

SAN FRANCISCO OFFICE OF THE DISTRICT ATTORNEY
8177 TRIAL ATTORNEY - CRIMINAL

Appointment Type

This is an Exempt Appointment. Pursuant to the City & County of San Francisco Charter, Section 10.104.13. Any person occupying a position under exempt appointment shall not be subject to civil service selection, appointment and removal procedures. Exempt employees shall serve at the pleasure of the appointing officer.

Background

In response to the need to ensure the integrity of the criminal justice system, the District Attorney of San Francisco, George Gascon, is taking an innovative approach to the investigation and prosecution of officer involved shootings (OIS), in custody deaths and excessive use of force, by creating an Independent Investigations Bureau (IIB). The new Bureau will be responsible for investigating and prosecuting cases of law enforcement officers who violate the Fourth and/or Fourteenth Amendment rights of individuals.

The IIB conducts complete, thorough and unbiased investigations and evaluations of cases that involve allegations of unconstitutional policing. To date, the San Francisco Police Department has acted as the lead investigating agency in cases involving OIS. Under this newly created unit, the DA will have actual autonomy and independence to investigate, bring to prosecution and/or make other appropriate recommendation.

This unit has three primary responsibilities:

1. Lead investigative role in all officer involved shootings and in custody deaths and any criminal prosecutions that result.
2. Investigate and prosecute police misconduct involving fourth and fourteenth amendment criminal violations. Police misconduct is defined as intentional acts by law enforcement officials who misuse their positions to unlawfully deprive individuals of constitutional rights, such as the right to be free from unwarranted assaults, illegal arrests and searches, excessive force and theft of property, and;
3. Conduct conviction review for complaints of procedural error or factual innocence resulting from internal investigations or outside referrals. Conviction review is intended to identify and correct past errors in convictions. This is done through an extrajudicial, fact-based review of secured convictions to investigate plausible allegations of actual innocence. This will include cases discovered through our internal look back process after misconduct allegations are discovered, as well as cases brought externally by individuals. The Independent Investigations Bureau will be tasked with independently investigating these cases and remedying any errors.

Essential Functions

Under the supervision of the IIB Managing Attorney, the Trial Attorney will be responsible for the investigation and prosecution of criminal matters involving alleged police misconduct. The Trial Attorney position encompasses the following essential functions:

- Performing criminal investigations and prosecutions of police misconduct involving fourth and fourteenth amendment criminal violations. Police misconduct is defined as intentional acts by law enforcement officials who misuse their positions to unlawfully deprive individuals of constitutional rights, such as the right to be free from unwarranted assaults, illegal arrests and searches, excessive force and theft of property.
- Conducting conviction reviews for complaints of procedural error or factual innocence resulting from internal investigations or outside referrals. Conviction review intended to identify and correct past errors in convictions. This will include, but may not be limited to an extrajudicial, fact-based review of secured convictions to investigate plausible allegations of actual innocence. This will include cases discovered through our internal look back process after misconduct allegations are discovered, as well as cases brought externally by individuals.
- Completing summaries of complete investigative files which are to be provided to both the US Department of Justice's Civil Rights Division and the California Attorney General's Office for their review and consideration.
- Try jury and non-jury criminal cases in the Superior Court; interviews witnesses; conducts and or supervises investigations and writes legal briefs in conjunction with assigned cases and trials.
- Attending routine court calendar matters as it relates to IIB charged cases.

Minimum Qualifications

Requires comprehensive knowledge of: state and federal and municipal codes, laws and ordinances, particularly as applied to civil and criminal laws; legal processes and techniques of courtroom and jury trial work; administrative techniques and methods, particularly as they relate to the activities of the District Attorney's Office.

Requires ability to: speak and write effectively in the preparation and presentation of assigned legal cases; exercise considerable judgment and tact in dealing with court officials, juries, law enforcement agencies and other governmental agencies in connection with legal assignments.

Experience and Training

Requires completion of an accredited law school.

License or certificate

Requires membership in the State Bar Association and license to practice in all state courts.

Desirable Qualifications

Desirable candidates will have some of the relevant experience indicated below:

- At least ten years of progressively responsible experience as a practicing attorney, with emphasis on jury trial and courtroom work or an equivalent, combination of training and experience.
- Prior experience as a prosecutor in a District Attorney's Office, an Attorney General's Office or as a Federal Prosecutor.
- Prior experience as a criminal defense attorney in a public defender's office or Federal Public Defender Office.
- Experience litigating homicide cases.
- Experience in civil rights work.

Application Process

Applications for City and County of San Francisco jobs are only accepted through an online process. Visit www.jobaps.com/sf to register an account (if you have not already done so) and begin the application process. Select the desired job announcement Select "Apply" and read and acknowledge the information Select either "I am a New User" if you have not previously registered, or "I have Registered Previously" Follow instructions on the screen Computers are available for the public (from 8:00 a.m. to 5:00 p.m. Monday through Friday) to file online applications in the lobby of the Dept. of Human Resources at 1 South Van Ness Avenue, 4th Floor, San Francisco. Applicants may be contacted by email about this announcement and, therefore, it is their responsibility to ensure that their registered email address is accurate and kept up-to-date. Also, applicants must ensure that email from CCSF is not blocked on their computer by a spam filter.

IMPORTANT: In addition to completing online application, please attach a cover letter, resume, a writing sample, and two letters of reference scanned as one packet.