



# POLICE DEPARTMENT CIVILIAN REVIEW BOARD COMPLAINT PROCEDURES

## PERSONNEL PROCEDURE #354

Responsible Executive:  
Chief of Police  
Responsible Office:  
Vice President for Public Safety  
Approved by:  
Dr. Branville G. Bard Jr.  
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## Policy Statement

The Baltimore City Civilian Review Board (CRB) was established by the Code of Public Local Laws of Baltimore City to have jurisdiction over certain allegations of police misconduct involving members of the public in Baltimore City, consisting of the following allegations: abusive language, false arrest, false imprisonment, harassment, or excessive force. The Johns Hopkins Police Department (JHPD) is committed to collaboration and transparency with the CRB throughout the investigation and discipline process, recognizing that both the CRB and the JHPD have mutual goals of integrity, transparency, and building community trust and confidence by holding accountable JHPD officers who have committed misconduct. The JHPD will fulfill all its responsibilities to the CRB process, as required by this Directive and Baltimore City law.

## Who Is Governed by This Policy

All sworn police officers, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD are governed by this Directive.

## Purpose

This Directive serves to establish the JHPD’s procedure for interacting with the CRB regarding misconduct cases that are within the CRB’s statutory purview. This Directive also aims to

provide transparency to both the public and JHPD officers about how the department will conduct and collaborate on investigations that fall within the CRB’s jurisdiction.

## Definitions

<b>Abusive Language:</b>	The use of remarks intended to be disrespectful, demeaning, humiliating, mocking, insulting, or belittling. Such remarks may also be indicative of bias if they are based on the actual or perceived race, color, religion, sex, national origin, sexual orientation, or gender identity of an individual.
<b>CRB Eligible:</b>	This describes a complaint or a case where the complaint alleges or contains at least one of the five misconduct allegations under the CRB’s jurisdiction (abusive language, false arrest, false imprisonment, harassment, and excessive force).
<b>Excessive Force:</b>	The use of greater physical force than reasonably necessary to repel an attacker or terminate resistance. It does not include force that is reasonably necessary to effectuate a lawful purpose.
<b>False Arrest:</b>	An arrest made without legal justification.
<b>False Imprisonment:</b>	The intentional restriction without legal justification of the freedom of movement of a person who is aware of the restriction and who does not consent.
<b>Harassment:</b>	For the purposes of this Directive, repeated or unwarranted conduct that is intended to be overtly disrespectful, demeaning, humiliating, mocking, insulting, or belittling, or any conduct that is intended to cause unnecessary physical discomfort or injury. Harassment does not include conduct that is reasonably necessary to effectuate a lawful purpose. This does not include workplace harassment as defined by the Johns Hopkins University Office of Institutional Equity’s Discrimination and Harassment Policies and Procedures.
<b>Member:</b>	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
<b>Officer:</b>	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.

## Core Principles

- I. Trust and Respect:** To achieve constitutional, accountable, effective, and respectful policing, there must be trust between the police and those they serve. It is paramount that the police treat all persons with respect, fairness, and dignity. The Public Safety Accountability Unit (PSAU) serves to ensure that the JHPD’s officers abide by the spirit and letter of the laws and policies governing their actions. PSAU also ensures that integrity, transparency, and collaboration are prioritized through interactions with the civilian oversight entities charged with providing additional oversight of its officers.

**II. Accountability:** The JHPD openly and readily receives all complaints reported by the public and JHPD officers, and it fully, fairly, and effectively investigates all complaints. The JHPD also fully collaborates with civilian oversight bodies on cases under their jurisdiction to ensure officer accountability. Where complaints are sustained against any JHPD officer, the officer will be held accountable for their actions via a fair, objective, and consistent system that complies with due process.

**III. Accountability Systems:** Through transparent and consistent systems to receive, properly classify, investigate, track, monitor, and adjudicate complaints, the JHPD ensures that its operations are functioning effectively. As issues arise that point to deficiencies or problems with these systems, including those raised by civilian oversight bodies, the JHPD will resolve them to ensure that its accountability systems are reliable and trustworthy.

## Procedures

### I. Required Actions

- A. An individual who claims to have been subjected to or witnessed a CRB-eligible incident, including an act of abusive language, harassment, false imprisonment, false arrest, or excessive force by a JHPD officer, or an injury allegedly resulting from excessive force caused by a JHPD officer, shall be informed that they may file a complaint at PSAU, the Maryland Legal Aid Bureau, the Maryland Commission on Civil Rights, the Office of Equity and Civil Rights, or any JHPD station. This information will be on the JHPD complaint card available in English and Spanish. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 26.2.1)
- B. Any complaint received by the JHPD that falls within the CRB's jurisdiction shall be forwarded by PSAU to the CRB.
- C. All officers of the JHPD shall follow the requirements of JHPD Directive #350, Complaints Against Police Personnel, when accepting complaints.
- D. Any complaint received by a JHPD officer shall be forwarded to PSAU prior to the end of that officer's shift. PSAU is responsible for properly classifying each complaint it receives and forwarding all complaints (along with all available accompanying information or materials) deemed CRB eligible to the CRB within 48 hours of its receipt by PSAU (unless the 48 hours falls within a weekend or holiday, in which case the complaint form should be sent the following business day). (CALEA 26.3.1.b)
  - If a PSAU case was initially not classified as CRB eligible but during the investigation PSAU discovered CRB-eligible allegations, PSAU shall inform the CRB of the case within two business days of the discovery and forward all available case materials to the CRB in that same time frame.
  - Consistent with JHPD Directive #350, Complaints Against Police Personnel, complaints initiated by JHPD members that exclusively concern internal employment matters and do not involve a JHPD officer

interacting with the public as law enforcement will not be forwarded to the CRB or the Administrative Charging Committee.

