

POLICE STAFF ATTORNEY

JOB DESCRIPTION

Classification Responsibilities: The Police Staff Attorney provides the Police Chief legal advice on administrative and operational issues and supervises the Police Legal Advisor and Risk Management Bureau within the Police Department. Specific duties include: ensuring departmental field procedures are in compliance with existing legal requirements; responding to and providing legal counsel for criminal investigations such as high profile homicides, officer involved shootings, in custody deaths, etc., involving department members; serving as a liaison with the Maricopa County Attorney's Office, Arizona Attorney General, and the U.S. Attorney's Office; conducting legal research; supervising forfeiture litigation; providing legal advice regarding the handling and disposition of evidence; advising staff on personnel issues relating to: hiring, promotion, transfer, demotion, and termination; reviewing claims and lawsuits filed against the department to recommend courses of action; reviewing all applicant files for employment with the department; participating in the internal disciplinary review process; drafting, updating, and reviewing department policies relating to police powers; publishing articles and summaries of legislative enactments and relevant court cases; interacting with police labor organizations; and making presentations to City Council. This class 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 legal work of the Police Staff Attorney and the Police Legal Advisor is generally divided into an emphasis on civil law matters for the former and criminal law matters for the latter. The Police Staff Attorney serves as general counsel to the Police Chief and Command staff concerning civil proceedings filed against the department and its members. The Police Legal Advisor assists Police Department line functions; upon request, assists with major criminal investigations; and conducts forfeiture litigation for cash, vehicles, and other property which either has been used in, or is proceeds from, narcotics trafficking. The employee must have and maintain active membership in the state Bar of Arizona. This class receives supervision from the Police Chief. 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. Extensive (5+ years) progressively responsible experience as a police legal advisor, county prosecutor, deputy state attorney general or equivalent preferably in Arizona; OR five years' experience as a certified police officer; OR lead counsel experience in defending police departments and their personnel in at least five civil lawsuits.

Special Requirements. 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. Must possess a valid Class D Arizona Driver's License by hire date.

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. None.

ESSENTIAL FUNCTIONS

Communication: Serves as a legislative liaison to monitor legislation of interest to the Police Department; and attends and testifies before various state legislative subcommittees. Works effectively with the City Attorney in order to coordinate City management's response to personnel and liability issues. Produces written documents, such as: motions, pleadings, arguments, ordinances, and contracts with clearly organized thoughts using proper sentence construction, punctuation, and grammar. Presents cases in court and advises Police Department management and other City staff regarding legal matters. 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 officer testimony and/or procedures. Instructs others in legal matters.

Manual/Physical: Uses a personal computer in order to view, revise, and create reports. Observes data and conditions affecting the City's legal interests to determine compliance with the law. Operates a motor vehicle requiring a valid Class D Arizona Driver's License to respond to high profile police related incidents. Travels to conferences to discuss and gather information regarding proposed legislation of interest to law enforcement.

Mental: Comprehends and makes inferences from written material such as the departmental policies, procedures, reports of enforcement activities, and disciplinary matters in order to determine compliance with existing legal requirements. Proactively monitors Police Department training and policies for potential liability problems. Provides 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. Reconciles legal decisions (which appear to conflict) by various courts that 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. Supervises, reviews, and evaluates the work of the Police Legal Advisor.

Knowledge/Skill/Abilities:

Knowledge of:

federal, state, and local criminal laws, traffic laws, legal procedures, and court decisions;
the legal aspects and requirements of law enforcement activities including police powers, duties, and their limitations;
the methods of legal research;
supervisory techniques and practices;
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, the impact of such courses of action, and to recommend choices; independently investigate, analyze, appraise, and organize facts, precedents, court decisions, and legislative enactments and present such material effectively both orally and in writing; determine the possible courses of action of opponents and to judge their probable courses of actions; supervise litigation in forfeiture matters; draft ordinances, policies, contracts, intergovernmental agreements, letters, and other correspondence in accordance with local and federal statutes and case law; communicate effectively in writing, oral presentations, and classroom instruction; and establish and maintain effective working relationships with City employees, associate personnel, city, county, state, and federal legal, judicial, legislative and law enforcement agencies and personnel.

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 2/20

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EEO-Prof

JOB FCTN-LEG

PAY PLAN E01-E18

PAY GRADE: E09

IND-8820

SWORN-No