



## REPORTING OF COMPLAINTS

Date:

October 18, 2021

By Direction Of:

Lucas M. Miller, State Inspector General

### A. Purpose & Scope.

To establish the Office of State Inspector General's (OSIG) policy and procedures regarding the receipt and processing of complaints against OSIG employees. This policy applies to all OSIG staff. Failure to abide by this policy may result in disciplinary action up to and including termination.

### B. Policy.

The OSIG holds its employees to a high standard of conduct and expects them to always act in a manner that reflects the ethical standards consistent with the mission of the OSIG. Though an OSIG employee's conduct may not rise to the level of criminality, it is still subject to scrutiny and appropriate discipline, up to and including termination, if the nature of the conduct has an adverse effect on the OSIG employee's ability to perform his/her assigned job duties or has an adverse effect on the public's or business partner's perception of the OSIG.

It is the responsibility of OSIG Internal Affairs to investigate employee misconduct cases that may include, but are not limited to, use of force and abuse of authority, in a thorough, timely and impartial manner.

Per OSIG's Code of Conduct Policy, all OSIG employees will report all violations of law or behavior deemed by the Code of Conduct Policy as unbecoming behavior. Reports will be made to an employee's immediate supervisor or other individual in the chain of command.

All complaints received regarding OSIG employees will be documented, reviewed/investigated, and if necessary, disciplinary action will be taken.

Complaints can be received via the following methods:

- Telephone
  - Bureau of Special Investigations Tipline
- Online complaint and contact us forms at [www.osig.pa.gov](http://www.osig.pa.gov)
- E-mail

- U.S. Mail
- Fax
- In Person

All complaints received related to employees of the Bureau of Fraud Prevention and Prosecution (BFPP) that do not result in a BSI investigation must be entered into the Report of Public Concern (RoPC) database.

All complaints received on OSIG support employees and employees related to the Bureau of Special Investigations (BSI) or the Bureau of Law Enforcement Oversight (BLEO) must be entered into BSI's case tracking system.

### **C. Procedures.**

#### BSI Tipline

BSI Special Investigators (SI) are assigned to answer calls on the BSI Tipline Monday through Friday between 8:00 a.m. and 4:30 p.m. If the SI assigned to the BSI Tipline receives a telephone complaint alleging an OSIG employee used excessive force or abused their authority, he/she must obtain as much detailed information as possible to include the complainant's contact information (name, email address, phone number, etc.) and immediately notify their Investigations Manager (IM) and the BSI Deputy State Inspector General of the complaint. The SI will also document this information in a memorandum and enter it into BSI's case tracking system as a complaint and forward the memorandum to their IM and the BSI Deputy State Inspector General.

If the complaint received does not involve an allegation of excessive force or abuse of authority, the complaint will be forwarded to their IM and the BSI Deputy State Inspector General for review and proper processing. If a complaint is received about a BFPP employee a determination will be made to whether a BSI investigation is warranted or if the matter should be referred to the BFPP Deputy State Inspector General for action. In all situations of a complaint involving wrongdoing by a BFPP employee, where BSI determines an investigation is not warranted will be forwarded to the BFPP Deputy State Inspector General, who will take the necessary steps to document the complaint in the RoPC database. If a complaint is received about a BLEO employee a determination will be made to whether a BSI investigation is warranted or if the matter should be referred to the BLEO Deputy State Inspector General for action.

#### Online, Mail and Fax Complaints

If the complaint is received via the online complaint form, U.S. mail, fax or the online "contact us" form alleging an OSIG employee used excessive force or abused their authority the complaint will immediately be forwarded to the BSI Deputy State Inspector General and entered into BSI's case tracking system as a complaint.

If the complaint received does not involve an allegation of excessive force or abuse of authority, the complaint will be forwarded to their IM and the BSI Deputy State Inspector General for review and proper processing. If a complaint is received about a BFPP employee a determination will be made to whether a BSI investigation is warranted or if the matter should be referred to the BFPP Deputy State Inspector General for action. In all situations of a complaint involving wrongdoing by a BFPP employee, where BSI determines an investigation is not warranted will be forwarded to the BFPP Deputy State Inspector General, who will take the necessary steps to document the complaint in the RoPC database. If a complaint is received about a BLEO employee a determination will be made to whether a BSI investigation is warranted or if the matter should be referred to the BLEO Deputy State Inspector General for action.

### In Person Complaints

If a complainant files a complaint in person alleging an OSIG employee used excessive force or abused their authority, the complainant will meet with a SI who will obtain as much detailed information as possible to include all the complainants' contact information. The SI will immediately notify their IM and the BSI Deputy State Inspector General of the complaint. The SI will also document this information in a memorandum and enter it into BSI's case tracking system as a complaint and forward the memorandum to their IM and the BSI Deputy State Inspector General.

If the complaint received does not involve an allegation of excessive force or abuse of authority, the complaint will be forwarded to their IM and the BSI Deputy State Inspector General for review and proper processing. If a complaint is received about a BFPP employee a determination will be made to whether a BSI investigation is warranted or if the matter should be referred to the BFPP Deputy State Inspector General for action. In all situations of a complaint involving wrongdoing by a BFPP employee, where BSI determines an investigation is not warranted will be forwarded to the BFPP Deputy State Inspector General, who will take the necessary steps to document the complaint in the RoPC database. If a complaint is received about a BLEO employee a determination will be made to whether a BSI investigation is warranted or if the matter should be referred to the BLEO Deputy State Inspector General for action.

### Report of Public Concern (RoPC) Database

All complaints received by BFPP directly must be entered into the RoPC database within 48 hours of when the complaint was received. Complaints forwarded from BSI on BFPP employees must be reviewed by the BFPP Deputy State Inspector General must be reviewed within 24 hours of the receipt of the complaint.

Complaints may be received by any OSIG employee; however, they should be forwarded to the reported employee's supervisor to input into RoPC database. In the event that a supervisor is unavailable, a Regional Manager, Division Chief, BFPP Assistant Director or the BFPP Deputy State Inspector General can also input complaints. As complaints are processed, the

steps taken will be reviewed/narrated in the RoPC and the complaint will be closed by the appropriate personnel based on the nature of the complaint.

Complaints in the RoPC database that are identified by the Regional Manager as serious should be marked in the database as “URGENT.” This generates an automated email to the BFPP Deputy State Inspector General, BFPP Assistant Director, and BSI Deputy State Inspector General for review. The Regional Manager will immediately discuss with the BFPP Assistant Director and/or the BFPP Deputy State Inspector General any complaint that is marked as “URGENT.” The BFPP Assistant Director and/or the BFPP Deputy State Inspector General will also discuss “URGENT” complaints with the BSI Deputy State Inspector General.

Complaints that are referred to and investigated by OSIG Internal Affairs will result in an investigative report. The investigative report will be submitted, for review, approval and recommendations. The completed investigation report will be forwarded to the State Inspector General who will review the investigation with appropriate staff. Appropriate staff will work with the Office of Administration’s Office of Human Resources and make recommendations to the State Inspector General regarding any disciplinary action to be imposed on investigations where misconduct is substantiated.

For specific procedures on how to access and use the RoPC database, please reference the Manager (Division Chief) and Supervisor Report of Public Concern (RoPC) Desk Reference and the Agent and Investigator Report of Public Concern (RoPC) Desk Reference.

**D. Additional Information.**

Any questions concerning this policy should be directed to your supervisor.

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