



# Tulsa Police Department

This policy statement and the procedures thereunder are intended for Police Department use only. The policies, procedures, and regulations are for internal Police Department administrative purposes and are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal Police Department policies, procedures, regulations, or rules form the basis for disciplinary action by the Police Department. Violations of law form the basis for civil and/or criminal sanctions to be determined in a proper judicial setting, not through the administrative procedures of the Police Department.

**Policy #** 145

**Effective Date** 08/03/2022

**Policy Name** Active Bystandership for Law Enforcement (ABLE)

**Approved Date** 07/28/2022

**Approved by** *Wendell Franklin, Chief of Police*

**Previous Date** NEW

## PURPOSE OF CHANGE:

New policy.

## POLICY:

The Tulsa Police Department has elected to participate in the national Active Bystandership for Law Enforcement (ABLE) Project™. The ABLE Project provides training, technical assistance, and research, all with the aim of creating a police culture in which officers routinely intervene as necessary to

- Prevent misconduct,
- Avoid police mistakes, and
- Promote officer health and wellness.

Through our participation in the ABLE Project, the Tulsa Police Department will deliver practical, scenario-based training for all officers of the Agency in the strategies and tactics of police peer intervention.

**SUMMARY:** Active Bystandership for Law Enforcement Project procedures.

**APPLIES TO:** All personnel

**DEFINITIONS:** None

## PROCEDURES:

### A. DUTY TO INTERVENE

Employees of the Tulsa Police Department have a moral, ethical, and/or legal duty to intervene to prevent another employee from conduct that would unnecessarily harm others or would violate law or policy. This duty applies regardless of rank. Intervention is required where the bystander employee is witness to and has a reasonable opportunity to prevent or mitigate harm caused by policy or legal violations, or mistakes. Employees are also encouraged to intervene to assist colleagues in addressing health and wellness concerns, even where those concerns are not currently resulting in policy or legal violations. Employees should intervene in a manner that protects the safety of the community, their colleagues, and themselves to the greatest extent possible.

### B. TRAINING

ABLE training offers practical strategies and tactics to maximize the effectiveness of interventions when they are necessary, and to ensure, where possible, interventions are handled safely, professionally, and respectfully. All sworn personnel will receive at least 8 hours of initial dedicated ABLE training and at least 2 hours of annual ABLE refresher training. Training will be conducted with complete fidelity to the ABLE curriculum, and in a manner consistent with all ABLE program guidelines. ABLE training will be taught to classes of 30 or fewer officers (20-25 preferred) by two ABLE-certified instructors. The principles of active bystandership also will be incorporated into relevant Academy

(recruit and in-service) courses, including, among others, Use of Force, Stop/Search/Arrest, Report Writing, Traffic Stops, Ethics, Vehicle Pursuits, and Field Training Officer training. ABLE-certified instructors may be called upon to provide training to surrounding ABLE-certified law enforcement agencies, per the ABLE Program Standards.

#### C. TRAINING FOR ABLE INSTRUCTORS

All ABLE instructors must have been certified through the Train-the-Trainer process offered by the ABLE Project. ABLE instructors will review supplemental teaching materials, participate in supplemental training programs, and attend annual refresher training provided by the ABLE Project.

#### D. PROGRAM LEADERSHIP

The department has designated an ABLE Program Coordinator. The ABLE Program Coordinator is responsible for leading the implementation of ABLE, including the roll out, promotion, and reinforcement of the program, and for playing an active role in embedding ABLE in the Agency's organizational culture. The Program Coordinator will provide guidance and assistance to employees as necessary. The Program Coordinator also will work with Agency leadership to ensure the Agency is meeting the ABLE Program Standards. The Program Coordinator will report program status (e.g., number of officers trained) to the ABLE Project, as requested.

#### E. PROGRAM REINFORCEMENT

Supervisors at all levels will reinforce the core principles of active bystandership during roll calls and other appropriate agency activities.

#### F. INVESTIGATIONS

Internal Affairs will investigate all apparent instances of a failure to intervene, whether discovered during the course of any use of force review, misconduct investigation, a community oversight review, or by any other means.

#### G. DISCIPLINE MITIGATION

Discipline must be adjudicated consistently, and a similar violation should receive a similar penalty. There are often aggravating and mitigating circumstances of an offense that may impact the appropriateness of a given penalty. Because the Tulsa Police Department supports officers who intervene to prevent misconduct, mistakes, and officer health/wellness problems, an effective intervention that was accepted by the accused officer will be considered a mitigating factor for both the accused officer and the intervening officer in any discipline resulting from the underlying activity that prompted the need for the intervention.

#### H. REPORTING

ABLE is not a reporting program, policy, or rule. Department has intentionally decided to adopt ABLE principles as a foundational element of our organizational values with the intent to help teach officers practical strategies and skills to effectively intervene in another officer's conduct, regardless of rank, when necessary to prevent misconduct, reduce mistakes, and promote officer health and wellness. ABLE does not alter the Agency's reporting policies. If an action was reportable pursuant to Agency policy before the adoption of ABLE, it continues to be reportable following the adoption of ABLE. If an action was not reportable before ABLE, it did not become so after ABLE.

#### I. NO RETALIATION

The Tulsa Police Department promotes and supports intervention to protect the community we serve and one another and will not tolerate retaliation against an employee for exercising their duty to intervene. Nor will employees who engage in a good faith act of intervention to promote employee health or wellness be subject to retaliation. A good faith intervention is considered a protected activity. This commitment is part of the department's commitment to providing a culture in

which employees are free from harassment and retaliation of any kind. Acts of harassment and retaliation are forms of serious misconduct and will result in investigation and appropriate disciplinary action, up to and including termination.

#### J. INSIGNIA

ABLE instructors will be permitted to wear their authorized ABLE Instructor Pin on their uniforms.

**REGULATIONS:** None

**REFERENCES:** None