

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

3/4/2025

2. Department

Secretary of State

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

Risk, Audits and Investigations Bureau

4. CEA Position Title

Chief - Risk, Audits and Investigations Bureau

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

The Chief - Risk, Audits and Investigations Bureau oversees Risk Management Administration functions within the Secretary of State (SOS), ensuring that risks are systematically managed to protect the organization's assets, reputation, and objectives and is responsible for SOS' compliance with the State Leadership Accountability Act pursuant to Government Code Sections 13400 through 13407. The incumbent works in conjunction with the SOS Legal Affairs Office attorneys, local district attorneys, the Attorney General, and the United States Attorney General, and through subordinate supervisors conducts criminal investigations into alleged fraud or misconduct related to elections and refers violations to the appropriate county district attorney or to the Attorney General pursuant to California Government Code Section 12172.5 and California Penal Code Section 830.3(o). The incumbent, along with subordinate supervisors, also maintains an effective internal audit function to help ensure state assets are protected, laws and regulations are followed, financial and management information is reliable, and programs are operating effectively and efficiently.

6. Reports to: (Class Title/Level)

Deputy Secretary of State, Operations (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):

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.

Under the general direction of the Deputy Secretary of State, Operations, the Chief - Risk, Audits and Investigations Bureau is a high-level project manager and special advisor/administrator. The incumbent is the principal advisor to Executive Management and Divisional Leadership regarding risk mitigation strategies, investigative processes and agency audit activities. The incumbent is responsible for establishing, directing, creating and influencing all related guidelines, policy, and procedures for the Risk, Audits and Investigations Bureau.

The position oversees a multi-functional integrated team of Auditors and Investigators/Peace Officers, through subordinate managers, on a variety of highly sensitive, confidential and complex matters. The incumbent will work effectively and collaboratively with a diverse range of internal and external parties, including Executive and Divisional teams, the Legislature, Control Agencies or other State Departments, Federal Agencies, and Local Agencies as required.

#### 1) Risk Management Administration

The incumbent is responsible for directing the creation and maintenance of a systematic process of identifying, assessing, managing, and mitigating organizational risks. Through subordinate supervisors, oversees Risk Practitioner(s) and the SOS risk administration function, supporting the most complex systems including the Department of Homeland Security (DHS) designated mission critical infrastructure. Manages, supervises and directs the formulation of processes and procedures to manage the operations of the Risk Management Office. Performs administrative oversight of subordinates, including establishing expectations, providing direction, training, and counseling, and evaluating work performance. Coordinates with the SOS Chief Information Officer (CIO) and Executive Team in the development, implementation and maintenance of the security, risk, compliance management and audit framework program to ensure appropriate levels of confidentiality, integrity, availability, safety, privacy and recovery of information assets owned, controlled and/or processed by the organization. Directly and through subordinate supervisors, the incumbent establishes the information security architecture; implements policies and procedures to maintain, monitor, control, and protect SOS information assets; assesses systems and processes to ensure compliance with policies and procedures; and monitors and directs the mitigation of risks and vulnerabilities.

Oversees Risk Management Administration functions within the SOS, ensuring that risks are systematically managed to protect the organization's assets, reputation, and objectives. This requires a coordinated effort across all levels of the organization, including working closely with the CIO, Chief Information Security Officer (CISO), and should be integrated into the overall strategic planning process.

#### 2) Internal Audit Administration

Oversees the Office of Internal Audits, comprised of auditing professionals, and ensures uniformity in auditing internal programs according to accepted standards. Effectively formulates, implements and evaluates all policies and procedures pertaining to the Office of Internal Audits, including establishing and updating a charter and audit manual, submitting an annual audit plan and report on IAO activities to agency leadership, while keeping leadership informed of the status of audits, compliance reviews, and all aspects of auditing as it impacts the organization.

