



City of Tarpon Springs, Florida

HUMAN RESOURCES DEPARTMENT
324 E. PINE STREET
TARPON SPRINGS, FLORIDA 34689
TELEPHONE (727) 938-3711

MEMORANDUM

TO: Mark G. LeCouris, City Manager

FROM: Joseph A. DiPasqua, Development Services Director *JAD*
Jane Kniffen, Human Resources Director *JK*

DATE: February 8, 2010

RE: INVESTIGATION RESULTS

Based upon the information obtained during the investigation into the allegations that Chief Moreno engaged in misconduct on January 14, 2010, while on the scene of a structural fire located at 1304 Belcher Drive, Tarpon Springs, we believe that the following rules and policies were violated:

City of Tarpon Springs *Personnel Rules and Regulations*

RULE 18 DISCIPLINE

- (a) Has willfully or negligently violated any of the provisions of Personnel Rules and Regulations of the City made in pursuance thereof.
- (e) Has been offensive in his conduct or language toward his fellow employees, City officers, or the public.
- (i) Has, subsequent to employment, committed or participated in any activity or action which undermines public confidence in the employee or otherwise significantly impairs the employee's ability to perform his/her job in a productive manner.
- (j) Has violated the City's Drug Free Workplace program or with respect to employees who are required to possess a commercial driver's license, has violated the City's Controlled Substances and Alcohol Use and Testing Policy for commercial Motor Vehicle Drivers or has been guilty of conduct unbecoming a City employee defined as scandalous or disgraceful conduct while on or off duty where such conduct tends to embarrass the City or bring its service into public disrepute.

(k) Has violated any lawful and reasonable official regulation or order or failed to obey any lawful and reasonable direction made and given to him by his superior officer when such violation or failure to obey amounts to insubordination or serious breach of discipline which may reasonably be expected to result in a lower morale in the department or to result in loss, inconvenience, or injury to the City or the public.

The City's *Guidelines for Disciplinary Action* incorporated as part of *Rule 18 – Discipline*, of the *Personnel Rules and Regulations*, categorize the following as a Level 5 offense that carries a first offense discipline of discharge:

“Use, possession or sale of alcoholic beverages, illegal drugs, narcotics, or their provision to other persons, while on duty including while on standby assignment or while in City uniform or in a City vehicle or other Violations of the City’s Drug Free Workplace Program or with respect to employees who are required to possess a commercial driver’s license, violation of the City’s Controlled Substances and Alcohol Use and Testing Policy for Commercial Motor Vehicle Drivers. (Except: Sworn Officers, Fire Fighters/Paramedics, Fire Fighters/EMT, and Golf Course employees as technical violations may relate directly to their job responsibilities.)”

DRUG FREE WORKPLACE PROGRAM – POLICY NUMBER 18

Section II – Scope

This policy shall apply to:

- All employees of the City of Tarpon Springs
- Anyone applying for employment with the City as a condition of employment.

Section IV – Policy

A. Prohibited Acts

The manufacture, sale, possession, use, distribution, dispensing, or purchase of drugs or alcohol while working, during working hours, while on City premises, or while operating a City vehicle, machinery, or equipment is prohibited. Off-duty use detectable on duty is prohibited. Any employee violating this prohibition ...will be subject to discipline up to, and including, discharge for the first offense.

E. Violation To Report to Duty With Alcohol Odor

It is a violation of City policy to report to work, or return to work, with the odor of alcohol on the employee’s breath, regardless of whether or not the employee is actually intoxicated.

F. Policy Observance – Condition of Employment

Observance of this Policy is a condition of continued employment with the City of Tarpon Springs.

INTERVIEW LIST

Tarpon Springs Fire Rescue

1. Mark Goldfeder
2. Jared Crisp
3. William Storms
4. Donald Sayre
5. Richard Butcher
6. David Sharp
7. Andrew Kuhn
8. Daniel Carter
9. James Mariani
10. Joshua Drake
11. Matthew Fennell
12. Donald McKiernan

Tarpon Springs Police Department

1. Scott Brockew
2. Jeffery Young
3. Robert Gellatly
4. William Volker
5. Michael Segura
6. Larry Bird
7. EricJason Mitchell
8. Charles Kondek

Palm Harbor Fire Rescue (PH FD)

1. Ron Gray
2. Kurt Fritz
3. Thomas Greear
4. Scott Sanford

Safety Harbor Fire Rescue (SH FD)

1. John Little

#1 – 01/21/10

I was assigned to Station 70 on an exchange of duty (C shift) on Engine 70 - Called at approximately 11:30 p.m. to structure fire at 1304 Belcher Drive.

Was a 2-story residence with light smoke showing from house. Front is Alpha – moving clockwise around walls – Bravo, Charlie, Delta. A/B side showed smoke, front door location unusual – access is A/B side in an alcove. A lot of trees on property presented a tactical challenge. I stood by truck, bunkered up while Lt. checked out site. I thought we would have some kind of fire attack by reading the notes – victim's wife called please hurry, please hurry.

Thought it might be a search and rescue as opposed to a simple fire attack.

By the time I stretched the pre-connect hose approximately 200' down the drive to corner (approximately 2 minutes) we went from light smoke showing to heavy fire conditions out the front door. At that point I still had 25' from end of sidewalk to actual door. About 5' from door the color went from solid orange (free burning color) to brighter, almost white. Indicated intensity is growing – heard popping – glass breaking. Based on my training/experience, I know time was running out for any aggressive offensive attack. Fire doubles every minute. What I could see through door there was going to be a limited opportunity for attack and search and rescue.

By the time I got there fire was burning through the door. Top part was already burning through. Lt. was observing behind me – he was on the radio. He saw what I saw. I said to him we're not going to have a lot of time. When I had got to the driveway/sidewalk, Mrs. R. stated "I think my husband is dead".

Our gear is all NFPA compliant – boots, bunker pants, turnout coat, full SCBA, mask, fire gloves. I went on air where driveway met sidewalk (approximately 25' from door). I had on a Nomex hood – helmet – all NFPA standard. Lt. called for a fan because initial attack was going to be a 'positive pressure attack' (PPA). If a fire is compartmentalized, by pressurizing house and allowing it to vent through holes e.g. Window, several benefits occur – temperature of house kept down, smoke conditions can be improved – as can visibility. As soon as we saw heavy fire conditions, Lt. said to disregard the fan.

Water had been called for takes 5-10 seconds for air to clear from hose when water starts. I started to make my initial attack on fire. Fire conditions were very heavy, glass around door gone. I remember hearing Lt. call water on the fire per Pinellas County 600 series. It took me 45 seconds – 1 minute of constant water flow to knock fire down, so that I could get to the door safely.

Once I had knocked some of fire down, I pushed the door open (6'8" door) top and 2' had been partially burned away. There was zero visibility inside house due to fire conditions. I was at the threshold. It took me 30-60 seconds to get 1st knockdown on fire to where I could actually see inside house. Still active fire from behind entry door. Could get to the swing of the door (right swing)

- (1) Fire on side of door, which I put out.
- (2) There was stuff everywhere – clutter – interior house contents.

Darkened down, zero visibility due to smoke and darkness. Stopped for approximately 10 seconds. Lt asked if I was OK, I said I'm OK – I commented "We're not going anywhere quickly."

Fire conditions started to build again – rapidly. Lt. tapped shoulder – “Let’s go – we’re out of here.” I had been in the structure approximately 10 minutes or less because I heard roof collapse and later CAD notes indicated 17 minutes from 911 call to when roof collapsed. We exited structure. From there I saw T69 crew with hose line and I began defensive operations approximately 10 ft. from door. Defensive – trying to suppress fire, prevent from spreading, protect exposures (other things that can catch on fire). “Surround and drown” – put water where it needs to go. D.C. on scene – taken command. Chief called for second alarm. Called tactical retreat and defensive fire operations.

I was still on sidewalk – looked at eaves over garage almost to B/C corner – saw a bunch of smoke then heavy fire erupt from 1st and 2nd floors on A side.

Not long after, I heard a single cracking sound and whole roof dropped. Lt. declared roof collapsed to IC. Air bottle got low – low air warning sounded. I tapped Lt. on shoulder, getting low, OK for few minutes. We were there another couple of minutes. Lt. shut down line, reported to IC we needed to replace bottle. We were ordered to rehab. Front of engine 70 for rehab – a formal rehab had not yet been established. blood pressure/pulse check, vital signs, water, period of rest, repeat vital signs – any medical attention if required.

Sunstar not there yet. We took off some of gear – Lt. grabbed a couple bottles of water. We were there a few minutes (approximately 5 minutes) halfway through small bottle water, – normally at rehab for approximately 20 minutes. I looked toward fire and saw Chief Moreno. He is standing by pre-connects on engine 70 – 70 has 3 pre-connects, 2 already deployed.

He is standing with yellow 150’ pre-connect (smooth bore) nozzle in his hand. He glared at me – civilian clothing, jeans, sneakers and a lightweight TSFR jacket. I don’t remember seeing any front patches. It was an “I’m waiting glare”. He gestured with his head toward fire and looked at me. He was standing beside me in rehabbing area. I looked back at Lt. and said “let’s go”. He said, “What”? I said Moreno is pulling us back in. He muttered something – Both of us got our gear on. As I’m throwing my air pack on (mask hooked to upper left of jacket – I had a “hitch” on that shoulder). Chief Moreno said, “Don’t worry about your air pack; you aren’t going in, let’s move it – get in there”. NFPA structural F.F. operations require full bunker gear PPE (personal protective equipment) including SCBA as well as County 600 protocol – City has adopted 600 series as standard operation procedure – covers all operations, eg. vehicle emergencies, bomb scares, HAZMAT – all encompassing group of documents – guidelines we have adopted. I continued to make sure I was bunkered up – air mask clipped to left upper strap.

I check to see if Lt. was ready – went over to Moreno, he handed me the nozzle and said “follow me”. I noticed a strong odor of alcohol on his breath – I was approximately 2 feet (within arm’s length) of him. I followed him toward A side where Palm Harbor was already operating a hose line. External operations – fire conditions on first floor, Alpha side – 2 big windows (double outswing).

I saw hurricane corrugated panels on sides of windows. Using various forcible entry tactics – trying to get access to shoot water in the windows. As we moved toward A side, I saw a person (female civilian) leaning against post at end of driveway (street end). A civilian at an active fire is unheard of, especially in a danger zone. Straight line to house – she was 80’ from entrance. Active FF zone. She was a few feet (within 10’) from hose lines and truck. I did a double take – I stopped and then realized it was the Chief’s

wife. She asked if I was OK, I said yes – I realized that she had alcohol on her breath and her eyes were glassy. I was within a few feet. I was told that Mrs. R. was by her truck. I don't remember whether I was exiting or re-engaging the scene, but Chief was already here. I thought, "What is she doing here?" I stopped, that's why I could smell alcohol and see glassy eyes.

