



# **OFFICIAL ORDER**

## **MICHIGAN STATE POLICE**

**SUBJECT:** Violence in the Workplace

**TO:** Members of the Department

### 1. POLICY STATEMENT

- A. It is the policy of the Department to prohibit violence in the workplace. The Michigan Department of State Police adopts a “Zero Tolerance” policy for violent behavior or threats among its members.
- B. Violent behavior or threats may be introduced into the work environment either internally from among the department’s members or externally by the general public. Preventing and controlling workplace violence is a priority with the Michigan Department of State Police. This plan provides procedures for the effective response to significant incidents of workplace violence in order to ensure the safety of all members whenever a threat of violence is present.
- C. It is the intent of this policy to provide procedures for the effective reporting and investigating of incidents of workplace violence and to insure the safety of all members of the department when a threat of violence is present. These procedures require that all threats of violence be reported, investigated promptly, and properly documented.

### 2. WORKPLACE VIOLENCE

- A. Workplace violence is defined as any act that is physically and/or verbally assaultive. It includes behaviors indicating potential for violence (throwing objects, shaking fists, destroying property, verbal threats, etc.). Such violence may involve any threat to harm another individual, endangering the safety of members, or destroying property.
- B. Any department member who engages in any of the following activities may be subject to discipline, up to and including discharge, if such activity takes place on department property, or while the perpetrator or the affected member is on department business or engaged in work related activities:
  - (1) Intentionally striking or otherwise causing physical injury or bodily harm to another member or a member of the general public or causing or urging others to engage in such activity.
  - (2) Engaging in any verbal/physical threatening or assaultive behavior directed toward another member, or a member of the general public, or causing or urging others to engage in such activity.
  - (3) Engaging in a willful course of conduct involving physical/verbal harassment toward another member or member of the general public that would cause a reasonable person to feel terrorized, frightened, intimidated, harassed, or molested.
  - (4) Statements, expressions, or actions, whether written, verbal, or visual, which threaten, provoke, encourage, suggest, or advocate violence in the workplace are prohibited. The member against whom any act of violence is offered, need not be aware of the offer, nor fear or believe that the action will be carried out.

(5) The above listed prohibitions are not intended to apply to enlisted members of the department who may be called upon, in the performance of their law enforcement duties, to use a level of force necessary and appropriate to make a lawful arrest.

C. Members are required to immediately report acts or threats of workplace violence. Such reports may be made in person, orally, or in writing and filed with the member's immediate supervisor or with the department Human Resources director. Where possible, the identity of a department member filing a report of threatened violence will be protected until the situation is resolved.

D. Retaliation against any person for making a complaint, participating in an investigation, or acting as a witness, is strictly prohibited. Acts of retaliation shall result in discipline up to and including discharge.

E. Supervisors who receive reports of violence in the workplace shall immediately respond in a manner which best protects department members. Supervisors have the following specific responsibilities:

- (1) Notify respective district/division commander responsible to determine the need for implementing the department's Action Plan.
- (2) Immediately advise the alleged perpetrator of the following: (a) the allegation against him/her; (b) that the allegations are to be immediately investigated, (c) the alleged conduct shall immediately cease, (d) retaliation against the person(s) making the complaint shall not be tolerated.
- (3) Contact Internal Affairs to initiate an internal investigation if perpetrator is a department member, and/or,
- (4) Conduct a criminal investigation.

### 3. CRISIS MANAGEMENT TEAM

A. The department has designated a management team empowered with the responsibility for identifying and implementing a response plan dealing with alleged instances of workplace violence. The team consists of the Human Resources Division Commander, the Director of Labor Relations, the Director of Behavioral Sciences, and a representative of the Michigan Department of the Attorney General. The management team will meet as needed to address the following assigned responsibilities:

- (1) The team will list the resources available for dealing with workplace violence and develop a methodology for assessing the level of readiness.
- (2) The team will become the subject matter experts on workplace violence.
- (3) The team is responsible for the education of all department members regarding workplace violence.
- (4) The team may respond to the scene of an alleged incident of workplace violence to support on-scene commanders.

