

DUTY STATEMENT

Job Classification: Investigator
Position Number:
Scheme and Class Codes: VI45, 8610
Reports To: Supervising Investigator, Alcoholic Beverage Control
FLSA Status: Non-Exempt
Divisions: Northern/Southern
Location: Various (statewide)
Prepared By/Date: Human Resources – 03/11

SUMMARY

Under general supervision of a Supervising Investigator, incumbent independently conducts investigations regarding criminal and administrative violations committed on or about ABC licensed premises by licensees, their employees, and/or members of the general public, which requires knowledge and application of investigative techniques and procedures. Investigators are required to work irregular shifts, nights, weekends and holidays, and have occasional travel. Occasional overtime may be required.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

<u>%</u>	<u>Function</u>
65%	<p>Enforcement Provide proactive law enforcement functions and investigate complaints of ABC violations from the public, local community organizations and law enforcement agencies, occurring at licensed premises. Conduct investigations regarding criminal and administrative violations committed on or about ABC licensed premises by licensees, their employees, and/or members of the general public. Investigations may include undercover (covert) observations or prolonged investigations to detect violations of ABC laws and regulations. Investigations may also include: 1) Corporations, franchises, partnerships and other licensees suspected of concealing unqualified ownership. 2) Commercial bribery or illegal relationships between manufactures, wholesalers, and retail licensees. 3) Business fraud, pool buying, illegal discounts or advertising schemes and devices. 4) Vice, gambling, narcotics, or similar activities normally associated with organized crime; and 5) Participate in multi-agency investigations or assignments. Make physical arrests for criminal offenses; write criminal citations; locate and interview witnesses and persons suspected of violations; seize and collect physical evidence; process evidence; prepare clear, concise, and accurate documents and reports detailing investigation activities and findings.</p>
10%	<p>Develop and maintain liaison with local law enforcement and governmental agencies. Work with local law enforcement agencies on field operations and special assignments. Provide specialized training and other resources as requested.</p>
5%	<p>Conduct premises inspections to ensure compliance with the Alcoholic Beverage Control Act. Advise licensees of relevant ABC rules, regulations and procedures.</p>

% Function
Enforcement

- 5% Testify in criminal and administrative hearings.
- 5% Make presentations or provide specialized training to licensees, special interest groups, or organized community groups to explain Departmental programs and procedures.
- 3% Attend Mandatory Training to maintain P.O.S.T. standards.

- 5% **Licensing** As needed, investigate applicant backgrounds to determine any arrests or patterns of arrest of the applicant, make financial inquiries of the applicant to determine whether or not the applicant is the true and sole owner of the proposed establishment. Conduct premises and posting notice investigations to ensure compliance with the Alcoholic Beverage Control Act; evaluate locations of the premises; determine whether or not the proximity to such consideration points as residences, churches, schools, and hospitals would be contrary to public welfare; advise applicants of relevant ABC rules, regulations and procedures; prepares detailed report after all essential information has been obtained and recommend approval or denial of the application to higher level management.

MARGINAL DUTIES AND RESPONSIBILITIES

- 2% **Miscellaneous** Serve as acting supervisor as needed; develop program investigation policies/procedures which specifically require investigatory or law enforcement expertise. Provide necessary support services to investigation related matters.

Supervisory Responsibilities: This job has no supervisory responsibilities.

WORK ENVIRONMENT

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee must have good health, be in sound physical condition, free from any physical or mental condition that would interfere with the full performance of the essential duties of a peace officer. While performing the duties of this job, the employee is regularly required to effectively use both hands, both arms, and both legs; have strength, endurance, and agility; have the ability to carry 5 to 10 pounds of issued duty gear which includes: a weapon utility belt, gun, magazine(s), handcuffs, and body armor and qualify with a Departmental issued firearm; normal hearing; normal vision (20/20) or vision corrected to normal; color vision adequate to successfully perform the job measured by the Ishihara Pseudo-Chromatic Plate Test or for persons failing the Ishihara, the Farnsworth D-15 Arrangement Test; and weight proportional to age and heights; may be exposed to adverse weather conditions, loud noises, loud music, smoke, and intoxicated and unruly behavior.