Followed Chief to Alpha side – he pointed to one of the windows (probably left side). He looks at me and points – "Shoot it in that hole right there." I saw the fire in the area; I started shooting water in there. There was no effect on the fire that I could see. I shot water for a while – no effect on fire. At some point I shut the line down. Lt. told me to shut it down. I did shoot fire for 5-10 minutes. I did not have mask on as there was no immediate threat to me based on my proximity to house. Other crew members had their masks off, I followed suit. After Lt. replaced me, Chief Moreno began to issue me orders. He pointed toward Palm Harbor crew and told me their line is not effective with the way they're operating. He described a lobbing technique for the water stream he wanted. "They need to lob it, but it needs to hit in the center of the house". District 69 was in command with D.C. Sharp. No notification of any change in command. It's a fair statement that this was 'out of the ordinary'.

Chief Moreno said to me, "Tell them that's what they need to do." Are you talking about a high tight arc? Yes. I went to Palm Harbor crew, I know the guy on the nozzle. I told him, "This is what you need to do." Found myself in an awkward situation where Chief is giving me an order – if I don't obey, I could be charged with insubordination.

Lt. was not on the line very long – it wasn't doing much good. I relayed information to Engine 68. They changed the hose at my direction and then I went to their Lt. I apologized to him. I'm not trying to step on your toes, but I've got 5 bugles giving me directions. "Don't worry about it brother, I understand where you're coming from. No problems or no worries" was the response from him.

Shortly afterward, Engine 6 (Palm Harbor) shut down line because it was ineffective (my observation). There was no change in fire or smoke conditions.

I saw them talking. They reported to our Lt. that they were going to take a break. Reported to command. Chief Moreno then directed me with a different style of tactic – I needed to get the water just over the lip of the roof – to get it in center of house. Same objective, different tactic.

I was sweeping hose side to side across roof line – He encouraged me – "that's it"! I kept looking at Lt. to indicate I feel more and more awkward. Chain of command is IC to Lt. to me (unified command) – (Not within 600 series protocol – he had no official role in this fire).

Chief left my vicinity, he was over by AB corner with truck 53 (Safety Harbor crew). Lt is John Little. I was told to shut line down by Lt., it was ineffective. Lt. has authority to shut down line.

He (Moreno) got within 4-5' of front door – main fire had been shut down. 53 was in full PPE. At several points I would see Chief Moreno approach a crew, talk to them and then they would perform a task. Lt., Sharp and myself came together close to driveway near house. I reported everything that happened. Chief Sharp made that statement that he had received complaints from several other crews that night. Both he and Lt. stated that they too smelled the alcohol on Chief Moreno's breath.

Chief Sharp went to speak to Tarpon Springs police Officer (M.). He told us to report to rehab (Sunstar). After rehab, I did not get an assignment right away; I walked towards rear of E70. Chief Moreno walked on intercept path and stopped me. Said good job, you did everything you could and shook my hand. He walked away – was the last I saw him that night. It was after the 100 minute notification. Engine 70 was last engine on scene. P69 was only crew left on scene with Chief Sharp. I had miscellaneous job around the house – hot spots. Left scene approximately 4:30 to 5:00 a.m. Went to station 70 – cleaned and reloaded hose, 5:45 a.m. before we went available again.

#2 – 1/21/10

My statement reflects my recollection of the events as I saw them that evening. Can you highlight points in your statement for us?

Air packs and masks – Chief Moreno's instructions were not within protocol. When gases are present we use the masks. We had stuff on the ground coming at us, burning pieces and gases. An air bottle may last up to 45 minutes without any draw and approximately 15 minutes if there is heavy use.

Civilians inside fire scenes – by E70 – not normal for civilian to be inside fire scene. Mrs. Moreno – saw her at rehab time. Ambulance was taking care of Mrs. R. Rested 10-15 minutes in front of E70 and back of E68. IC sent us to A side but shortly after Chief Moreno sent us to A/B corner – he gave me an order – I obeyed. When in rehab I heard a few people, at least 5 say Chief Moreno had alcohol on his breath or smelled of alcohol, or is possibly intoxicated. When he ordered hoses shut down his voice was raised – he was determined. "I want it shut down now!" He seemed upset we weren't following his orders – we were waiting for other IC orders. When leaving, Chief Moreno said to Chief Sharp, "Sorry I fussed earlier, you did a good job" or words to that effect. He had been there until 2:30 or 3:30 I think – a few hours.

#3 – 1/21/10

Mattress fire report – 5-6 minute arrival time.

Lt. K reported light smoke – house is turned sideways so not a good visual, until he went around to the front. Mrs. R. out front stating her husband is inside upstairs. We pulled hoses – hand lines and then larger bore lines (2 1/3 and 3”). Lt. and MG had to pull out – attack went defensive. Prevent damage to surrounding houses. Garage was only part of house not damaged.

I was DE on E70 – deployed water lines and kept up pressure. Total of 4 attack lines and large deck cannon on E70 – supported and monitored hoses and pressures. We were advised that deck gun was overshooting roof. I went to adjust. Chief Moreno came up – 24” away from me and said I was “*see statement*” and shut it down. He uttered a 4 word expletive – about the attempts. I shut the line down. The next thing I noticed – my crew came out to rehab. Chief Moreno pulled one of pre-connects and indicated for them to go back in. They put their gear back on – unsafe – body temperature goes up – that’s how heart attacks happen on a fire scene. The other thing that occurred was Mrs. Moreno; she was sitting on front bumper of E70 smoking a cigarette. Not a normal practice – especially around attack engine – high pressure – if line erupts will kill somebody.

I tried to stay focused on my job. She tried a couple of times to engage in conversation. She had noticeably slurred speech and smell of liquor - referenced by my experience with intoxicated patients. Shortly after, they left.

I heard that Chief Butcher was urging him to leave – he himself told me that.

We were there from 11:30 p.m. – 5:00 a.m. I would estimate he was there from 1 ½ - 2 hours.

Sunday – IE had shift meeting at 69. exc. M.G. – our DC called Chief Butcher to see if he could come and talk to us. We were shaken over Chief Moreno’s behavior, interfered with fire operations and safety.

Nowhere does it say he can just come in and take over. There are certain benchmarks – call working fire call. Then second alarm – staging, operations, safety.

There are certain benchmarks at certain stages of fire. Chief Sharp indicated that some were missed.

I have heard there were safety issues because of his presence and actions. He was dressed in black polo and jeans – tennis shoes.

#4 – 1/21/10

Alarm time: 11:32 p.m.

Multi alarm structure fire. Call was for a working structure fire – goes to all staff officers.

I listened to radio and responded. Parked down the street – around midnight. Customary to walk up to IC and offer services – I was assigned as PIO.

DC65 from Palm Harbor approached me and Dave and said, “I understand this is your F.C. but he’s in the hot zone and has been drinking – he needs to be removed.”

I was strategizing a plan to remove him as I walked toward him. When I got to within 15 feet of him, he recognized me and started giving me direct orders - I need a second hand line – 2 ½” line up on the second floor. I had to make a decision – he was not approachable, he was giving orders, he wasn’t listening to me. I went to IC and told them it wasn’t going to happen without law enforcement. Afraid we would be reprimanded and lose our jobs/careers.

He took over the call – he is a take charge person. He was slurring his words, but was not ‘falling down drunk’ – intoxicated, but I was not close enough to smell alcohol.

I was dealing with the media – trying to keep one man out of the hot zone. Butcher arrived – we informed him – “I’ll see what I can do,” was his response. IC added another line at his direction (Chief Moreno). No radio, no PPE – civilian clothes. Violation of series 600 protocol.

I was gathering information from computer to give to media.

I recall seeing the Chief’s wife – on the street – either sitting on the bumper within the fire scene. Unusual for a civilian to be there.

I did not detect alcohol – I wasn’t that close. I asked her if she wanted to sit in the DC’s vehicle, she declined.

I walked around, shot photos and dealt with the media. I was there for a couple of hours.

#5 – 1/21/10

I was not officially requested when I heard sirens and turned on radio. Don and Dave were sitting in IC vehicle. Dave – can you go down and do something with Chief. I left IC and walked past E70, Mrs. Moreno was sitting on bumper smoking a cigarette. She said hey, how you doing? I said, “fine.”

I went to front door where Moreno was. My intent was to find him – I walked him away to talk to him. I smelled alcohol on his breath.

Fan – gas powered – I was trying to distract him and get him away. He yelled over fan – “Do you think we should use this fan or not?” He talked about other stuff, about shutting down hoses to let fire build up in order to find it. I walked him away from people – to C side – I realized I needed to do what was needed to do. I assumed C side operations. I communicated with IC to inform him. Fire Chief Moreno disappeared.

Second floor was full of books and paper – heavy fire load.

At one point he ordered me to get on radio and tell IC to shut down hose lines. I agree that there were violations of Series 600 Operational Protocol. My first assignment was to get Fire Chief away from fire.

Went home at 3:30-4:00, went back between 6 and 7 a.m. Was there all day.

Sunday a.m. – mid late morning. D.S. called me – we’re not doing so well. What’s wrong – went there with intention to listen. They talked about tactics, F.C. for approximately 1.5 hours. Some people felt better, but some were having problems. I told them I’d take care of them – “Whatever you need.”

If it makes you feel better to write out your concerns, then write them out – give to D. Sharp, then to me and I will hold them until we find out what we need to do with them.

I read them – Dave did not read them, but passed them on – each in individual envelope on my desk Tuesday.

I think I shared the names of the writers. I did share some of the contents with Moreno.

I left that meeting and went to Chief’s house – I told him we have a problem – we talked about the issues. I advised him to get City administration in loop before they find out about it in the press.

Misener advised me that he was getting calls from other departments. I told him we can’t control what other departments do. Chief stayed at IC during the Lake Tarpon Fire on Sunday.

TS FD

#6 – 01/25/10

Approximately 11:30 while on duty – alarm, and tones dropped – jumped in DC vehicle – structure fire. Told it was a mattress fire. Engine 70 arrived, called on scene, 2 storey structure. Light smoke on Alpha. A moment later he (Lt.) reported heavy fire and going into attack.

I went in command – I heard 2 big bangs – saw M.G. trying to get into house.

