



# Use of Force Recommendation 17 & 19

Guidance for

***Duty to Intervene***



# Agenda

---

- Recommendation Highlights
- Gap Analysis
- Discussion Points (Pros/Cons)
- Committee Feedback
- Further Analysis
- Final Guidance



## Recommendation Highlights

*PERF;*

*“Officers have a **duty to intervene** if they anticipate or observe the unreasonable, unnecessary, or disproportionate use of force.”*

- ✓ #17 - **duty to intervene** should be defined in policy #**DPM 2.1.1 – Use of Force Philosophy**
- ✓ #19 **duty to intervene** should be mentioned inside the department **Special Order Use of Force**

# Gap Analysis

## PERF Recommendation

*“Officers have a **duty to intervene** if they anticipate or observe the unreasonable, unnecessary, or disproportionate use of force.”*

## Current Policy

**Missing**



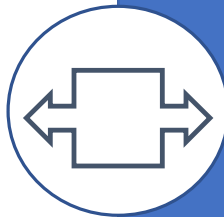
## Pros and Cons

*Reasons **for** adopting the recommendation*

- ✓ *Clearly defines expectations of members*
- ✓ *Matches the culture of MPD*
- ✓ *Fulfills the expectations of our residents*

*Reasons **against** adopting the recommendation*

- ✓ *Of the comparison agencies, only Tucson, Las Vegas, and Chandler mention duty to intervene in policy.  
MCSO, Gilbert and Phoenix do not.*



# Committee Feedback

- One asked if there was a discipline matrix, outline punishment to policy violations.
- From an attorney's view, to add this to policy is a bad idea. It is better to leave it in our culture to intervene.
- Asked if anyone had attempted to intervene or reported during the apartment complex incident.
- One member believed we reviewed all body camera video, everyday.



# Further Analysis

## Policy language used by Chandler PD, for Duty to Intervene

Any officer present and observing another officer using force clearly beyond what is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force. Officers shall promptly report these observations to a supervisor.



## Final Guidance

Accept PERF's recommendation to add to policy the **Duty to Intervene:**

~~"If a member predicts or observes the unreasonable or unnecessary use of force, when in a position to do so, safely intercede to prevent the use of such force."~~

"Any officer present and observing another officer using force clearly beyond what is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force. Officers shall promptly report these observations to a supervisor."





Discussion