


PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...honor, integrity, courage, respect, and compassion."</i>		SUBJECT: "CRIMINAL/CIVIL ACTIONS AGAINST POLICE OFFICERS"		ORDER NUMBER: 44-05
		PLEAC STANDARD: NONE		PAGE 1 OF 4
RE-ISSUE DATE: 10/12/2021	EFFECTIVE DATE: 8/25/1997	REVIEW MONTH: AUGUST	RESCINDS: ALL PREVIOUS	REVIEW DATE: 10/12/2021

1.0 POLICY OR PURPOSE

1.1 To provide protocol for the arrest, service of an arrest warrant, service of a court order, or service of a civil lawsuit on a member of the Pittsburgh Bureau of Police by another member of the Bureau of Police.

2.0 NOTIFICATION PRIOR TO SIGNING OF COMPLAINT

2.1 In all cases, when any member of the Pittsburgh Bureau of Police is to be physically arrested on the complaint of another member, notification shall be made to the affected member's chain of command from their Commander to the Chief of Police prior to the signing of the complaint and the preparation of the summons, and before the member is processed at the Warrant Office.

2.2 Each rank in the chain of command shall be personally responsible for notifying the next higher rank up to the Chief of Police.

3.0 ON-VIEW ARREST OF A MEMBER OF THE PITTSBURGH BUREAU OF POLICE

3.1 Whenever a situation occurs which dictates the on-view arrest of a member of the Bureau of Police, a shift supervisor shall be called to the scene.

3.2 Whenever possible, a supervisor at least one grade higher than the officer being arrested will make the arrest at the scene, sign all of the reports, and handle all of the court appearances in regard to the arrest.

3.3 In those instances when an immediate arrest is needed, and a supervisor is not available, the officer on the scene will make the arrest, however, a supervisor must review, approve and sign all of the reports, and handle all of the court appearances in regard to the arrest.

3.4 In all cases in which a member of the Bureau of Police is involved in a case of suspected domestic violence, a supervisor shall be called to the scene. The responding supervisor shall determine whether evidence exists for an immediate arrest under Section 2711 of the Pennsylvania Crimes Code (Domestic Violence Act) and shall effect the arrest if deemed appropriate.

3.5 When a member of the Bureau of Police is arrested, the supervisor handling the arrest will complete a Disciplinary Action Report (DAR) and forward it through the chain of command.

- A second copy of the DAR will be forwarded directly to the Office of the Chief of Police.
- The DAR will be completed and forwarded before the end of the shift of the supervisor.
- Failure to complete the DAR will constitute neglect of duty by the supervisor.

3.6 The shift supervisor shall be responsible for notifying the Zone Commander in which the arrest occurred, the Commander of the officer being arrested, and also the Duty Commander.

3.7 It shall be the responsibility of the Commander of the arrested officer to personally notify the Assistant Chief of the appropriate branch.

3.8 It shall be the responsibility of the Assistant Chief to personally notify the Deputy Chief, who in turn shall personally notify the Chief of Police.

- 3.9 The Deputy Chief shall forward all related information regarding the arrest to the Assistant Chief of Administration and to the Office of Municipal Investigations.
- 3.10 If the arrest is for an offense which is a Misdemeanor 2 or higher, the Assistant Chief of Administration will forward all related information to the Training Academy to be processed. The completed paperwork will be sent by the Assistant Chief of Administration to the Municipal Police Officer's Education and Training Commission. A copy of the correspondence will be forwarded to the Assistant Chiefs, the Deputy Chief and the Chief of Police.
- 3.11 If the arrest is for an offense which is a Felony 3 or higher, the Chief of Police will notify the Director of Public Safety so that official notification may be made to the Department of Personnel and Civil Service.

4.0 ARREST BY WARRANT OR SUMMONS

- 4.1 Arrests of members of the Pittsburgh Bureau of Police shall be made on complaint of another member of the Pittsburgh Bureau of Police in accordance with Rule 509 of the Pennsylvania Rules of Criminal Procedure.
- 4.2 All arrest warrants and/or summons drawn up against a member of the Bureau of Police shall be sworn to by a member at least one grade higher than the officer against whom the complaint is being filed.
- An exception to this requirement shall be made if the reporting/investigating officer is advised by an Assistant District Attorney or the Police Legal Advisor to swear out an affidavit for arrest or summons. In this specific instance, a member of equal or lower rank may then swear out an affidavit for the issuance of an arrest warrant or summons.
- 4.3 The commander of the affected member shall be notified prior to the drawing up of an affidavit for an arrest warrant or summons, and the arrest shall be coordinated through them.
- 4.4 It shall be the responsibility of the Commander of the affected member to personally notify the Assistant Chief of the appropriate branch.
- 4.5 It shall be the responsibility of the Assistant Chief to personally notify the Deputy Chief, who in turn shall personally notify the Chief of Police.
- 4.6 The Deputy Chief shall forward all related information regarding the arrest to the Assistant Chief of Administration and to the Office of Municipal Investigations.
- 4.7 If the charges are for an offense which is a Misdemeanor 2 or higher, the Assistant Chief of Administration will forward all related information to the Training Academy to be processed. The completed paperwork will be sent by the Assistant Chief of Administration to the Municipal Police Officer's Education and Training Commission. A copy of the correspondence will be forwarded to the Assistant Chiefs, the Deputy Chief and the Chief of Police.
- 4.8 If the charges are for an offense which is a Felony 3 or higher, the Chief of Police will notify the Director of Public Safety so that official notification may be made to the Department of Personnel and Civil Service.
- 4.9 Whenever possible, a supervisor at least one grade higher than the affected member shall serve the arrest warrant, make the arrest, prepare all of the reports, and handle all of the court appearances in regard to the arrest.
- 4.10 In those instances where the immediate service of the arrest warrant is necessary, and a supervisor is not available, the officer on the scene shall be responsible for making the arrest, however, a supervisor must review, approve and sign all of the reports, and handle all of the court appearances in regard to the arrest.
- 4.11 Any time a member of the Bureau of Police is arrested, the supervisor handling the arrest will complete a Disciplinary Action Report (DAR) and forward it through the chain of command.
- A second copy of the DAR will be forwarded directly to the Office of the Chief of Police.
 - The DAR will be completed and forwarded before the end of the shift of the supervisor.
 - Failure to complete the DAR will constitute neglect of duty by the supervisor.

