



**MULTNOMAH COUNTY
SHERIFF'S OFFICE**
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360.00 – Duty to Intervene and Report Misconduct

Refer:

- [ORS 181A.410 Minimum standards and training for certification](#)
- [ORS 181A.630 Procedure for denial, suspension or revocation of application or certification](#)
- [ORS 181A.640 Grounds for denial, suspension or revocation of application or certification of person or accreditation of program](#)
- [ORS 181A.650 Judicial review of department's final order](#)
- [ORS 181A.681 Report of misconduct or violation of minimum standards](#)
- [MCSO Agency Policy 500.00 - Complaint Intake and Internal Affairs Processing](#)
- [MCSO Agency Policy 605.00 - Use of Force](#)
- Northwest Accreditation Alliance 1.4.7 Duty to Intercede and Report

Definitions:

- Intervene – Take action so as to prevent or alter a result or course of events.
- Misconduct – Unjustified or excessive force that is objectively unreasonable under the totality of the circumstances or is in violation of the Multnomah County Sheriff's Office Agency Policy 605.00 – Use of Force; sexual harassment or sexual misconduct; discrimination against a person based on race, color, religion, sex, sexual orientation, gender identity, national origin, disability or age; or a crime.

Policy:

1. It is the policy of the Multnomah County Sheriff's Office (MCSO) to hold its members to the highest degree of accountability.
2. A member's duty to intervene and report Misconduct is rooted in MCSO's commitment to community service and treating ***all individuals equitably***, respectfully, and with every effort to preserve human life, value, and dignity in all situations.

Procedure:

1. Duty to Intervene.
 - 1.1. Without regard to rank or assignment, ***members*** shall intervene to prevent or stop another member, ***or any member of another criminal justice agency*** engaged in any act the intervening member knows or reasonably

should know is Misconduct, unless the intervening member cannot intervene safely. ***Intervention may range from giving verbal commands, to moving to a safe place and calling for assistance, to using force based on the observer's training and the circumstances of the incident.***

2. Reporting Misconduct.

2.1. ***Members*** who witness another ***member or any member of another criminal justice agency*** engaging in Misconduct or a violation of the minimum standards for physical, emotional, intellectual and moral fitness for public safety personnel (refer to Subsection 2.3. below for more detail) shall report the Misconduct or violation as soon as practicable, consistent with any applicable collective bargaining agreement, but no later than seventy-two (72) hours after witnessing the Misconduct or violation, to:

2.1.1. A supervisor,

2.1.2. An exempt manager,

2.1.3. The Internal Affairs Unit, or

2.1.4. The Department of Public Safety Standards and Training (DPSST).

2.2. Supervisors and exempt managers have an affirmative duty to report and take appropriate action ***when Misconduct is observed or reported, such as*** intervening as appropriate to stop the Misconduct and reporting the act(s) to the Internal Affairs Unit for investigation and/or notifying their chain of command. ***If the incident involves a member of another jurisdiction, the Division Chief or Inspector shall notify the appropriate agency.***

2.3. Members shall comply with MCSO's expectations to intervene and report ***when*** witnessing conduct that could reasonably fit any of the Board on Public Safety Standards and Training moral fitness violations, listed below:

2.3.1. Intentional conduct performed under the color of office to:

2.3.1.1. Obtain false confessions,

2.3.1.2. Make false arrests,

2.3.1.3. Create or use falsified evidence, including false testimony, or to destroy evidence to create a false impression,

2.3.1.4. Compel a person to abstain from doing, or to do, any act that the person has a legal right to do or abstain from doing,

2.3.1.5. Deprive, or attempt to deprive, another person or persons of their legal rights,

2.3.1.6. Gain advantage for a public or private safety agency or for personal gain, ***or***

- [illegible]

- 4.1. The Sheriff's Office may not discharge, demote, suspend, or in any manner discriminate or retaliate against a member with regard to promotion, compensation or other terms, conditions or privileges of employment for the reason that the member intervened or reported as required within Section 1. and Section 2. of this policy.

History:

- Originating Policy: 01/13/2022 (Legislative Updates)
- Next Review Date: 01/13/2024 (Comprehensive Stakeholder Review)
- Review By: Executive Office
- Reviewed: 03/28/2023 (Legislative Updates)
- Next Review Date: 03/28/2025 (Comprehensive Stakeholder Review)
- Review By: Executive Office
- ***Reviewed: 05/29/2025 (Comprehensive Review)***
 - ***Updates in bold italic font***
- ***Next Review: 05/29/2027 (Internal Review)***
- ***Review By: Executive Office***