

KRONENWETTER POLICE AND FIRE COMMISSION

Citizen Charge Procedures

1. Purpose.

This procedure is designed to inform citizens as to the proper procedure for filing a charge against a member of the Police or Fire Department, pursuant to Wis. Stats. § 62.13(5).

2. Definition of Charge.

A formal accusation alleging that a Chief or a subordinate of the Kronenwetter Police or Fire Department has violated a village or department rule or policy, village ordinance, state or federal law, or standards of acceptable conduct and seeking suspension, reduction in rank or removal of a Chief or a subordinate of the Police or Fire Department. A charge shall be in writing and may be the subject of a hearing by the Commission.

3. Filing a Charge.

- A. Any aggrieved person may file a charge with the Commission seeking suspension, reduction in rank, or removal of a Chief or a subordinate of the Police or Fire Department. The Commission considers the filing of a charge a serious event that may require a public hearing before the Commission. If you file a charge, you are expected to prosecute your charge before the Commission. This requires you to present witnesses and evidence in a hearing, subject to examination and cross-examination, and with regard for due process.
- B. A charge must be in writing and filed with the President, or if unavailable, with the Secretary of the Commission in accordance with the process set forth in Wis. Stats. § 62.13(5). Please note that making a false statement under oath or affirmation may be treated as a misdemeanor or a felony under Wis. Stats. § 946.32.
- C. A charge is a written statement of the essential facts constituting the charge. A charge shall clearly show the title of the proceeding including the name of the Charging Party and Charged Party. The charge shall be signed by the Charging Party and filed with the President of the Commission, or in the absence of the President, with the Secretary of the Commission in accordance with the process set forth in Wis. Stats. § 62.13(5). The charge shall identify the Charged Party, specify the alleged offense(s) and specify the department rule(s) or other provision(s) or law violated. All charges submitted to the Commission shall be printed, typed or legibly handwritten. In your charge, you must cite sufficient factual detail so that the Chief or subordinate subject to your charge can prepare a defense. You must cite the rule, ordinance, law or standard of conduct you believe the individual violated. The Police and Fire Commission will not initiate disciplinary proceedings involving suspension, reduction in rank, or removal in the absence of a formal written charge. The

Commission reserves the right to direct the charge to the appropriate Chief for investigation and prosecution.

- D. The Commission cannot promise confidentiality of an individual's identity. You should closely review the statutory provisions identified in this document and the Commission's Citizen Charge Form, before filing a charge. You may wish to consult an attorney before filing a charge.
- E. If a hearing is commenced by the Commission upon the filing of a charge, the hearing shall be public and both the accused and Charging Party may be represented by an attorney and may compel the attendance of witnesses by subpoenas, which shall be issued by the President of the Commission on request and be served as subpoenas under Chapter 885 of the Wisconsin Statutes.
- F. Protocol for Commission hearings and post-hearing actions will follow the procedure as outlined in applicable state statutes. To the extent it does not conflict with the procedure contained within the League of Wisconsin Municipalities "Handbook for Wisconsin Police and Fire Commissioners."

President, Police and Fire Commission