Developing a professional standards model for the fire service

Christopher P. Riley, MS
Linda D. Sarbo, PhD

ABSTRACT

While police agencies have well-established internal affairs processes, professional standards units (PSUs) are rare in fire service agencies with fewer than 1,000 employees. In response to increased public scrutiny and growing concerns about liability issues, fire service agencies are implementing PSUs.

This study was designed to develop and validate a prototype professional standards manual for fire service agencies. We reviewed professional standards divisions in fire service and police departments, and interviewed representatives of selected agencies to establish parameters for successful PSUs. Based on this review, a professional standards model was developed. For validation, the prototype was submitted to four fire service professionals for review and comment. Their comments were supplemented by phone interviews and incorporated into the model.

INTRODUCTION

To operate effectively, fire service and police departments rely heavily on public trust, but personnel employed by these public safety agencies are fallible. As Deeds1 observed, “Fire chiefs and firefighters are not unlike other governmental employees in that they are trusted by the public to use the public’s money in the most efficient, effective, and acceptable manner.” However, they occasionally make mistakes and, in some cases, commit criminal acts.

Most police departments have established professional standards divisions (usually referred to as internal affairs units) to handle complaints involving departmental personnel. In contrast, most fire departments operate without professional standards or internal affairs divisions. Depending on the fire agency, investigation of professional standards issues may be assigned to the supervising battalion chief or fire captain. These officers often do not have either training or a formal protocol to follow as they conduct investigations and formulate recommendations. In the absence of an independent professional standards division, inconsistencies in procedures and dispositions are likely.

Like other government agencies, the fire service is being subjected to more public scrutiny than ever before. Such scrutiny raises many liability issues, including a growing number of lawsuits resulting from internally generated complaints (e.g., internal theft, sexual harassment) and externally generated ones (e.g., a citizen complaining of being improperly treated by a firefighter).

In response to the pressing need for formalized processes for responding to professional standards issues, we designed this study to develop and validate a prototype model for professional standards divisions in the fire service. It is hoped that the availability of this model will expedite the implementation and facilitate the establishment of professional standards divisions throughout the discipline.

METHODS

There was one main challenge to constructing a model professional standards manual that fire service agencies could implement with only minor revisions to incorporate agency-specific content to meet local requirements. We had to anticipate issues and concerns unique to fire service operations, while constructing a model that was sufficiently generic to accommodate a variety of specific local requirements. To ensure that the proposed model satisfied these criteria, the manual was constructed in five steps.
Step 1: Interview with professional standards expert. As a first step, we interviewed Chief Timm Browne, of the Palos Verdes, CA, police department, an expert in the field of professional standards/internal affairs. With input from Chief Brown, we were able to identify critical processes, highlight potential distinctions between police and fire service operations, and target requirements specific to the fire service.

Step 2: Review of existing professional standards/internal affairs procedures. To establish parameters for successful professional standards programs, we interviewed representatives of six fire service agencies and five police/public safety agencies by phone, using a 10-item questionnaire developed for this purpose. We obtained professional standards/internal affairs documents from several local agencies and reviewed them. The procedural document used by the Costa Mesa, CA Police Department (CMPD) offered the most relevant elements for constructing a professional standards model for fire service agencies.

Step 3: Revisions to conform to fire service operations. We revised the CMPD’s procedural document to conform to fire service operations and terminology. Provisions that applied to situations exclusive to police operations were replaced with provisions drafted to accommodate fire service operations and replaced inapplicable terminology with terms familiar to firefighters and fire service personnel.

Step 4: Revisions to eliminate agency-specific content. In a second revision, all agency-specific content was removed and replaced with nonspecific “place holder” language designed to preserve the integrity of the model and facilitate the insertion of appropriate agency-specific content by implementing agencies.

Step 5: Review by fire service and legal authorities. As a final step, the applicability of the model was tested. In what might be described as a simulated implementation, fire service, agency-specific content was inserted into the model to simulate implementation by the Costa Mesa, CA, fire department. The customized manual was reviewed by the Costa Mesa fire chief and the Costa Mesa city attorney, who approved the proposed model as acceptable for local implementation.

Validating the model
To ensure that the proposed professional standards manual could serve as a viable model for other departments, it was subjected to a validation process. This process consisted of a review by four fire service officers using a five-item questionnaire developed for this purpose. We conducted follow-up phone interviews.
with reviewers in November 2002 and summarized their comments for incorporation into the proposed professional standards model.

RESULTS

To develop parameters for the professional standards model, we interviewed representatives of six fire service agencies and five police/public safety agencies by phone using a 10-item questionnaire. The agencies contacted are listed in sidebar on page 30.

