


HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL		
Issue Date February 2021	Review Date February 2022	Directive Number 1.3.2
Accreditation Index: 1.8.4		Rescinds: Directive 6.1.19 of June 2020
Section: Six – General Procedures		Chapter: One – Organization and Management Role
Chief of Police: <i>John F. Viola</i>		

SUBJECT: DUTY TO INTERVENE AND ACT

I. PURPOSE

The purpose of this policy is to stress the Haverford Township Police Department’s commitment to protection of all persons regardless of race, creed, color, ethnicity, national origin, religion, sex, sexual orientation, gender expression, age, height, weight, physical or mental ability, veteran status, military obligations, and/or marital status. The Haverford Township Police Department recognizes the moral and legal obligation endowed upon them concerning the welfare of an individual’s life and liberty, that not only requires, but demands that an officer(s) take action to prevent or stop any member of the Department or another Law Enforcement Agency Officer from conducting, completing, or continuing any act that violates law, policy, is unethical, or fails to act such as render aid (medical or otherwise) which may harm another person or property.

This policy shall be known as the Duty to Intervene and Act Policy. This duty embodies the Haverford Township Police Department Mission Statement, Haverford Township Police Department Police Officer Oath, and the Law Enforcement Officer’s Code of Ethics and Laws. Intervention by an officer may be verbal and/or physical, but should accomplish the objective of defusing, preventing, or stopping any act that jeopardizes the welfare of a subject or protection of property. Failure to Intervene may subject a member to disciplinary action.

II. POLICY

Persons having contact with members of this agency shall be treated in a fair, impartial, equitable, and objective manner, in accordance with the law and human decency, without consideration of their individual demographics as defined in this policy. Haverford Township Police Department Police Officers have a clear

understanding of the expectations pertaining to their conduct and activities while on and off-duty. Haverford Township Police Department Police Officers *shall* come between an officer and another party, whether verbally or physically to prevent, alter, or stop the course of events in which another party may be subject to unethical or illegal conduct or behavior, especially if that conduct could escalate to injury, death, or otherwise, that is as a result of an unlawful or unethical act or a failure to perform a lawful act (i.e. medical care) during the course of their duty or while off-duty acting in the capacity of a police officer.

The Haverford Township Police Department is also committed to protecting its members who act on their Duty to Intervene and Act to prevent and/or minimize misconduct by another Haverford Township Police Department Officer or even another Law Enforcement Agency Officer that may be involved during an incident, whether in Haverford Township or outside of Haverford Township during a mutual aid engagement incident.

This Haverford Township Police Department Policy shall recognize the Pennsylvania Whistleblower Law, and afford officers who intervene and/or report misconduct with the protections provided under that law without fear of retribution or defamation.

Haverford Township Police Department Police Officers understand that intervention in preventing and/or stopping; criminal actions, misconduct, or unethical behavior preserves their honor, integrity, and career, while benefiting all Haverford Township Police Department Officers, the Community in which they serve, and ultimately may save a life. The results of misconduct or as a result of a Failure to Intervene and Act to prevent misconduct by other Officers cannot and will not be tolerated or ignored.

III. DEFINITIONS

Intervene / Act: To come between an officer and another party, whether verbally or physically to prevent, alter, or stop the course of events in which another party may be subject to unethical or illegal conduct and/or behavior, which could escalate to injury, death, or otherwise; that is as a result of an unlawful act or a failure to perform a lawful act (i.e. medical care) during the course of duty or while off-duty acting in the capacity of a police officer.

IV. PROCEDURES

A. Intervention / Act Required

1. Officers observing behavior that suggests that another officer is committing or is about to commit an act that is unethical, illegal, or inappropriate shall intervene.

2. Evaluate the circumstances, and determine the appropriate response (verbal or physical), including removing the officer from the scene, and taking control of the incident.
3. A Supervisor is to respond to the scene, unless you are the Supervisor intervening at the scene.
4. If a Supervisor is the officer involved, Officers *will* still intervene, and notify as soon as practical another Supervisor of a higher Rank to alert them of the incident.
5. If the Chief of Police is the officer involved, the Supervisor will notify the Township Manager of the incident promptly.
6. Orders or requests during an incident from a Supervisor or another officer in charge that are genuinely illegal or unethical are not valid Orders, and failure to follow such Orders show integrity, and discipline is not warranted.
 - a) However, Officers cannot defy *valid lawful* Orders in that they cannot interpret Orders the way they want or believe, there must be clear evidence that the Order issued was *illegal or unethical* for no disciplinary actions to be warranted.
7. Medical attention if needed or appears to be needed will be afforded without delay or hindrance, to include first aid by responding officers while waiting for advanced medical care providers to arrive.
8. Officers will understand the dynamics of Positional Asphyxia, Excited Delirium, and potential drug abuse physical changes to the body that can result in death.
9. Officers will understand the dynamics of mental health issues that could cause medical emergencies.
10. Subjects taken into custody will not be transported in a vehicle on their stomach.
11. Subjects taken into custody will not be secured on the ground in a prone position beyond the time it takes to bring them under control. Once they are under control, they will be secured in a vehicle, unless circumstances prevent such movement of the suspect. (i.e. Active Shooter incidents).
12. Appropriate Use of Force will be used to bring a subject under control.
 - a) That force will be subject to the circumstances involved in the incident.

13. Officers will employ de-escalation techniques when possible to both the officer and subject when warranted.

V. SUPERVISORS

A. Actions and Reporting

1. As soon as practical, The intervening officer shall notify his/her supervisor of the incident and and prior to reporting off duty, shall submit a written report to his/her supervisor which documents the observed used of force, action or inaction inconsistent with the agency's policies, procedures or training that constituted criminal conduct or resulted in Constitutional violations.
2. Supervisors will respond to all reports or notifications of an incident involving this policy, and/or;
3. Will upon being informed or having knowledge of an incident will immediately contact the Duty Lieutenant and conduct a preliminary investigation into the matter to gather all pertinent information regarding the incident.

(PLEAC 1.8.4)

BY ORDER OF THE CHIEF OF POLICE