

POLICE LEGAL ADVISOR

JOB DESCRIPTION

Classification Responsibilities: The Police Legal Advisor provides a wide range of legal counsel and advice on criminal law to employees of the Police Department which includes researching and advising on criminal investigations, training personnel on issues related to criminal law, and representing the department on legislative issues of interest to the Mesa Police Department. Specific duties include: reviewing and recommending policy revisions on issues related to criminal investigations, law enforcement or evidence disposition; providing legal advice and guidance to law enforcement personnel conducting criminal investigations; providing legal advice regarding the handling and disposition of evidence; researching court cases that impact criminal investigations or law enforcement; publishing monthly law bulletins on issues related to criminal law; developing training outlines and teaching subject related to criminal and constitutional law; responding to motions and appearing in court on issues related to criminal investigations; conducting forfeiture litigation for cash, vehicles, and other property which either has been used in, or is proceeds from, narcotic trafficking; and providing on-the-spot legal advice to officers when the advice affects an active, on-going criminal investigation which cannot wait for research at the office. This position may be required to respond to major incidents involving serious injury, death, or extensive property damage related to police action or any other scene as directed by the Police Staff Attorney or the Chief of Police. This position reports to the Police Staff Attorney and is responsible for performing related duties as required

Distinguishing Features: This classification has been designated as a non-classified, non-merit system, at will position. The class is responsible for senior level decision making in the area of constitutional law, criminal law, and issues related to law enforcement. The Police Legal Advisor assists Police Department line functions, and upon request, assists with major criminal investigations. This class is FLSA exempt-professional.

QUALIFICATIONS

Employee Values: All employees of the City of Mesa are expected to uphold and exhibit the City's shared employee values of Knowledge, Respect, and Integrity.

Minimum Qualifications Required. Graduation from an accredited school of law. Considerable (3 - 5 years) progressively responsible experience in the practice of law.

Special Requirements. The employee must have and maintain active membership in the State Bar of Arizona. Because of the confidential, sensitive nature of information handled, successful completion of a background investigation and polygraph is required. Candidates given a conditional job offer will be required to successfully complete a psychological evaluation.

Substance Abuse Testing. Due to the safety and/or security sensitive nature of this classification, individuals shall be subject to pre-employment or pre-placement alcohol, drug and/or controlled substance testing as outlined in City policy and procedures.

Preferred/Desirable Qualifications. Emphasis in municipal and criminal law is preferred, including legal experience in police work, research, and criminal prosecution.

ESSENTIAL FUNCTIONS

Communication: Communicates with the City Court regarding the status of individual cases and other matters affecting appearance by Police Officers in City Court, and with the City Clerk's Office regarding the status of ordinances. Communicates with the City Attorney's Office regarding contracts, ordinances, and other legal matters; compiles and summarizes the Police Department position in response to claims against the City based on actions of Police Department employees. Confers with the City Prosecutor to obtain concurrence of legal opinions pertaining to matters affecting Police Officer testimony and/or procedures. Instructs Police Department employees at Advanced Officer Training and Recruit Training in a classroom setting regarding search and seizure, use of force, interrogation, powers of arrest, identifications, and current case law. Provides in-service training programs concerning legal liability for both sworn and civilian members of the Police Department. Prepares written documents, such as: motions, pleadings, arguments, ordinances, and contracts with clearly organized thoughts using proper sentence construction, punctuation, and grammar in order to present cases in courts. Advises Police Department employees and other City staff regarding legal matters. Prepares Police Law publication for use of Mesa Police Department officers and other position related assignments as required. Provides relevant information to Police Department Command Staff during staff meetings.

Manual/Physical: Uses a personal computer in order to view, revise, and create reports. Travels to police departments of other cities to discuss policies and procedures relating to new case decisions and statutory enactments. Travels to various courts to conduct forfeiture litigation or to appear in opposition to subpoenas. Teaches classes on behalf of the Arizona Peace Officers Standards and Training Board (AZPOST) to smaller agencies, pertaining to: search and seizure, arrest, use of force, and liability. Reads and reviews U.S. Supreme Court, 9th Circuit Court, and Arizona Court decisions which might affect the operations, practices, and policies of the Police Department; selects current cases of interest to the Police Department, edits, and publishes in ***Police Law***. Attends and participates in Police Legal Advisor association meetings such as Arizona Legal Advisors Association and the International Association of Chiefs of Police - Legal Officers Section.

Mental: Comprehends and makes inferences from written material such as the curriculum of the Police Training Office in order to advise the Police Training staff about the legal aspects. Provides on-the-spot legal advice to Police Officers on the telephone or at the scene, when the advice affects an active, on-going criminal investigation, which cannot wait for research at the office. Reconciles legal decisions (which appear to conflict) by various courts, which have concurrent jurisdiction over action by the Police Department. Provides legal advice to department personnel in specific cases in order to draft and/or amend police procedure.

Knowledge/Skill/Abilities:

Knowledge of:

federal, state, and local criminal laws and legal procedures;
the legal aspects and requirements of law enforcement activities;
court procedures and rules of evidence; and
the procedures and practices followed by police departments.

Skill in the review, analysis, and evaluation of: laws, codes, ordinances, legal procedures, and documentation.

Ability to:

determine alternative courses of action and the impact of such courses of action and to recommend choices;

establish and maintain effective working relationships with: associate personnel, city, county, state, and federal, legal, judicial, legislative, and law enforcement agencies and personnel; and

determine the possible courses of action of opponents and to judge their probable courses of actions.

The duties listed above are intended only as general illustrations of the various types of work that may be performed. Specific statements of duties not included does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Job descriptions are subject to change by the City as the needs of the City and requirements of the job change.

Revised 1/24

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EEO-Prof

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INCREMENTS 58-200

PAY GRADE: 62

IND-8820

SWORN-No