Lt. said he needs fan – B.S. brought in fan. (P.P.A. positive pressure attack). I did a 360 degree to size up condition. Saw Ford Expedition (white) with lady in it. She said my husband's in there and he's probably dead. I went around back and saw second story was fully involved (flames shooting out); they lit up the house next door. Told Lt. what we had. Called 2nd alarm as I was going back to command post.

E69 came in. I told them to get exposure line on Delta side – to protect next house. When pumper comes in get a line and pull a 2 ½" to Charlie side. 69 was pulling a 2 ½" to Delta side (120—200 psi).

69 stopped at hydrant – getting supply line to them and E70. I went back to IC. Sanford DC 65 Palm Harbor arrived. I told him we are in defense mode and where the lines were. He was doing accountability – on 2nd alarm – on another channel. He monitored and did replacement of personnel.

Before Chief arrived I stepped back, I saw roof collapse, flames shot up. Happened at once, I've never seen one drop like that.

I was at command vehicle, Chief Moreno walked by – “You didn't call me?” threw up his arms. “I'm busy, I was going to call you. “I'm pissed, I'm pissed” and he walked off. ” If person in building dispatch calls for State Fire Marshall and Fire Chief gets notified. 5 feet away I smelled alcohol. Walked toward E 70 – didn't say anything else. I thought “has he been drinking?”

Sanford came up, I said we need to start rehabbing, rotate crews. “Which one first?” I told him E70. They've been in there the longest – they're getting their butt kicked”. Andy called and asked for rehab. I told him I had a replacement crew coming. They 67 Lt. Greear came running up to me and said, “You're Chief is back there (by the house) he's been drinking and smells like alcohol and he's moving lines around” (directing them to move lines). I said “OK let me deal with it”. I turned around and there was Chief Sayre, I relayed the message to Chief Sayre. I'm still on the radio while all this is going on, setting up Sunstar – 2 units (rehab and transport unit). Sunstar supervisor came up to me, asked him to take lady (Mrs. R.) out of SUV and take to ambulance to be checked out. Don standing there. I told him what Greear had told me. “I know, what do we do? Should we have him arrested or what?” (rhetorically). He was caught off guard. “I don't know”.

Chief Butcher arrived and I said to Don – do you want to tell him or do I? I had radio traffic coming in and was tired up (busy). They talked. One of them indicated that he would go in and deal with it. Sanford came up to me and told me that Chief Moreno was back there moving lines and he's been drinking. I had lines set up and I knew where my people were. I was worried that there might be another collapse (upper storey collapse outwards) and I needed to know where my people were. I exited IC and walked toward E70. (Andy) He had just come out of rehab. I saw Chief Moreno grabbing line off E70

and sending them back in to Alpha side where there was already a 3" (2 ½" nozzle) running. (If I hadn't seen Lt. and Chief I wouldn't have known they were back into fire.) I turned around and walked to back of 70 and Greear came up and said, "I'm sorry but I had to remove your Chief's wife from the scene."

I walked to Delta side and saw Mariani working, saw Chief's vehicle by E69. I walked back up and saw Andy on the line with Goldfeder. Sanford let me know where everyone was. He told me AK and MG are in rehab. I said, "No, they are right there!" I did see my other line (C side) moved to Bravo side. I didn't know until later that the Chief Moreno had them moved. Dan Carter told me that they were moved to garage side where there was no fire. They were instructed to remove window (by Chief Moreno). I walked by B side and saw them. Went back to IC, saw Sanford and I said, "I'm sorry, we've lost control of the scene," I was upset because things weren't going the way the command had intended. I missed safety assignment because of distraction. Accountability tags are put on board in order that they (crews) can be accounted for.

I saw him (Chief Moreno) walking around with dark shirt, jeans and tennis shoes, no PPE or radio. If there had been a collapse he was at risk. Every once and a while you could hear popping and cracking.

600 series protocol – City has signed agreement.

I was upset because of mutual aid agreement and protocol.

I went back to IC vehicle – looked at computer – "I walked to front of house because I received a radio call saying Tarpon 100 wanted all lines shut down". What is going on? I did not agree with this, since there were still spots. Chief Moreno was there, RB was there trying to help me. Walked to front door, he (Chief Moreno) was shining a light into the house (head through door) and he called me over and said, "What are you going to do next?" "I'm going to make sure the fire is completely out and let it sit (let water drain down) and see what we have." He nodded his head. I didn't know what his strategy was. He ordered the fan started up by front door; I didn't see the sense in it. Maybe he was trying to find hot spots. He still smelled of alcohol approximately 1 hour after he arrived.

He said he was going home and then left. 6:25 a.m. last flare up.

There is a Lt. on each crew – if lines are not effective, it's their job to let IC know that, tell him where they're moving and IC lets everyone know what's going on. Communication is very important.

If it had been my subordinate, I would have him removed from scene. I have done it before.

As Chief Moreno left I said to Sanford, "Lets get back to our normal procedure."

No matter what we did, it was not going to change the outcome for the Doctor and the structure.

He endangered E70's crew, possible collapse of walls, he moved hoses (operators) closer to fire.

At the conclusion, freeing units and picking hoses, Lt Greear came up to me and I said I'm sorry. He said these things happen. "This shit would have flown in the 70's but it's not getting it today."

Chief Moreno Nextelled me and told me I needed to get the units cleaned up and back into service – I was already doing that.

He should have stayed home or with me.

TS FD

#7 - 01/25/10

Call around 11:30 - Structure fire - Belcher Drive (1304)

Got on truck (E70) looked at notes - saw it was a mattress fire. Pulled out - depending on call, we may use PPA (positive pressure attack). Arrived - heavily wooded lot - hard to see house. Opened door to look down drive - We were first engine on scene. Could see light smoke - I gave size-up - jumped off truck - instructed Mark to grab thermo-imager camera (TIC) - hooked to jacket - walked down drive met by Mrs. Roeber. She grabbed my jacket and said "My husbands inside" - "Where is he?" "Second Floor" - "Where?" - "Back side" - Delta (north). "We're going to get him". I saw heavy fire from front door and smoke. I said to Mark "grab 200' pre-connect hose - let's go." Called dispatch - upgrade to working fire - we've got heavy fire on alpha, show me as command.

Advanced line down drive, told Storms to charge the line - tried to make interior attack. Made it inside front door (5'), heat, fire, smoke and stuff all over. Fire was completely engulfed to floor. I tapped him on back and said, "We're out of here". Smoke to floor, it was ready to flash. We backed out, hitting it from outside. Sharp arrived and took command.

Needed bigger hoses - married up with D. Carter on Pumper 69 - I asked IC for bigger lines and get deck gun from E70 going. E69 told to grab a line off E70 bring to Charlie side. Sharp called for 2nd alarm - brought in Palm Harbor, Clearwater, Safety Harbor, East Lake.

Mark & I have line in place - working A/B side. Had pumper crew hit from C side - making good knockdown. We fought for at least a half hour. Tap on shoulder, turned around and didn't recognize him (at first) - it was Chief Moreno. I smelled alcohol on his breath at 3-4'. I had my air off so I could smell it. He said bring that line (A/B) to the front side (Alpha). Palm Harbor already had a 3" going - did not make sense - our line is 1 3/4" - (fast attack) used for interior attack. No hose line on Bravo now. Sharp also commanded 69 to take care of exposure problem on Delta side.

My low air bell started ringing - We went to rehab after notifying I.C. We were replaced by Palm Harbor 65. Went to front of E70, took off air packs, handed water by B.S. - had not had vitals taken. 'Let's walk down to 65 to get bottles filled' - left them and grabbed 2 bottles and went back to 70. Walked past Palm Harbor Truck, saw Sharp, he looked dismayed - told me what Moreno said when he arrived - got him off his game plan.

Chief Moreno had nozzle in hand, glaring at us. I remember him saying "let's go" - juggling nozzle. We had rested 3-5 minutes. So we put our jackets, air packs back on - 150' 1 3/4" hose on side Alpha window. 3 hoses on in Alpha side - IC did not know this.

Chief Moreno was wearing department black jacket, jeans, sneakers, ball cap. I followed his orders. Sharp saw us and the whole thing. Dist. 65 Sanford thought we were in rehab - he and Sharp had a conversation. We did not get another break for about approximately 1 1/2 hours.

Went to rehab, notified IC, replaced by Palm Harbor. I could see Chief Moreno's wife walking through hose lines. She was walking around Charlie side and around E70 in civilian attire. Unusual for civilian to be there. I noticed because of that. Rehabbed - fire pretty well under control with some hot

spots left. Fire load was heavy so it took a long time to get under control. Saw Dave again, he had that look of "I can't believe this is going on."

On several occasions Chief told me to move hoses so I relayed command to IC telling him it was Tarpon 100 giving orders. He (Chief Moreno) told me to have all hoses shut down. I relayed to IC – we had heavy fire still on second floor. I told IC fire was still burning.

My blood pressure in rehab was elevated. Got gear back on. Sharp wanted scene tape up to Mark and I started to tape scene. Made ourselves available to help out. Went to C side to help Palm Harbor put out hot spots.

Left scene around 4:30 a.m. – left some hose and ladders for Pumper 69. We went available after we cleaned up and reloaded equipment – approximately 5:00 a.m.

I had multiple contacts with Moreno and smelled alcohol on his breath.

TS FD
#8 – 01/25/10

We were the 3rd vehicle in – E70, E69 and P69. Initial size up was light smoke showing. In the time it took to get ready, conditions had changed dramatically. We were to marry up with 70 crew and initiate search and rescue. J.C and I were to pull a 2½” exposure (attack) line to Charlie side (told by IC). When we were pulling hose the roof collapsed. Flowing water for several minutes – pretty good knock down – not able to use truck (ladder) because of obstacles. Huge fire inside the house.

Chief Moreno showed up at C side. He said we were not doing any good. I was wearing SCBA (self contained breathing apparatus). He gave a slap on back – who are you guys? Tarpon – Oh my guys! He told me to go off air. I don’t know why. I did so. He is the Chief. Chief Moreno told us to shut down and move to Bravo side which was the only part of the house not involved in fire.

He had us pull the hurricane shutters down on garage. When I saw him (Chief Moreno) I assumed he had taken command or one of the other options and I missed the radio notification.

I asked Chief Moreno what he wanted us to do because there was no fire or smoke in the garage. We were told to stand by. Several minutes later T67, Palm Harbor crew asked Chief Moreno who he was. He replied, “I’m the Chief”. We were taken out and told to go to rehab. We were there 10-15 minutes.

