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  
July 26, 2022

2. Department  
Department of Justice

3. Organizational Placement (Division/Branch/Office Name)  
Division of Law Enforcement, Office of the Chief

4. CEA Position Title  
Law Enforcement Outreach Consultant

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

This position will be the exclusive representative for the Division of Law Enforcement (DLE), on behalf of the Attorney General (AG) and the Division Chief, to law enforcement agencies, statewide. The incumbent will provide guidance and direction on policy and procedures related to legislation, complex and highly sensitive law enforcement matters including police practices and procedures, as well as perform outreach and liaison efforts including attending law enforcement events as the AG's official representative.

6. Reports to: (Class Title/Level)  
Chief of Division of Law Enforcement, CEA C

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): This position is responsible for all law enforcement outreach in the State and will be required to report any changes concerning law enforcement trends, concerns, and/or events to the Division of Law Enforcement Chief, who is a member of the Executive Management Team.

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.

The incumbent will represent the Division of Law Enforcement (DLE) Chief and Attorney General (AG) at meetings of federal, state and local law enforcement agencies, crime prevention organizations, and the Legislature. They will also represent the Department when interacting with representatives of California law enforcement associations and agencies. Extensive interfacing with law enforcement and management staff in various California state departments and agencies, local law enforcement agencies, federal agencies, law enforcement associations and other advocate groups will be required. The incumbent will also serve as the AG’s liaison to rank and file law enforcement; respond to inquiries from representative associations on issues of common interest; act as the Attorney General’s representative and spokesperson at meetings and conferences of rank and file law enforcement; and accompany or represent the AG at services to honor slain peace officers statewide. The incumbent will be responsible for planning, implementing, coordinating and evaluating the Department’s methods for increasing the involvement and visibility in the law enforcement community. Furthermore, they will be responsible for developing, implementing and advising the Executive Staff on strategies for establishing, expanding and maintaining relationships with law enforcement associations.

The incumbent will respond to highly sensitive and controversial issues relating to law enforcement activities such as, but not limited to, carrying a concealed weapon, various gun laws including Unsafe Handguns (AB 2699) and other gun laws expected to be signed into law, and the California License Plate Data Guidance (SB 34); create or promote innovative solutions, provide guidance in policy development and program changes with statewide impact to law enforcement agencies; coordinate and assist statewide law enforcement by providing guidance and establishing best practices and procedures for sworn staff on criminal and civil investigations; develop and coordinate law enforcement network programs; develop, administer, and participate in the review of law enforcement regulations, policies, and legislation; and coordinate and provide organizational leadership to special committees and work groups such as the Reparations Task Force (AB 3121) which has been signed into law. The incumbent will also research and draft appropriate position statements on issues affecting law enforcement and the Department; provide advice and assistance to the DLE Chief, the Chief Deputy Attorney General (CDAG), and the Special Assistant Attorney General on policy and initiatives relating to law enforcement.

The incumbent may also act as an advisor and resource to law enforcement affiliate groups such as the California Peace Officer’s Memorial Foundation, California Police Athletic Federation and the Governor’s Medal of Valor Committee.
### 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.

- [x] 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:** As the AG is the state’s top lawyer and law enforcement official, the primary mission of the Department is to protect and serve the people and interests of California by safeguarding the public and their interests against criminal and unjust offenses.

The Department's statewide jurisdiction requires an incumbent who possesses the interpersonal skills and in-depth knowledge of the various challenges of the hundreds of local police departments and law enforcement agencies. Currently, the Department is looked to by these agencies to provide guidance and direction in various areas, including police practices. This position will serve a liaison to facilitate and foster relationships with these entities as well as the associations and groups they interact with. The incumbent will fill the role as the first point of contact, being knowledgeable in both California and nationwide public safety trends.

An example of the AG's initiatives related to law enforcement activities is the 21st Century Policing model. Additional AG initiatives related to law enforcement include: prevention of violent crime through focused and targeted enforcement; firearms enforcement through the Armed and Prohibited Persons System; prevention of ghost guns; police reform through enhanced training and data driven change; fentanyl enforcement and prevention; open transparency in law enforcement; officer-involved shooting investigations; and human trafficking and labor trafficking enforcement. Law enforcement officers can only be effective if they are trusted by the communities they serve. The trust between law enforcement and communities is vital. Police agencies across the country now confront a crisis of confidence that not only complicates their dangerous work but also demands a meaningful response. The AG is committed to increasing fairness and transparency throughout the criminal justice system by effectively implementing California laws critical to eliminating bias in policing and unnecessary uses of force; promoting evidence-based approaches and trainings to improve police practices across the state; and investigating agencies for civil pattern or practice violations when there is evidence to suggest systematic or police conduct. As the Law Enforcement Outreach Consultant, the incumbent will develop policies and provide guidance related to furthering progress on these initiatives.
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.

Formerly, under the Harris and Becerra Administrations, the Department utilized an Exempt position as the Law Enforcement Consultant; however, under the Harris Administration that incumbent was appointed to a CEA position as the Director of the Bureau of Gambling Control. For a short time, the incumbent continued to perform the Law Enforcement Consultant outreach duties in a minimal capacity, but they were further reduced and eventually phased out. Under the Becerra Administration, the incumbent was not a good fit and only held the position for one month.

