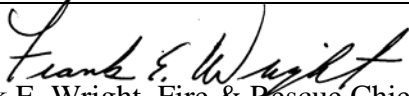
	PERSONNEL	
	SUBJECT	Functional Internal Investigative Disciplinary Process
	REFERENCE NUMBER	PE-06-01
	EFFECTIVE DATE	January 01, 2006
	Signature of Approval	 Frank E. Wright, Fire & Rescue Chief

TO: All Career Fire & Rescue Personnel

FROM: L. A. Miller, Fire & Rescue Chief

The following details the internal investigation process for disciplinary action. It is also important that when disciplinary measures are necessary that such be applied considering the severity of the infraction while maintaining a measure of consistency. This does not relieve a supervisor from taking immediate corrective action and /or administering verbal reprimand/counseling in any case where the safety of the public, department personnel, adherence with policy is neglected, and apparatus or other tangible property is compromised. Nor is this designed to replace specific policies or procedures of the City, but it is to be used in concert with, as determined necessary. An example of such is the Vehicle Accident Policy of the City. This policy directs the investigative process be initiated without delay by the Duty Officer as prescribed by the Fire and Rescue Department. Should the functional process be incorporated into the Vehicle Accident Policy it may be implemented to compliment the initial investigation to ensure accuracy in the process.

RECEIPT AND REVIEW: Upon receipt of information that a situation has occurred that may have involved actions of an inappropriate manner or inactions that may have contributed to a neglect in policy and/or procedure, the following actions will be implemented:

1. Utilizing the Department's Chain of Command a senior officer will be notified. The notification will begin with the Fire & Rescue Chief, and in his absence will be forwarded to the next highest ranking officer.
2. The situation will be initially reviewed to determine severity, necessity for immediate investigation, determination as to what, if any, immediate remedial action is needed, and who will be assigned to investigate the situation.
3. A two person team will conduct a thorough investigation of the situation. The two person team assigned to the investigative process will be comprised of the individual's immediate supervisor and a second supervisor. The second investigative supervisor may be of equal or higher rank to the individual(s) immediate supervisor, but shall not have a rank less than Lieutenant.

ASSIGNMENT AND INVESTIGATION: all information developed during the investigative process shall be handled in a discreet and confidential manner.

The investigation of the situation shall involve, but may not be limited to, the following tasks and elements:

1. Review of all preliminary written information that is available regarding the situation.
2. Submit preliminary information in accordance with City and/or Department policies and procedures, (e.g. Initial Vehicle Accident Report, 24 hours).
3. Request all individuals involved with the situation provide a written statement regarding the event, circumstances surrounding the event, and any other information that may clarify the occurrence. This may include witnesses, as deemed applicable.
4. Conduct interviews of individual(s) involved with the event. This is to include witnesses, as well as those that are subject of the investigation.
5. Compile all information obtained during the investigation and submit an investigative report to the attention of the Fire & Rescue Chief, with a copy to the Deputy Chief. The investigative report should include all information pertaining to the investigation, including but not limited to photos, ECC audio transcripts, individual statements, interview notes, statements of witnesses, accident reports, and other information that will contribute to a clear and concise understanding of the circumstances surrounding the event.

INTERVIEW, DISCUSSION, AND RECOMMENDATION: This stage of the process may involve a discussion with the investigating officers and with at least one member of the Senior Staff to review and clarify any points that may have been included in the investigative report. In addition, this stage may also include a discussion with the individual(s) that is the subject of the investigation.

The interview and discussion may result in a recommendation of what disciplinary measures should be considered. Recommended disciplinary measures should be in accordance with the City of Winchester's progressive disciplinary policy, but it is to be commensurate with the severity of the situation. The Department prefers and implements positive disciplinary measures whenever possible, but understands that the disciplinary measures of a less than positive nature may be applied when necessary.

ADMINISTRATIVE REVIEW: The recommendation will be forwarded to the Fire & Rescue Chief for review with regard to the recommended disciplinary measures. The Fire & Rescue Chief may request a meeting to review the report, recommendations, and the logic for the recommended disciplinary measure(s). The Chief will either concur with the recommendation or provide guidance with regard to the disciplinary measures. The immediate supervisor shall return a copy to Fire & Rescue Chief for final review by him, the City's Director of Administration, and the City Attorney. Upon receipt of the approved document, the Fire and Rescue Chief will initial the document indicating the document has been approved and forward to the supervisor for administration.

APPROVAL AND ADMINISTRATION: Upon receipt of the approved letter of the discipline, the immediate supervisor will arrange for a senior staff officer to meet with him and the individual(s) that was the subject of the investigation to administer the disciplinary measure(s). Upon administration of the measure(s), the executed documents will be distributed as indicated:

Original	Administration
Copy	Fire & Rescue Administrative Offices
Copy	Individual(s)

IMPLEMENTATION OF DISCIPLINARY MEASURE: Upon administering the disciplinary measure and receipt of the executed document by the Fire & Rescue Chief, the individual's immediate supervisor and the Department's Operations Captain will make the necessary provisions to implement the specified disciplinary measure(s). The individual(s) that was the subject of the investigation and discipline will be notified as to when the measure(s) will be implemented and completed.