We started walking back – I heard comments from a lot of people. I heard acting DC Sanford say he thought the Chief was drunk. Several people made similar comments. We were given new assignment to marry up with E68 crew on Alpha side, by Sanford.

Notes indicate what is being communicated through radio. What was happening was different than the notes.

Tactically Sharp had everything in place. When things were changed by Moreno, it did upset him (IC Sharp).

We just met with E68 crew and Chief Moreno ordered J. & I to go and get a ventilation fan to take to front door. We brought it up and stood by for 10-15 minutes. Tactically, I don’t know what was trying to be accomplished – what effect it would have. He would come to front door and then come back to us (15-20’ from door).

We started the fan – no one went in – we didn’t. Everything started to wind down. Took original hose back to Charlie side. Didn’t see Moreno after the fan issue.

Continued to put water on the rest of the night. Were a lot of flare ups – heavy fire load – paper, books. We were there until 8 a.m. putting out hot spots. The Chief’s actions could have resulted in injury to crews.

TS FD

#9 -- 01/25/10

Myself and 3 crew members on E69 -- 1st alarm -- pre-arrival information - mattress fire.

Arrived on scene -- stopped at hydrant at Belcher/Riverside intersection. 200-300' south of structure.

Assigned by IC to establish a water supply for E70. IC asked me to send fan to front door. I sent McK and Drake. Helped driver on E70 to drag back supply line to hydrant. I helped him connect. Two of my crew returned and helped. Ran forward -- to IC -- he wanted exposure line on Delta side for protection. He told me face to face → Run a large line from E69 to that side. Establishing exposure line -- assigned there all night. Sent to rehab after 45-60 minutes. Approximately 25 minutes in rehab.

No face to face contact to Chief Moreno throughout the night. I saw him in jeans and department issued coat. Two times, (1) standing on Alpha entry way with several groups of fire fighters facing him. I was in rehab. (2) standing in front of E70 staring at the group of people I was part of.

Last I saw of him that night.

Neighbors came out after approximately 25 minutes. I saw Fire Chief's wife while in rehab. She was escorted past rehab by Chief Sayre. About 5 minutes later she went back toward scene. Spoke to IC by radio and face to face. He went around to my crew checking accountability -- told me Chief Moreno had shown up and had been drinking. Approached by several Palm Harbor people who said he was a danger. Out of ordinary for IC to do this.

We were there until 4:30-5:00 a.m. -- second to last to leave.

ALS crew -- need to be back in service.

TS FD

#10 – 01/25/10

Called out E69 – 70 was first – took fan to front door. Took 2 ½” hose off E69 and took to Delta side on order of Lt. Were there all night, except for rehab time.

Did not see Chief Moreno, no interaction.

On scene 3-4 hours. Back to station approximately 4:00 a.m.

TS FD

#11 – 01/25/10

Driver Engineer on 69 (C Shift).

I saw things I've never seen before on scene. As we pulled up E70 was in mid attack. Heavy smoke and fire when they got to the door. IC activated "working fire file" (which gets additional units). E70 has 500 gallon capacity, E69 has 750 gallon (newer model).

IC was following all his benchmarks. IC manages scene – very thorough, conscientious. IC had us establish a water supply – 200-300' of 5", 1/2 – 1 block away – hand jacked the line off of E70 while they opened hydrant and flushed. Connected in a minute or less. We practice this a lot. We were ordered to get an exposure line to Delta side. About 20' from burning house. We estimated 3-5 minutes before other house goes up. (Attack line 1 3/4", exposure line 2 1/2").

Extended a 2 1/2" off E69. Change to exterior defensive attack. My water supply is low and I needed to establish a water supply – shut down the hydrant – usually takes 5 minutes, but we did it in 1-2 minutes. Established a water supply to E69 – back to Delta side. Chief Moreno and wife parked behind 69. Came in Chief's vehicle. Chief passed me – I was up in pump panel. I could hear the benchmarks being met by IC (over radio). Unusual for IC not to stay in vehicle – he was in the scene – possibly because it was such a large fire. My job is pretty much done. I have to monitor water supply and pressure.

The only command I was given by IC was to bring fan to front door.

I heard Chief Moreno say as he was walking to front door – We'll have to shut down hose lines to see what we've got because once we put it in the doorway it will really light up. I had fan on, blowing on bushes, waiting for command to put in doorway. I was getting antsy to get back to my panel. OK to leave for 1-2 minutes – over 5-10 minutes??

Roof had already collapsed, house was vented, circular black cloud swirling above house – sooty black rain for about 1-2 blocks around. Put fan in front of door and started it. Not positive who gave me the command. I believe it was Chief Moreno in the front yard.

Reported to Chief Moreno over the shrubbery – the fan is locked in and under operation. I went back to E69, checked my guys and panel. I remember seeing IC on way back and told him what I had done. IC is everything – not comfortable taking order from anyone but IC. The caliber of these people is phenomenal! No further contact with Chief Moreno. Saw him in front yard.

When I got the fan locked down, he (Chief Moreno) asked me to find out what conditions Chief Butcher had on the back side. I keyed the radio and said Chief Moreno would like to know what the conditions were on back side. Butcher responded – spot fires.

Was uncomfortable leaving panel along for any length of time.

Chief Moreno's wife had headed back to his vehicle before he came back. A little while later I saw him coming down the street. I saw his vehicle leave. I was watching my panel.

Did mop up, clean up hoses, equipment to get back in service. Left around 4-5 a.m.

I didn't notice his attire, wasn't close to him.

I had on PPE but no jacket or air pack since I am the DE.

TS FD

#12 – 01/25/10

Were called out to fire (E69) Drake and I got fan from E70 and brought to door – after being ordered to by IC. Ran into MG & AK – they were exiting house. When we stepped back – it flashed up – MG came out and said it was too hot.

Attack became defensive – Drake and I walked back to 69 and pulled an exposure line to Delta side.

I was told to shut down hydrant and restart it. I connected line to hydrant, Fennell to engine. I looked up and saw a red helmet up by Alpha side. Someone was pulling hose to door. Saw it was not my Lt. and returned to Delta side.

We were between houses to stop fire from spreading. Couldn't get water through the hurricane shutters. Hit eave to get under roof with water. We were called to go to rehab. We stood there, went back to Delta, then wrapped caution tape around house. Chief's wife walked by – heading north, was with Chief Sayre, N.W. corner.

I never saw Chief – we were probably there about 3 hours.

TS PD

#1 – 01/22/10

Was called out in early morning for structure fire at 1304 Belcher Drive. I do arson investigation for Police Department to determine origin of fire. It was approximately 1-1:30 a.m. There was not a lot for me to do since fire was still burning – I walked around after putting on my boots. I stayed out of the way. I was not going to be able to get into fire investigation soon – called State Fire Marshall Lt. E. Sacassyn? – nothing to do until morning.

Fire personnel could not make entry – I told them we needed to serve the scene.

I was called over by IC who was visibly excited, very animated. He said something like “I don’t know whether he is drunk or just crazy.” He was upset. I didn’t know whether he was venting, he was frustrated. I saw Chief Butcher – we looked at the structure. As I was walking out – Chief Moreno called me over – he was very excited too. We went our different ways. I left and was home by 2:30 or 3:00 a.m.

I was 5-6 feet from Chief Moreno. Did not smell alcohol. I don’t remember seeing any civilians. Chief Moreno had on civilian clothes – no bunker gear – ball cap.

TS PD

#2 – 01/22/10

Gellatly called me – fire – possibly someone in house. Called Capt. – proceeded to event.

1:23 a.m. arrived in scene – State Fire Marshall arrived at same time – walked to scene together.

Sgt. Gellatly and Cpl. Kondek – asked them what they needed. Set traffic perimeter, coordinated with F.D. I walked with Fire Marshall looking for S.B. – was interviewing wife in ambulance.

Sayre photoing scene. Sharp by fire truck – I asked if they needed anything. Stayed out in street. Walked out with S.B. Went home approximately 2:30 a.m. called off duty.

I did not see Chief Moreno or his wife.

Saw one media person with camera.

TS - PD

#3 – 01/22/10

Dispatched to assist Fire Department at 1304 Belcher Drive. IC as asking for traffic control. As supervisor, I was placing people to control traffic.

On scene fire trucks working fire, command scene set up.

Trying to set scene security – were going to tape certain areas off to keep people out.

Front of house – Chief Moreno was outside scene towards street. I turned around and saw woman by fire truck. I told guy to remove her. Chief Moreno said, “That’s my wife”. He went behind me toward street → command area.

When he had contact with me I did smell alcohol approximately 2 feet away.

Dressed in civilian clothes.

I wasn’t sure what his role was, DS was in charge (IC). I saw him (Chief Moreno) later on – he was inside scene talking to his guys (Dave Sharp).

TS PD

#4 – 01/22/10

Primary officer on the call. We responded to fire approximately 11:30 p.m. House was fully engulfed. I had to park a block away. Checked with D.S. (IC) to see what they needed – traffic and crown control was requested.

I made contact with Mrs. R. to get details of fire. I then got out of the way of Fire Department.

Stood at end of driveway – blocked Belcher Drive at N.W. end and Belcher and Riverview Drive – taped it off. Notified Sgt. and Capt. Young. Brockew arrived as fire investigation. Fire kept flaring up. I was there until approximately 8 a.m.

There were civilians across the street in their driveway. Also S.W. corner of Riverview and Peninsula. I saw the Fire Chief's wife at end of driveway within scene. Asked her who she was. She said she was Fire Chief's wife. It is unusual for civilians to be that close to fire. Did not speak with Chief Moreno. He was inside the fire scene working with his crew. He was dressed in navy blue shirt and jeans – civilian attire. I don't think he had protective gear. He was not wearing a helmet.

TS PD

#5 – 01/22/10

Call came in approximately 11:45 p.m. Two officers went out first – assigned myself as backup.

Upon arrival Sgt. Gave direction I was crowd control. I set up perimeter (scene tape).

Make sure civilians and camera people did not cross the line. Walked the perimeter.

I saw someone in “civies” asked who it was – was told it was the Chief – He was within our perimeter – sweater, jeans – no mask, helmet, gloves. I said hello to Chief in passing. Approximately 10 feet away. I did not smell alcohol.

Left approximately 2:30. Returned approximately 5:00 and 7:30 relieved officer who was watching property.

TS PD

#6 – 01/22/10

I went as backup officer to fire at 1304 Belcher Drive. When I got there both stories were raining black fragments – fully engulfed.

I positioned my car next to an engine to prevent anyone getting by. I'm not sure how many engines were present. I interviewed a neighbor.