With the new Bonta Administration, the Department is again interested in a Law Enforcement Consultant. With no dedicated position to perform these duties, a disconnect between the Department, local law enforcement agencies and law enforcement associations has resulted. With the growing visibility into law enforcement activities and initiatives, particularly with the recent uptick in gun legislation. Governor Newsom has publicly stated he plans to sign the following bills:

AB 2571 (Bauer-Kahan) – Restricts advertising of firearms to minors
AB 1621 (Gipson) – Restricts ghost guns and the parts and kits used to build them
SB 1327 (Hertzberg) – Creates private right of action to limit spread of illegal assault weapons and ghost guns
AB 1594 (Ting) – Allows governments and victims of gun violence to sue manufacturers and sellers of firearms

It is important for the Department to have a strong outreach position to be able to communicate with local agencies, associations and other law enforcement entities. This position will also represent the AG on highly sensitive, political law enforcement issues statewide that the current DLE Chief does not have the bandwidth to address. Due to the sweeping demand from the public that has resulted in legislative changes affecting agencies across the country, it is necessary to identify a single resource to perform these responsibilities on a permanent basis.
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.

The Law Enforcement Outreach Consultant will serve as a high-level advisor to the AG, CDAG, DLE Chief, Special Assistant Attorney General (SAAG) and law enforcement agencies throughout the state, making recommendations on decisions and policies related to legislation, policing activities, and other highly sensitive issues involving law enforcement. Below are specific examples of legislation which has been created and passed due to public demand. This position will be instrumental in affecting change, influencing the use of 21st century policing model and guiding agencies toward positive and constructive policies aimed toward improving and enhancing policing standards statewide.

Carry a Concealed Weapon - In February 2022, Senate Bill 1386 was introduced, and proposed to remove the discretionary authority of the sheriff of a county, or the head of a municipal police department, and would instead require these agencies to issue a Carry a Concealed Weapon (CCW) license to an applicant, given the applicant meets certain criteria and good cause exists for the issuance of a license. Additionally, The United States Supreme Court is expected to issue its decision in New York State Rifle & Pistol Association v. Bruen, No. 20-843 (Bruen) around the end of June 2022. The case challenges New York’s requirement that “proper cause” be demonstrated in order to obtain a permit to carry a concealed weapon. Given California’s similar, “good cause” standard, the decision may impact California laws regarding the carrying of firearms in public places. The Department has been giving guidance to law enforcement agencies and district attorneys’ offices on the potential impact from the Bruen decision.

AB 3121 - known as the Reparations Task Force - was signed into law with the purpose of studying the institution of slavery and its lingering negative effects on living African Americans, including descendants of persons enslaved in the United States and on society. The Department provides the administrative, technical, and legal assistance to the Task Force, and on June 1, 2022 the Task Force released an interim, 500-page report accounting of many of the harms of slavery and systemic discrimination in California and across the nation. The Reparations Task Force work is ongoing and the Law Enforcement Consultant will be directly involved in these efforts.

In addition, the Law Enforcement Consultant will be involved in developing and making recommendations on policy regarding the following statutes as well as additional gun legislation that is expected to be signed by Governor Gavin Newsom:

Unsafe Handguns – AB 2699 (Chapter 289, Statues of 2020) amongst other requirements, requires the Department to maintain a database of unsafe handguns obtained pursuant to certain exemptions, and by March 2021 provide notifications to persons and entities who possess an unsafe handgun regarding the prohibitions on the sale and transfer of those handguns.

The Department has conducted extensive outreach to law enforcement agencies regarding restrictions and requirements for law enforcement as a result of AB 2699. The Law Enforcement Outreach Consultant will be involved continued outreach efforts and in developing and making recommendations on policy regarding these matters.

California License Plate Data Guidance - Senate Bill 34 (Statutes of 2015, Chapter 532) imposes requirements on Automated License Plate Recognition (ALPR) system operators and end users regarding ALPR data collected through an ALPR system, including with whom this information may be shared. The Department has provided, and continues to provide policy guidance to law enforcement agencies regarding the governance of ALPR information to ensure that the storage, collection, sharing, and use of this information is consistent with California law. The Law Enforcement Outreach Consultant will be involved continued outreach efforts and in developing and making recommendations on policy regarding these matters.
C. ROLE IN POLICY INFLUENCE (continued)

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

The Law Enforcement Outreach Consultant will provide policy advice and guidance to the AG, the CDAG, the DLE Chief, the SAAG, as well as advise Departmental senior management on law enforcement matters. This position’s scope and decision making authority has a direct impact to the law enforcement community statewide. This position will review existing policies, pending legislation, and make recommendations to the DLE Chief to align Departmental policy with the AG's vision.

The CEA position sets policy related to the 21st Century Policing model, systemic police misconduct, officer involved shootings, use of force policies, racial and identity profiling and establishes the framework to demonstrate the AG’s commitment to the public in these areas.

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

The CEA will, through their contacts with law enforcement agencies, direct the development of new policies and standards for California law enforcement personnel which includes communicating and collaborating with law enforcement agencies statewide. The incumbent will utilize this information and tools to communicate these issues to the AG, the CDAG, the DLE Chief and the SAAG. They will also be responsible for drafting policies for the Department’s sworn personnel. At all times, this position will be responsible for ensuring any policy coincides with the AG’s past and current initiatives.