

Public Integrity Bureau
Internal Operations and Training Manual
DRAFT 11 March 2020

CHAPTER 1: INTAKE AND CLASSIFICATION

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I. PROCEDURES FOR RECEIVING COMPLAINTS

This section describes the steps that BPD's Public Integrity Bureau (PIB) takes upon receiving any complaint of misconduct from an external (non-BPD) source. This Manual shall be read in conjunction with Policy 306, *Complaint Intake*.

A. General Principles

1. Intake Members shall accept and investigate anonymous complaints regardless of the (1) means by which the complaint is received (e.g., mail, walk-in, etc.) and the (2) nature of any information omitted (e.g., phone number, address, etc.). A complainant who requests anonymity shall have their complaint entered into IAPro as an anonymous complainant.
2. Intake Members are strictly forbidden from: interfering with, hindering, obstructing, or unnecessarily delaying a complainant from filing a complaint; threatening or harassing a complainant; or otherwise taking any adverse action against a complainant. For the Core Principles of complaint intake, as well as additional Prohibited Actions for Members, see Policy 306, *Complaint Intake*.
3. If at any point an Intake Member becomes aware of a conflict of interest which would undermine their ability to conduct an impartial complaint intake, they shall immediately notify a supervisor.
 - a. The supervisor may assign a different PIB member to conduct the complaint intake if they decide that the initial Intake Member's conflict is sufficiently great as to undermine that Member's ability to be impartial.
 - b. Each Intake Member is required to fill out an IAS Recusal Form (Appendix A) by the end of their tour of duty on the day that they receive a preliminary assignment of a Complaint. This form requires the disclosure of the Intake Member's relationship to the member being investigated, what connections (whether direct or indirect) they may have, and any pertinent information that the investigator may know about the member.

B. Nondiscrimination

1. Intake Members shall be especially sensitive when receiving complaints or witness statements from youth (see Policy 1207, *Youth Interrogations* and Policy 1202, *Youth Interactions*).
2. Intake Members shall not fail to call a supervisor or accept a complaint on the basis of actual or perceived personal characteristics which are protected under Policy 317, *Fair and Impartial Policing*.
3. The fact that a complainant does not speak, read or write English shall not be grounds to decline to accept or investigate a complaint (see Policy 1735,

Language Access Services for Limited English Proficient Persons). Spanish-speaking complainants shall be provided with Spanish-language complaint forms, upon request.

4. The fact that a complainant is deaf or hard of hearing shall not be grounds to decline to accept or investigate a complaint (see Policy 1103, *Communicating with Individuals Who Are Deaf and Hard of Hearing*). All necessary accommodations should be made for complainants who are deaf or hard of hearing.

C. General Intake Structure

1. In general, a PIB detective serves as the Intake Member responsible for taking complaints that are made over the phone (by complainants calling 410-396-2300) or complaints by a person who visits the PIB building (in-person at 2524 Kirk Ave.). PIB detectives are assigned this role on a rotation basis. This rotation is commonly known as “Batter’s Up”. A PIB supervisor is responsible for scheduling phone and in-person rotation assignments. A PIB supervisor is also responsible for ensuring that PIB personnel is assigned to staff in-person and over the phone intake at all times that PIB is open.
2. In general, the Administrative Unit at PIB is responsible for receiving and processing complaints that are made online, through email, and by mail or other paper-based complaints. Complaints that are emailed to complaints@baltimorepolice.org or made through the online complaint form on the BPD’s website are received directly by the PIB Online Intake Member.
3. In general, the Intake Member who receives the complaint and conducts the intake is the member responsible for inputting the complaint into IAPro. The Intake Member must enter the complaint into IAPro before their tour of duty ends.
 - a. The member entering the complaint into IAPro must conduct a duplication and associated case check prior to inputting the case into IAPro. This is achieved by querying for Complainant name and/or BPD member name. The Intake Member shall follow the steps described in the PIB Classification Protocol (II)(4).
 - b. The member must also upload all evidence received, including all original complaint forms, documentary evidence and electronic evidence obtained, into IAPro upon entering the case. See Policy 306 at p. 9.
 - c. Once entered into IAPro, the case is automatically forwarded to the Classification Supervisor for classification (see Section II, PIB Classification Protocol).
4. All complaints entered into BlueTeam (including complaints that were taken by supervisors at the scene of an incident, by supervisors at any BPD

building, or via the 24-hour hotline by a Communications Supervisor) are reviewed and processed by the Classification Supervisor for classification.

