


<p>Department of Public Safety and Correctional Services</p>  <p>Internal Investigative Unit Procedures</p>	<p>Procedure Number: A01.A.09.003.001/IIU.020.0002</p>
	<p>Title: Complaint Receipt, Documenting, and Processing</p>
	<p>Effective Date: August 15, 2007</p>
	<p>Authorized By: Douglas Cloman Number of Pages: 5</p>

.01 Purpose.

This document establishes procedures for receiving, documenting, and processing complaints of alleged violations of State and Department policy and procedures, criminal law, and administrative investigations received by the Internal Investigative Unit (IIU) of the Department of Public Safety and Correctional Services (Department)

.02 Scope.

This directive applies to all IIU personnel and field investigators.

.03 Policy.

- (1) The Director shall establish and maintain a system for receiving, documenting, and processing complaints of alleged violations of State and Department policy and procedures, criminal law, and administrative investigations communicated to the IIU.
- (2) The Director shall include as part of the system of receiving and processing complaints a method of documenting and managing actions taken from receipt through final disposition.
- (3) The Director shall ensure that alleged violations reported to or discovered by the IIU are appropriately investigated and resolved to the extent possible.

.04 Authority/Reference.

- A. Correctional Services Article, §10-701, Annotated Code of Maryland.
- B. COMAR 12.11.01 Internal Investigative Unit.
- C. Secretary’s Department Directive 04-2005 dated March 10, 2005.

.05 Definitions.

- A. In this document, the following terms have the meanings indicated.

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B. Terms Defined.

- (1) “Complaint control ledger” means a document used by the IIU to record and track processing of complaints received by the IIU.
- (2) “CIR” means Criminal Investigation Report, a format used to record actions taken as part of an investigation conducted by or under the direction of the IIU.
- (3) “Director” means the Director of the Internal Investigative Unit.
- (4) “Duty officer” means an IIU investigator designated, by the Director for a period of time, as the point of contact for receiving, documenting, evaluating, and assigning for investigation a complaint reported to the IIU.
- (5) “Field investigator” means an employee designated by a Department agency head to conduct for the respective agency investigations of complaints reported to the IIU and delegated to the agency for investigation, reporting, and resolution.
- (6) “IR” means Incident Report, a format used to record actions taken as part of an IIU or field investigation of an event that is not recorded on a CIR.
- (7) “Investigator” means a Department employee permanently assigned to, or on special assignment to assist, the IIU with the responsibilities specified under Correctional Services Article, §10-701(a)(3), Annotated Code of Maryland.
- (8) “Serious personal injury” means: physical injury that:
 - (a) Creates a substantial risk of death;
 - (b) Causes permanent or protracted serious disfigurement;
 - (c) Results in the loss of a body part or organ; or
 - (d) Impairs the use of a body part or organ.

.06 Responsibility/Procedure.

A. Receipt and Documenting Receipt of a Complaint.

- (1) Alleged violations that are required to be reported to the IIU are listed in Secretary’s Department Directive 04-2005 and COMAR 12.11.01.
- (2) The IIU shall receive, document, process, and track all complaints reported to the IIU.
 - (a) The IIU shall accept and record on the complaint control ledger each complaint received, regardless of the method of receipt or if the complaining individual is identified.
 - (b) Upon receipt of a complaint, the duty officer shall immediately evaluate the nature and severity of the complaint and:

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- (i) If the complaint concerns a violation under the jurisdiction of the Department, assign the complaint for investigation and reporting by an investigator or a field investigator;
 - (ii) If the complaint concerns a violation outside the jurisdiction of the Department, refer the complaint to the organization with jurisdiction over the incident; or
 - (iii) If the complaint is determined not to be a violation, close the complaint.
- (c) The duty officer shall record action taken under §.06A(2)(b) of this document on the complaint control ledger.
- (d) If a complaint is received by telephone, the investigator receiving the call shall ensure the complaint is recorded on the duty officer's telephone log.
- (3) An IIU employee, other than the duty officer, who receives a complaint, or has knowledge, of an alleged violation shall:
 - (a) Obtain as much information concerning the complaint and the individual filing the complaint as possible; and
 - (b) Immediately and by the most expeditious method available, communicate the complaint and related information to the Duty Officer.
- (4) The Duty Officer shall assign each complaint a unique complaint control number according to system approved by the Director.

B. Complaint Control Number (CCN).

- (1) A duty officer shall only assign one unique CCN to a complaint.
- (6) A duty officer may not assign the same CCN to more than one case.
- (7) A complaint may have both a criminal and an administrative case number assigned.

C. Investigating a Complaint.

- (1) When assigned an investigation, the investigator or field investigator shall promptly and objectively conduct the investigation to determine, to the extent possible, all relevant information supporting a proper resolution of the alleged violation.
- (2) An investigator or field investigator shall comply with applicable Constitutional and statutory law and judicial rules when conducting an assigned investigation.
- (3) An investigator or field investigator shall promptly prepare applicable investigative reports and other related documents that, to the degree possible, accurately and completely report activities and information and evidence discovered that support the findings of the investigation.

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- (4) An investigator or field investigator shall submit reports to the Director, or a designee, in a format and on a schedule determined by the Director.
- (5) Under Secretary's Department Directive 04-2005 an agency head is responsible for ensuring that an investigation assigned to the agency head's field investigator is conducted and reported according to the requirements of this document.

D. Telephone Reporting Tracking System (TRTS).

- (1) The IIU shall use a TRTS to permit reporting certain alleged violations.
 - (a) The TRTS intends to facilitate reporting alleged violations by reducing unnecessary responses by investigators.
 - (b) The TRTS may be used for an identified low priority complaints that:
 - (i) Does not involve serious personal injury;
 - (ii) The victim does not want investigated or the suspect prosecuted; and
 - (iii) There is insufficient evidence to support an investigation or identification of the violator.
- (2) Generally, the following low priority violations qualify for the TRTS:
 - (a) Simple assault;
 - (b) Simple theft; and
 - (c) CDS found in a common area.
- (3) When the Duty Officer, or a designee receives a complaint the Duty Officer, or a designee, shall:
 - (a) As part of the initial evaluation determine if the complaint is eligible for the TRTS;
 - (b) If the complaint does qualify for the TRTS:
 - (i) Advise the complainant that the complaint shall be handled by the TRTS; and
 - (ii) Record the call on the telephone log.
- (4) If an IIU employee other than the Duty Officer takes a telephone call for an alleged complaint that would be eligible for the TRTS, the individual taking the call shall:
 - (a) Advise the complainant that the complaint shall be handled by the TRTS and that an investigator shall contact the complainant for follow up;
 - (b) Document the complaint on the duty officer's telephone log; and

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- (c) Place the characters “TRTS” in the left margin of the telephone log under the heading telephone calls; and
- (5) If follow-up is required in relation to a TRTS complaint, the investigator conducting the follow-up activity shall comply with applicable IIU procedures for complaint control, investigative reports, and supplemental reporting.

.07 Attachments.

- A. Complaint Control Ledger.
- B. Criminal Investigation Report.
- C. Duty Officer Checklist.
- D. IIU CCN Codes.
- E. Incident Report.

.08 History.

- A. This document replaces IIU Complaint Receipt and Processing dated March 19, 2002.
- B. This document supercedes any current IIU policy or procedure with which it may be in conflict.