The essential and marginal job duties have been discussed with the employee and a copy has been provided to the employee.

<i>SUPERVISOR</i> <i>DATE</i>	<i>EMPLOYEE</i> <i>DATE</i>
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COMPETENCIES:

To perform the job successfully, an individual should demonstrate the following competencies:

Analytical – Synthesizes complex or diverse information; collects and researches data; and, uses intuition and experience to complement data.

Design – Demonstrates attention to detail.

Problem Solving – Identifies and resolves problems in a timely manner; gathers and analyzes information skillfully; develops alternative solutions; works well in group problem solving situations; and, uses reason even when dealing with emotional topics.

Technical Skills – Assesses own strengths and weaknesses; pursues training and development opportunities; strives to continuously build knowledge and skills; and, shares expertise with others.

Customer Service – Manages difficult or emotional customer situations; responds promptly to customer needs; solicits customer feedback to improve service; responds to requests for service and assistance; and, meets commitments.

Interpersonal – Focuses on solving conflict, not blaming; maintains confidentiality; listens to others without interrupting; keeps emotions under control; and, remains open to others' ideas and tries new things.

Oral Communication – Speaks clearly and persuasively in positive or negative situations; listens and gets clarification; responds well to questions; and, participates in meetings.

Team Work – Balances team and individual responsibilities; exhibits objectivity and openness to others' views; gives and welcomes feedback; contributes to building a positive team spirit; puts success of team above own interests; able to build morale and group commitments to goals and objectives; supports everyone's efforts to succeed; and, recognizes accomplishments of other team members.

Written Communication – Writes clearly and informatively; edits work for spelling and grammar; presents numerical data effectively; and, able to read and interpret written information.

Quality Management – Looks for ways to improve and promote quality; and, demonstrates accuracy and thoroughness.

Cost Consciousness – Conserves organizational resources.

Diversity – Shows respect and sensitivity for cultural differences; and promotes a harassment-free environment.

Ethics – Treats people with respect; keeps commitments; inspires the trust of others; works with integrity and ethically; and upholds organizational values.

Organizational Support – Follows policies and procedures; completes administrative tasks correctly and on time; supports organization's goals and values; benefits organization through outside activities; and, supports equal employment opportunities and respects diversity.

Adaptability – Adapts to changes in the work environment; manages competing demands; changes approach or method to best fit the situation; and, able to deal with frequent change, delays, or unexpected events.

Attendance/Punctuality – Is consistently at work and on time; ensures work responsibilities are covered when absent; and, arrives at meetings and appointments on time.

Dependability – Follows instructions, responds to management direction; takes responsibility for own actions; keeps commitments; commits to long hours of work when necessary to reach goals; and completes tasks on time or notifies appropriate person with an alternate plan.

Initiative – Volunteers readily; undertakes self-development activities; seeks increased responsibilities; takes independent actions and calculated risks; looks for and takes advantage of opportunities; and, asks for and offers help when needed.

Innovation – Generates suggestions for improving work; and, presents ideas and information in a manner that gets others' attention.

Judgment – Displays willingness to make decisions; exhibits sound and accurate judgment; supports and explains reasoning for decisions; includes appropriate people in decision-making process; and, makes timely decisions.

Motivation – Sets and achieves challenging goals; demonstrates persistence and overcomes obstacles; measures self against standard of excellence; and, takes calculated risks to accomplish goals.

Planning/Organizing – Prioritizes and plans work activities; uses time efficiently; plans for additional resources; sets goals and objectives; and develops realistic action plans.

Professionalism – Approaches others in a tactful manner; reacts well under pressure; treats others with respect and consideration regardless of their status or position; accepts responsibility for own actions; and, follows through on commitments.

Quality – Demonstrates accuracy and thoroughness; looks for ways to improve and promote quality; applies feedback to improve performance; and, monitors own work to ensure quality.

Quantity – Meets productivity standards; completes work in timely manner; strives to increase productivity; and, works quickly.

Safety and Security – Observes safety and security procedures; determines appropriate action beyond guidelines; reports potentially unsafe conditions; uses equipment and materials properly.