D. Required Actions for all Complaints Received by PIB

1. Any member receiving a complaint and/or staffing intake will be courteous and respectful to all complainants. They will not show judgment or skepticism, and treat all complainants and their companions with good customer service.
 - a. If a complainant expresses nervousness or concern, or prefers to provide their complaint in a way other than by phone, email, in-person, or mail, Intake Members shall respond respectfully and flexibly. The Intake Member may explain why a specific procedure is preferred (e.g., it is preferable to interview a complainant alone to preserve the impartiality of the investigation), but ultimately the member should do what is needed to ensure the complainant has a full and fair opportunity to provide a candid account without pressure to do so in a specific manner.
 - b. Generally, whenever the intake deviates from normal procedure detailed below to accommodate the complainant's wishes or needs, the Intake Member should note the reason for it in the IAPro casefile.
2. During all intake interviews, the Intake Member will first allow the complainant to provide their narrative uninterrupted. After they have given their account, the Intake Member will ask any relevant follow up questions to see if there is any further information the complainant has to provide.
3. The PIB Intake Member conducting the intake will ask for as much detailed information as possible, referring to the complaint form as a guide. Nevertheless, the Intake Member shall not require any further information beyond what the complainant is willing to provide.
4. Intake Members shall obtain as much contact information from the complainant as they are willing to provide, but should attempt to obtain phone number, email, and address at a minimum. The Intake Member should note the complainant's preferred method of contact, including phone, email, text, or mail.
5. Intake Members shall also ask complainants about the existence of electronic evidence such as texts, photographs, video or other recording that is relevant to the complaint. Many forms of electronic evidence (e.g. items posted online or store security video) require rapid collection and thus should be identified at the earliest opportunity.
 - a. Intake Members shall seek the complainant's consent to view, receive, or copy digital material upon intake. Absent consent, Intake Members are not permitted to confiscate phones or flash drives, or otherwise coerce the production of digital images or files. If an investigator believes that a

phone or flash drive must be seized because it contains evidence of a crime, a search warrant must be obtained.

- b. Original materials should be copied so that all property can be returned to the Complainant at the time of intake, when feasible.
 - c. Copies of digital materials shall be stored as an attachment to the IAPro case file. If that is not possible (e.g., due to the size of the digital file), the Intake Member shall ensure the materials are stored securely and note the location in the IAPro case file.
 - d. The Intake Member shall request that the complainant preserve originals of such evidence, as well as any other tangible or electronic evidence, such as text messages, photographs or recordings, that might exist.
6. At the conclusion of any intake interview, the Intake Member will explain the investigative process, describe the next steps, and respond to any questions about the process.
- a. They will explain that the case will be assigned to a detective within 72 hour and that a follow up call will be conducted within 5 business.
 - b. They will advise the complainant that retaliation against them is prohibited and they should immediately report any retaliation to PIB.
 - c. They will provide the complainant with general contact information for PIB for asking future questions or submitting additional evidence.
 - d. They will provide the complainant with the PIB case number (PIB#) for tracking their complaint.
7. If at any point during intake, the relevant Intake Member needs immediate assistance or guidance from a supervisor (including complaint of misconduct that a reasonable and trained investigator would conclude could result in criminal charges or cases requiring special accommodations, for example assistive technologies or location accommodations), that member shall immediately seek assistance from a PIB supervisor.
8. The Intake Member shall notify their supervisor and PIB Command immediately upon receiving a complaint of a misconduct that a reasonable and trained misconduct investigator would conclude could result in criminal charges. This shall include incidents involving assault, DUI/DWI, domestic incidents or cases where a member is arrested or detained.
9. If at any point a PIB supervisor notes a need to deviate from the above or below procedures due to an immediate need or a particularly time sensitive or serious matter, the PIB supervisor may deem it necessary to ask a Command-level member for permission to deviate from this procedure. If

deviation from this procedure is approved by a member of PIB Command, the supervisor shall note the nature of the deviation, with a detailed rationale, in the IAPro case file.

10. Any member who has conducted an intake is responsible for completing the intake and entering it into IAPro prior to the end of their shift, unless otherwise instructed by a PIB supervisor.