I saw Chief Moreno – I was shocked later when I read the allegations. I saw him grab a hose and move it.

I can't remember how he was dressed. I want to say he had some kind of shirt on. I can't remember – it was dark, may have been a jacket with TSFR.

He walked back and forth for a while.

I put tape around the corner by the neighbor. No more contact.

TS PD

#7 – 01/22/10

The call went out regarding structure fire. 2 units dispatched. Called in to assist – FD was there, several fire trucks. Positioned my vehicle on Peninsula Avenue. House completely engulfed in flames. Asked Gellatly what we needed to do – crowd control – move people back, put up tape – wanted people back at a safe distance.

Captain Young and Brockew arrived. I was told to go back into service, was there approximately 2 hours.

Several agencies within perimeter. FD personnel. Did notice a female standing near fire truck that was directly in front of fire. Was told she was Chief Moreno's wife.

Saw Chief Moreno, looked like he was coordinating efforts. He was talking to his guys. I did not get close to him.

He was wearing blue jeans, windbreaker (TSFR). That's how I noticed him/her because of their attire. I asked Gellatly who she was – he said she was the Chief's wife.

TS PD

#8 – 01/22/10

When I got there the FD was already there, as well as 2-3 officers (P.D.)

We were busy setting up road blocks to stop onlookers from coming on to scene.

Made sure roads heading in were covered. Set up area for media. Made sure everything was covered. I was assisting Sgt. Gellatly.

Inside perimeter on driveway on garage side on Belcher first saw Chief Moreno. I saw a total of approximately 8-9 civilians and Fire Chief Moreno and wife that night. I saw Fire Chief assisting guys, pulling hose and directing them. I asked who the woman was.

She spent majority of time leaning against fire side of fire truck and went into the scene 2 or 3 times. Unusual for civilian – perhaps she has some fire fighting experience – no protective equipment. I've never seen a civilian in fire scene before. I'm a Corporal not a Fire Chief, so I didn't say anything. He was dressed in civilian clothes, with windbreaker – no fire gear.

He left 1-1 ½ hours before me. I saw him walk away, did not see what vehicle he got into. I saw him talk to D. Sayre a lot. I did not speak with him. I saw him talk to Don. Fan was loud so he was close to Don.

He was wet from fire – water from hoses and dripping.

PH FD

#1 – 01/29/10

The Chief requested that I recount my observations on January 14th, 2010. We were on 2nd alarm – E70 there initially. Arrived and went to staging on E66 by Tarpon Middle School. Called to scene shortly after.

Given assignment by IC to relieve crew on A side with 2 ½” pre-connect hose. When I went to A side, crew was already relieved by another fresh Palm Harbor crew. I could not do assignment, a lot of radio traffic. I assessed site before radioing. Things can be confusing and fast paced due to situation. Fire scenes evolve very quickly.

Multiple crews on A, B, A/B corner – checked to see who needed help. Four (4) crews in area, 2-A, 1-front door, 1-Bravo. Was going to recommend moving hose on Bravo side (at that moment not being used) to Charlie side. Before I could radio, I recognized Chief Moreno from a charity event previously. He was in civilian clothes, no reflective clothing, bunker gear, no PPE, no identification. He directed crew on B side to take hose to C side. No radio traffic call. There are appropriate procedures to clear assignment with IC. (IC had an aide.)

As we were about to move hose one of my crew asked him who he was. Not normal to have a civilian in the “operational zone” or hot zone, collapse zone, hazardous area. He said, “I’m the Chief.” I mentioned it afterwards. Obvious by the way Tarpon Springs crew responded that he was a person of authority. Out of ordinary, even in proper clothing to be operating outside the IC – no radio that I was aware of.

That crew went around to C to perform some assignment – exterior hose steam. By the time we arrived, they had already gone into “defensive attack” – not safe to go inside and no chance of survival. Went back to A side – a crew initially advanced with 1 ½?”, ready to be relieved. We took over – operating stream into second floor window. Another crew operating on A side – roof had been self ventilated – could see fire through roof. Shortly after I began operating hose, TS100 (Chief Moreno) came around side and began directing my crew and the other to back up, move to left, on angle, etc. Sometimes face to face, sometimes by gesture. That was my assignment.

I heard someone say per IC to shut down hose per TS100 (to shut down hoses) and see where it flares. Not normal without assignment. Protocol is standard throughout the service. Process requires extreme amount of command and organization control. To maintain that requires high level of discipline by everyone involved.

After fire was knocked down for a while, we were told to report to rehab.

There was another civilian walking around amongst units in area, seemed out of place, and was within active fire scene – within the control zone. She was a female I didn’t know, was walking amongst the hoses. I noticed because it was out of the ordinary.

After rehabbing for some time we received another assignment from IC to continue hosing hot spots on A side. Difficult to get at all hot spots. Tarpon Springs Fire Rescue uses a powerful fan (PPV). We would do that if IC ordered. Did not see T100 (Chief Moreno) after returning from rehab. I remained on scene

for quite some time. Last of 2nd alarm crew to leave. I received phone call from Deputy Chief who mentioned unusual events at the fire. I concurred -- he asked me to write an account of what I saw. Deputy Chief: When I walked through front door next morning, I had many concerns expressed to me. It was a foregone conclusion that I needed to put pen to paper. I was extremely concerned with feedback. Sanford was acting DC – IC aide to D.S.

Could actions have placed people in danger?

#1 response: Absolutely and let me explain why.

- (1) Whenever there is any break in command and control apparatus (freelancing - outlined in text books and policy) then the risk goes up greatly. Freelancing can be contagious. IC needs to know where crews are deployed.

Risk to himself – hazardous area without PPE. If not good light from fire, I could have bumped him – personal safety for himself.

- (2) People lose confidence in command/control, e.g. Sunday incident in CTS. I told crew we would protect ourselves and follow protocol.

- effects next incident – if allowed to continue – lack of confidence. Concern from crew. Concerned about IC's ability to control scene due to presence of Chief Moreno.

His authority was usurped - not common – rare, if ever.

Did you have any incident where you smelled alcohol? I do not have sense of smell for alcohol. I heard more than one person say that he was drunk and needed to leave, i.e. several officers (Palm Harbor). The way he drove his car to get to the immediate scene. Heard from someone on engine who saw it – seemed overly aggressive to person who witnessed it, he was aggressive in his driving.

My interaction was not sufficient to tell whether he had been drinking. I heard other people complain early on after he arrived. People who were concerned about alcohol – it eroded confidence even more.

PH FD

#2 – 01/29/10

We got called on initial alarm. Got more information on the way up.

Got on scene 23:46 parked T67.

Engine 69 caught hydrant at Belcher/Peninsula. Second DC asked us to report to E70. They are manning deck gun on E70. I sent three people there.

23:45 switched from offensive to defensive.

IC asked me to stretch a 2 ½” line from E70 to Alpha side. Uneventful – manned the line. E68 arrived and assisted me.

23:58 District 65 arrived – assisted I.C.

TS100 approached us directly and ordered crew on A/B side to move hoses. I did not know if he had a role or exercised one of his 3 options. Page 3 of Series 600 – Pinellas County – protocol for operations.

Stayed there – went to B side – asked by TS100 (I think) to try and hit window or second floor – we put up a ladder and worked there, then went to rehab.

He (Chief Moreno) was dressed in dark slacks, dark jacket, did not have bunker gear, reflective vests, no PPE – difficult to tell who was who. He asked us from time to time to adjust hoses. Was he using a radio? “Not that I recall.”

I had face to face contact. Did you notice an odor of alcohol? “No.”

I received request from Deputy Chief to write a brief description of crew’s experiences that night. There was a command/control issue.

Deputy Chief: Series 600 – collectively agreed to follow this guideline. We all practice it the same way as part of HAZMAT. We operate the same across the county.

Operational Policies – 600 – Operations Chief’s area.

PH FD

#3 – 01/29/10

Timeline:

E68 dispatched to medical call on Bayshore Drive in Tarpon Springs.

11:39 or couple minutes before – our call was cancelled by Sunstar. We responded to scene.

Arrived 11:52 p.m. approximately 6 minutes after truck 67. IC Sharp ordered us to assist 70 with 2 ½” hoses to A. Got it into operation approximately 11:56. At about midnight or 12:05, I noticed T100 standing in front yard in close proximity to what were doing. I thought, is that Tarpon’s Fire Chief? I told him he might want to be careful of low hanging wires, “Ya, I got them! I’m the Chief.”

Shook hands. I introduced myself. Detected odor of alcohol. Went back to crew – operating hose line. Were being assisted by Lt. Fritz and E70 crew. Had lines in operation for approximately 1 minute. T100 asked us to pick our lines up and move a little bit to left.

Set up 15’ from front – moved up toward building within 5-10’ – Heavy fire out front windows, as well as sliding door on second floor. Heavy fire conditions on both floors, fire through roof towards back side of house. We operated these for 1-2 minutes. He (Chief Moreno) had us move line back to original position. Operated there, then he (Chief Moreno) had us move toward B side and operate there.

At that point in time, after 10-15 minutes (it was loud at scene, so verbal communication can be hard to understand). I could not understand what T100 was asking us to do. I couldn’t really understand what he wanted us to do anymore. I became frustrated. I went to IC and told him that “Dave he’s in my way – you’ve got to get him out of my way – he’s been drinking.” He said he would take care of it and apologized for the issues we were having.

I went back to crew and continued to operate in A/B corner until fire was knocked down. Did not have any other interaction with him (Chief Moreno) after my talking to IC – no other conversation or interaction.

About 45 minutes later I saw him on C side. I was there to check out that side. After approximately 1 hour, we were replaced by another crew – went to rehab. During that time I saw him around the A side with Sayre, Butcher, Sanford. The fire was pretty much knocked down by then. It was a difficult fire to extinguish. After that, we were assigned to overhauling the fire, looking for hot spots, put up ladder on right side of house. Roof had collapsed – difficult to reach. Assisted Tarpon crew with picking up line.

3:18 Placed available

How was he dressed? Jeans, light windbreaker, tennis shoes, no bunker gear, PPE. Didn’t notice any radio.

We reported on scene by dispatch at 12:29 p.m., but he was there earlier. I first encountered him around 12 or 12:05.

There were 2 other civilians on the scene – I didn't know who was who – briefly saw them. They were in driveway near a vehicle (SUV) on B/C side, but not together. I did not observe anyone walking through hoses other than Chief Moreno.

“Actions not Unsafe” - meaning that he never told us to go inside the house or on the roof or search for man in house. He did not place my crew in imminent danger.

Asked by Deputy Chief to write a brief description.

