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DEC 2, 2008  
BFC 08-151

October 8, 2008

TO: Douglas L. Barry, Fire Chief

FROM: Genethia Hudley-Hayes, President

SUBJECT: AUDIT IMPLEMENTATION PLAN ISSUES

As follow up to the discussion at Board meeting of October 7th, 2008, please respond to the following in writing:

1. A cover document for disciplinary guidelines has never been brought forward. The Stakeholders discussed at length, the need to distribute the guidelines with a cover document that informed the field of their use, the role of the audit in the process that the Stakeholders engaged in to produce them and other information useful to members. At one point, Chief Arguelles advised the Stakeholders that he had been working on a draft of such a cover document. What is the progress on this item? When can the Board expect to review it and when will it be distributed with the guidelines?
2. Questions relative to the reporting relationship between the Chief Investigator and the Asst. Chief in PSD have arisen since the last Board meeting. There have been inquiries relative to the reporting relationship based on discussions in Stakeholders meetings. The exchange of ideas included that the positions were to be peers that reported to the Chief so that the perceptions of conflict of interest would be minimized, the long-term perspective of the Chief Investigator would be maximized, and more consistency in the process and the outcomes would be likely. Also, working as peers, in case of a disagreement between the Asst. Chief and the Chief Investigator, the Fire Chief would be the final arbiter. How was the present reporting relationship determined?

Now that the Human Relations staff has been transferred to work with PSD on early resolution of conflicts, who is conducting the Human Relations training in the Department? The need continues to exist and with the reassignment of the Human Relations Trainers, the need may not be met or may not contain the perspective it did before. Who is conducting Human Relations training now? How is it being managed? How are topics being selected? Where is it being included?

3. What and how are the processing and investigation of matters that occur in BES different now that PSD is operational? PSD was designed and directed to take on all investigations. How is the new process different from what existed before?

4. Provide an explanation of the Douglas Factors; including what the decision making process was for determining their use in PSD and what other options were examined.
5. Describe an evaluation process for the 40-hour "potential advocate" training that was administered. Do not rely on the course evaluation, but describe how effectiveness is being measured and how success will be determined. What shortcomings will you rely on to modify the training and how and when will you identify them?
6. How did you determine that asking for volunteers was the best way to fill the class? How and where was this volunteer opportunity publicized? What was the timeline for applying? What other options were considered? Was the possibility of creating selection criteria for the participants (i.e. writing skills, investigation-related experience, and formal education or training in administrative or criminal investigations, prior experience in a law enforcement agency, etc.)

**NOTE:** The City Controller raised a number of issues relative to the Department's response (August 26, 2008) to her follow up audit. The questions raised are important ones for the Department to answer since the Board shares some of the same concerns. In replying to the issues identified it is significant to respond with depth and thought to the spirit of the recommendation. The next quarterly report to the Board should cover these issues with sufficient insight and detail to be responsive to the Controller's evaluation.

Your report is scheduled for review at the Board meeting of November 18<sup>th</sup>. The submission deadline for placement on the agenda is November 6<sup>th</sup>. Should you have any questions, please contact Bea Lopez, Sr. Personnel Analyst II, at 978-3837.

GHH:BRL/BFC08-151

cc: Board of Fire Commissioners  
Deputy Chief Fox, Bureau of Trading & Risk Management  
Assistant Chief Terrazas, Professional Standards Division  
Assistant Chief Yamahata, Chief of Staff