

SOUTH PORTLAND FIRE DEPARTMENT

STANDARD OPERATING GUIDELINES

Policy #:	5.229	Effective Date:	7/3/2004
Title:	Citizen Complaint Process	# of pages:	5
Category:	Personnel	Classification:	Green

1. **PURPOSE:** To provide a mechanism to adequately and fairly respond to complaints from citizens concerning the conduct of Fire department personnel.
2. **POLICY:** The process is detailed in the following two pages, including a Citizen Complaint Form and Affirmation
3. **REFERENCES:**
 - None

By Order Of:

Kevin W Guimond

Kevin W. Guimond
Fire Chief

**South Portland Fire Department
684 Broadway
South Portland, Maine 04106
(207) 799 3311**

THE COMPLAINT PROCESS

There are two methods for investigating and resolving complaints against members of the Department. One method is informal, the other is formal.

Most complaints against employees can be resolved by the employee's supervisor. This is considered an informal investigation. In an informal investigation, the firefighter's Officer meets with the employee and then determines the appropriate action to take to resolve the complaint.

With more serious complaints of misconduct, the Fire Officer will take an initial statement from the complainant and then refer the incident to the Internal Affairs Unit for a formal investigation.

FILING A COMPLAINT

The Officer in Charge or designee will meet with you privately, as soon as practical, to discuss your complaint. Your complaint will be received in a polite, professional manner and you are expected to conduct yourself in a similar manner. If your conduct is considered inappropriate, the Officer in Charge may insist that you return at another time to discuss the complaint.

You may also file a complaint by writing a letter directly to the Fire Chief. Your letter will be given appropriate attention; however, definitive action can be taken only after a thorough investigation into your complaint. This is a requirement to ensure proper handling of our mutual concerns.

While the South Portland Fire Department does encourage citizens to file complaints, the complaints must be made in good faith. Should the investigation reveal that a complainant or witness made statements known or believed to be false; the Department could pursue criminal charges against that person. Civil action against an untruthful complainant could also be pursued by the employee who is the subject of a false complaint.

WHEN YOU HAVE A COMPLAINT:

- ❑ Ask to speak to the Fire Officer
- ❑ Explain your complaint to the Fire Officer
- ❑ The Fire Officer will attempt to identify the exact nature of your complaint and the identity of those involved.
- ❑ If appropriate, the Fire Officer will resolve the matter directly.
- ❑ If appropriate, or at your insistence, the Fire Officer will begin the formal Internal Affairs process.
- ❑ An investigator from the Department will contact you to schedule an interview.

- ❑ You will be asked to sign an acknowledgement stating that you understand the consequences of filing a false complaint.
- ❑ You will be given a signed receipt indicating that your complaint has been received by the Internal Affairs Unit for a formal investigation.
- ❑ Once the Internal Affairs Unit has interviewed all those involved and gathered all the facts concerning your allegations, the matter will be presented to the Fire Chief.
- ❑ The Fire chief will determine, based on a preponderance of the evidence, whether or not the employee violated any of the rules and regulations of the South Portland Fire Department.
- ❑ If the Fire Chief finds that the employee did violate the rules and regulations of the Department, the employee will be disciplined in accordance with those rules and regulations.
- ❑ Your complaint will be reviewed for any way we can improve policies, procedures and or training.
- ❑ You will receive written notification from the Fire Chief regardless of the outcome.

July 2004

CITY OF SOUTH PORTLAND
FIRE DEPARTMENT
CITIZEN COMPLAINT FORM

DATE OF INCIDENT: _____

TIME OF INCIDENT: _____

DATE OF INCIDENT REPORT: _____

LOCATION OF INCIDENT: _____

NAME (S) OF PERSONNEL INVOLVED: _____

DETAILS OF THE INCIDENT: _____

COMPLAINANTS NAME: _____ DOB: _____

ADDRESS: _____ CITY: _____ STATE: _____

PHONE NUMBER: _____ (H) _____ (C) _____ (W)

OFFICER RECEIVING COMPLAINT: _____

DATE RECEIVED: _____

TIME RECEIVED: _____

AFFIRMATION

I, _____ DO HEREBY AFFIRM THAT THE FOREGOING INFORMATION PROVIDED BY ME IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE, MISLEADING OR UNTRUE STATEMENT, ACCUSATIONS OR ALLEGATIONS HEREIN MADE BY ME, EITHER ORALLY OR IN WRITING, TO ANY PERSON(S) INVESTIGATING THIS COMPLAINT MAY SUBJECT ME TO CIVIL AND/OR CRIMINAL PROSECUTION.

I REALIZE THAT IT MAY BECOME NECESSARY DURING THE INVESTIGATION OF THIS COMPLAINT FOR ME TO MEET WITH MEMBER(S) OF THE SOUTH PORTLAND FIRE OR POLICE DEPARTMENT TO DISCUSS THIS COMPLAINT, EITHER IN THE PRESENCE OR ABSENCE OF THE ACCUSED MEMBER(S) AT THE DISCRETION OF THE DEPARTMENT.

SIGNED _____

THIS _____ DAY OF 20____ IN THE CITY OF SOUTH PORTLAND, MAINE.

WITNESS _____

WITNESS _____