Quantitative data collected during these interviews is summarized in Tables 1 and 2. Of the 11 interviews, six contributed substantially to the model for professional standards developed for this study. The interviews with these three fire and three police agencies are summarized in the following sections:

■ The Fairfax County (Virginia) Fire and Rescue (FCF&R) employs 1,167 suppression personnel in 35 fire stations. Rick Daniele, who commands the Professional Standards Unit (PSU), reported the PSU handles approximately 50 cases per year, of which two thirds are generated internally. The unit was established in 1984 and, according to Daniele, has a record of no overturned cases. Daniele concluded, “The PSU helps the department in the area of professional standards by ensuring that investigations are completed in a consistent and highly professional manner.”2

■ The Los Angeles City Fire Department (LAFD) has approximately 3,000 members. Internal Affairs for the LAFD is handled by the Administrative Justice Unit (AJU), which is led by Battalion Chief Donald Austin. According to Captain A. Abarca, “Chief Austin has two captains and an executive office specialist assigned to this unit. The two captains conduct formal investigations on cases that reach the AJU. The investigators are assisted by field advocates, which are assigned to cases on an as needed basis.”3 Abarca reported that the AJU handles an average of 70 to 80 cases per year.

■ The Phoenix Fire Department (PFD) is staffed by 1,500 firefighters and operates a

<table>
<thead>
<tr>
<th></th>
<th>FCF&amp;R</th>
<th>HBFD</th>
<th>LAFD</th>
<th>NBF&amp;M</th>
<th>OCFA</th>
<th>PFD</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field personnel</td>
<td>1167</td>
<td>123</td>
<td>3300</td>
<td>120</td>
<td>900</td>
<td>1500</td>
<td>1036</td>
</tr>
<tr>
<td>Staff personnel</td>
<td>50</td>
<td>17</td>
<td>250</td>
<td>30</td>
<td>100</td>
<td>75</td>
<td>87</td>
</tr>
<tr>
<td>PS/IA unit</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>50%</td>
</tr>
<tr>
<td>Years in place</td>
<td>17</td>
<td>N/A</td>
<td>15</td>
<td>N/A</td>
<td>N/A</td>
<td>10</td>
<td>14</td>
</tr>
<tr>
<td>PS/IA staff</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>N/A</td>
<td>N/A</td>
<td>3</td>
<td>2.25</td>
</tr>
<tr>
<td>Incidents/year</td>
<td>50</td>
<td>3</td>
<td>80</td>
<td>N/A</td>
<td>N/A</td>
<td>25</td>
<td>39</td>
</tr>
<tr>
<td>Incidents/field personnel</td>
<td>.04</td>
<td>.02</td>
<td>.02</td>
<td>N/A</td>
<td>N/A</td>
<td>.02</td>
<td>.025</td>
</tr>
</tbody>
</table>

1

Table 1. Program features of selected fire service agencies
Performance Auditors Section (PAS) that handles internal affairs. According to Nicole Munson, “This section is lead by Chief Paul Thornton, who oversees one full-time investigator [Munson] and one part-time investigator.”\(^4\) According to Munson, citizens’ complaints that do not involve allegations of serious violations are investigated by the on-duty battalion chief assigned to the geographical area of the complaint. If the complaint is significant, or if it involves a criminal charge, it is referred to the PAS investigator for investigation and processing. PAS handles an average of 25 cases per year.

\[\text{The CMPD employs approximately 150 sworn police officers and 25 staff personnel. The department has had a PSU in place for over 10 years. The PSU is staffed by one full-time lieutenant and a sergeant who assists on a part-time basis. Lieutenant Dale Birney, who currently commands the PSU, reported that, “The PSU handles approximately 60 cases per year. Cases which originated internally mainly stem from rules and regulation violation allegations. Externally generated cases are usually citizen complaint allegations (e.g. excessive force, rudeness, etc.”}\(^5\) According to Birney, the PSU has enhanced the department’s professional standards by ensuring consistency in the investigation process, raising professional standards within the department, and giving the public and members a high level of trust.

\[\text{The Huntington Beach Police Department (HBPD) employs 100 sworn officers and 20 staff personnel. The PSU has been in existence for over 10 years and is staffed by two full-time sergeants, led by Sergeant Cory Bright. According to Bright, “This unit handles approximately 40 incidents per year, while internal affair incidents that are lesser in severity average approximately 90 per year and are handled at a supervisory level. The origination of internal incidents is largely due to rules and regulation issues, while incidents that originate externally are mainly citizen complaint-related (e.g., rudeness, excessive force, etc.”}\(^6\) According

---

**Table 2. Program features of selected police/public safety departments**

<table>
<thead>
<tr>
<th></th>
<th>CMPD</th>
<th>FBI</th>
<th>HBPD</th>
<th>NBPD</th>
<th>PVPD</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field personnel</td>
<td>150</td>
<td>650</td>
<td>100</td>
<td>150</td>
<td>30</td>
<td>216</td>
</tr>
<tr>
<td>Staff personnel</td>
<td>25</td>
<td>450</td>
<td>20</td>
<td>75</td>
<td>8</td>
<td>115</td>
</tr>
<tr>
<td>PS/IA unit</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>100%</td>
</tr>
<tr>
<td>Years in place</td>
<td>10</td>
<td>35</td>
<td>10</td>
<td>17</td>
<td>15</td>
<td>17.4</td>
</tr>
<tr>
<td>PS/IA staff</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1.8</td>
</tr>
<tr>
<td>Incidents/year</td>
<td>60</td>
<td>N/A</td>
<td>90</td>
<td>40</td>
<td>N/A</td>
<td>63.3</td>
</tr>
<tr>
<td>Incidents/field personnel</td>
<td>.40</td>
<td>.90</td>
<td>.27</td>
<td>.433</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
to Bright, the PSU has helped the department by assuring that professional standards incidents are reviewed in a consistent and professional manner.

