



Policy 319

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DUTY TO INTERVENE	
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By Order of the Police Commissioner

POLICY

The purpose of this policy is to set forth the legal, ethical, and affirmative duty of Baltimore Police Department (BPD) members to Intervene to prevent or stop Misconduct and/or other problematic behavior. **This policy creates no new reporting requirements for members beyond their existing duty to report Misconduct.** Instead, Intervening can prevent or stop member misconduct, reduce harm to individuals, and preserve the integrity of BPD. When Misconduct occurs, it shall be reported to either the Public Integrity Division (PID), entering it into BlueTeam, or reporting it through the chain of command (See Policy 302, *Rules and Regulations*).

DEFINITIONS

Intervene – To verbally or physically interact with another member so as to prevent or alter a result or course of events.

Misconduct – Action, inaction, and/or failure to act by any member of the BPD, civilian or sworn, that violates BPD policy, the Constitution, or the law, including but not limited to criminal acts, applicable civil laws, administrative rules, or regulations.

GENERAL

1. All members shall recognize and act upon the affirmative duty to Intervene to prevent or stop any member from conducting any act that is unethical or that violates law or policy, including, but not limited to:
 - 1.1. Excessive force, including intentionally escalating an encounter absent a lawful, necessary purpose,
 - 1.2. Stops, searches, and arrests that are unconstitutional or violate BPD policy,
 - 1.3. Discriminatory policing (See Policy 317, *Fair and Impartial Policing*),
 - 1.4. Retaliation against an individual participating in 1st Amendment protected activity,
 - 1.5. Theft/fraud/waste,
 - 1.6. Inappropriate language including discourteous language to members of the public,
 - 1.7. Sexual misconduct,

- 1.8. Harassment,
 - 1.9. Falsifying documents, and
 - 1.10. Inappropriate behavior.
2. Members shall recognize and act upon the affirmative duty to Intervene when they see unsafe behavior, bad tactics, corner-cutting, signs of a fellow member's stress, and/or mental health issues that are affecting their performance. If apparent signs of stress and/or mental health issues are affecting a colleague's performance, members may Intervene by connecting their colleague to the Officer Safety and Wellness (OSW) Section and/or informing their Supervisor for a referral to the BPD's Employee Assistance Program (EAP) (See Policy 1703, *Employee Assistance Program*). Specific EAP resources and the direct contact information for the OSW Section can be found at the following link: <https://public.powerdms.com/BALTIMOREMD/documents/886939>
 3. Interventions may be verbal and/or physical depending on the urgency of the situation and the potential level of Misconduct and/or problematic behavior.

REQUIRED ACTION

Member

4. Members shall take a preventive approach, whenever possible, if observing behavior that suggests that another member is about to engage in unethical or inappropriate behavior.
 - 4.1. When taking a preventive approach, members shall examine the circumstances surrounding the incident to determine the appropriate form of Intervention.
5. Take an active approach to Intervene to stop any unethical behavior or Misconduct, when such conduct is being committed by another member.
 - 5.1. When taking an active approach, members shall Intervene verbally or physically, depending on the urgency of the circumstance.
6. If verbal interventions are not sufficient to stop the act, members shall physically come between the offending member and the other individual involved when safe and feasible while preserving officer safety (e.g., maintaining tactical advantage over a suspect).
7. If the other member is receptive to the Intervention, and the unethical conduct is avoided, members may proceed with their duties. If no misconduct occurred, there is no reporting requirement.
8. If the other member is **not** receptive to the Intervention and Misconduct occurs, members shall immediately contact a supervisor to respond to the scene and ensure their body-worn camera (BWC) is activated.

Supervisors

9. If appropriate, supervisors shall consider making a recommendation to the Meritorious Service Board that the member who intervened receive the Peer Intervention Ribbon for their actions.

10. If Misconduct occurred, supervisors shall report it per BPD policy.

ASSOCIATED POLICIES

Policy 302, *Rules and Regulations*
Policy 317, *Fair and Impartial Policing*
Policy 1703, *Employee Assistance Program (EAP)*
Policy 1712, *Departmental Awards and Commendations*

COMMUNICATION OF POLICY

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.

RECISSION

Rescind Policy 319, Duty to Intervene, 25 May 2021.