical incidents that occur within the California Department of State Hospitals (DSH) and the California Department of Developmental Services (DDS). In cases involving higher ranking departmental employees or highly sensitive cases, the ACC will have the same responsibilities as an AIM attorney for monitoring and reporting.

In addition to their own cases, the ACC shall review all cases submitted by AIM attorneys for publication in the Semi-Annual Report (SAR) prepared by OLES. The ACC will supervise the quality control process for their team in conjunction with the requirements of the publication process. The ACC may be tasked to author special reports or supervise the preparation of special reports by their team involving a specific case, issue, trend, or problem within the departments monitored by CHHS OLES.

10% The ACC will assist as needed in providing data and information for the SAR to the Governor and Legislature, compiling statistics, and composing sections of the SAR as requested. Other duties as assigned.

# Supervision Received

The ACC reports directly to the Director

# Supervision Exercised

The ACC supervises all AIM attorneys

# Desirable Qualifications

* Experience presenting cases before the State Personnel Board.
* Knowledge of Employment Law and Criminal Law and Procedure.
* Knowledge of Public Safety Officers Procedural Bill of Rights (POBR)
* Background and experience in monitoring administrative and criminal investigations.
* Background and experience monitoring attorneys and disciplinary officers as they prosecute employee disciplinary cases
* Background and experience monitoring an employee disciplinary process
* Knowledge of and demonstrated effectiveness in formulating, developing, and implementing policies and procedures affecting specialized law enforcement and investigative services
* Knowledge of applicable criminal and civil laws and regulations pertaining to DSH and DDS, including but not limited to the California Penal Code, Health and Safety Code, Welfare and Institutions Code, Business and Professions Code, Government Code, and the California Code of Regulations
* Ability to effectively communicate law enforcement policies, procedures, and best practices, both orally and in writing
* Interpersonal skills, including working effectively and in partnership with departments and all levels of staff, the Governor’s Office, Department of Finance, California State Legislators, Legislative staff, Legislative Analyst’s Office, stakeholders, and outside organizations
* Experience with complex law enforcement and investigative programs
* Knowledge of the organization and structure of California state government, specifically of agencies and other departments who have regular contact with the OLES, including the Department of State Hospitals, Department of Developmental Services, Health and Human Services Agency, Attorney General’s Office, California Highway Patrol, local law enforcement agencies, and District Attorneys.

# Acknowledgement and Signatures

**I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation.\*** (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Personnel analyst.)

*\*A reasonable accommodation is any modification or adjustment made to a job, work environment, or employment practice or process that enables an individual with a disability or medical condition to perform the essential functions of his or her job or to enjoy an equal employment opportunity.*

Duties of this position are subject to change and may be revised as needed or required.

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| **Employee’s Signature** | **Employee Printed Name** | **Date** |

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

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| **Supervisor’s Signature** | **Supervisor Printed Name** | **Date** |