

SENATE BILL NO. 480

May 25, 2021, Introduced by Senator JOHNSON and referred to the Committee on Judiciary and Public Safety.

A bill to require law enforcement agencies to regulate law enforcement officers' failure to intervene during the use of excessive force; to enable law enforcement agencies to impose certain disciplinary actions in instances of law enforcement officers' failure to intervene during the use of excessive force; to provide for the adoption of certain policies; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "law

1 enforcement officer duty to intervene act".

2 Sec. 2. As used in this act:

3 (a) "Law enforcement agency" means that term as defined in
4 section 2 of the Michigan commission on law enforcement standards
5 act, 1965 PA 203, MCL 28.602.

6 (b) "Law enforcement officer" means that term as defined in
7 section 2 of the Michigan commission on law enforcement standards
8 act, 1965 PA 203, MCL 28.602.

9 Sec. 3. (1) Beginning July 1, 2022, each law enforcement
10 agency in this state shall adopt a written duty to intervene
11 policy.

12 (2) The policy required under subsection (1) must include, at
13 a minimum, all of the following:

14 (a) A law enforcement officer in the employ of a law
15 enforcement agency has an affirmative duty to intervene verbally or
16 physically to prevent an observed use of excessive force by another
17 law enforcement officer.

18 (b) A law enforcement agency shall take appropriate
19 disciplinary actions against a law enforcement officer who observes
20 the use of excessive force by another law enforcement officer and
21 fails to intervene.

22 (3) Each law enforcement agency in this state shall provide a
23 copy of the policy required under subsection (1) to a law
24 enforcement officer in its employ.