



**Warren County Parks and Recreation Department
Advisory Council - Incident Review Committee
Appeal Process
Updated October 24, 2023**

Summary:

The Warren County Parks and Recreation Department (hereinafter referred to as WCPRD) has a Code of Ethics (rules of conduct) that governs appropriate behavior while on parks grounds, see link: <https://wcprd.recdesk.com/Community/Page?pageId=27919>. Anyone who violates these rules is subject to the penalties listed. Anyone who is found to be in violation of one of these rules may be issued a penalty by WCPRD and has the right to appeal the decision to the WCPRD Advisory Council Incident Review Committee.

Penalty Issuance:

1. Anyone who violates a WCPRD Code of Ethics Policy is subject to the penalties listed for that infraction and WCPRD has sole discretion to impose such penalty.
2. If an infraction is found to have occurred, WCPRD will review and investigate the incident with their Parks Police Deputy (Warren County Sheriff Office assigned Deputy) and will determine the appropriate penalty based on the violation and circumstance of the infraction.
3. If a punishment / penalty is rendered by WCPRD, the Park Police Deputy or WCPRD Administrative Staff Member will inform the violating party of the penalty for the infraction. This notification may be done either in person, via phone notification, certified mail, or email based on ability to reach the violating party.
4. Once contact is made with the violating party, they will be told the following:
 - a. What Code of Ethics Rule was violated
 - b. What the penalty is for that violation
 - c. Informed that the penalty goes into effect immediately after being notified and that failure to follow penalty instructions could lead to further disciplinary action.
 - d. That the violating party has the right to appeal the decision by following the WCPRD Appeal Process.
 - e. **Certain Code of Ethic Rules are non-appealable. Please see the non-appealable offenses listed at <https://wcprd.recdesk.com/Community/Page?pageId=27919>.**

Appeal Request Process:

1. Anyone appealing a WCPRD Code of Ethics penalty must follow this process:
 - a. **After being notified of the infraction (policy that was violated) and the punishment that has been issued, the violating party has five (5) business days from the infraction date to appeal the decision.** If the request for an appeal falls outside this timeframe, the request will be void, and the original penalties and punishments made by WCPRD will be enforced and final.
 - b. **The notification and request for an appeal can be requested in the following manner:**
 - i. **Email the request to warrencountyparksandrec@gmail.com**
 - ii. **Appeals may not be requested via phone call or text.**
2. Anyone appealing a WCPRD Code of Ethics penalty must follow and abide by all originally notified punishments or penalties until the Incident Review Committee reviews their case and



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renders a final decision regarding the incident being appealed. Failure to follow this procedure will render the appeal process void and the original punishment / penalty issued will remain under enforcement.

3. Once the appeal request is received by WCPRD, the administration of department will organize the meeting and notify all parties of the time/date/location with the WCPRD Advisory Council Incident Review Committee. All review committee meetings will occur only at WCPRD Advisory Council's pre-set monthly meeting times and locations (third Thursday of the month) at 6:00pm. All meetings will occur at WCPRD facility meeting rooms according to pre-set meeting schedule. No appeals will take place on Saturdays or Sundays or on county or national holidays.

Appeal Meeting Process:

Once an appeal meeting date has been set and all parties informed, the following meeting process will take place.

1. The Incident Review Committee (hereinafter referred to as the IRC) shall consist of no less than three members of the WCPRD Advisory Council.
2. The committee will meet at the appropriate date and time and location that has been coordinated by WCPRD. All parties will be notified of the correct time to arrive.
3. Only the individual requesting the appeal will be allowed in the meeting, unless other individuals are requested through the IRC to attend. If other individuals are requested by the IRC to attend, they will be notified by WCPRD of the date, time, and location of meeting and when to arrive.
4. Once the meeting begins, the following process will take place:
 - a. WCPRD Director or designee will brief the IRC on the evidentiary details of the participant, spectator, parent, sponsor, coach, or patrons' actions and suspensions. **This information will be sent out to all IRC members prior to the meeting for review.*
 - b. WCPRD Director or designee will provide evidence, including, but not limited to WCPRD Code of Ethics, Facility Rules, Program Rules, penalties levied, or suspensions issued and reasons why. Additionally, WCPRD Director or designee will present IRC members with both written and audio / video accounts footage of any offense if available. **This information will be sent out to all IRC members prior to the meeting for review.*
 - c. The IRC members present will hear testimony from WCPRD staff or program staff that viewed, corrected, and administered the suspension or dealt with the situation. This evidence could / will include incident reports, witness statements, and audio or video of and / or leading up to the alleged offense(s). Once their evidence has been heard the WCPRD staff will be dismissed from the hearing.
 - d. After WCPRD staff have presented their evidence; the appellant will be asked to join the hearing. The appellant will be briefed on the details of Code of Ethics, Parks, or program rules violated and suspension levied. The appellant will also be introduced to IRC members present and how the proceedings will continue. Once completed the Director of WCPRD or his / her designee will be dismissed from the hearing.
 - e. The appellant will be told the rules of the hearing, including the following:
 - i. All parties will speak respectfully and professionally to each other.
 - ii. No cursing will be allowed.



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- iii. No disorderly conduct or threatening or fighting will be allowed.
- iv. At any point during hearing, if these situations occur, the hearing will be discontinued immediately, the room cleared, and proceedings closed with the original penalties remaining in place for full enforcement.
- f. The appellant will describe and / or present evidence of the offense(s) to IRC. NO additional witnesses are allowed during this stage of the appeal.
- g. The appellant will answer questions from the IRC members that are pertinent to the suspension. The appellant can also ask questions of the IRC members pertaining to the offense(s) or suspension. ***The IRC can call upon additional witnesses or individuals that may have information regarding the incident being reviewed at their discretion. Additional witnesses or individuals called upon by the IRC will follow the same process as described in this appeal process.**
- h. Once all parties have been heard and dismissed, the IRC members present will convene and discuss the appeal.
- i. The IRC has the authority to, via consensus decision, uphold, extend, amend, or overturn the suspension deriving from the offense(s). IRC decision is final. The IRC members will then detail their decision to the WCPRD Director or designee for further distribution.
- j. The IRC will then be adjourned.
- k. WCPRD will then send a certified letter to the appellant detailing the decision made by the IRC within five (5) business days from the hearing date. The IRC ruling is final and will be enforced by WCPRD.
- l. **Failure of the appellant to follow the IRC ruling could result in further disciplinary action including but not limited to permanent dismissal from all WCPRD properties, facilities, programs, and events.**