

	Houston Independent School District Police Department Directives	DIRECTIVE: 450-015
		EFFECTIVE DATE: January 14, 2023
	SUBJECT: Duty to Intervene	REVISED DATE:

PURPOSE

The purpose of this directive is to describe policies and procedures relating to the legal and moral obligation of Houston ISD Police Department personnel regarding their duty to intervene. This duty is embodied in the law enforcement officer's code of ethics and the law. Departmental members shall clearly understand the departments' expectations pertaining to conduct and activities while on and off duty. This directive applies to all Houston Independent School District Police Department Personnel.

POLICY

Employees of the Houston ISD Police Department also have a duty to intervene when they observe or hear conduct by a fellow member of this department that is unethical, clearly violates the law, or violates policy.

DEFINITION

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

DISCLAIMER

A law enforcement officer has an affirmative duty to intervene on behalf of a citizen whose constitutional rights are being violated in their presence by other officers. No employee will be subject to retaliation from any Houston ISD Police Department personnel for reporting or intervening in good faith. Employees of this department have an affirmative action duty to intervene if they witness an unreasonable use of force. Any employee present and observing an employee using force that is clearly beyond reasonable under the circumstances shall when in a position to do so safely, intervene to prevent the use of unreasonable force. An employee who observes another employee use exhibit use of force that exceeds the degree of force permitted by law shall first intervene and stop the unlawful use of force and then promptly report these observations to a supervisor.

Employees of this department must recognize an act upon the duty to intervene to prevent or stop any member from conducting any unethical act or that violated the law or a department 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 an officer of this department to disciplinary or legal action.

REQUIRED ACTION

Employees should take a preventive approach toward misconduct. When an employee observes behavior that suggests another employee is about to conduct illegal, unethical, or inappropriate behavior, the employee should intervene. If verbal interventions are insufficient to stop the act, the employee will physically stop the offending act between the offending employee and the other individual involved. The employee will immediately notify a supervisor after conducting any intervention.

Notification to a supervisor can be made in writing, verbally, in person, or through other communication available during or after the event. The employee will document the incident in writing when a physical intervention is performed.

RENDER AID

If any person is injured and requires medical attention, employees of this department will render aid in accordance with their training and respect medical assistance when necessary.

SUPERVISOR RESPONSIBILITY

Upon receiving notification of an incident involving an employee intervening with another employee, a the supervisor will separate all officers involved. The supervisor will conduct a preliminary investigation to gather pertinent information that would coincide with the reason for the intervention (e.g., witnesses, BWC footage, videos, area canvass, etc.).

Supervisors will ensure all parties involved in the incident complete a report detailing the circumstances that led to the intervention and what, if anything, occurred once the member intervened. Determine whether the actions leading to the intervention constitute misconduct, unethical behavior, or potential criminal conduct and create a report. The supervisor will report the incident to the Internal Affairs Unit. If appropriate, consider recommending that the member who intervened receive recognition for their actions.

Approved By


Pedro Lopez Jr., Chief of Police