


NC DIVISION OF PARKS AND RECREATION

July 1, 2020

STAFF DIRECTIVE 20-02

TO: All Division of Parks and Recreation Employees

FROM: John Fullwood, Interim Director 

SUBJECT: Division of Parks and Recreation Duty to Intervene and Report Directive

On June 9, 2020 Governor Roy Cooper announced executive order 145. Within that order Secretary Hooks required that all state law enforcement agencies 'ensured that each division has a clear policy articulating a duty to intervene and report in any case where an officer may be a witness to what they know to be an excessive use of force or other abuse of a suspect or arrestee.'

In keeping with this order, effective immediately the Division of Parks and Recreation is putting in place the following directive, which will be added to our law enforcement guidelines during their next revision-

DUTY TO INTERVENE

Officers working for the Division of Parks and Recreation have a sworn duty and obligation to protect members of the public. Consistent with this obligation, officers should take a preventive approach, whenever possible, if observing behavior that suggests that another officer is about to engage in unlawful or inappropriate behavior, as described more fully below.

Officers working for the Division of Parks and Recreation have an ethical and legal duty to intervene when necessary to prevent or stop another officer from using a level of force that the officer knows, or should reasonably be expected to know, is excessive or unwarranted under the existing circumstances. Officers shall also intervene in any case where the officer observes another officer treating a member of the public in any manner that is inconsistent with law or policy (i.e. conducting an unlawful detention or making an unlawful arrest). This duty also extends when the officer is called to assist, or is assisting, any other law enforcement agency.

Failure to intervene, as required by this policy, may result in disciplinary action up to and including dismissal.

DUTY TO REPORT

Division of Parks and Recreation officers shall immediately notify a supervisor after conducting any type of intervention, when safe to do so.

Division of Parks and Recreation officers also have a duty to immediately report any unlawful or otherwise inappropriate conduct when observed or when learned about. Notification shall be made to a supervisor, documented, and submitted through the Chain of Command and/or established internal affairs process.

All types of interventions whether physical or verbal shall be documented and submitted through the Chain of Command and/or established internal affairs process.

Failure to report, as required by this policy, may result in disciplinary action up to and including dismissal.

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