5.0 SERVICE OF A PROTECTION FROM ABUSE ORDER ON A MEMBER OF THE PITTSBURGH BUREAU OF POLICE

- 5.1 A shift supervisor shall be responsible for accompanying a responding police officer to serve a Protection from Abuse Order (PFA) on a member of the Bureau of Police.
- 5.2 The supervisor serving the PFA shall be responsible for preparing PBP Form #54.0, "Special Report" detailing the following:
- Date of Service of the PFA
 - Time of Service of the PFA
 - Location of Service of the PFA
 - All other pertinent information in regard to the service of the PFA order
- 5.3 The completed Special Report, along with a copy of the PFA will be forwarded as follows:
- Through the chain of command to the Chief of Police.
 - A copy will be forwarded to the Commander of the officer who received the PFA.
 - The Commander of the officer involved will forward this information to OMI and will request further investigation of the allegations contained as part of the PFA.

6.0 NOTIFICATION OF CIVIL SUITS

- 6.1 Any member of the Bureau of Police who has been named as a party in any civil suit involving allegations of untruthfulness, physical force, racial bias, or domestic violence shall make immediate notification to their Commander.
- 6.2 The officer shall prepare and submit PBP Form #54.0, "Special Report" through the chain of command to the Chief of Police detailing the following:
- Time, date and location of the incident
 - Charges filed against the officer
 - Jurisdiction of the charges or suit
 - Any bond or conditions of bond
 - Date, time and place of any hearing.
- 6.3 The Assistant Chief of Investigations or of Operations shall forward this information to the Assistant Chief of Administration and to the Office of Municipal Investigations.
- 6.4 The Assistant Chief of Administration shall forward the civil suit information to the Law Department.

7.0 ARREST OF A MEMBER OF THE BUREAU OF POLICE BY ANOTHER POLICE AGENCY

- 7.1 Any member of the Bureau of Police who has been placed under arrest by any police agency other than the Pittsburgh Bureau of Police shall notify their Commander of the arrest within twenty-four (24) hours of the initial arrest. This notification may be made by telephone to the Commander.
- 7.2 Immediately following the officer's return to work (or within 72 hours if not working due to circumstances such as being off sick, compensation, vacations, etc.) after the initial arrest, the arrested member shall prepare and submit PBP Form #54.0, "Special Report" through the chain of command to the Chief of Police detailing the following:
- Time, date and location of the arrest
 - Charges filed against the officer
 - Jurisdiction of the arrest
 - Any bond or conditions of bond
 - Date, time and place of the preliminary hearing.
- 7.3 The Assistant Chief of Investigations or of Operations shall forward this information to the Assistant Chief of Administration and to the Office of Municipal Investigations.

- 7.4 If the arrest is for an offense which is a Misdemeanor 2 or higher, the Assistant Chief of Administration will forward all related information to the Training Academy to be processed. The completed paperwork will be sent by the Assistant Chief of Administration to the Municipal Police Officer's Education and Training Commission. A copy of the correspondence will be forwarded to the Assistant Chiefs, the Deputy Chief and the Chief of Police.
- 7.5 If the arrest is for an offense which is a Felony 3 or higher, the Chief of Police will notify the Director of Public Safety so that official notification may be made to the Department of Personnel and Civil Service.
- 7.6 Any time a member of the Bureau of Police is arrested by another police agency, the member's Commander will complete a Disciplinary Action Report (DAR) and forward it through the chain of command.
- A second copy of the DAR will be forwarded directly to the Office of the Chief of Police.
 - The DAR will be completed and forwarded before the end of the shift of the supervisor.
 - Failure to complete the DAR will constitute neglect of duty by the supervisor.

8.0 ARREST OF POLICE OFFICERS FROM OTHER POLICE AGENCIES

- 8.1 When a police officer from another jurisdiction is arrested by a member of the Bureau of Police, a copy of the arrest report will be immediately forwarded to the Assistant Chief of Administration.
- 8.2 If the arrest is for an offense which is a Misdemeanor 2 or higher, the Assistant Chief of Administration will forward that report and related information to the Training Academy to be processed. The Assistant Chief of Administration will send the completed paperwork to the Municipal Police Officer's Education and Training Commission. A copy of the correspondence will be forwarded to the Assistant Chiefs, the Deputy Chief and the Chief of Police.
- 8.3 The Assistant Chief of Administration or their designee will notify the chief law enforcement officer of the involved officer's jurisdiction and forward all reports within twenty-four (24) hours of the incident.

Approved By:



Thomas Stangrecki
Acting Chief of Police