The Newport Beach Police Department (NBPD) employs 150 sworn personnel, including approximately 75 civilians. NBPD has had a PSU for over 17 years. Two full-time positions are assigned to the unit, which is currently headed by Lieutenant Mike Hyams. Hyams said, “The unit handles approximately 40 incidents per year. The cases that originate externally are mainly violations of rules and regulations. External cases are usually citizen complaints that can range from rudeness, to unlawful arrest, to excessive force.”

Hyams believes the unit has helped the department by raising the bar of excellence in professional standards and concludes it is also “a safeguard against misconduct and gives the public confidence that operations are conducted in a professional and ethical manner.”

Phone interviews with reviewers

Once the model was constructed, it was submitted to four reviewers who responded to a five-item questionnaire and were interviewed by phone for the validation portion of this study: Fire Chief Cameron Phillips, Garden Grove Fire Department; Fire Chief Alfred Nero, Brea Fire Department; Fire Chief Donald Heiser, Encinitas Fire Department; and Division Fire Chief Randy Scheer, Newport Beach Fire and Marine. These reviewers, all of whom are respected by their peers, provide leadership for typical mid-sized departments in southern California with an average staff size of 90. Their comments are excerpted below.

Will you use the professional standard manual for your department? All four reviewers indicated they could use the manual in their fire department. Chief Heiser said, “This is an excellent tool that could be used for any city department, not just the fire department.” Chief Phillips said, “We could use parts of the manual, for instance, in the area detailing traffic collision incidents.”

Would you make any significant changes to the manual? None of the reviewers said they would make any significant changes. Chief Heiser said, “The only changes I would make would be those that would reflect my city’s policies, procedures, and culture.” Chief Scheer said, “The only possible change to consider would be to build in a procedure that would encompass a situation where a chief officer was charged with an offense. Currently, the manual states only chief officers sit on the Board.”

What did you like about the manual? All the reviewers made positive comments. Chief Phillips said, “I like the way the manual outlines a path for each situation.” Chief Heiser said, “I really like the standardization. It gives you a process to investigate any incident. In addition, as you go through implementing it through city legal and personnel, it further validates it as it is being reviewed by many different departments. More then anything else, it becomes a validated document.”

Reviewers’ responses varied when they were asked what they disliked about the manual.

Chief Phillips said, “What I like, I also dislike. I like the way things are detailed, but parts of the manual are overly detailed and busy.” Chief Heiser said, “Nothing to dislike about the manual. The only frustration is that professional standards in the fire service are not standardized.”

Do you anticipate any significant problems? All reviewers identified a need to meet and discuss the manual with labor groups before implementation. Chief Phillips said, “I would start with meeting with the labor group. I would jointly work with labor, legal, and personnel.” Chief Nero said, “I would begin with a meet-and-confer process with the union to get their buy-in.”

DISCUSSION

Typically, only large metropolitan fire departments (i.e., greater than 1,000 personnel) currently have PSUs in place. On the other hand, internal affairs/PSUs are common in police/public safety agencies, regardless of department size. Data reported in
Tables 1 and 2 indicate that the numbers of internal affairs incidents per year and per field personnel are substantially higher for police departments than for fire departments. This difference is likely attributable to the more confrontational nature of police officers’ duties.

Agencies with internal affairs/PSUs reported similar frequency rates for internal and external incidents. The most common type of externally generated incident was citizen complaints, while almost all internally generated incidents were the result of rules and regulations violations (i.e., tardiness).

Without exception, agency representatives reported that their departments’ PSUs had improved operating effectiveness. Their comments suggested that the process of developing and implementing a PSU might have a positive impact on the organization. Developing and implementing a PSU appears to focus attention on ethical issues and reinforce quality standards for professional conduct. Once implemented, a PSU assists employees in making appropriate ethical decisions, thus reducing the incidence of punitive disciplinary actions that result from poor decision-making.

When implementing the proposed professional standards model, it is advantageous to identify and incorporate the dominant values shared by the entire organization. In the case of fire service agencies, it is critical that fire administration and employee labor groups work together to develop professional standards that encompass the shared values of a diverse workforce.

Christopher P. Riley, MS, Battalion Chief, Fire Department, Costa Mesa, California.

Linda D. Sarbo, PhD, Lecturer, California State University, Long Beach, California.

REFERENCES