

ABLE Project Publishes Seminal Documents On Law Enforcement's Duty To Intervene

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The Active Bystandership for Law Enforcement (ABLE) Project™ has released a white paper that digests and explains a police officer's "duty to intervene" in another officer's violation of an individual's civil rights, and a comprehensive compendium of key cases that illustrates the current state of the law in each federal circuit with respect to the duty to intervene. The ABLE Project, created by Georgetown Law's Innovative Policing Program and Sheppard, Mullin, Richter & Hampton LLP, is a nationwide program and research hub that trains police officers how to successfully intervene to prevent harm and create a law enforcement culture that supports peer intervention.

"As the ABLE Project continues to expand and train law enforcement officers across the county, we believed it was critical to make key learning points easily-accessible as resources to the public," said Christy Lopez, Georgetown Law Professor and Co-Director of Georgetown Law's Innovative Policing Program.

Sheppard Mullin partner and Chair of the ABLE Project Board of Advisors Jonathan Aronie added, "The key cases compendium is the first and only resource available to the legal profession and public alike that presents a detailed picture of U.S. law on the duty to intervene. It is an important document that not only will serve as a useful guide to this important area of the law, but also stands to play a role in spurring the ongoing evolution of the law on the duty to intervene."

Further detail relating to these two important documents is provided below:

- **An Overview of the Legal Duty to Intervene by Law Enforcement Officers**

This white paper provides an overview of the legal duty to intervene by law enforcement officers. Principally authored by Sheppard Mullin special counsel Helen Eckert, this document serves as a resource to legal practitioners, law enforcement personnel, and anyone wanting to understand the origins and general elements of the duty to intervene, as it has been defined and developed by federal courts in the United States. The white paper presents and digests seminal cases on the duty to intervene and civil liability under 42 U.S.C. § 1983 for law enforcement personnel who fail to do so, discusses the doctrine of qualified immunity, and examines instances in which law enforcement officers have been convicted of criminal offenses for their failure to intervene to stop the violation of an individual's constitutional rights. To access the white paper, [click here](#).

- **The Legal Duty to Intervene: Compendium of Key Circuit Cases**

The compendium of key cases from U.S. federal courts presents the state of the law on the duty to intervene as it currently exists in each U.S. federal circuit. The compendium digests the key legal opinions

in each federal circuit that recognize the duty to intervene, examines the courts' application of the duty to intervene in different factual contexts, presents the current state of the law in each circuit on the doctrine of qualified immunity, and analyzes whether criminal liability under 18 U.S.C. § 242 has been extended to failures to intervene in a fellow officer's violation of an individual's constitutional rights. The compendium is the product of approximately 1,500 pro bono hours spent by Sheppard Mullin attorneys researching and summarizing caselaw on the duty to intervene, all of whom were supervised by Sheppard Mullin partner David Garcia, Ms. Eckert, and associate Patrick McGill – who together authored the key cases compendium, itself. To access the compendium, [click here](#).

About the ABLE Project

The Active Bystandership for Law Enforcement (ABLE) Project™ is the first and only nationwide program dedicated to promoting, teaching, and studying “active bystandership” within law enforcement agencies. ABLE aims to create a police culture in which officers routinely intervene as necessary to prevent misconduct, reduce police mistakes, and promote officer health and wellness. The Project is a signature program within Georgetown Law's Innovative Policing Program. ABLE training is provided at no cost to law enforcement agencies, but those agencies must commit to creating a culture of active bystandership and peer intervention through policy, training, support, and accountability. For more information, please visit www.law.Georgetown.edu/ABLE.

About Georgetown Law's Innovative Policing Program

Georgetown University Law Center's Innovative Policing Program is dedicated to identifying new approaches to long-standing questions about the role police should play in a diverse and democratic society. The Innovative Policing Program brings together many of the nation's top experts on criminal justice and policing, including several members of the Georgetown University Law Center faculty. The Innovative Policing Program offers the Police for Tomorrow Fellowship Program for new Washington, D.C. police officers and police department personnel; Police Academy lectures and workshops; and a project-based practicum for Georgetown University law students. The Innovative Policing Program also carries out a variety of policing-related projects and hosts convenings on policing topics. For more information, please visit <https://www.law.georgetown.edu/innovative-policing-program/>.

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Attorneys

Jonathan S. Aronie

Helen C. Eckert

David R. Garcia