



**MESCAL J-6
FIRE DISTRICT**

**STANDARD OPERATING
POLICY # 022**

Board of Inquiry

I. Purpose

To investigate incidents within the department that are of a serious nature and raise concerns regarding safety, property damage, major equipment failure or member performance and welfare.

II. Scope

This policy applies to all members of the District.

III. Policy

In order to protect the members and the District, it is the policy of the District to use a Board of Inquiry to pursue investigation of internal concerns that may or may not be disciplinary in nature.

IV. Guidelines

- A. After a preliminary investigation, the Fire Chief may exercise discretion in calling a Board of Inquiry to further investigate any of the following types of incidents. This list is illustrative in nature, but not intended to be all inclusive:
 - 1. On-the-job accidents
 - 2. Vehicular accidents
 - 3. Major property damage incidents
 - 4. Incidents that may potentially result in severe corrective action
 - 5. Major equipment failure not readily explainable
 - 6. Serious complaints from a member of the public
- B. The Fire Chief shall select and convene the Board of Inquiry, which shall be comprised of a Fire Board member, another officer, and a peer requested by the individual who is the subject of the investigation.
- C. The Board of Inquiry has the authority to call witnesses and shall provide the Board of Inquiry any materials of evidence to facilitate the inquiry.
- D. The member who is the subject of the investigation shall not have the right to have an attorney present during the investigation; however, if the investigation becomes of a criminal nature, the member shall then have the right to have an attorney present.
- E. The Board of Inquiry shall provide a written report to the Fire Chief summarizing the investigation and recommending any necessary action.
- F. The Fire Chief shall review the Board of Inquiry report and recommendations and follow through with any necessary action as he deems appropriate. The Fire Chief shall not be bound by the recommendations of the Board of Inquiry.
- G. The Fire Chief or his designee shall be responsible for ensuring that all records and reports from the investigation are kept in a "Board of Inquiry" file as well as in the personnel file of the individual who is the subject of the investigation. All items that are a part of the investigation are considered confidential in nature; however, the results of an administrative investigation are to be considered a matter of public record.

Approved by the Mescal-J6 Fire District Governing Board on July 6, 2015. Replaces February, 2012