



February 10, 2011

Final Investigative Report Concerning Ombudsman Complaint 2010-0228

COMPLAINT

On November 19, 2010, a complaint was filed with the Municipal Ombudsman's office alleging that "the Fire Chief, while in uniform and on duty, impu[g]ned a police officer's field report." On or about February 10, 2011, it was clarified that the allegation of the complaint is that the Anchorage Fire Department Chief, while in uniform and on duty, "challenged the veracity of the police report" of an APD officer during an interview with KTUU TV on or about November 12, 2010.

FINDINGS

The Complainant is the President of the Anchorage Police Department Employees Association (APDEA).

CONCLUSION

The Anchorage Municipal Code governing the Municipal Ombudsman specifies that the Ombudsman may cease an investigation when "[t]he complainant does not have a sufficient personal interest in the subject matter of the complaint." A.M.C. 2.60.120.B.4. Similarly, the Anchorage Municipal Regulations specify that the Ombudsman "will, in her or his discretion, decline to investigate a complaint when ... [t]he complainant has no interest in the result of the investigation other than that of a member of the general public." A.M.C.R. 2.60.002.B.7.

The Complainant in this matter, as the APDEA President, does not have sufficient interest in the result of this investigation for the Ombudsman to proceed. **This allegation and matter are closed for lack of jurisdiction.** Because the Ombudsman lacks jurisdiction in this matter, any materials received are to be returned to the party from whom the materials were received with this Final Investigative Report.

If you object to the Ombudsman's decision to decline or discontinue this investigation or review, you may file a grievance with the Ombudsman as specified in A.M.C.R. 2.60.006.

Barbara A. Jones
Municipal Ombudsman