Situation risky: means a potential to become unsafe.

The fact that without IC knowledge he was losing control and accountability – T100 not relaying any information to IC.

PH FD

#4 – 02/01/10

I was acting DC 65 – brought up on 2nd alarm. Went into scene – reported to DC Sharp (IC). I handled staging – brought everyone in relatively quickly. I was talking to our guy – T.G. reported TS100 on scene, not in PPE, smells of alcohol and was inside fire scene ordering crews to move their hand lines around. He gave them conflicting assignments, contrary to DC Sharp's orders. I notified the IC what I was advised of. About then, Division Chief Sayre arrived – shared same information with him. I said to both of them, something needs to be done with the Chief (Moreno). What can we do? He's in there and one of my officers says that he smelled of alcohol and appears to have been drinking. Chief Sayre left and came back a few minutes later. I don't know what he did – he came back and said, "Good luck with that request." I asked him to what he was referring. What part of that? He repeated, "Good luck with that."

I then assisted with operations. Advised crews to be cautious of the situation. You had someone giving conflicting orders of command and appeared to have been drinking. I was concerned for safety of crews.

The call progressed normally other than Chief Moreno taking over operations. He would move crews around. The IC was not aware of that – Chief Moreno did not have a radio. If crew moved from B to A and wall collapses would not know where the crews were.

Scene progressed – Chief Moreno shut down hand lines and moved crews. He had a fan moved to front door – that was relayed by crew – "TS100 would like a fan at the front door."

I smelled alcohol at the time he requested vent fan. I smelled it multiple times. I was not wearing a mask so I could smell it. I would not say he was stumbling drunk, I can't comment of level of impairment.

While I was the accountability officer Chief Moreno came up to Sharp (5-6' away) and started to yell at him for not contacting him. Voiced his displeasure. He did not follow any of the 3 options required by Series 600 protocol. Dispatch would notify administration according to department protocol. Notes say he was notified.

It was brought to my attention when doing a 360°, by crew – hey, there's a civilian here – we need to get her out of here. She was leaning on a bench facing water, watching the house. I told her I needed to have her leave – we were doing fire operations. She said no, I don't have to or I'm not leaving. At that time I thought she was the homeowner, "I'm sorry you have to leave." She advised me that she was the Chief's wife and did not have to leave. I advised her that I didn't care who she was, she had to leave. She was still fairly resistant to leaving. I was looking for Chiefs Sayre or Butcher to get assistance. During that time she left on her own. I saw her later out front on bumper of E70. Inappropriate place for any civilian to be. Lines jump around when pressurized or depressurized. Risk of coming loose from engine. We're required to wear helmet, gloves and protective gear, even when testing hoses.

I saw the Chief (Moreno) several times that night. It seemed he was there for a good portion of the fire. Butcher was brought in to assist in getting Chief Moreno to leave. Butcher was on his way to mitigate the problem. He (Chief Moreno) still remained on scene for quite some time. DC Sharp later advised that Chief Moreno was gone. I didn't see him leave. I don't know how they got him to leave.

Some of the questionable things:

- Vent fan – ordered all hand lines shut down. We'll let the fire sit and see where it pops up. In 15 years, I've never seen us stop fighting the fire to let it start up so we could see it. It may be an approved tactic somewhere, not in usual protocols.

Deputy Chief: PPA – use of vent fan in conjunction with fire fighting. This was later on in the fire. Thought process is to improve survivability in small structures. That would not have been the appropriate place, front windows were out, roof had ventilated, front door partially gone – not a plausible approach. His goal maybe was to remove some of the smoke so they could see where the fire was.

PHFS #4: No PPE – T-shirt, jeans, windbreaker. Did not use a radio.

One of the concerns I had:

It was a defensive fire – had there been an interior fire attack these actions could have been deadly for firefighters, extremely dangerous. Chief's actions had no detriment to victim.

Concern regarding alcohol:

In today's fire service – in this area – that's not how we operate. That's not acceptable. So many things could have gone wrong. We were fortunate.

Safety issue is paramount.

SHFD

#1 – 02/01/10

We (T53) were called out on 2nd alarm. Arrived on scene at 1304 Belcher Drive. We went into staging – happens on a major alarm – replacing first crews on rehab or for another task. We got an assignment by staging officer to go to C side.

Channels are split in staging – need a relay -> staging officer. Got to front where District 65 reassigned us to A side. I assumed he was “Ops”. From there we made entry into garage (through window) to make sure fire had not advanced there since smoke is starting to come from garage.

Fire was concentrated above front door – whole second floor was fully involved. Came back out and waited for next assignment. I saw Chief Moreno on A side – I knew who he was – dressed in blue jeans and T-shirt. Member of crew asked who he was. He was giving orders, as a normal commander would. e.g. fan at front door, re-direct hoses, ordered hoses shut down to start fan and clear out smoke. He asked me what I thought. Our department disagrees with this tactic. We don't employ until later as strictly ventilation. PPA and PPV are approved tactics in some places. I knew he was the Chief (T100).

He asked for hose lines to be shut down and fan brought to front door. They did so. We were re-assigned back to C side by Dist. 65 (on foot with command vest). Effect of fan was to fan flames.

We took 24' ladders and got up on the ladder on each end of screened room. We were there for a while putting water on fire.

Chief Butcher has assumed safety on C side. I then assumed safety and Butcher went back to front. We were there approximately 20-40 minutes. Need to know where crews are e.g. –Opposing hose lines – a safety no-no – someone could get hurt. We finished that up after 25-30 minutes – chasing spot fires.

We were released from scene approximately 2:20 a.m.

I saw a female civilian on C side of house approximately 35-40 minutes after we got there. I don't know who she was. She had dark hair and white shirt and was walking around. She shouldn't have been there. It struck me as funny (peculiar). She walked around back side of hoses. She was near the 2 benches. There was a white Expedition in front. I thought I had smelled alcohol, but can't tell if he was inebriated. I did not have mask on.

Concerns:

No divisions of event – e.g. ops. a, b. safety. Chief Moreno was commander at site. Some didn't know who he was. No radio – he was telling people what to do.

Freelancing – We work as a task force, team with a command structure. We get orders from 1 person.

Freelancing is doing something outside the structure of incident. Everyone has an assignment – have clear, concise orders.

You are allowed initiative, but must let IC know so it doesn't take away from his game plan.
Accountability is a big issue.

What is going on? Two or three different orders being given, not in concert.

DE of 1st engine may be assigned accountability. That may change at IC's discretion.

Operation issue to duplicate or change commands – wasting manpower if duplications – accountability and operations issue.

Breakdown of command structure

Freelancing

We have protocol, continuity – if not happening, we wonder what is going on.

Chief Moreno
02/05/10

A group of National Society of Executive Fire Officers were here for a retreat. Thursday evening at approximately 6:15 – 6:30 everyone gathered at Rusty Bellies. Over approximately the next two hours, we had hors d'oeuvres, dinner and dessert. During that time I had three cocktails (Jack Daniels and water). I paid the bill at 8:13 p.m. and stayed until 8:30 p.m. Over the course of that night I was at home studying for my class. At approximately 11:45 p.m. we were getting ready to retire and one of my former neighbors called to ask if I was at the fire. He was describing what he was seeing across the flat. I hung up and went out to the truck to turn on computer to see what was going on. Based on the notes I decided I needed to go to the fire. My spouse asked if she could go, I said yes. We proceeded to the scene.

Upon my arrival, I fussed at Chief Sharp for not calling me. I went in and made a 270° size-up of the situation. I was briefed by one of the East Lake lieutenants that there was a victim inside. At that point my focus was on what was happening in the fire lines. This is not a negative critique of what the effects of the current operation were. I felt I could make some minor adjustments to get the remainder of the fire put out. I ordered the deck gun on E70 shut down because 500 to 700+ gallons of water per minute were flowing into the trees and not getting any where close to the house. There was an area on A/B that was beginning to flare up significantly. I procured the service of Mr. Kuhn and Mr. Goldfeder and pulled a line from E70 to attack that situation. I made minor adjustments to angle of attack of three of the lines and moved one group about 7 feet to facilitate them being able to reach an area that was “buried” in debris but on fire.

I instructed a group on the front that had a line pointed almost straight in the air, providing a rain effect, which was not being effective, on how to step back and arc a solid line right over the edge of the eave with immediate results.

Chief Butcher and I had been discussing ventilation and at a point most of the fire was down at this time and I required that all lines be shut down so that we could determine what we had left. After a few minutes of observation and making sure the groups had their lines ready for the flare-ups, we established ventilation. Very soon after this point the majority of all fire was out with the exception of a few hot spots. At this point I was satisfied that the recovery process had the best preparation possible from the fire damage standpoint.

From that point I spoke with Chief Butcher, talked to several of the crews on the way out to the street and went home.

As far as what my spouse was doing during this time, I only saw her next to the pumping engine (E70) on two occasions.

At no time did I do anything that put anyone in any specific danger. The comments in the letters when they were speaking of safety issues dealt with the fact that I did not follow proper operating procedures from the command structure standpoint. We are taught that when these procedures are not followed personnel accountability sometimes falls apart. I also put myself in a hazardous position by not having on proper gear and identifying garments.

It had been over three hours since I had consumed any alcoholic beverages, but like peanut butter,

onions and other food, certain things stay on your breathe for hours. I was not intoxicated, inebriated or in any way impaired while going to and from and while on scene.

I would hope that my 30 years in the business and my 4 years, 2 months, 2 weeks of service here in Tarpon Springs will not be completely devastated by the mistakes of under a 2-hour period.

Questions for clarification:

Did you go to dinner in a city vehicle?

No, I used my personal vehicle.

What did your wife do?

She exited the vehicle with me and from that point I was focused on the issue at hand and didn't see her again until after fire started calming down and she was at E70.

Did you go to IC vehicle?

No, he (IC) was out of the vehicle near end of driveway approximately 10-15' off front right of E70.

Did you choose one of the 3 options or make it known to IC?

No, I got into coaching mode.

Do you know the 3 options?

I did not know about the official observer or the check in as an official observer. The others are common all over. I was asked who I was – needed identification so I went back to truck to get jacket. I saw what the deck gun was doing.

Did you get a radio?

No, I had a mobile one in my truck.

Did you ask for one?

No.

Were you giving order to the personnel? Face to Face?

Yes, I was asking them to inform IC that we were adjusting trajectory and direction of the lines. Mr. K and Mr. G were sitting at end of 70 in rehab. I got them back to address a flare up. I did not relay that to IC.

When you were leaving where did you meet spouse?

