



Peer Bystander Intervention in Law Enforcement Agencies

Benefits

Peer bystander intervention policies and practices can benefit police organizations by supporting their mission, vision and professionalism, and enhance their relationship with the communities they serve. As peer bystander intervention becomes an ingrained part of a department's culture, benefits may include fewer citizen complaints, fewer instances of misconduct, a decrease in the use of excessive force, an increase in officer safety and wellness, fewer disciplinary issues, increased retention of employees, and increased trust from the community.

There are many reasons officers do not intervene when they see or are aware of misconduct, some of these reasons include belief that loyalty means supporting a colleague's actions regardless of whether they are right or wrong, a fear of retaliation and backlash from peers, detriment to one's career, or the desire to not get involved. Peer bystander intervention encourages officers to recognize that stepping into a situation when a peer is about to make a mistake benefits them and everyone involved.

Peer Intervention Policies and Organizational Culture

Implementing a standalone "Duty to Intervene" policy separate from an agency's use-of-force policy communicates that this is a priority for an agency's leadership. An effective policy states that officers must intervene if witnessing a fellow officer engaging in any act that is unethical, violates law or policy, or when force is being inappropriately applied or applied when it is no longer required. The "Duty to Intervene" policy should also include a clause prohibiting retaliation or at least be associated with the agency's Duty to Report Misconduct/ Whistleblower Protection policy.

However, policy alone cannot be effective unless it is backed by an organizational culture where peer intervention is actively encouraged and rewarded. The foundation of peer bystander intervention for police is that officers can have a powerful and positive impact on the actions of their fellow officers. An agency culture that supports peer intervention means that officers are empowered to speak up, regardless of rank, to let a colleague know that they are about to make a mistake that could impact the officer, their family, their career,

the agency's relationship with the community, and the community itself. It is important that agency leadership clearly communicates this message and that it is enforced throughout all ranks.

Training

Law enforcement is not the only field in which peer bystander intervention is encouraged. Hospitals, airlines, and corporations also have peer intervention training and policies in place to reduce misconduct. Additionally, peer bystander intervention strategies are used to reduce drunk driving, sexual misconduct, and bullying.

Training should focus on reducing the inhibitors that individuals have to intervening, which includes bolstering their confidence in their skills and ability to do so. Training should include role-play scenarios that enable officers to practice how they would intervene in a wide range of situations. The New Orleans, LA, Police Department's [Ethical Policing is Courageous \(EPIC\)](#) training program materials are available for use by any law enforcement agency.

The Five Stages of Intervention

Stage One - See the Problem

While some situations are obvious, others might be more subtle. It is important to know that even the most subtle of behaviors require early intervention to mitigate escalation.

Stage Two - Determine Whether Action Is Required

Some problematic situations might simply require acknowledgement, but many will necessitate intervention. Determining that action is needed is often based on the situation and should be clearly delineated by the agency.

Stage Three - Decide to Take Personal Responsibility to Act

As someone sworn to protect the community, taking on personal responsibility to act is not only expected, it is one of the many duties of the role. Departmental Duty to Intervene policies should also be considered when deciding to act.



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Stage Four – Determine How to Intervene

Although intervention actions depend on the specific situation, officers can actively intervene when a colleague is engaging in misconduct by using one or more of the “3 D’s”:

- **Distract** – Redirect the individual’s attention.
Example(s): redirecting the conversation; using tactics to de-escalate the situation.
- **Direct** – Address the misconduct directly and step in to intervene; depending on the relative rank of the officer engaging in misconduct, this may include giving them direct commands to cease the behavior.
Example(s): Professionally confront peers, physically step in to stop use-of-force or misconduct, call out problematic statements, request a supervisor of greater rank than the officer involved respond to the scene, give orders to cease behavior (when appropriate).
- **Delegate** – Appoint someone else to take an action.
Example(s): Tell another officer present to help the officer hold the suspect in a better way; tell another officer present to call for medical back-up if the suspect appears to need medical assistance, instruct another officer to request that a supervisor of greater rank than the officer involved respond to the scene.

How to intervene with a superior:

- Present solutions, not problems: Suggest an alternative way of succeeding.
- Support the department’s mission, vision and professionalism: Connect your concerns back to supporting the department’s success. It shows a commitment to the profession and to the community.
- Have their back: Let them know when something might reflect poorly on them and demonstrate that you are interested in supporting their career as well as your own.

Stage Five – Take Action

Sometimes a situation clearly requires action and it is your obligation to do so.

Legal Duty to Intervene

Law enforcement officials have a legal duty to intervene on behalf of a citizen whose rights are being violated.

In cases where law enforcement officials do not intercede with their fellow officers to ensure citizens’ rights are being protected, they are liable under [Section 1983](#) of the Civil Rights Act of 1871. According to “[Section 1983 Litigation](#)”, Section 1983 applies to situations such as unjustifiable arrests, excessive force by a fellow officer, and any constitutional violation by a law enforcement official. If an officer does not act to intervene in a situation where a fellow law enforcement official is engaging in misconduct they can face serious consequences for themselves and their career.

Finally, encourage, support, and equip officers to intervene. This will help prevent potential misconduct and ensure high-quality policing in your department. The officer, department, and community all benefit when potential misconduct is stopped.

IACP Resources

- A. IACP [Community-Police Engagement Page](#)
- B. IACP [Policy Framework for Improved Community-Police Engagement](#)
- C. IACP [Law Enforcement Policy Resource Center](#)
- D. IACP Model Policy: [Standards of Conduct](#)
- E. IACP Model Policy: [Retaliatory Conduct by Employees](#)