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| **State of MichiganCivil Service Commission** |

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| **Position Code** |

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| Capitol Commons Center, P.O. Box 30002Lansing, MI 48909 |

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| **POSITION DESCRIPTION** |

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| This position description serves as the official classification document of record for this position. Please complete the information as accurately as you can as the position description is used to determine the proper classification of the position. |

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| **2. Employee's Name (Last, First, M.I.)** | **8. Department/Agency** |
|  | STATE POLICE |
| **3. Employee Identification Number** | **9. Bureau (Institution, Board, or Commission)** |
|  | Office of the Director |
| **4. Civil Service Position Code Description** | **10. Division** |
| Departmental Analyst-E |  |
| **5. Working Title (What the agency calls the position)** | **11. Section** |
| Assistant FOIA Coordinator |  |
| **6. Name and Position Code Description of Direct Supervisor** | **12. Unit** |
| DAIN, ALLISON J; DEPARTMENTAL MANAGER-3 | Records Production Unit |
| **7. Name and Position Code Description of Second Level Supervisor** | **13. Work Location (City and Address)/Hours of Work** |
| GACKSTETTER, LANCE E; STATE ADMINISTRATIVE MANAGER-1 | 7150 Harris Dr. Dimondale, MI / Monday-Friday 8 a.m. to 5 p.m. |

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| **14. General Summary of Function/Purpose of Position** |

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| Assistant Freedom of Information Act (FOIA) coordinators independently administer the Freedom of Information Act (FOIA).  The assistant FOIA coordinator (AFC) is responsible for accepting and processing requests for Michigan State Police (MSP) public records under the Freedom of Information Act. AFC’s also process civil, third-party subpoenas received by the MSP.The AFC must have a thorough knowledge of existing, new, and revised Michigan complied laws, as well as public acts, legislative bills, Attorney General Opinions, court opinions and decisions, and Michigan State Police methods of operation. AFC’s must explain FOIA exemptions and relevant case law to requesters, investigators, prosecutors, attorneys, and the public.  |

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| **15. Please describe the assigned duties, percent of time spent performing each duty, and what is done to complete each duty.List the duties from most important to least important. The total percentage of all duties performed must equal 100 percent.** |

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| **Duty 1** |
| **General Summary:** | **Percentage:** | **55** |
| Review all records, determine the appropriate course of action, and process all FOIA requests accurately and timely |
| **Individual tasks related to the duty:** |  |  |
| * Read and review all records.
* Consult with department investigators, other law enforcement agencies, and prosecutors to determine what documents can/should be released.
* Research and interpret Michigan compiled laws governing public disclosure.
* Apply laws, court decisions, and attorney general opinions to FOIA requests, using balancing tests. The analyst must consider the interest in public disclosure versus the interest in non-disclosure in each instance.
* Independently determine what exemptions, if any, should be taken consistent with the FOIA statute, Michigan Complied Laws, public acts, legislative bills, and court opinions and decisions.
* Analyzes and evaluates records using the appropriate balancing test found in the FOIA statute. When deciding on whether a record should be disclosed, the AFC must balance the interest in public disclosure with the privacy interest of the individual in non-disclosure.
* Evaluates personnel records, and independently determines if disclosure is warranted. The AFC must consider the interest in disclosure versus the interest in non-disclosure “in the particular instance”. They must consider the privacy of the employee, the seriousness of any discipline, applicable laws, the reputation of the trooper and the impact of disclosure on their ability to effectively enforce the law in the community, and the need for transparency.
* Reviews and evaluates internal affairs investigative reports to determine if disclosure is required. In addition to the required balancing tests, the AFC must consider the outcome of the investigation (sustained, not sustained, exonerated, unfounded) and any discipline imposed on the employee, in making the determination.
* Reviews criminal investigations, including those involving minor victims to determine what information can be released. The AFC must independently apply the privacy balancing test in conjunction with additional statutory considerations such as the Wiiliam Van Roegenmorter Crime Victim’s Rights Act.
* Use a software program to redact paper records in compliance with statutory requirements.
* Use a specialized software program to apply audio and visual redactions to media types including, but not limited, in-car cameras, body-worn cameras, dispatch recordings, interviews, surveillance video, photographs, etc.
* When necessary, utilize specialized duplication and formatting software to duplicate, shorten, stabilize, or enhance multimedia recordings.
* Notify management of requests that seek sensitive or high-profile records.
* Document fees in compliance with the FOIA statute and prepare invoices as appropriate.
* Ensure timely responses in compliance with the FOIA statute, section policies and procedures, and section metrics.
* Draft special letters to requesters in situations where the standard form letter is insufficient, where legal justifications must be explained, or where a specialized response to a request is required.
* Explain exemptions and current case law to prosecutors, requesters, attorneys, and members of the public.
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| **Duty 2** |
| **General Summary:** | **Percentage:** | **25** |
| Search for, retrieve, and compile all requested records. |
| **Individual tasks related to the duty:** |  |  |
| * Independently examine and analyze all assigned FOIA requests and determine what information is needed to satisfy the request.
* Search for and gather requested information by accessing appropriate programs/databases.
* Retrieve records not centrally available by contacting the appropriate MSP units and divisions.
* Compile all records and prepare for review.
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| **Duty 3** |
| **General Summary:** | **Percentage:** | **10** |
| Maintain sufficient working knowledge and provide subject matter expert assistance as needed.  |
| **Individual tasks related to the duty:** |  |  |
| * Monitor legislative changes to the FOIA and related statutes that impact the processing of public records requests.
* Track and interpret court decisions that impact MSP records and the processing of public records requests.
* Attend training and conferences as requested by management to maintain and enhance skill level.
* Implement new knowledge and apply enhanced skills and experience to business processes in pursuit of increased efficiency and accuracy.
 |
| **Duty 4** |
| **General Summary:** | **Percentage:** | **10** |
| Miscellaneous |
| **Individual tasks related to the duty:** |  |  |
| * Participate in department meetings and serve on department wide task forces to ensure that FOIA concerns are considered and addressed.
* Prepare affidavits and testify in court as needed.
* Coordinate requests with other members of the section.
* Complete special projects as assigned.
* Other duties as assigned.
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| **16. Describe the types of decisions made independently in this position and tell who or what is affected by those decisions.**  |