She was standing by E70, one of the 2 times I saw her.

When did you leave?

Left and headed home at 1:38 a.m. – approximately 1 ½ hour at scene.

FIRE DEPARTMENT STANDARD OPERATING PROCEDURES 600 SERIES

PREAMBLE

These Standard Operating Procedures were developed by the Pinellas County Operations Chiefs, a committee of the Pinellas County Fire Chiefs Association, at the direction of the Pinellas County Fire Chiefs Association.

The intent of this manual is to provide the various fire departments in the county with a model by which to function in a uniform fashion on emergency scenes. Each and every subject covered in this document has been carefully researched and debated prior to being approved for inclusion. However, no procedure, or set of procedures, can be expected to adequately address each and every emergency situation. With this in mind, these model procedures must be viewed as guidelines only.

It is important to realize that a spirit of compromise exists and that this set of model procedures represents a blending of ideas, philosophies, techniques and traditions in an attempt to provide the residents of Pinellas County with the most efficient fire and emergency response possible.

Developed in 1992, this consensus document has been periodically reviewed and updated, most recently in June, 2009. Subsequent revisions will be published as deemed necessary by the Pinellas County Operations Chiefs.

FIRE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 600-01

SUBJECT: INCIDENT COMMAND

DEFINITION Incident Command is the implementation of a coordinated and established set of procedures to assess, intervene, stabilize, manage and mitigate emergencies. The Incident Command System (ICS) in Pinellas is a standard, on-scene, all-hazard incident management system which allows users to adopt an integrated organizational structure to match the needs of single or multiple incidents, consistent with the National Incident Management System (NIMS).

PURPOSE Provides response agencies with a common, consistent, and preestablished organizational structure and with standardized operating procedures.

SCOPE The Incident Command System is utilized by Fire and/or Emergency Medical Units on all emergency scenes in Pinellas County.

PROCEDURE

Under ICS, the organizational structure develops in an incremental, modular fashion, based on the size and changing conditions of the incident.

COMMAND RESPONSIBILITIES

The Incident Commander is responsible for addressing the following strategic priorities:

- Risk Management (Life Safety for Responders)
- Rescue and treatment of endangered occupants (Life Safety for Civilians)
- Stabilize the (Incident Mitigation)
- Property Conservation

The IC is responsible for building a command structure that matches the organizational needs of the incident.

FUNCTIONS OF COMMAND

The functions of command include:

- Assume Command and an Incident Command Post (ICP)
- Perform and communicate a size-up
- Initiate, maintain and control the communications process

- Initiate and maintain an on-going risk assessment/safety evaluation
Identify the overall strategy, determine strategic priorities, develop an Incident Action Plan (IAP) which addresses these, and request, assign and release resources consistent with the incident action plan and SOPs
- Develop an effective incident management organization
- Determine and assign specific tactical objectives
- Initiate and maintain a tactical work sheet
- Review, evaluate and revise the incident action plan as needed
- Provide for the continuity, transfer and termination of Command
- Predicting outcomes and planning for future developments

- Safety issues
- Assignments, staffing and accountability of operating companies
- Resources located in staging or rehab
- Need for additional resources
- Other pertinent information

3. The officer assuming command may also want to perform a size-up before the transfer of command takes place.

When a chief officer arrives first or at the same time as the first arriving apparatus, the chief officer usually assumes command and establishes a stationary ICP location.

When the first-in apparatus officer assumes command, he/she will often transfer command to the next arriving officer when commencing investigation or fast attack. This transfer of command is often done via radio, and occurs early during the incident.

To assume command, an arriving senior officer should advise the IC of his/her intent to assume command. Once the command transfer procedures have been completed, the new IC announces this change over the radio. The new IC retains the incident command name, and should have an assignment for the officer being relieved of command.

All subsequently arriving senior officers of the department having jurisdiction of the incident shall exercise one of three options:

1. Act as an official observer
2. Report to the IC for assignment.
3. Relieve the existing IC and assume Command.

Command Officers from other departments shall make themselves available to Command for assignment, consultation, or to assume command at the request of the IC.

TERMINATION OF COMMAND

As the incident is brought under control and winds down, the IC can reduce the size of the command structure, release resources, and may even transfer command to lower ranking officers. Command is terminated when the incident is operationally resolved and no further action is being taken.

INCIDENT COMMAND STRUCTURE AND DEVELOPMENT

FIRE DEPARTMENT STANDARD OPERATING PROCEDURE No. 600-03

SUBJECT: SAFETY

DEFINITION Safety during emergency operations is based on *Risk Management*, which may be defined as the process of planning, organizing, directing, and controlling resources and activities in order to minimize the detrimental effects of the incident.

PURPOSE This SOP sets forth the minimum requirements for operations at emergency incidents as related to the safety and health of responding personnel.

SCOPE The elements of Safety outlined in this SOP are implemented by Fire and/or Emergency Medical Units on all emergency scenes in Pinellas County.

PROCEDURE

Organization

A. Emergency operations and other situations that present similar hazards, including training exercises, shall be conducted in a manner that recognizes hazards and prevent accidents and injuries.

B. The Incident Commander shall be responsible for the overall safety of all personnel and all activities occurring at the scene.

C. The Incident Commander shall establish an organization with sufficient supervisory personnel to control the position and function of all personnel operating at the scene and to ensure that safety requirements are satisfied.

At incidents or situations where special hazards exist, the Incident Commander shall assign qualified personnel with specific responsibility to identify and evaluate hazards and to provide direction with respect to the safety of operations.

General Incident Safety Requirements

A. The Incident Commander shall ensure an adequate number of responding personnel to safely conduct incident operations. Operations shall be limited to those that can be safely performed by personnel available at the scene.

B. The Incident Commander shall assign personnel for the rescue of members operating at emergency incidents, if the need arises. The composition and structure of Rapid Intervention Group (RIG) shall be permitted to be flexible based on the type of incident and the size and complexity of operations.

C. When probationary personnel wearing black helmets are working at an incident, direct supervision shall be provided by more experienced officers or personnel.

D. Personnel operating in hazardous areas, shall work in teams of two or more and shall maintain contact through visual, audible, physical contact, safety guide rope, electronic or other means to coordinate activities, and shall remain in close proximity of each other to provide assistance in the event of an emergency.

E. At least one individual shall be assigned to remain outside the hazardous area and maintain an awareness of operations inside the hazardous area. This person does not need to be totally committed to this function only (e.g. pump operator).

F. When personnel are operating in positions or performing functions that involve an immediate risk of injury, qualified ALS personnel shall be placed in a standby position with medical equipment and transport capability readily available.

Specific Incident Safety Requirements

A. When personnel are operating in an area that places them in potential conflict with motor vehicle traffic, the following procedures shall be followed:

- Apparatus shall be positioned to protect personnel from oncoming traffic while directing exhaust emissions away from the incident area.
- Vehicle warning lights shall remain activated until leaving the scene.
- Reflective markers or cones shall be placed to direct traffic flow or blockage.
- Personnel shall wear helmets and a garment with fluorescent reflective materials, when appropriate.

B. Drivers shall utilize at least one spotter positioned at the rear of the apparatus anytime the vehicle is backing at an emergency incident.

C. De-energizing electrical hazards shall be limited to the operation of breakers or removal of fuses. Electrical meter, either residential or commercial, shall not be removed by fire department personnel.

D. Emergency incidents involving machinery or elevators shall require the posting of an individual to prevent the unexpected activation or energizing of equipment or machinery. The lockout/tagout procedure as detailed in OSHA 29CFR 1910.147 may be used in place of posting an individual.

E. Areas or zones identified as hazardous to either civilians or emergency response personnel should be conspicuously marked in the following manner:

- *FIRE LINE DO NOT CROSS*: 3 inch wide yellow tape with black letters used to identify **areas not accessible to civilians**. Place tape around incident perimeter as directed by Command or the incident investigator. The Command Officer or investigator to approve removal of the tape.
- *DANGER DO NOT ENTER*: 3 inch wide red tape with black letters used to identify areas deemed unsafe for entry by emergency personnel i.e., weak roof or floor, falling glass, hazardous atmosphere, etc. **Emergency personnel shall not cross barrier tape without approval from incident safety officer.**
- *HAZARDOUS MATERIALS DO NOT ENTER*: 3 inch wide orange tape with black letters used by Pinellas County Hazardous Materials Response Team (PCHMRT) to identify limited access areas at hazardous material incidents. **Access limited to pchmrt and those authorized by the HazMat sector.** Removal of tape to be authorized by the HazMat Sector.
- *ELECTRICAL HAZARDS*: 3-inch wide red tape with black letters used to identify electrical hazards i.e., downed power lines.

Emergency Retreat Procedure

The emergency retreat procedure is a countywide procedure established to enable personnel to be quickly withdrawn in the event of a potentially dangerous or rapidly deteriorating situation. Situations that may require this procedure are building collapse, a cave-in, an explosion, a plume cloud shift, BLEVE's, or hostile actions (snipers) are a few examples that may require this procedure.

Procedure

Any officer or fire-rescue personnel who notice a life-threatening situation may initiate the retreat by use of the following radio transmission:

"Emergency Retreat" "All Personnel Retreat" "All Personnel Retreat."

Following this transmission, the person initiating the retreat will report to Command as soon as possible to detail the situation deemed to be life-threatening. Dispatch, upon hearing the emergency retreat radio transmission, will set off the emergency retreat tone, a high-pitched tone of fifteen (15) seconds duration, over the tactical channel.

Apparatus operators, upon hearing the emergency retreat transmission, will sound air horns continuously for fifteen (15) seconds.

Upon hearing the emergency retreat transmission, alert tone, or air horn signal, all personnel at the scene of an emergency will, without delay, report to a safe area designated by Command or other designated safe area for Personal Accountability Report (PAR). Command Officers will return to the command post. Immediately following the procedure, Command will have control over the tactical channel to confirm PAR. All units will refrain from radio traffic unless contacted by Command. Refer to Accountability SOP 600-11.

SUMMARY: The three-step retreat procedure signals are:

1. Radio transmission of "emergency retreat"
2. Fifteen second alert tone by Central Dispatch
3. Fifteen second air horn blast

The emergency retreat can be halted or reinitiated only by Command.

REFERENCES

Federal Emergency Management Agency. *Risk Management Practices in the Fire Service*, Washington, DC: USFA Publications, 1996.

National Fire Protection Association. *NFPA 1500 Standard on Fire Department Occupational Safety and Health Program 2002 Edition*, Quincy, MA: National Fire Protection Association, 2002.

