

Dunnigan Fire Protection District

SUMMARY

The Grand Jury investigated the Dunnigan Fire Protection District (DFPD) also known as The Dunnigan Volunteer Fire Department, regarding the retention of volunteer firefighters, staffing protocol and possible Brown Act violations. The Grand Jury found no violations of the Brown Act process. The Grand Jury found the process for retention of volunteer firefighters was in compliance with policy. The Grand Jury did find deficiencies with the protocol for response to medical emergencies.

REASON FOR INVESTIGATION

This investigation was initiated in response to a complaint alleging violations of various policy and procedures related to the operation of the DFPD. The alleged violations include:

- Ralph M. Brown Act (open meeting) procedures
- retention of volunteer firefighters
- staff policies
- operational procedures

A county grand jury has limitations in its “watchdog” function. Generally, the grand jury has jurisdiction over any public entity that is supported by public funds that originate within the county. The California Penal Code allows the grand jury to investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county, including special districts and any incorporated city or joint powers agency located in the county. (California Penal Code Sections 925 and 925a)

A grand jury may at any time examine the books and records of a redevelopment agency, a housing authority, created pursuant to Division 24 (commencing

with Section 33000) of the Health and Safety Code, or a joint powers agency created pursuant to Chapter 5 (commencing with Safety Code Section 6500) of Division 7 of Title 1 of the Government Code, and, in addition to any other investigatory powers granted by this chapter, may investigate and report upon the methods or systems of performing the duties of such agency or authority. (California Penal Code, Section 933.1)

ACTIONS TAKEN

The Grand Jury interviewed the complainant, firefighter staff and members of the Dunnigan Fire Protection Board. The Grand Jury completed an oversight tour of the Dunnigan firehouse and community room in September 2011. The Grand Jury reviewed DFPD Policies and Procedures regarding recruitment, hiring and non-retention of probationary voluntary firefighters, District by-laws, Firefighters’ Bill of Rights, training records, staff rosters, records of call response activities, and the Yolo County Radio Procedures Manual. Additionally, copies of Fire Protection District correspondence were reviewed.

WHAT THE GRAND JURY DETERMINED

Dunnigan is a small residential community approximately 25 miles north of Woodland. DFPD provides fire protection and emergency medical services to approximately 1,450 community residents (based on 2010 census), 300 of whom live in the Country Fair Estates, a senior mobile home park.

The Grand Jury determined that the average response time for rural fire departments such as Dunnigan is 10 minutes. DFPD’s response time is slightly less than the average at 7.56 minutes. During the period of time from June 1-December 22, 2011, there were 14 medical calls at the mobile home park. These were approximately 10% of the total calls.

The fire station appears to be kept in good condition and is equipped with six fire trucks and one other vehicle. Equipment appeared well maintained. Turnout gear (firefighters protective clothing and gear) was not

viewed but the Grand Jury was informed that it was adequate and in good condition. New turnout gear is purchased on an as needed basis.

The Grand Jury determined through testimony that citizens interested in serving as a volunteer firefighter with the DFPD may submit an application to the Chief. The applicant's qualifications are reviewed, and if the applicant is qualified, the existing volunteers vote to accept or not accept the applicant. Volunteers serve a one year probation. Prior to the end of the probationary period, the volunteer firefighters vote again on whether to retain the person on a permanent status. This decision is based on the volunteer's performance, training and interpersonal skills.

The DFPD staff includes 22 volunteer firefighters, both local and out-of-area firefighters. Out-of-area firefighters comprise over 50% of the volunteers. Along with the one paid firefighter, they are required to staff the firehouse at least one day per five day week on a scheduled basis so that there are always two firefighters on duty Monday through Friday 8 AM to 5 PM. Evenings and weekends are covered by local firefighters. Other firefighters may report as available. The Grand Jury determined that only one full time firefighter is paid a full salary. The Firefighter Chief and the DFPD Secretary receive a stipend, which is less than a full salary.

After ten years of service, firefighters may apply to become reserve firefighters if they are unable to perform the regular duties of a firefighter. They are assigned to cover the office and perform other light duties. On occasion, cadets from local fire training facilities are accepted to assist with the DFPD workload. They may become full time volunteer firefighters after completion of the cadet training program.

As Dunnigan is a small community, sometimes local volunteer firefighters are not available immediately. Under the Mutual Aid process the Arbuckle Fire Department will be called for backup assistance. They have full time staff on duty and can respond in a reasonable time, approximately 10-15 minutes. The Grand Jury determined that Arbuckle assisted twice during the period of June 1-December 22, 2011.

The Grand Jury determined that when a response call is received, the firefighters are notified by radio, pager, phone and the District siren. The protocol is for at least two firefighters to report to the firehouse and then proceed to the call. The main purpose for this protocol is in case one is injured there is another responder able to assist and manage the situation. However, there are certain circumstances when this protocol is not followed. In responding to medical emergencies, where there is less risk to the firefighters, protocol may not be followed.

The Grand Jury determined through testimony that in medical emergency situations such as these, it would be more expedient for the first responder to use their personal vehicle and report directly from their location to the emergency rather than report to the fire station, while the second responder goes to the fire station and arrives at the scene with emergency equipment. Although these situations deviate from established protocol, the need is determined by the firefighter on a case by case basis and is reviewed by the Chief.

All DFPD firefighters receive training in public safety, medical and first aid, coronary pulmonary resuscitation, fire truck driving procedures, structure fires, woodland fires, and vehicle extraction.

A captain is the designated Training Officer. Training is provided on a regularly scheduled basis and all volunteers are required to be present unless excused.

The Grand Jury determined that there are only six certified medical technicians (CMT) and five emergency medical technicians (EMT) from the 22 total volunteers on the roster.

Although not required, the Dunnigan Fire Protection Board held an open meeting to hear personnel appeals. This meeting complied with the Brown Act requirements, therefore no violation occurred.

FINDINGS

- F1.** Retention procedure of the volunteer firefighters follows the DFPD policy.

- F2.** DFPD is adequately equipped and staffed with volunteers.
- F3.** DFPD’s average response time is 7.56 minutes.
- F4.** Firefighting calls follow the protocol of firefighters reporting to the fire station upon responding to the call.
- F5.** Responders to medical emergency calls often do not follow protocol. The first responder to a medical emergency may respond from their location while the second responder is in route from the fire station with equipment.
- F6.** Over 50% of DFPD’s firefighters live or work outside the area.
- F7.** DFPD has six CMTs and five EMTs to respond to medical emergencies.
- F8.** No Brown Act violations were found.

- R2.** Identify and publish a protocol for response call situations that may be appropriate for the first responder to respond from their location directly to the emergency.
- R3.** Consider increasing the number of firefighters who are EMT trained.

REQUEST FOR RESPONSE

Pursuant to Penal Code Sections 933(c) and 933.05, the Grand Jury requests responses as follows:

From the following governing body:

- Dunnigan Fire Protection Board: Findings F1 and F8; Recommendations R1 and R2

From the following individual:

- DFPD Fire Chief: Findings F1, F4, F5 and F8; Recommendations R1, R2 and R3

RECOMMENDATIONS

- R1.** Implement a standard written policy to inform all volunteer firefighters of the DFPD volunteer retention procedure.