



MEMORANDUM

Date: June 24, 2020

To: Francisco García, MD, MPH
Deputy County Administrator and Chief Medical
Officer, Health and Community Services

From: C.H. Huckelberry
County Administrator

Dr. Theresa Cullen, Public Health Director
Pima County Health Department

Re: **Protocol for Handling Complaints Received Regarding Noncompliance with County Public Health Regulations Related to COVID-19**

As you know, the County adopted a number of regulations to minimize the spread of COVID-19 in our community. These regulations, passed through Proclamation on May 21, 2020, were intended for the restaurant industry, gyms/fitness centers and others. In addition, the Board of Supervisors adopted Resolution 2020-49 related to the use of face masks in public.

We will undoubtedly receive numerous complaints regarding compliance with both regulations.

Appropriate protocols need to be established to receive and investigate any complaint. We should begin with a listing and inventory of complaints by individual, date and specific claim of non-compliance. Once documented, appropriate staff should be assigned to call the individual who filed the complaint and ascertain more information as well as determine the validity of the complaint.

If valid and against any business, firm or entity, then the particular establishment should be sent a letter from the public health agency advising that a complaint has been lodged, found to be valid and request their compliance. Please include the regulations in the letter. If a second or multiple complaints are received for the same issue for the same establishment, then a telephone call to the establishment should be placed asking the reason compliance has not been achieved and that we will refer the matter to the Board of Supervisors who may refer it to the County Attorney for civil or criminal prosecution.

It is important that we document our initial attempts to achieve compliance before proceeding with civil or criminal actions. Therefore, staff assigned to this project/program need to understand the importance of clear and accurate communications with the complainant as well as when transmitting a factual statement of noncompliance to the company, firm, business or entity as well as stating that further noncompliance may result in either civil or criminal citations.

c: The Honorable Chairman and Members, Pima County Board of Supervisors
Andrew Flagg, Chief Civil Deputy County Attorney
Jan Leshar, Chief Deputy County Administrator