Occupational Safety and Health Administration, 29 CFR 1910.147 *The Control of Hazardous (Lockout/Tagout) - Inspection Procedures and Interpretive Guidance*, Washington, DC: US Department of Labor, 1990.

Operations Chiefs Committee. "Fire Department Standard Operating Procedure No. 600-03 Subject: Safety, April 1997 Revision." *600 Series Pinellas County Fire Departments Standard Operating Procedures*, Largo, FL: Pinellas County Fire Chiefs' Association, 1998.

Operations Chiefs Committee. "Fire Department Standard Operating Procedure No. 600-11 Subject: Pinellas County Accountability System, November 2002 Revision." *600 Series Pinellas County Fire Departments Standard Operating Procedures*, Largo, FL: Pinellas County Fire Chiefs' Association, 2002.

FIRE DEPARTMENT STANDARD OPERATING PROCEDURE No. 600-04

SUBJECT: PROTECTIVE CLOTHING REQUIREMENT AND SCBA USE

DEFINITION *Protective Clothing* is equipment designed to protect the wearer from harmful materials or conditions in the working environment. The protective clothing normally worn by fire fighters during structural fire-fighting operations is referred to as *bunker gear* or *turnout gear*, and includes a helmet with faceshield or goggles, coat, pants, boots, gloves, PASS device, and a hood to cover parts of the head that are not protected by the helmet or facepiece. *Respiratory Protection* consists of either: a self-contained breathing apparatus, or a filtering face masks designed to limit the spread of infectious or hazardous material.

PURPOSE This SOP covers the protective clothing requirement as it applies to all personnel and defines the minimum level of protective equipment.

SCOPE This protective clothing requirement applies to all personnel.

PROCEDURE

This protective clothing requirement applies to all personnel and defines the minimum level of protective equipment for the situations listed below. For situations not specifically identified in this SOP, the company officer shall determine the appropriate level of protection for his/her personnel. Full bunker gear is defined as: boots, pants, coat, gloves, and helmet. Any time SCBA is used, a Nomex or PBI hood shall also be worn. Personnel shall take the necessary time to don protective clothing before engaging in activities, regardless of the situation. Except under extenuating circumstances, personnel shall be dressed in required clothing prior to scene arrival. Apparatus drivers (engine, squad, and truck) are exempt from these requirements as long as their assignments do not vary from routine apparatus duties. However, they should wear helmet, gloves, and traffic vest if in traffic. And they must always have their protective clothing readily available. Company officers are not exempt from requirements. Student riders shall be provided minimally a vest for use in traffic and use any additional safety equipment provided by department.

The protective gear mandates in this section are reflective of requirements drawn from NFPA and OSHA, however, the company officer may exercise some discretion in the level of protective gear used.

This Self-contained Breathing Apparatus requirement promotes the proper use and maintenance of SCBA apparatus, which is essential to the health and welfare of personnel who operate in hazardous environments, and sets forth rules and regulations pertaining to the use and inspection of the SCBA.

TYPE OF CALL	PROTECTIVE CLOTHING REQUIRED
Medical emergencies	Appropriate PPE according to your Infection Control Program
Smoke checks in area	Full bunker gear
Wires down, electrical arcing, overheated appliances, etc.	Full bunker gear
Vehicle accidents	Full bunker gear for those involved in hazardous activities. Patient care personnel, at the discretion of the officer in charge
Performing extrication/Heavy rescue	Full bunker gear
Grass or brush fires	Full bunker gear (except brush truck driver, who shall have his/her gear readily available). If needed, SCBA
Structure fires & automatic fire alarms	Full bunker gear and SCBA
Smoke checks in structure	Full bunker gear and SCBA
Hazardous liquid spills (suspected fuel spill)	Full bunker gear and SCBA until product is identified. Full bunker gear thereafter, if appropriate
Vehicle & dumpster or trash fires	Full bunker gear and SCBA
Gas leaks or investigate possible hazardous materials	Full bunker gear and SCBA
Overhaul and salvage	Boots, bunker pants, gloves, and helmets. SCBA until thoroughly ventilated
Landing Zone	See SOP 600-25

Command: Incident Management personnel have no specific requirements as long as they are functioning in a command post. Incident commanders away from the command vehicle/post shall wear helmets and command vests. All sector officers in a hazard zone shall wear full bunker gear.

SCBA USE AND SAFETY

1. SCBA shall be used by personnel working in areas where:
 1. The atmosphere is, or is suspected of being hazardous, or oxygen levels are < 19.5% or > 23.5%
 2. The atmosphere may rapidly become hazardous or oxygen concentration levels may become < 19.5% or > 23.5%.
 3. Personnel are working below ground or inside any confined space unless the atmosphere can be established by testing and continuous monitoring.
 4. Flammable gas, vapor or mist in excess of 10% of its Lower Explosive Limit (LEL) is present.
 5. Airborne combustible dust at or above its LEL is present or less than 5 ft. of visibility.
 6. Atmospheric concentration of any substance at or exceeding its Permissible Exposure Limit (PEL) is present.
 7. Any other atmospheric condition that is Immediately Dangerous to Life or Health (IDLH)
2. Use of SCBA shall be in conjunction with department issued protective gear mentioned previously.
3. Removal of SCBA within a previously hazardous atmosphere shall be at the direction of the officer in charge of interior operations or the Safety Officer. Removal of SCBA outside the hazardous area will be at the discretion of the company officer.
4. Personnel using SCBA shall perform the negative pressure and positive pressure mask fit test prior to each entrance into the hazardous atmosphere.
5. PASS device shall be in place and activated with all uses of SCBA.
6. Personnel using SCBA shall operate in teams of two or more who are in communication with each other through visual, audible, physical, safety guide rope, electronic or other means to coordinate their activities, and are in close proximity to each other to provide assistance in the event of an emergency.

INSPECTION

All SCBA shall be inspected at the beginning of each shift, after each use and after cylinder charging or replacement. Personnel who change assignments during the shift shall inspect their assigned SCBA

HELMET COLORS

The recognized designation of helmet colors is as follows:

Command Officers	White
Company Officers	Red/Orange
Inspectors	Red
Certified Minimum Standards Firefighters	Yellow
Non-certified Firefighters	Black
Probationary Firefighters (at department discretion)	Black
Medical Personnel (non-fire personnel)	Blue
County-certified paramedics will have either the Star of Life and/or a paramedic crescent on the sides of the helmet.	

REFERENCES

National Fire Protection Association. *NFPA 1971 Standard on Protective Ensemble for Structural Fire Fighting 2000 Edition*, Quincy, MA: National Fire Protection Association, 2002.

National Fire Protection Association. *NFPA 1981 Standard on Open-Circuit Self-Contained Breathing Apparatus for the Fire Service 1997 Edition*, Quincy, MA: National Fire Protection Association, 2002.

National Fire Protection Association. *NFPA 1977 Standard on Protective Clothing and Equipment for Wildland Fire Fighting 1998 Edition*, Quincy, MA: National Fire Protection Association, 2002.

National Fire Protection Association. *NFPA 471 Recommended Practice for Responding to Hazardous Materials Incidents 2002 Edition*, Quincy, MA: National Fire Protection Association, 2002.

National Fire Protection Association. *NFPA 472 Standard for Professional Competence of Responders to Hazardous Materials Incidents 2002 Edition*, Quincy, MA: National Fire Protection Association, 2002.

Operations Chiefs Committee. "Fire Department Standard Operating Procedure No. 600-04 Subject: Protective Clothing Requirement & SCBA Use, Sept. 1997 Revision." *600 Series Pinellas County Fire Departments Standard Operating Procedures*, Largo, FL: Pinellas County Fire Chiefs' Association, 1998.

Operations Chiefs Committee. "Fire Department Standard Operating Procedure No. 600-25 Subject: Helicopter Operations, March 1997 Revision." *600 Series Pinellas County Fire Departments Standard Operating Procedures*, Largo, FL: Pinellas County Fire Chiefs' Association, 1998.

OSHA Respiratory Protection Standard 29CFR 1910.134



City of Tarpon Springs, Florida

324 EAST PINE STREET
POST OFFICE BOX 5004
TARPON SPRINGS, FLORIDA 34688-5004
(727) 938-3711
FAX (727) 937-8199

MARK G. LECOURIS
CITY MANAGER

VIA HAND DELIVERY

February 4, 2010

Dear Chief Moreno:

This letter will constitute official notice to you that you are to appear at City Hall on February 5, 2010, at 2:30 p.m. to be interviewed regarding your actions in responding to a structural fire at 1304 Belcher Drive on January 14, 2010. As you are aware, an investigation was initiated on January 21, 2010, after receipt of written complaints from firefighters that you engaged in wrongdoing while on the scene of the fire. (Complaints, attached). Jane Kniffen, Director of Human Resources for the City, and I, as Acting City Manager, have been charged with the responsibility of conducting the investigation into the incident, and we will conduct your interview.

Pursuant to Section 112.82, Florida Statutes, you are entitled to certain rights before the interview takes place. Specifically, you are entitled to be informed of the names of all complainants beforehand. These individuals include: Richard Butcher, Daniel Carter, Jared Crisp, Kurt Fritz, Ron Gray, Thomas Greear, Mark Goldfeder, Andrew Kuhn, John Little, Craig Maciuba, Scott Sanford, Donald Sayre, David Sharp, William Storms.

While we are required to provide you with the names of these individuals, this information is to be kept confidential pursuant to Section 112.3188(2)(b), Florida Statutes. You are not to disclose this information to anyone.

Following the conclusion of the investigation, a transcript of all those interviewed will be provided to City Manager Mark LeCouris. Pursuant to Section 112.82, Florida Statutes, you shall be entitled to a copy of the transcript without charge.

Thank you for your attention to this matter. Please call me at (727) 938-3711 should you have any questions or concerns regarding the scheduling of the interview.

Sincerely,

Joseph A. DiPasqua
Development Services Director



City of Tarpon Springs, Florida

324 E. PINE STREET
TARPON SPRINGS, FLORIDA 34689
TELEPHONE (727) 938-3711
FAX (727) 942-5621

VIA HAND DELIVERY

February 5, 2010

Dear Chief Moreno:

This letter will constitute official notice to you that you are to appear at City Hall on Monday, February 8, 2010 at 2:00 p.m. to meet with the City Manager concerning the investigation of the fire on January 14, 2010 at 1304 Belcher Drive, Tarpon Springs. The notes from our investigation are being transcribed and you are entitled to a copy of this transcription without charge.

Sincerely,

Joseph A. DiPasqua
Development Services Director

Jane Kniffen
Human Resources Director