



METROPOLITAN POLICE DEPARTMENT
NASHVILLE, TENNESSEE

Roll Call Training: Policy Briefing

MNPD FORM 101
Rev. Feb. 2020

Table with 3 columns: SUBJECT (DUTY TO INTERVENE), REVISED, RESCINDS, REFERENCE (Various Provisions MNPD Manual, 1.20, 1.30, 4.10, 4.20, et al), EFFECTIVE DATE (June 11, 2020), DISTRIBUTION (All Personnel)

I. PURPOSE

The purpose of this roll call training document is to ensure ongoing compliance and adherence to the policy regarding the duty of MNPD employees, particularly sworn employees, of their moral, legal and departmental duty to intervene and stop any other member from committing an unlawful or improper act, including but not limited to, acts of brutality, abuses of process, abuses of authority, and any other criminal acts or major violations of department rules and procedures.

In accordance with the current requirements, supervisors shall ensure all employees under their command are aware of this document and that they have received notice of the information and accept responsibility to follow the directive(s) contained herein.

II. KEY POINTS TO COVER DURING ROLL CALL TRAINING

Recent events have highlighted the need for increased transparency and clarity of mission. Therefore, to further the goals of police legitimacy, the MNPD seeks to simplify certain policies to ensure clarity and ensure that any ambiguity is eliminated in those policies.

Although, multiple provisions of existing department policy mandate that employees report and intercede in situations where they become aware of other employees engaged in unlawful acts, or those that otherwise violate department policy, the following provision is in effect and shall be inserted into the Department Manual at an appropriate location:

Duty to Intervene

Purpose

It is the purpose of this policy to explain the legal and moral obligation of MNPD employees, under the Law Enforcement Code of Ethics, Oath of Office and MNPD policy to intervene and report any act that violates law or policy. Every member of the MNPD has the individual responsibility to intervene and stop any other member from committing an unlawful or improper act, including but not limited to, acts of brutality, abuses of process, abuses of authority, and any other criminal acts or major violations

of department rules and procedures. Successful intervention enhances police legitimacy by preventing misconduct and reducing opportunities for mistakes.

Policy

Definitions

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

Duty to Intervene

1. All members must recognize and act upon the Duty to Intervene in order to prevent or stop any member from conducting any act that violates law or policy (including, but not limited to excessive or unlawful force, unlawful behavior, abuses of authority or major violations of department policy or procedure).
2. Such interventions shall be reported to an appropriate supervisor without delay. Successful intervention does not negate a duty to report.
3. Consistent with established policy and training, if medical attention is required by any individual, ensure that medical attention has been provided and/or summoned.
4. Failure to intervene or report may subject a member to disciplinary action.
(Category varies by severity of violation)

Types of Intervention

Employees should examine the circumstances surrounding the incident to determine the appropriate form of Intervention. Intervention may be verbal or physical, depending on the circumstances.

Preventative: Take a preventive approach, whenever possible, if observing behavior that suggests that another member is about to conduct or engage in inappropriate behavior.

Active: Take an active approach to intervene; in order to stop any behavior or misconduct that violates policy or law, when such conduct is being committed by another member.

Supervisor Role

Consistent with applicable policy, when an intervention occurs, the supervisor shall initiate an appropriate inquiry or investigation, consistent with applicable policy.