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| Considerable independent judgment is used in determining the nature and amount of information released. Independent judgment is also required involving the amount of research time to be expended to locate records or documents, and regarding which requests are of such a nature as to require notification or involvement of bureau management, the Director or others. This position must ensure compliance with applicable laws, rules, guidelines and policies as denials or overcharging can result in litigation.  |

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| **17. Describe the types of decisions that require the supervisor's review.**  |

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| Conflicting or unclear guidelines, rules, or policies; when new guidelines, policies, laws or rules are introduced.  All special letters require management review before release.   |

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| **18. What kind of physical effort is used to perform this job? What environmental conditions in this position physically exposed to on the job? Indicate the amount of time and intensity of each activity and condition. Refer to instructions.** |

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| Physical activities: standing, sitting, kneeling, lifting boxes (10-20 lbs.), carrying and bending.Mental stress due to statutorily mandated response times. Daily work volume / occasional court ordered appearances. Reviewing accident, autopsy and crime scene reports, photos, audio, and video, some of which may be disturbing. |

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| **19. List the names and position code descriptions of each classified employee whom this position immediately supervises or oversees on a full-time, on-going basis.** |

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| **Additional Subordinates** |

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| **20. This position's responsibilities for the above-listed employees includes the following (check as many as apply):** |

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| Complete and sign service ratings. |

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| Assign work. |

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| Provide formal written counseling. |

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| Approve work. |

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| Approve leave requests. |

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| Review work. |

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| Approve time and attendance. |

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| Provide guidance on work methods. |

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| Train employees in the work. |

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| **22. Do you agree with the responses for items 1 through 20? If not, which items do you disagree with and why?** |

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| **23. What are the essential functions of this position?** |

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| Assistant Freedom of Information Act (FOIA) coordinators independently administer the Freedom of Information Act (FOIA).  The assistant FOIA coordinator (AFC) is responsible for accepting and processing requests for Michigan State Police (MSP) public records under the Freedom of Information Act. AFC’s also process civil, third-party subpoenas received by the MSP.  AFC’s are subject matter experts in law enforcement records, public records requests, and Michigan State Police functions and organizational structure.  |

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| **24. Indicate specifically how the position's duties and responsibilities have changed since the position was last reviewed.** |

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| **25. What is the function of the work area and how does this position fit into that function?** |

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| Assistant Freedom of Information Act (FOIA) coordinators independently administer the Freedom of Information Act (FOIA).  The assistant FOIA coordinator (AFC) is responsible for accepting and processing requests for Michigan State Police (MSP) public records under the Freedom of Information Act. AFC’s also process civil, third-party subpoenas received by the MSP.  AFC’s are subject matter experts in law enforcement records, public records requests, and Michigan State Police functions and organizational structure.  |

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| **26. What are the minimum education and experience qualifications needed to perform the essential functions of this position.** |

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| **EDUCATION:** |

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| Possession of a bachelor’s degree in any major. |

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| **EXPERIENCE:** |

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| **Departmental Analyst 9**No specific type or amount is required.**Departmental Analyst 10**One year of professional experience.**Departmental Analyst P11**Two years of professional experience, including one year of experience equivalent to the intermediate (10) level in state service. |

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| **KNOWLEDGE, SKILLS, AND ABILITIES:** |

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| Considerable knowledge of the Michigan Freedom of Information Act and other state and federal laws concerning privacy, records, and information release.Knowledge and ability related to research, statutory interpretation, and analytical skills.  Experience with, or ability to learn, specialized software including audio/video processing software. |

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| **CERTIFICATES, LICENSES, REGISTRATIONS:** |

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| ***NOTE: Civil Service approval does not constitute agreement with or acceptance of the desired qualifications of this position.*** |

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| ***I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.*** |

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| **Supervisor** |

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| **Date** |

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| **TO BE FILLED OUT BY APPOINTING AUTHORITY** |

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| **Indicate any exceptions or additions to the statements of employee or supervisors.** |

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| ***I certify that the entries on these pages are accurate and complete.*** |

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| **Appointing Authority** |

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| ***I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.*** |

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| **Employee** |

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| **Date** |

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