


PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...honor, integrity, courage, respect, and compassion."</i>		SUBJECT: "CRITICAL INCIDENT REVIEW BOARD"		ORDER NUMBER: 12-11
		PLEAC STANDARD: NONE		PAGE 1 OF 3
RE-ISSUE DATE: 05/31/2022	EFFECTIVE DATE: 3/10/2016	REVIEW MONTH: MARCH	RESCINDS: ALL PREVIOUS	REVIEW DATE: 2/15/2022

1.0 POLICY OR PURPOSE

- 1.1 This policy provides the authority and operating procedures for the review of all critical incidents. Administrative reviews concerning these incidents shall be conducted according to policy and procedures established herein.
- 1.2 This administrative process provides an opportunity for the PBP to evaluate the details related to a critical incident and determine whether the officer's actions were appropriate and within training and policy guidelines. There is also an opportunity to recommend changes to PBP policy and training.

2.0 DEFINITIONS

- 2.1 Critical Incident – Any incident in which a PBP officer is involved, while acting in an official capacity, which causes critical bodily injury or death to any person, as well as any intentional shootings, in which a PBP member discharges a firearm at a subject as a use of force. Critical incidents would include, but are not limited to:
 - 2.1.1 Intentional and accidental shootings which result in bodily injury or death as a result of a gunshot wound;
 - 2.1.2 Intentional and accidental use of any other dangerous or deadly weapons, including less-lethal firearms, which causes critical bodily injury or death to any person;
 - 2.1.3 Attempts by police officers to make arrests or to otherwise gain physical control for a law enforcement purpose and which causes critical bodily injury or death to any person;
 - 2.1.4 Any fatal or critical bodily injury to a person in police custody.
 - 2.1.5 Police pursuits that result in critical injury or death.

3.0 PROCEDURES

- 3.1 Following a critical incident, the Chief of Police shall convene a Critical Incident Review Board (CIRB). A CIRB # will be assigned to each board.
 - 3.1.1 The Major Crimes Commander will advise the CIRB Chair accordingly and provide a case file.
 - 3.1.2 Neither investigative personnel nor representatives from the DA's office will be present during any interview conducted as part of the administrative review.
 - 3.1.3 The "Garrity Rule" will be provided to the involved officer(s) by sworn personnel.
 - 3.1.4 The involved officer(s) statement provided under "Garrity" will not be shared with VCU personnel, the DA's office personnel, or any other agency involved in the criminal investigation.
 - 3.1.5 All paperwork by the involved officer (s) will be completed following the Garrity interview.
 - 3.1.6 All "Garrity" interviews will be recorded and transcribed.

Note: Following the review of the criminal investigative reports, additional interviews of involved and witness officers may not be needed to conduct an administrative investigation or identify training deficiencies. If that is the case, then at the discretion of the CIRB, they may forgo a "Garrity" interview with involved and/or witness officers.

- 3.2 The CIRB shall be responsible for conducting administrative reviews of all critical incidents.
- 3.3 The Chief's Office will maintain a database for all CIRB that includes the following information:
 - 3.3.1 CIRB #
 - 3.3.2 CCR #
 - 3.3.3 Police officers involved

- 3.3.4 K-9
 - Yes or No
- 3.3.5 Homicide File #
- 3.3.6 Actor’s name
- 3.3.7 CIRB board members
- 3.3.8 Date established
- 3.3.9 Date of CIRB report
- 3.3.10 Extension requested
 - Yes or No
- 3.3.11 Date extension requested, and number of days requested

3.4 The CIRB is responsible for reviewing all aspects of a Critical Incident including, but not limited to:

- The review of all reports concerning the incident (including Investigations Reports).
- Consulting with the appropriate personnel in gathering information concerning the incident including:
 - The Violent Crimes Unit (VCU) supervisors.
 - The Major Crimes (MC) Commander.
 - Any other Command Staff member who was either involved in the incident or participated in the investigation following the incident.
 - Any OMI personnel involved in the administrative investigation.
 - Any personnel from other agencies if involved in the investigation.
 - Any Training Academy personnel concerning training policy or methods.
 - Any personnel for information on current PBP or model policies.
 - Any personnel from other sources to gather information concerning the incident.
 - Any personnel, regardless of rank to answer questions regarding the investigative process

3.5 The CIRB will serve in an advisory capacity by presenting findings and making recommendations to the Chief of Police.

3.6 The recommendations will include suggestions that may pertain to training, policy, safety, or any other issues of importance that arise from the review.

4.0 BOARD COMPOSITION

4.1 The CIRB shall consist of a minimum of three members as determined and selected by the Chief of Police, including but not limited to:

- 4.1.1 One Commander.
- 4.1.2 One Lieutenant or Sergeant
- 4.1.3 One Police Officer/Detective.
- 4.1.4 One Subject Matter Expert-which may include, but is not limited to, Training Academy personnel, SWAT personnel, and Collision Investigation personnel.

Note: The board member can opt to deviate their shift and/or be eligible for overtime to attend meetings, interviews and tend to Board work.

4.2 A separate CIRB will be assigned for each critical incident. Members will be chosen by the Chief of Police or their designee.

4.3 The designated Commander will serve as the Chairperson of the CIRB.

4.4 The CIRB chairperson has the authority to call members of the Bureau of Police to give statements to the board or to provide written statements as necessary for board review regarding said incident.

4.5 The CIRB chairperson has the authority to call members of the Bureau of Police with knowledge pertaining to any aspect of the incident under review to meet with the board.

4.6 The PBP will maintain a list of personnel interested in serving on a CIRB, which will be refreshed yearly. This list will not be considered the sole source of personnel for CIRB service.

4.7 Conflict of interest should be avoided when selecting Board members (Members should be from different units, members should not be related to one another, etc.).

4.7.1 All board members shall have the duty to declare a potential conflict of interest to the Chairperson. It shall be the Chairperson’s sole discretion to retrain or dismiss a board member due to a conflict of interest.

5.0 CIRB PROCEEDINGS

5.1 The CIRB can immediately begin the administrative review process by using any available reports, recordings, and scheduling interviews, if necessary. The CIRB will not wait for the outcome of the criminal investigation to begin their review.

5.1.1 The CIRB must actively conduct a review, keeping the “120-day rule” for discipline in mind, and request extensions from both Chief of Police or their designee and the FOP when delays are expected.

5.2 The CIRB shall convene within a week following a critical incident.

5.3 The CIRB shall submit a preliminary written report of its findings and recommendations within sixty (60) days from the date they were assigned each Critical Incident.

5.3.1 If extenuating circumstances prohibit the report being finished in sixty (60) days, a memo will be forwarded from the CIRB to the Chief of Police to request a time extension.

5.4 Format of Report

Table of Content

I. Synopsis

II. Policy Issues

A. List all applicable policies

(1) State which policies were met

(2) State which policies were not met and why

III. Policy Recommendations

IV. Training Issues

V. Disciplinary issues and recommendations

VI. Other Issues and recommendations

VII. Conclusions

5.5 The CIRB report will be submitted to the Chief of Police or their designee

5.6 The Chief of Police or their designee will make all final determinations with regard to any training, policy changes, safety issues, or any other issues of importance that may arise from the review.

5.6.1 Upon completion of each critical incident, a summary or synopsis of the critical incident will be presented at a scheduled Command Staff meeting by the chair or a member of the convening CIRB.

Approved By:

Scott Schubert
Chief of Police