E. Receiving Complaints In-Person at PIB

In addition to the requirements in Section (I)(B) above, those PIB Intake Members conducting **in-person intakes** shall follow the below steps:

1. Conduct the intake in an interview room, whenever possible and acceptable to the complainant. If the complainant does not wish to be interviewed in such a setting, the Intake Member shall accommodate that wish.
2. If there are multiple complainants or witnesses, the Intake Member shall attempt to interview each complainant or witness separately.
3. The Intake Member must inform complainants that the intake interview will be recorded. The Intake Member shall adhere to the procedures outlined in Section (IV)(C)(b)(iv) of Chapter 2, Investigations, below.
4. The Intake Member will assist the complainant in filling out the complaint form, unless the complainant prefers to fill out the form on their own.
5. After the form has been filled out with as much information as the complainant would like to provide, the Intake Member should give the complainant the bottom copy of the complaint form and the PIB# associated with this complaint.

F. Receiving Complaints by Phone at PIB

In addition to the requirements in Section (I)(B) above, those PIB Intake Members conducting **phone intakes** shall follow the below steps:

1. When answering the phone, Intake Members must speak slowly, clearly, and state that the call is being recorded.
2. When a person on the phone is calling to make a complaint against a BPD member, the Intake Member must either fill out the complaint form or enter the complainant's information directly into IAPro. The Intake Member must use the complaint form as a guide to ask the complainant for the information about their complaint. The Intake Member shall provide the complainant with the PIB# assigned to the complaint.

G. Complaints Received Online/Email Complaints

In addition to the requirements in Section (I)(B) above, PIB Online Intake Members conducting **online and email intakes** shall follow the below steps:

1. Upon making a complaint through the website or by emailing complaints@baltimorepolice.org, the complainant will receive an auto-response acknowledging receipt of the complaint and informing the complainant that they will be contacted within 5 days.
2. Upon beginning their shift and periodically throughout the workday, the Online Intake Member will review the PIB inbox for any complaints received via email or the online form.
3. For each complaint received, the Online Intake Member will fill out the complaint form to the best of their ability based on the information received.
4. If the complainant did provide contact information, the Online Intake Member will respond by email within 2 business days to inform the complainant that the complaint was received, to provide them with the PIB number, to ask them their preferred method of contact, and to provide them with the assigned investigator's name and contact information. The Online Intake Member will also inform the complainant that they will be contacted within 5 business days and that the complaint will be fully investigated.
5. If the information provided by the complainant is incomplete or the Online Intake Member has a clarifying question, the Online Intake Member will seek information from the complainant via this follow-up email communication. They will include any additional information they receive in the intake documentation that they forward to classification.

H. Complaints Received by Mail

1. PIB may receive paper complaints either by USPS mail or by BPD internal mail. For paper complaints, the Administrative Unit will receive and process all letters received.
2. All original letters shall be forwarded to the Administrative Unit at PIB.
3. Upon delivery of any original letters, a PIB member in the Administrative Unit will note the receipt of the original letter into the IAPro entry, scan all materials, upload any media, and will place the paper letter into the paper case file within 5 business days.

I. Complaints Received at PIB through BlueTeam

1. At the start of their work shift, the PIB Classification Supervisor will review all new BlueTeam entries from the field. This review encompasses the BlueTeam entry as well as the scanned complaint form, which must be attached to the BlueTeam entry. The Classification Supervisor will follow the

procedures outlined in Section II below, PIB Classification Protocol and in Policy 306, *Complaint Intake*.

2. Upon delivery of any original complaint forms for cases received through BlueTeam, a PIB member in the Administrative Unit will note the receipt of the complaint form into the IAPro entry, scan and upload the form (if it is not already attached), and will place the original form into the paper case file.

J. All Other Complaints Received

1. BPD may receive complaints in many other ways, for example via social media, the Mayor's Office, other elected representatives, other government agencies, or community-based organizations. All complaints will be processed per the relevant protocol above, depending on the manner with which it was received.
2. See Section III of this Chapter for protocols governing PIB's procedures related to the Civilian Review Board (CRB) and CRB eligible cases.
3. All such referred complaints will be forwarded to the Classification Supervisor for processing the complaint, intake, and classification (per the Classification Protocol).

II. PIB CLASSIFICATION PROTOCOL

The PIB Classification Protocol, finalized on December 28, 2018, can be found at this link: <https://www.baltimorepolice.org/0opr1-draft-opr-classification-protocol>.

III. PIB/CRB PROTOCOL FOR COMPLAINT INTAKE & CLASSIFICATION

The PIB/CRB Protocol for Complaint Intake & Classification can be found at this link: <https://www.baltimorepolice.org/0opr1-draft-oprcrb-protocol-intake-and-classification>.