

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

November 30,  
2023

2. Department

Office of the State Public Defender

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

Executive Division

4. CEA Position Title

Deputy Director, Administration

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

The Office of the State Public Defender (OSPD) is legislatively mandated to focus its resources on post-conviction appellate representation in death penalty cases and on improving indigent defense in California by providing assistance and training to county public defender offices, appointed private counsel and counsel appointed to represent juveniles, and engaging in related efforts for the purpose of improving indigent defense. In order to achieve OSPD's mission, the Deputy Director (DD), Administration serves as a trusted advisor to the State Public Defender, part of the OSPD Executive Management team and primary policymaker of all Administration areas.

6. Reports to: (Class Title/Level)

State Public Defender, Exempt

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.

The DD, Administration serves as a trusted advisor to the State Public Defender and other senior leadership within the OSPD. The DD, Administration offers insight, counsel, and recommendations on strategic initiatives, policy considerations, and departmental planning to ensure actions align seamlessly with the agency's overarching mission and objectives. As a result this position holds a prominent role as part of the Executive Management team, and ensures that leadership decisions are well-informed and balanced.

The DD, Administration provides executive oversight of the following areas:

- Fiscal and Business Services
- Human Resources (HR)
- Information Technology (IT)
- Health and Safety
- Labor Relations

In addition, the DD, Administration acts as a driving force in determining the strategic trajectory for the above mentioned areas, playing a hands-on role in departmental planning and policy development and implementation. this includes :

- Providing counsel to the Executive Management team on the formulation and revision of OSPD HR policies and practices and ensuring efficiency and compliance.
- Providing counsel to the Executive Management team on complex fiscal matters and recommending forward-thinking financial strategies to ensure the department's fiscal health and sustainability.
- Providing consultative and advisory expertise to Executive Management that impact OSPD operations, and on managing the budget development processes, including the preparation of budget change proposals, schedules and budgetary reports.
- Representing OSPD at legislative budget hearings and with representatives of the Legislature, California State Auditor's Office, Legislative Analyst's Office, Department of Finance, Department of General Services, and other public and private agencies on budgetary related matters.
- Providing managerial support and direction to the IT strategy including facilitating discussions on emerging technologies and supporting the Chief Information Officer's (CIO) recommendations on IT solutions and best practices to drive organizational efficiency and innovation.
- Ensuring that IT infrastructure and systems meet organizational needs and standards and that IT initiatives are focused on robustness, scalability, and security.
- Ensuring IT security protocols align with risk appetite and policies and communicating potential IT risks and the associated mitigation and recovery plans to the Executive Management team.
- Serving as the OSPD Health and Safety Officer responsible for annual Workers' Comp policy renewal, annual DIR/OSHA reporting.
- Updating existing policies related to workplace conditions, safety protocols, emergency responses, and risk assessments and collaborating with various departments to ensure uniform and effective implementation of health and safety policies throughout OSPD.
- Addressing both internal and external reviews, audits, and assessments pertinent to health, safety, and workplace conditions.
- Providing guidance and recommendations to Executive Management team on a range of highly sensitive and complex labor relations matters that impact OSPD operations.
- Serving as Executive Management's liaison in communicating with control agencies (e.g., Department of Human Resources, State Personnel Board, State Controller's Office, etc.) to address and resolve critical and sensitive labor relations issues.
- Serving as a member of the Executive Management team's monthly staff meetings and is responsible for preparing and providing high level briefings on labor relations' matters.

In addition, the DD, Administration establishes and maintains a comprehensive portfolio of agency projects, ensuring that each strategic initiative adheres to established project management best practices and plans. The DD, Administration meticulously logs, tracks, and manages Office wide projects, identifies risks, and escalates those those that can have significant implications to Executive Management and other relevant stakeholders such as Legislature and control agencies.

**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 DD, Administration provides oversight of all administrative areas within OSPD. This includes, Fiscal and Business Services, HR, IT, Health and Safety and Labor Relations. These areas are critical and must be operating effectively in order to achieve the OSPD mission to focus its resources on post-conviction appellate representation in death penalty cases and on improving indigent defense in California by providing assistance and training to county public defender offices, appointed private counsel and counsel appointed to represent juveniles, and engaging in related efforts for the purpose of improving indigent defense.

**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.

1. OSPD will undergo a reorganization when this position is established. The State Public Defender will no longer directly oversee the IT Division and instead the DD, Administration will have direct oversight and policy setting authority of this area.

2. Historically focused on capital case appellate representation, with a select number of non-capital training cases, the OSPD's operational scope was dramatically increased with the inception of Indigent Defense Improvement Division (IDID) in 2019. IDID introduced a new layer of complexity to OSPD functions, significantly impacting our HR, Business Services, and IT. The agency faces the challenge of designing and recruiting for new positions, managing a variety of novel contracts, MOUs and procurements for things like statewide trainings, and addressing the specialized IT needs of IDID, such as deploying advanced tools like SharePoint, new listservs, and developing our website. In the current year, the complexity of our tasks grew again. With the passage of AB 256 OSPD has new responsibilities to ensure Racial Justice ACT (RJA) implementation in capital cases. OSPD has begun to address RJA motions in capital cases—a \$3.1 million initiative—and has been tasked with providing local assistance. Implementing the responsibilities associated with the \$3.1 million program created additional and more complex business services, IT and HR demands. Creating an RJA local assistance program through a small grant program, has required the OSPD develop new workflows, and processes related to grants, adapt our IT infrastructure for grant administration, and expand our HR capabilities to support the increased staffing needs.

### **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 DD, Administration is the principal policy maker for the areas of Fiscal and Business Services, HR, IT, Health and Safety and Labor Relations.

1. Fiscal and Business Services: The DD, Administration is responsible for carrying out all travel, procurement, records management, building and leasing, and contract policies for OSPD and for providing consultative and advisory expertise to Executive Management that impact OSPD operations, and on managing the budget development processes, including the preparation of budget change proposals, schedules and budgetary reports. The DD, Administration represents the Department at legislative budget hearings and with representatives of the Legislature, State Auditor's Office, Legislative Analyst's Office, Department of Finance, Department of General Services, and other public agencies on budgetary related matters.

2. HR: The DD, Administration is responsible for providing counsel to the Executive Management team on the formulation and revision of OSPD HR policies and practices and ensuring efficiency and compliance. This includes policies related to hiring, recruitment, reasonable accommodations, telework, upward mobility, discipline, and diversity, equity, inclusion and belonging.

3. IT: The DD, Administration is responsible for ensuring IT security protocol aligns with the office's risk appetite and policies and for ensuring the IT strategy aligns with the office's mission and objectives.

4. Health and Safety: The DD, Administration is responsible for providing counsel to the Executive Management team on the formulation and revision of policies related to workplace conditions such as safety protocols, injury and illness prevention, and emergency response.

5. Labor Relations: The DD, Administration is responsible for providing guidance and recommendations to Executive Management team on a range of highly sensitive and complex labor relations matters that impact OSPD operations.

**C. ROLE IN POLICY INFLUENCE (continued)**

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

The DD, Administration has broad decision-making authority for all Administrative Services areas including, Fiscal and Business Services, HR, IT, Health and Safety and Labor Relations. The DD, Administration also has authority for departmental planning of new programs. The DD, Administration is responsible for ensuring that all areas are operating effectively and the policies that are carried out are done so efficiently and with the utmost integrity.

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

The DD, Administration will develop and implement new policy and interpret and implement existing policy. Administrative functions are always changing and new regulations are released regularly. As this occurs, the DD, Administration will be responsible for ensuring OSPD develops new policies and revises existing policies to ensure the Office is always in compliance.