



CLARK REGIONAL EMERGENCY SERVICES AGENCY

9-1-1 Dispatch Center

Emergency Management – Emergency Medical Systems – Technical Services

Serving Battle Ground, Camas, Clark County, La Center, Ridgefield, Vancouver, Washougal and Yacolt

Date: January 27, 2010
 To: Tom Griffith, Director
 Anna Pendergrass, Operations Division Manager
 From: Karen Johnson, Human Resources Manager
 Cc: Dispatch Staff, CRESA Admin Board, file
 Re: **Review of Complaint File for the Year 2009**

Per CALEA Standard 1.4.11 and CRESA Written Directive 01.009, I reviewed all internal investigation complaints filed with CRESA during 2009.

The purpose of this report is to identify any trends in conduct or performance to mitigate before they cause additional similar problems or expose the Agency and its users to preventable liability or risk. Trends will be reviewed to ensure that personnel provide professional service, that personnel are well trained, and that internal investigations are timely, fair and impartial.

General Overview

Out of 380,678 telephone calls received by 9-1-1 Operations in 2009, sixteen formal complaints were filed resulting in internal investigations. All sixteen complaints pertained to 9-1-1 Operations Division services and/or personnel.

This is the fifth year CRESA has completed an annual review of complaints to identify trends in conduct and performance. The number of complaints compared to calls per year in the last five years shows a very low ratio of complaints to calls:

<i>Year</i>	<i>Total Complaints</i>	<i>Total Calls</i>	<i>Ratio Complaints to Calls</i>
2009	16	380,678	1 : 23,792
2008	23	396,760	1 : 17,250
2007	22	414,228	1 : 18,829
2006	12	427,289	1 : 35,607
2005	37	452,892	1 : 12,240

Of the 16 complaints filed in 2009, the origination is as follows:

- 2 filed by Law Enforcement User Agencies (12.5%)
- 1 filed by Fire/EMS User Agencies (6%)
- 2 filed by CRESA Managers or Supervisors (12.5%)
- 8 filed by Private citizens (50%)
- 3 filed by Business representatives (19%)

The 16 complaints resulted in the following investigation findings:

- 9 (56%) **Substantiated** Alleged action / behavior DID occur
- 2 (13%) **Unsubstantiated** Alleged action / behavior DID NOT occur
- 4 (25%) **Exonerated** Alleged action / behavior OCCURRED but was IN COMPLIANCE with procedure / policy
- 1 (6%) **Indeterminate** Insufficient information to determine WHETHER OR NOT action / behavior occurred

Analysis:

- ✓ 2009's 16 total complaints were fewer than the average 24 complaints per year over the prior 4 years. 56% of 2009 complaints were substantiated – higher than the average 51% substantiated over the prior 4 years.
- ✓ 13% of 2009 complaints were generated by Law Agencies – lower than the average 21% complaints by Law of all complaints in the past 4 years.
- ✓ 6% of 2009 complaints were generated by Fire Agencies – lower than the average 17% in the past 4 years.
- ✓ 69% of 2009 complaints were generated by Citizens or individuals representing Business – higher than the average 51% Citizen / Business complaints averaged in the past 4 years.

- ✓ 13% of 2009 complaints were initiated by CRESA staff – slightly higher than the 10% average in the past 4 years.

Complaint Results Overview

Primary allegations for the 16 complaints included:

- 3 (19%) *Rudeness* (2 of 3 were Substantiated)
- 5 (31%) *Delayed response* (1 of 5 was Substantiated)
- 2 (13%) *No response sent* (1 of 2 was Substantiated)
- 4 (25%) *Fail to verify info* (4 of 4 were Substantiated)
- 1 (6%) *Responder Safety concerns* (1 of 1 was Substantiated)
- 1 (6%) *Improper off-duty conduct* (0 was Substantiated)

Substantiated Complaints

- 8 Substantiated complaints were primarily due to employee error or poor conduct (“Person”)
 - 2 of 8 were caused by *Employee rudeness*
 - 3 of 8 were caused by *Failure to verify information*
 - 4 of 8 was caused by *Failure to follow procedure*
- 1 Substantiated complaint was primarily due to a technical issue (“Process”)
- 2 Exonerated complaints were primarily issues with Law Enforcement User Agency directives (“Policy”)
 - 1 was referred back to *Law Enforcement Council (re: priority response to audible alarms)*
 - 1 was referred back to *Law Enforcement Advisory Board (re: response to out of jurisdiction on Priority 2 calls)*

Analysis:

- ✓ 31% of 2009 complaints alleged employee conduct problems (with rudeness as the top complaint). This matches the prior 4 year average of 31% for conduct complaints. 60% of 2009’s conduct complaints were substantiated – higher than the average 24% substantiated complaints in the prior 4 years.
- ✓ 69% of 2009 complaints alleged errors in service (including failure to verify information, delays in service, failure to send service, protocol violations, etc.). This is slightly higher than the prior 4 year average of 65% for error complaints. 63% of 2009’s error complaints were substantiated, which is again slightly higher than the prior 4 year average of 59% substantiated.
- ✓ 6% of 2009 complaints alleged responder safety issues – slightly higher than the prior 4 year average of 5%. While the overall number of responder safety complaints is low compared to total calls, any substantiated complaints are outside the acceptable average. Responder safety remains one of the most critical responsibilities of a Dispatcher, therefore the goal remains to reduce Responder Safety concerns to 0%.

