



Cheshire County Sheriff's Office

Professional Standards

Directive Title: Duty to Intervene
PSC# 4.4
Date Issued: 06-17-2020
Effective Date: 06-18-2020
Rescind/Amend/Review: 07/08/2020 Am.
Approved: Sheriff Eliezer Rivera

A handwritten signature in black ink, appearing to read 'Eliezer Rivera'.

POLICY

1. **Legal and Moral Obligation.** It is the purpose of this policy to explain the legal and moral obligation of Cheshire County Sheriff's Office members known as the Duty to Intervene. This duty is embodied in the Sheriff's Office mission statement (*We are committed to the highest level of integrity, professionalism,*), in the law enforcement officer's code of ethics, and the law. Sheriff's Office members shall have a clear understanding of the Sheriff's expectations on conduct and activities while on and off-duty.
2. **Protection.** The Sheriff's Office is committed to protecting members who act on their duty to intervene to prevent or minimize misconduct by another Sheriff's Office member.

DEFINITIONS

Intervene — To come between, whether verbally or physically, 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 to prevent or stop any member from conducting any unethical act, violation of the law, or policy violation. Intervention may be verbal or physical. Failure to Intervene may subject a member to disciplinary action, and depending on the conduct potential criminal prosecution.
2. All members benefit when potential misconduct is not perpetrated or when a potential mistake is not made. Preventing misconduct preserves job security and integrity of all 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.

REQUIRED ACTION

Member

1. If any individual requires aid, ensure that medical attention has been rendered.
2. Take a preventive approach, whenever possible, if observing behavior that suggests that another member is about to conduct unethical or inappropriate behavior.
 - a. Examine the circumstances surrounding the incident to determine the appropriate form of intervention.
 - b. Intervene verbally or physically, depending on the circumstances.
3. Take an active approach to intervene to stop an unethical behavior or misconduct, when another member is committing such conduct.
 - a. If verbal interventions are not sufficient to stop the act, come between the offending member and the other individual involved.
4. Immediately, or as soon as practically able, notify your supervisor after conducting any intervention, when safe to do so. If the intervention required physical force, the notification must be made immediately and verbally; if the intervention was a verbal notification, it shall be made as soon as practicable, not to exceed seven days.
5. When a physical intervention is performed, in addition to a verbal notification, document the incident and submit to your immediate supervisor. If the incident involves your immediate supervisor submit to the next level of supervision (Lieutenant, Chief Deputy, Sheriff).

Supervisor

1. Once learning of an incident involving a member intervening with another member, separate all members involved in the incident.
2. Conduct a preliminary investigation to gather any pertinent information that would coincide with the reason for the intervention.

3. Ensure all parties involved in the incident document in detail the circumstances that led to the intervention and what, if anything, occurred once the member intervened.
4. Determine whether the actions leading to the intervention constitute misconduct, unethical behavior, or potential criminal conduct.
5. **If appropriate**, consider making a recommendation that the member who intervened receives recognition for their actions.
6. If a physical intervention was required, the Chief Deputy and Sheriff will be immediately notified.

Chief Deputy

1. Review reports of member interventions received by the supervisor.
2. Ensure preliminary investigation and findings have been documented fully.
3. Make a recommendation as appropriate;
 - a. Matter be closed
 - b. Recommend training and counseling
 - c. Submit to Sheriff for Internal Investigation assignment
4. When appropriate, issue recognition of the positive actions of the member who intervened.

Sheriff

1. Ensure member invoking their duty to intervene is reviewed.
2. Ensure all such incidents are investigated thoroughly and properly.
3. Forward case to an outside agency (New Hampshire State Police, County Attorney, Attorney General, etc.) for investigation/follow-up when appropriate.
5. Approve/disapprove the resulting findings of each investigation deriving from a member intervening to stop misconduct.
6. Ensure reporting compliance with State and Federal Laws.