

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

07/03/2019

2. Department

Department of Justice

3. Organizational Placement (Division/Branch/Office Name)

Directorate Division/Office of Native American Affairs

4. CEA Position Title

Director, Office of Native American Affairs

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

Establishment of the Director, Office of Native American Affairs to the CEA category. In conjunction with the Attorney General and the Chief Deputy to the Attorney General, the incumbent is responsible for the strategic planning, organizing, and policy development for the Office of Native American Affairs. This includes providing leadership, direction and policy recommendations for the Attorney General and Executive management to improve the government-to-government relationships with tribal governments.

6. Reports to: (Class Title/Level)

Attorney General and Chief Deputy to the Attorney General

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

In conjunction with the Attorney General and the Chief Deputy to the Attorney General, the incumbent is responsible for the strategic planning, organizing, and policy development for the Office of Native American Affairs. This includes providing leadership, direction and policy recommendations for the Attorney General and Executive management to improve the government-to-government relationships with tribal governments. The incumbent facilitates and promotes a framework for statewide tribal and state partnerships that will encourage the coordination and collaboration between tribal, state, federal and local justice agencies. The incumbent works closely with state and federal agencies to advocate for the provision of funding in tribal communities to develop justice systems and provide recommendations and alternative actions in response to federal and state legislation and regulations. The incumbent researches educational efforts for tribal, state and local governments on topics related to justice in California's Native American population. Provides consultation with tribal representatives on the development of Department of Justice (DOJ) policies, positions, and cooperative programs between tribes and the department. Serves as a liaison with local law enforcement and tribal law enforcement. Promotes a legislative agenda that facilitates the health, safety and welfare for California's Native American population and works together for a greater understanding and improved relationship between all involved through awareness and outreach.

The timing of this position is critical as the Governor just signed Executive Order N-15-19 which establishes the Truth and Healing Council. The Council will be led and convened by the Governor's Tribal Advisor and work directly with California tribes, state and local agencies and other relevant non-governmental stakeholders. The position will be part of this group and will be the single point of contact for facilitating any changes to the laws or services needed for the Native American population and represent the Attorney General as needed with this group.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The Office of Native American Affairs serves as liaison and addresses justice-related issues for California's Native American population who reside on reservations, rancherias and in urban communities for the overall improvement of the quality of life. The Office of Native American Affairs will develop and maintain cooperative relationships between California's 109 tribes and tribal organizations and DOJ. The office will coordinate the appropriate DOJ and other intergovernmental services, program and technical assistance for these communities as they address the broad spectrum of justice-related issues. The Office of Native American Affairs will advise the Attorney General on matters of importance to tribal governments and its citizens. The office will also assist DOJ with the development of related policies, positions and proceedings.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The position requires specific knowledge of the role of California's government and how that interacts with Tribal governments, how to successfully facilitate communication and consultation between the Attorney General's Office, the Tribes, local governments, and how issues may impact them as a Tribal community. The goals of the Office are to help examine and coordinate justice-related needs of the Native American population and provide technical assistance in the preparation of plans to alleviate such needs.

The position coordinates mutually beneficial intergovernmental cooperation between tribal governments, DOJ and the appropriate federal, state or local agencies. Provides consultation with tribal representatives on the development of DOJ policies, positions, and cooperative programs between tribes and the department. Serves as a liaison with local law enforcement and tribal law enforcement. Promotes a legislative agenda that facilitates the health, safety and welfare for California's Native American population and works together for a greater understanding and improved relationship between all involved through awareness and outreach.

The work is being revived now since the change in administration and the Governor's Executive Order N-15-19. The Executive Order formally recognizes the wrongdoing that California's Native Americans have been subject to; and now the Governor is reaffirming and incorporating the principles outlined in Executive Order B-10-11 which requires the administration to engage in government-to-government consultation with tribes regarding policies that may affect tribal communities. Executive Order B-10-11 requires agencies and departments to permit elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities. The CEA will serve as liaison with the Governor's Office Tribal Advisor as needed.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

California is home to 109 federally recognized Native American tribes and the largest population of Native Americans in the United States. California's Native American communities have suffered with lower median incomes, education levels and higher rates of poverty and unemployment than the general population. It is because of many years of discrimination and abuse that California's elected leaders are seeking help to do more for these communities.

Examples of policy that this position would be tasked with providing oversight and guidance include the California's growing gaming industry. There is an agency that is responsible for oversight of the business side of this industry, but this position is involved in the impact to the tribes as a whole. Not all of the gaming industry is a success story, and there have been some casino closures. These closures have had significant impact to the individuals in these communities including millions of dollars in debt. This position's role is to facilitate these communities in moving forward.

Proposition 64 authorized the legalized sale of marijuana in California. In the final version of the state's cannabis regulations, regulators included a section that said tribes could participate in the licensed industry if they agree to "submit a written waiver of sovereign immunity" to the Bureau of Cannabis Control which includes giving state regulators access to cannabis-oriented property and records on tribal lands. This position will assist with facilitating these efforts.

The California Future Health Workforce Commission has released a \$3 billion plan containing 27 recommendations aimed at closing workforce gaps by 2030. The report submitted said that in many parts of the state the workforce crisis is already here. "Seven million Californians, the majority of them Latino, African American, and Native American, already live in Health Professional Shortage Areas." These shortages are most severe in some of the state's largest and fastest-growing regions, such as Los Angeles, the San Joaquin Valley, and in most rural areas. The report said a generation of baby boomers is set to retire, including a large group of the health care workforce. These areas house many of California's Native American population and this position's role is to help these efforts so as not to lose sight of their needs as a community overall.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

This position's scope and decision making authority has a direct impact to the Native American communities. This position will serve as the liaison and single focal point to ensure that the Attorney General and Executive staff are aware of how decisions made by the Attorney General, the Governor, or other local legislative offices could impact the Native American communities. It is a very specialized role and is critical in maintaining a successful relationship with the Native American community in California.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

This position will implement new policy and review and implement changes to existing policy, when needed.