Summary: 2009 saw an increase in substantiated conduct complaints (primarily rudeness) and employee error complaints. *The percentage difference is not substantial enough to identify recognizable trends or patterns. Responder safety complaints SHOULD be at 0%, and any substantiated complaints are too many.*

Unsubstantiated, Exonerated or Indeterminate Complaints

Analysis and Summary:

- ✓ In 2009, the results category of “Exonerated” was added to “Unsubstantiated” and “Indeterminate.”
- ✓ Complaint findings of Exonerated can often reveal “Process” or “Policy” concerns or expectations. While an employee’s actions may have been within standards, the public or user agency expectation of service may be different than what is possible by Process or provided by Policy.
- ✓ CRESA intends to review patterns of Exonerated complaints, in addition to Substantiated complaints, to ensure Process or Policy concerns are addressed by the appropriate stakeholders at the lowest level. Continued tracking of these statistics over the next few years should yield usable data for such reviews.

Complaint Investigation and Processing

Sixteen complaints were investigated by internal staff, as follows:

Investigator	# of Complaints Investigated	Findings	Timeframe to Complete
Pendergrass	8 (50%)	4 – Substantiated 3 – Exonerated 1 – Indeterminate	7 (87.5%) in 30 days or less 1 (12.5%) granted an extension; completed in 53 days

Chaney	2 (12.5%)	2 – Substantiated	2 (100%) in 30 days or less
Elliott	3 (19%)	2 – Substantiated 1 – Unsubstantiated	2 (66.6%) in 30 days or less 1 (33.3%) took 31 days
Gaylord	2 (12.5%)	1 – Substantiated 1 – Exonerated	2 (100%) in 30 days or less
Walker	1 (6%)	1 – Unsubstantiated	1 (100%) in 30 days or less

Analysis and Summary:

- ✓ 2 investigations were not completed within the required 30 day timeframe. One complaint took 53 days to complete. However, before the initial 30 days were up, an extension was granted. The other complaint took 31 days to complete – one day outside the required 30 day timeframe.
- ✓ During this review period, 9-1-1 Operations had 55 individual employees who worked as fully-trained Dispatchers, Dispatchers-in-Training working on the dispatch floor with a Communication Training Officer (CTO) or as Dispatch Supervisors. The following is the breakdown of the number of complaints filed against CRESA 9-1-1 Operations staff:
 - 73% (40) of dispatch staff had no complaints filed against them
 - 22% (12) of dispatch staff had one complaint filed against them
 - 5% (3) of dispatch staff had two complaints filed against them
 - 0% of dispatch staff had three or more complaints
- ✓ Investigators were assigned to complaints by the Operations Manager based primarily on Supervisor / Employee relationship. Complaint conclusions were objectively deduced from voice recordings, CAD data, employee interviews and complainant reports / interviews. There does not appear to be any targeting of employees by supervisors and managers. Conclusions appear to be drawn from objective data, not subjective findings.

Trends or Patterns Discovered and Recommended Corrective Actions

Analysis:

- ✓ The type of corrective actions given to employees for substantiated complaints in 2009 is very similar to the trends of the past 4 years.
- ✓ Training and coaching – (3 instances in 2009; 21 from 2005-2008) – This was the most used corrective action tool, following CRESA’s practice to implement the least punitive measure which will likely correct the issue.
- ✓ Oral counseling – (4 instances in 2009; 17 from 2005-2008) – This was the second most used corrective action tool. As reported in the investigation files, consideration was given to prior complaints of a similar nature against the employee. The errors made were typically first time errors (or first time within several years) or performance out of character with the employee’s generally observed behavior or performance.
- ✓ Oral warnings, written warnings and suspension – (4 instances in 2009; 10 from 2005-2008) – These levels of corrective action were based on errors more significant in nature or based on repeated similar or conduct errors by the same employee.
- ✓ The complaint investigator recommends corrective action. The recommendations are reviewed and approved by the Operations Manager and Director prior to corrective action being delivered.
- ✓ Due process was followed for employee notification of the complaint, investigation and delivery of corrective action if necessary.
- ✓ When the corrective action was significant, such as suspension, CRESA also notified the Washington Cities Insurance Authority (WCIA) for review and input prior to delivering corrective action.

Summary: Investigators conducted 2009 investigations in a professional manner. There were no apparent patterns to indicate the targeting of employees by managers, supervisors, or personnel from user agencies. There were strong examples of employees being held accountable for their behavior and performance, and receiving corrective action appropriate to the nature and severity of the concern.

Complaint Review and Reporting

- ✓ This review of 2009 Complaint Investigations will be reported to the Agency Director, is included in the Agency Annual Report and will be provided to the CRESA Administrative Board and CRESA employees.
- ✓ A copy of this review will be filed with the 2009 Complaint Investigations.
- ✓ A copy of this review will be included in the 2009 CALEA file for CALEA Standard 1.4.11.