
Bowie State University Police Department

General Order



<i>Subject:</i> Complaint Investigations	<i>Number:</i> 34A
<i>Effective Date:</i> April 2003	<i>Rescinds:</i> Former Article 56
<i>Approved:</i> Acting Director Roderick C. Pullen	

This article contains the following sections:

34a.1 *Investigations*

34a.1 **Investigations**

34a.1.1 Upon the receipt of a major complaint against a police officer of the BSUPD, the Assistant Director shall:

- a. Assign an investigator;
- b. Issue a control number to the complaint;
- c. Keep a permanent record of all complaint control numbers; and

34a.1.2 The Assistant Director shall also:

- a. Notify the accused member in writing that he/she is the subject of a complaint; and
- b. Provide the member with a written statement of the allegation(s) against him/her, and the member's rights and responsibilities relative to the investigation.

34a.1.3 The assigned investigator shall thoroughly and impartially investigate the complaint, including but not limited to, the following:

- a. Collecting all pertinent written reports;
- b. Interviewing the complainant and all witnesses and taking signed statements;
- c. Collecting all evidence related to the case;
- d. Consulting with superior officers as required;
- e. Advising the accused member that he/she is under investigation; and
- f. Interrogating the accused member, if necessary.

34a.1.4 When possible, the complainant shall be personally interviewed and all possible identifiers recorded, i.e.:

- John Henry Smith
- 733 N. Main Street
- Westminster, Carroll County, Maryland 21157
- W/M, DOB: 7/13/53
- 694-7381 (Home) 215-423-1871 (Work)
- Employed By: Big Corporation,
- 14 North Broad Street, Philadelphia, PA
- Social Security No. 211-11-0137
- BI #J-2371
- FBI #123434aJ

- a. The primary goal of any interview is to arrive at the truth. Every relevant fact known to the complainant shall be determined.
- b. Those questions so often mentioned in the investigative process--who, what, when, where, why and how--shall be precisely addressed.
- c. Formal tape recorded statements of the complainant's interview shall be taken whenever possible.
- d. If appropriate, it shall be determined whether the complainant can be satisfied at the initial stage of the investigation.
 - (1) Frequently, the complainant does not wish an investigation, but merely an explanation.
 - (2) When an explanation is sufficient, the Assistant Director shall decide whether or not to continue processing the complaint.
 - (3) If complaint will be pursued, the complainant shall be left with the knowledge that a full and fair investigation will be conducted, and that the complainant will be notified of the results.

34a.1.5 Whenever possible, all witnesses involved in the matter under investigation shall be personally interviewed, and depending on the type or severity of the complaint, tape recorded statements shall be obtained.

- a. Specific and detailed questions shall be asked.
- b. The motivation of the witness shall be sought, such as his/her relationship with the complainant or member.
- c. Personal identifiers shall be obtained.

34a.1.6 In beginning the investigation, the following reports and documents should be obtained, as applicable:

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- a. Department Records. The examination of department records by the investigator is basic to any investigative effort. Numerous leads may be found in department records, such as:
 - (1) Criminal investigative report,
 - (2) Criminal arrest reports,
 - (3) Incident reports,
 - (4) Department logs: radio, telephone, etc.,
 - (5) Patrol schedules,
 - (6) Personal records, and
 - (7) Field observation reports.

 - b. Non-Department Records. The investigator should examine the records and documents of all agencies and organizations that may furnish investigative information, such as:
 - (1) Reports from other police departments,
 - (2) Hospital records,
 - (3) Physicians' reports,
 - (4) Jail records, and
 - (5) Court transcripts.

 - c. All original reports, department records, and related documents relevant to the investigation shall be gathered and preserved by the investigator in an expeditious manner.
 - (1) Written permission or a subpoena may be required to obtain certain records, e.g. physician, hospital.
 - (2) Where written permission is required, the individual whose records are needed shall be requested to complete an Authorization for Release of Information.
 - (3) A copy of all documents obtained by the investigator under this subsection shall remain with the original case file.

34a.1.7

The investigative effort expended on all internal investigations shall at least be equal to the effort expended in the investigation of crimes where a suspect is known. Investigators shall employ all available investigative tools that can be reasonably used to determine the facts and secure necessary evidence during the internal investigation.

- a. Alcohol, blood, breath, urine. Members may be required to submit to blood-alcohol, blood, breath, or urine tests for controlled dangerous substances.

- b. Clothing. Accepted investigative techniques shall be followed; however, when the member is the victim, damaged uniforms or department-issued equipment shall be preserved.

c. Documents and records:

- (1) Motor Vehicle Administration,
- (2) Telephone Bills,
- (3) State Licenses, e.g., real estate, medical, banking, etc.,
- (4) Search warrants and affidavits, and
- (5) Department records.

d. Photographs:

- (1) Of the complainant. Photos shall be taken at the time of the complaint if there are alleged injuries;
- (2) Of the member. Photos shall be taken of the member if he/she is the victim, or is injured;
- (3) For Identification. A photo spread for identification of members shall be used to show the complainant and witnesses for purposes of identification.
 - (a) The photo-spread shall be retained as evidence.
 - (b) The photos of members used in the spread shall be recent; and
- (4) Of the scene, if it is considered necessary.

34a.1.8 The investigator shall prepare a written report with case folder containing, but not limited to, the following:

- a. Chain of custody sheet;
- b. Summary of the investigation, classification, and recommended action; and
- c. Appropriate supporting documents.

34a.1.9 If the investigator sustains the complaint, he/she shall submit:

- a. A written summary of prior internal investigation cases involving the accused member;
- b. A summary of prior disciplinary action against the accused member;
- c. The statement of complaint, if present;
- d. Various statements, reports, other evidence, photos, etc.; and
- e. Any miscellaneous correspondence related to the investigation.

34a.1.10 An internal investigation shall be considered to be completed when the complainant and witnesses have been thoroughly interviewed, members have been questioned, all the physical evidence has been competently examined, all logical leads have been fully explored, and the case has been comprehensively, accurately and clearly reported.