

CHAPTER V Personal Behavior and Appearance

SUBJECT 5 Serious Injury and Line of Duty Death Investigation

505.01 Objective:

1. The objective of this team shall be to thoroughly analyze and document the events leading to the serious injury or death and to make recommendations aimed at preventing similar occurrences in the future.
2. A secondary objective shall be to obtain, document and secure evidence, which may be a factor in any regulatory actions or litigation resulting from the incident

505.03 Removal of Affected Members from Duty

1. Affected members involved directly in the serious injury or death shall be removed from duty pending the results of the initial investigation by the Investigation Team. These members will be removed by the Fire Chief or his designee and shall work on a limited duty schedule.
2. Members shall also be afforded the opportunity to receive psychological counseling or assistance at this time. These services will be arranged with the Health and Safety Officer. Members will be relieved until the Fire Chief, EHS and/or PEAP determine the time the employee shall return to duty.

505.05 Investigation Team:

1. As soon as possible after a serious injury or line of duty death has occurred, the Fire Chief shall assign an Investigation Team to conduct an investigation of the circumstances of the incident.
2. The Investigative Team for review of accidents, injuries or deaths will include representatives from the Fire Department Administration, Training Bureau, Safety Officer and Local 48 Safety Committee as a minimum. Other department personnel, based on training and experience, may be included at the discretion of the Fire Chief.
3. The Fire Chief shall assign the person in charge of the investigation
4. In the event of a death, which may be subsequently investigated by federal agencies, the investigative team from the fire department shall work with these federal agencies in determining the cause of the death.
5. The investigative team will assemble within one week of the incident.
6. The Investigation Team shall report to the Fire Chief through the designated Team Leader, who shall be responsible for the management of the investigative process.

7. The duties and responsibilities of the Investigation Team shall include:
 - a. Gathering and analysis of all physical evidence relating to the incident
 - b. Written interview summaries of all witnesses with direct or indirect knowledge of the circumstances
 - c. Documentation of radio traffic, telephone conversations, witness statements, photographs, film, videotape and related information
 - d. Consultation with persons having special knowledge of the factors involved in the incident, including experts and consultants from the private sector
 - e. Liaison with other agencies involved in investigation of the incident
 - f. Development of a full written report on the incident, including conclusions and recommendations
8. The Investigation Team Leader shall establish and maintain an ongoing liaison with the City Attorney, Employee Safety and Risk Management Division relating to the investigation.
9. The Investigation Team report shall be separate and distinct from any Fire Cause Investigation. The Investigation Team shall coordinate its activities with Fire Investigations to avoid interference in any criminal investigation relating to the incident.
10. Other agencies that may be involved in the investigation are:
 - a. United States Fire Administration
 - b. National Institute for Occupational Safety and Health
 - c. Cincinnati Police Department
 - d. Ohio State Fire Marshal

505.07 Interviewing Members and Witnesses:

1. After the occurrence that caused a serious injury or line of duty death of a fire fighter, those persons directly involved in the incident will provide a written witness statement prior to relief from duty and shall also be interviewed as soon as possible.
2. This interview process shall be for the purposes of gathering factual information related to the incident so a description of what occurred and a timeline of events can be created.
3. Employees who are members of represented groups shall have the right to have a union representative present during an interview.
4. All members of the Fire Department shall give their full and complete cooperation to the Investigation Team.

505.09 Participation of Outside Agencies:

1. The participation of outside agencies (NIOSH, USFA) shall depend on the circumstances of the particular incident. These agencies may or may not produce their own reports of the incident with recommendations or corrective actions.
2. These reports do not supersede or substitute for the Investigation Team Report.
3. The Investigation Team shall utilize the resources of individuals and agencies outside the Fire Department to assist in the investigation and/or provide technical consultation when necessary. These resources include:
 - a. National Fire Protection Association
 - b. International Association of Fire Fighters
 - c. Consultants
 - d. Testing Laboratories
 - e. Cincinnati Police Department

505.11 Documentation

1. The Investigation Team shall ensure that the scene of the incident is fully documented, including diagrams, photographs and observations in cooperation with the Fire Investigation Unit.
2. When feasible, all witness interviews shall be recorded and/or transcribed. An investigator's notes should be used only to refresh the memory, and once they are reduced to report form, destroyed.
3. An initial report shall be completed to outline the facts behind what occurred within 90 days of the incident.
4. A comprehensive enhanced report shall be completed within one year of the incident to review the circumstances surrounding the incident and recommend actions within the Fire Department to prevent similar occurrences in the future.

505.13 Additional Responsibilities of the Investigation Team

1. Obtain and secure tapes and printouts of telephone and radio conversations and CAD transactions relating to the incident. The pertinent aspects of the radio and telephone tapes shall be transcribed.

SERIOUS INJURY AND LINE OF DUTY DEATH INVESTIGATION

Section 505

Rev 2/15

Page 4 of 4

2. Gather and document any physical evidence relating to the incident. Physical evidence shall be secured and labeled. Assistance should be obtained from the Fire Investigative Unit and Cincinnati Police Department.
3. Obtain, examine and secure all protective clothing and equipment used by the personnel involved in the incident. The performance of the protective clothing and equipment shall be included in the report of the incident.
4. Review the application of standard operating procedures to the incident, the observance of procedures, their effect on the situation, and make recommendations for changes, additions or deletions.
5. Attempt to obtain any photographs, videotape or other information relating to the incident from news media or other sources. Such evidence shall be obtained with the written agreement that it is to be used only for investigative and educational purposes.
6. Interact and cooperate with Fire Investigations and law enforcement personnel in their activities related to the incident.
7. When feasible, the Investigation Team shall obtain copies of autopsy reports, medical treatment records, injury reports and other information relating to the members involved in the incident.
8. Obtain and review all internal documents related to maintenance of equipment involved in the death or injury.
9. Obtain and review all internal documents related to training of personnel involved in the death or injury.