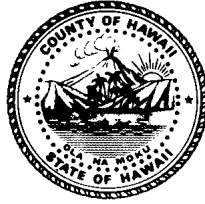


Harry Kim
Mayor



Dixie Kaetsu
Managing Director

Barbara J. Kossow
Deputy Managing Director

HAWAI'I COUNTY FIRE COMMISSION

C/O 25 Aupuni Street #217, Hilo, Hawai'i 96720

Phone: 961-8316 ; Fax: 933-1521

Email: Firecomm-agenda@co.hawaii.hi.us

Complaint No. HCFC _____

Date Received _____

COMPLAINT OF MISCONDUCT BROUGHT BY THE PUBLIC

Pursuant to Fire Commission Rule 8(A), a complaint against the conduct of the department or any of its members or employees **while on duty or acting under the color of authority** shall be in writing, signed and dated by the complainant under oath before a Notary Public. This notarized complaint must be received by the Commission's office not more than 60 days from the date of the incident. A request for consideration for an exception to this rule must be in writing with an explanation for the delay. A complaint form or letter signed, dated, and notarized by the complainant's immediate family shall be accepted as a complaint if the victim is deceased.

Complainant's Name: _____ SSN: _____

Birthdate: _____ Address: _____

Home Phone: _____ Work Phone: _____ Cell Phone: _____

Employer: _____ Date of Incident: _____

Time Occurred: _____ Location: _____

Name(s) of Accused (if unknown, give description, etc.) _____

Name and address of physician seen for injuries: _____

(Fill out HFCFORM-2)

List the complaint classification # as listed on the back of this form, then summarize the incident of misconduct as it pertains to the classification #.

I would like to have my complaint reviewed in a meeting _____ open _____ closed to the public.

...(Turn page over to notarize complaint.)

HCFCFORM 1 – 12/22/04

I have prepared the foregoing Complaint of Misconduct Brought by the Public and hereby certify that, to the best of my knowledge, and under penalty of perjury, the statements herein are true.

I understand that the County Charter only permits the Hawai'i County Fire Commission to hear complaints by the public, and make recommendations to the Fire Chief. In addition, I understand that the Fire Commission is not permitted to interfere in the administrative affairs of the Fire Department.

I further understand that the rules of the Hawai'i County Fire Commission, as well as Hawai'i Revised Statutes, Chapter 92F, also know as the Privacy Act, prohibit the unauthorized release of confidential records by the Fire Commission, except as permitted by law or a court of competent jurisdiction.

Complainant's Signature

STATE OF HAWAI'I)
)
COUNTY OF HAWAI'I)

Parent or Guardian's Signature
if complainant is a juvenile.

Subscribed and sworn to before me
this _____ day of _____ 20_____

Notary Public, State of Hawai'i

Printed name of Notary

My commission expires: _____

- COMPLAINT CLASSIFICATIONS**
1. **Standard of Conduct** – Members shall conduct their lives in such a manner as to avoid bringing themselves or the department into disrepute.
 2. **Performance of Duty** – Members shall perform their duties as required or directed by law, departmental procedures, policies, or orders of a command or supervisory officer. All lawful duties shall be performed promptly notwithstanding the general assignment of duties and responsibilities.
 3. **Obedience to Laws, Written Orders, Policies** – Members of the department shall observe and obey all federal and state laws, ordinances of the County of Hawai'i, and all orders, policies, and regulations of the department.
 4. **Commission of any Criminal Act** – Members shall not commit any criminal act. For the purpose of this section, it is not required that the member be convicted of a crime. Acceptance of immunity from criminal prosecution, deferred acceptance of guilty pleas, deferred prosecution, and other such dispositions shall be considered *prima facie* evidence that a criminal act was committed.