Oversees the planning and execution of financial, performance, and compliance audits, as well as investigations and special assignments related to the SOS functions and programs. Through subordinate supervisors, ensure that audit goals are being attained, and that audits are being conducted according to accepted standards. Determines workload and performance criteria for management and budgetary purposes, as required. Maintains appropriate channels of communication within SOS and ensure that staff are informed about relevant laws, policies, regulations, and procedures, and matters related to the improvement and welfare of the SOS. Assesses risks, identifies solutions and makes determinations on various administrative matters related investigations, lawsuits, audits and evaluations conducted by other agencies.

#### 3) Investigative Services Administration

Oversees and directs the Office of Investigations which consists of Peace Officer classifications and professional support staff. Personally conduct or direct the more difficult criminal and administrative investigations and through subordinate management, perform or participate in the most difficult, complex and sensitive investigative work, case preparation, and court testimony and hearings. The incumbent oversees the administration of work processes and program procedures, as well as the administration of Agency and Division policies and procedures and appropriate statutory provisions of applicable California Codes and regulations, in addition to providing reports to the Chief Counsel, Assistant Chief Counsel and assigned Attorneys, as required. Monitors and prioritizes criminal elections fraud investigations and cases. In conjunction with subordinate manager(s), triage complaints concerning alleged notarial misconduct and alleged Elections Code violations to determine which complaints require further investigation for possible criminal, civil, or administrative action; and oversee and monitor progress of the unit's case load. Responsible for reporting to SOS Executive Leadership on all aspects of voter fraud and the handling of fraud cases. Direct and monitor unit workload to ensure all investigatory and statutory deadlines are met. In addition, may be required to make or participate in more difficult or confidential field investigations.

**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 Risk Management (ORM) covers all Secretary of State business units, processes, and activities. The program focuses on managing risks related to financial, operational, legal, regulatory, and reputational factors. In addition, the program considers the impact of external factors, such as industry trends, technological developments, and geopolitical events, on the organization's risk profile. The program aims to maintain an acceptable level of risk commensurate with the organization's risk tolerance and strategic goals. The ORM is responsible for coordinating risk assessment and updating the Risk Register periodically.

The Internal Audit Office (IAO) is responsible for providing independent assurance on internal controls put in place by management on the business processes to detect specific risks and prevent them from happening. IAO works with ORM to identify internal control weaknesses in relation to the risks identified and coordinates the implementation of control measures. The internal audit office also assists the Secretary of State in developing an effective internal control system to help safeguard financial assets and ensure reliability of information, efficient and effective employment of resources, and compliance with all applicable, laws, regulations, and policies.

The Office of Investigative Services (OIS) investigates alleged election/voter fraud in California elections and Notary Public misconduct. In accordance with Government Code § 12172.5 the SOS is responsible to enforce Election Law and conducts elections related criminal investigations on a statewide basis. The OIS also conducts internal criminal and/or administrative investigations as needed.

**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 Deputy Secretary of State, Operations and the Chief Deputy Secretary of State have numerous direct reports in a variety of unique business areas. The Risk Management Office reports to the Deputy Secretary of State, Operations, while the Internal Audits Office and Investigations Unit report to the Chief Deputy Secretary of State. The Executive Leadership team, therefore, desired to consolidate the Risk Management, Audits and Investigations program areas under one supervisor who would then report directly to the Deputy Secretary of State, Operations. This consolidation allows for a more manageable organizational structure and also allows the SOS to recruit and hire an individual with specific expertise and extensive background to lead the multi-disciplined Risk, Audits and Investigations Bureau in alignment with the Secretary of State's mission.

### 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.

#### 1) Elections Code Enforcement

The Office of Investigative Services (OIS) conducts criminal and/or administrative investigations into alleged fraud or misconduct related to elections and refers violations to the appropriate county district attorney or to the California State Attorney General pursuant to California Government Code Section 12172.5 and California Penal Code Section 830.3(o). The OIS serves Californians by providing independent, objective, and timely investigative services to ensure the integrity of the electoral process. The OIS achieves its mission by enforcing laws through investigative inquiry and criminal prosecution.