- E.** All complaints the JHPD receives from the CRB shall be investigated by PSAU. Therefore, if PSAU receives a complaint from the CRB for which PSAU does not already have an initiated case, PSAU shall open an investigation into the allegations and complete an investigation.
- F.** For all administrative investigations being conducted by PSAU that fall within the CRB's jurisdiction, the PSAU Executive Director shall submit a report on the findings of the investigation to the CRB within 45 days from the date of the complaint. If PSAU requires more than 90 days to conduct the investigation, PSAU shall submit a request to the CRB to extend the time allowed to complete the investigation. PSAU must show good cause for the request to extend the investigation time frame.
- G.** The CRB may simultaneously investigate any complaint under its jurisdiction that it deems appropriate to investigate and will report the findings to PSAU. Where the CRB elects to investigate a matter within its jurisdiction, PSAU shall meet with the investigator and attend all CRB meetings where the JHPD matter will be discussed.
- H.** PSAU shall be accessible and responsive to communications and requests from the CRB.
  - PSAU must turn over evidence, materials, and information that it has, even if the investigator determines that it is not relevant to the investigation, with the exception of criminal history information or other information that is otherwise subject to confidentiality protections under law.
  - If investigators of PSAU have any questions about whether information should be shared with or transmitted to the CRB, the investigator shall consult with the PSAU Executive Director or their designee.
  - The PSAU Executive Director or designee shall also be available to receive inquiries or complaints from the CRB administrator, the CRB chairperson, or a designee if concerns arise that cannot be resolved at the detective or sergeant level.
  - All communications between PSAU and the CRB about a specific case or investigation shall be documented in the PSAU case file.
- I.** The CRB, consistent with its bylaws, will review the PSAU investigation and the CRB's investigative report, if applicable, and will recommend to the Police Chief any of the following findings: (CALEA 26.3.8)
  - Sustained,
  - Not sustained,
  - Exonerated,
  - Unfounded, or

- Request further investigation by PSAU.
- J.** Findings and recommendations of the CRB will be submitted to the Chief of Police within 30 days of receipt of the investigative report.
- NOTE: This process will not affect the JHPD’s procedures for administrative suspensions or dismissals.
- K.** For CRB investigations, “not sustained” findings and cases deemed exonerated will be forwarded to the Executive Director of PSAU, who shall notify the accused officer in writing of the findings.
- L.** When the CRB has rendered a “sustained” finding, and PSAU has rendered a finding of “not sustained,” “exonerated,” or “unfounded” for the same case, the CRB shall inform the PSAU Executive Director of the contradictory findings. The PSAU Executive Director will meet with the CRB to reach an agreement on the findings. If there is no agreement, the PSAU Executive Director or a designee will forward both findings to the Administrative Charging Committee make a final decision, in accordance with JHPD Directive #350, Complaints Against Police Personnel.
- M.** The Chief of Police must follow the Police Accountability Act and MD Code, Public Safety, §§ 3-101–3-114, and apply this to the decision about appropriate disciplinary action. No final action will be taken until the Chief of Police has reviewed the recommendation of the CRB.
- N.** Except for the PSAU report, the CRB will be the custodian of all records of the CRB complaint and proceedings. (CALEA 26.2.2)
- O.** PSAU shall retain sole custody of the PSAU report.
- P.** CRB procedures shall be explained to JHPD officers during entry-level and in-service training.

## Policy Enforcement

<b>Enforcement</b>	Police Department managers and supervisors are responsible for enforcing this Directive.
<b>Reporting Violations</b>	Suspected violations of this Directive should be reported to PSAU.

## Related Resources

<b>University Policies and Documents</b>
Personnel Procedure #350, Complaints Against Police Personnel
<b>External Documentation</b>
Baltimore City Code of Public Local Laws of Baltimore City (P.L.L.), §§ 16-41–16-54 Baltimore Police Department Policy 307, Civilian Review Board Complaint Procedures Baltimore Police Department Public Integrity Bureau Internal Operations & Training Manual

City of Baltimore Civilian Review Board Bylaws,  
<https://civilrights.baltimorecity.gov/sites/default/files/CRB%20Bylaws%20Approved%202023.3.22.pdf>

**Police Department Forms and Systems**

<https://powerdms.com/ui/login>

## Contacts

Subject Matter	Office Name	Telephone Number	Email/Web Address
Complaints Against Police Personnel	Public Safety Accountability Unit	(667) 208-8633	<a href="mailto:psau@jh.edu">psau@jh.edu</a>