



## THE CITY OF SHAKER HEIGHTS DEPARTMENT OF POLICE



**GENERAL ORDER:** GO01113

**SUBJECT:** Duty to Intervene

**EFFECTIVE DATE:** April 15, 2024

**REVIEW:** Annually

**AMENDS/SUPERSEDES:** October 28, 2020

**CALEA:** 1.2.10

### PURPOSE

To explain the legal and moral obligation of Shaker Heights Police Department (SHPD) members known as the ***Duty to Intervene*** which is embodied in the Law Enforcement Officer's Code of Ethics and in the law. It also establishes that the SHPD is committed to protecting its members who act on their duty to intervene to prevent or minimize misconduct by another department member.

### POLICY

It is the policy of the SHPD to require employees to intervene within their scope of authority and training and/or notify appropriate supervisory authority in circumstances that involve fellow employees, as well as other public safety associates, whose actions are criminal, unconstitutional, or inappropriate and will harm the reputation of the SHPD or the law enforcement profession as a whole.

### DEFINITIONS

**Intervene:** To come between, whether verbally or physically, so as to prevent or alter a result or course of events.

### GENERAL

All SHPD members benefit when potential misconduct is not perpetrated or when a potential mistake is not made. Preventing misconduct increases public trust and preserves job security and integrity of all department members, ultimately protecting members from destroying their careers as a result of misconduct or, in some instances, as a result of a failure to intervene to prevent misconduct by others.

### PROCEDURES

#### I. Duty to Intervene

- A. All members must recognize and act upon the duty to intervene to prevent or stop any member from conducting any act that is unethical, or that violates law

or policy (e.g., excessive force, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents, inappropriate behavior, etc.). Intervention may be verbal and/or physical. **Failure to intervene may subject a member to disciplinary action.**

## II. Required Action

### A. Duty to Intervene by SHPD members:

1. If aid is required by any individual, ensure that medical attention has been rendered and/or summoned.
2. Take a preventive approach, whenever possible, if observing behavior that suggests that another member is about to conduct unethical or inappropriate behavior.
3. Examine the circumstances surrounding the incident to determine the appropriate form of intervention.
4. Intervene verbally or physically, depending on the circumstances.
5. Take an active approach to intervene to stop any unethical behavior or misconduct, when another member is committing such conduct.
6. If verbal interventions are not sufficient to stop the act, physically come between the offending member and the other individual involved.
7. Immediately notify a supervisor after conducting any type of intervention, when safe to do so.
8. Document the incident in writing and submit it to the supervisor that notification was made to.

### B. Supervisor's Responsibilities:

1. Once learning of an incident involving a member intervening with another member, separate all members involved in the incident.
2. Ensure the preservation of body worn camera and in-car camera footage if available.
3. Conduct a preliminary investigation to gather any pertinent information that would coincide with the reason for the intervention (e.g., witnesses, in-car and body worn camera footage, other video/surveillance footage, area canvass, etc.).
4. Ensure all parties involved in the incident document in writing their observations/participation in the incident and detailing the circumstances that led to the intervention and what, if anything, occurred once the member intervened.

5. Forward all incident documentation to the Internal Affairs Unit via the chain of command.
  - a. The Internal Affairs Unit shall conduct an administrative investigation of the incident per GO2605 Internal Affairs/ Administrative Investigation of Complaints.

### **III. Disciplinary Procedures**

- A. All discipline administered for failing to intervene shall be in compliance with GO2601 Disciplinary System.

### **IV. Training**

- A. Training on this policy shall be conducted annually.

Approved by the order of

(Signature on file in the Office of Chief of Police)

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Wayne D. Hudson  
Chief of Police