The primary duties and responsibilities of the SOS Investigators/Peace Officers are to administer the provisions of the Elections Code and to ensure that state election laws are enforced as it relates to Cal. Gov. Code § 12172.5. California Elections Code violations are criminal in nature and consist primarily of felony offenses. The incumbent would be responsible to craft policies based on the California Elections code for enforcement by the SOS or propose legislation, in conjunction with the Secretary of State's Elections Division, on election related issues. Such policies and legislation would have an impact not only on a state level but could have impacts on a national level as well.

#### 2) Internal Audits

Internal Audits is a managerial control that functions by measuring and evaluating the effectiveness of other controls. The IAO assists the SOS in developing and maintaining an effective internal control system to ensure the safeguarding of financial assets, the reliability of information, the efficient and effective employment of resources, and compliance with all applicable laws, regulations, and policies. The incumbent will be responsible to create, review and maintain policies and procedures for the SOS as they relate to: Compliance Audits, Financial Audits, Operational/Performance Audits; Information Systems Audits, Information Technology Audits, and Special Audits.

It is imperative that the SOS maintain an effective internal audit function to help ensure state assets are protected; compliance with laws and regulations; financial and management information is reliable; and programs are operating effectively and efficiently. A robust internal audit function provides objective assurance and consulting services designed to add value and improve the agency's operations.

#### 3) Risk Management Policy

The incumbent, in conjunction with subordinate supervisors, will be responsible to create, review and implement a Risk Management policies and processes that are meant to identify, assess, mitigate, and monitor risks that could impact SOS operations, financial performance, and reputation. Processes and procedures that are meant to ensure the continuity of operations and reduce the potential for losses and liabilities and are designed to enhance decision-making by providing reliable risk-related information to Executive Management, senior management, and stakeholders.

The policy sets the foundation for the organization's risk management framework. It defines the structure, roles, responsibilities, and procedures for managing risks across the organization. It also ensures that there is a standardized approach to risk management, enabling consistent and effective practices throughout the organization.

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

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

The CEA scope is focused towards creating an effective and mature risk governance program to drive better decision making in all aspects of the organization. The CEA is charged with optimizing the use of state assets and ensuring accountability through effective risk management, auditing, and investigating election fraud complaints. This will drive better decision-making throughout the organization and help ensure the integrity of the electoral process and ensure the SOS successfully integrates a risk management life cycle process to minimize organizational risk and create organizational efficiency related to the constitutionally or otherwise mandated programs and services provided by the SOS. Mandated programs and services include, but are not limited, to voter registration, business/corporation registration, lobbyist registration, commissioning of Notaries Public, campaign finance disclosure, State elections processes, maintenance of and accessibility to California's historical artifacts and government records, etc. The CEA will consult and advise the Secretary of State of decisions and impacts of decisions for the SOS. The CEA serves as a member of the expanded executive team for departmental decision making on policies, procedures, and projects.

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

**Developing New Policy:** The Chief - Risk, Audits and Investigations Bureau, will actively develop new policies to ensure SOS compliance with evolving federal, state, and local laws, rules and regulations. For instance, in response to changes in Election laws like the Help America Vote Act (HAVA), the CEA will lead the creation of updated policies. These efforts will involve conducting research, consulting with stakeholders, and drafting comprehensive guidelines to address emerging challenges and improve operational efficiency.

**Interpreting Existing Policy:** Equally important is the role of interpreting existing laws, rules, regulations and policies to ensure consistent compliance across SOS operations. This involves clarifying ambiguous aspects of current policies, providing guidance to staff on implementation, and ensuring that all actions align with legal requirements and departmental standards.

**Implementation:** Once policies are developed or interpreted, the CEA will oversee their implementation throughout the organization. This includes coordinating with departmental leaders, conducting training sessions to ensure staff understanding and compliance, and monitoring adherence to policy guidelines through regular audits and assessments. Effective implementation ensures that policies translate into tangible improvements in operational efficiency, program transparency and regulatory compliance.