Language Ability – Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write detailed reports and correspondence. Ability to speak effectively before groups of customers or employees of organizations.

Math Ability – Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability – Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

Computer Skills – To perform this job successfully, an individual should have knowledge of Microsoft Word processing software; Microsoft Outlook; Excel spreadsheet software; Internet Explorer, and CABIN database software.

KNOWLEDGE AND ABILITIES, ETC.

Knowledge of: Civil, narcotic, and criminal investigation techniques and procedures, rules of evidence, and court procedures; laws of arrest; search and seizure and legal rights of citizens; service of legal process; interview and interrogation techniques, processes, and procedures; techniques of identifying, securing, preserving, and presenting evidence; disclosure laws, banking, escrow, and loan laws and procedures; laws and practices of business structures, such as corporations and limited partnerships; partnership and stock arrangements relating to the manufacture and sale of alcoholic beverages; effects of foreign ownership and/or controlled businesses upon license applications; California financial codes and regulations governing the financial activity being investigated, such as complex financial schemes in the area of real estate, escrow transactions, banking, loans, stock arrangements, limited partnerships and corporate law (multinational and conglomerate); California Vehicle Code sections pertaining to drinking and possession in motor vehicles; disciplinary procedure as it relates to the types of actions which can be taken against licensed premises; functions of the Alcoholic Beverage Control Appeals Board and its related procedures; provisions of the laws, rules, and regulations enforced or administered; provisions of the California Penal Code and the Code of Civil Procedures; California Penal Code sections frequently used in the enforcement of Alcoholic Beverage Control laws; sources of information used in locating persons; procedures of the Office of Administrative Hearings; duties of Federal, State, and local law enforcement agencies.

Ability to: Develop techniques, methods, and skills required in the conducting of civil, narcotic, and criminal investigations; participate effectively in surveillance investigations and interviews; determine the age of persons in and about licensed premises; interpret and apply laws and regulations to specific situations; gather and analyze facts and evidence and present such evidence as required; analyze situations accurately and adopt an effective course of action; analyze the effects of city and county ordinances on the Alcoholic Beverage Control Act or applicable Business and

Professions Code sections on application for licensure; analyze potential negative and positive effects of location of the premises on the community; interpret police records; train and maintain liaison with other law enforcement agencies; analyze circumstances and recommend consistent actions in the approval or denial of applications or discipline against licensees; review the work of others; give guidance; counsel in work methods and procedures; exercise good judgment; follow instructions; communicate effectively and prepare reports in clear, concise form; work independently; assume the full responsibilities of a law enforcement officer; act in the various roles necessary to conduct undercover investigations in a variety of settings; make physical arrests; appear as an expert witness; operate standard office equipment, including computers; deal with law enforcement problems tactfully and effectively; deal effectively with members of the public and co-workers; establish and maintain effective working relationships with Federal, State, and local law enforcement and district/city attorney agencies.

Certificates and Licenses: Possession of a valid driver license.

Special Personal Characteristics: Aptitude for investigation work; willingness as a learner to do routine or detailed work in order to learn the practical application of investigative principles; willingness to work odd and irregular hours in various locations throughout the State; keenness of observation; good memory for names, faces, places, and incidents; emotional stability; tact; maturity; poise; reliability; willingness to associate with criminally inclined persons and environments; satisfactory record as a law-abiding citizen; demonstrated capacity for development as evidenced by work history, academic attainment, participation in school, or other activities or be well-defined occupational or vocational interests; ability to qualify for a fiduciary bond; and the ability to work under stress and adverse conditions.

Desirable Qualifications: Possession of a Peace Officer Standards and Training basic certificate.

Peace Officer Standards

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must be either a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U.S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in this class.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in this classification.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment. Persons who have previously undergone a Department of Alcoholic Beverage Control background investigation may be required to undergo an additional background investigation.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of a training course in laws of arrest, search and seizure, and in firearms and chemical agents is a requirement for permanent status in this class.

Psychological Screening

Existing law provides that psychological suitability examinations be completed prior to appointment date. Persons who are not successful in these examinations cannot be appointed as a peace officer.