### 4. ACTION PLAN

#### A. Reporting

- (1) If a member determines that a significant violent incident is occurring, or is threatened to occur within the workplace, the member should (a) Initially remove himself/herself from any real or perceived danger. However, enlisted members will be expected to take reasonable action deemed appropriate under the circumstances. (b) The member should immediately contact an enlisted member of the department in the vicinity and report the incident. If an

enlisted member cannot be contacted, the member should notify 9-1-1 immediately. (c) The member shall contact his/her immediate supervisor who shall notify the respective post/unit commander, the district/division, and the Human Resources Division commanders. These individuals shall work together to immediately assess the loss of department efficiency and direct the Crisis Management Team accordingly. Loss of department efficiency will be assessed utilizing the following factors:

- a. Extent of injuries
  - b. Extent of damage inflicted and loss of facilities (offices, equipment, etc.)
  - c. Extent of the trauma evident with supervisors or members
- (2) If the threat is unclear (potential aggressor's intention is not immediately known) and/or not considered imminent (no clear and present danger exists, i.e., aggressor has no apparent ability to carry out the threat), the member shall report the incident to the supervisor immediately.
- (3) The supervisor shall ensure the commander of the unit or their designee is notified of the situation. The following information needs to be reported in a timely manner to the district/division and Human Resources Division commanders.
- a. Nature of the event
  - b. Time and date
  - c. Person(s) making the threat
  - d. Person(s) being threatened or action(s) being threatened
  - e. Identification of witnesses to the event
  - f. Brief summary of event (written report to follow as soon as possible)

**B. On-Scene Commander**

- (1) The district/division commander or designee, working in conjunction with the affected work site commander, shall be the officer in charge and be responsible for the following actions:
- a. Confronting the alleged offender if he or she is a department member and assess the individual's fitness for duty. This initial assessment shall be limited to determining whether it is reasonable to believe the member may bring harm to themselves, or to others. If it is determined the member is not fit for duty, the commander shall contact the Human Resources Division Commander to determine the proper course of action.
  - b. Providing appropriate police response to control the situation
  - c. Providing and administering the various services to member victims
  - d. Insuring that the event is investigated
  - e. Notifying and acting as liaison to specific outside groups such as additional law enforcement units, emergency paramedic response teams, occupational physicians, or designated trauma specialists needed promptly on the scene
  - f. Disseminating information to all members concerning the traumatic incident

### C. Support and Notification

- (1) Upon request of the on-scene commander, the Human Resources Division Commander may convene the Crisis Management Team to assist the on-scene commander, provide resources and support, and in general, assist in the effort in any manner deemed appropriate.
- (2) The Human Resources Division Commander shall notify the appropriate officials regarding these events (i.e. unions, Office of the State Employer, Attorney General, etc.).

The Attorney General's representative will provide advice on matters of legal concern.

- (3) The Director of Behavioral Sciences shall provide for trauma specialists to assess members and conduct violent incident debriefing meetings. Within the parameters of confidentiality, the Director of Behavioral Sciences shall make recommendations regarding the follow-up needs of affected members.

### D. Education Program

- (1) The Director of Behavioral Sciences shall be responsible for conducting a department training program to include guidelines for the prevention of violence in the workplace. This training will include these essential elements:
  - a. Early warning signs of potentially violent behavior
  - b. Outline as to whom should be contacted if violence is suspected
  - c. The basics of how to conduct an investigation of violent behavior or the threat of violence
  - d. Response organization
- (2) This training shall be developed and presented to department managers/supervisors as needed and in conjunction with the Training Division to insure efficiency in scheduling and presentation.

### E. Conducting an Investigation

- (1) Internal Affairs, or its designee, shall be responsible for conducting investigations relating to violence in the workplace. The investigator shall interview the reporting party and obtain information regarding the threat or violent conduct, which would include:
  - a. Whom made the threat or committed the violent conduct
  - b. Identity of member threatened/injured and description of injuries if applicable
  - c. Description of the threat or violent conduct
  - d. Any physical/verbal conduct by the threatening party which would tend to substantiate that the individual intends to follow through on the threat
  - e. Identity of any witnesses to the threat or violent conduct
  - f. The time and place where the threat or violent conduct occurred
  - g. Threats or violent conduct by the alleged perpetrator before this incident
  - h. Any other information which will help the department conduct its investigation and will help ensure that the threat will not be carried out or that violent conduct will not occur.

- (2) Once an investigation has been initiated, the Director may suspend, either with pay or without pay, the alleged perpetrator where the Employer has reasonable belief that a felonious threat exists. All suspensions imposed in this circumstance shall be in compliance with applicable Official Orders and appropriate provisions of applicable collective bargaining agreements. In addition, other appropriate administrative actions (mental health referrals, protection orders, etc.) may be considered and utilized.
- (3) At the conclusion of the investigation, Internal Affairs shall report its findings to the appropriate bureau commander.
- (4) The Human Resources Division Commander shall periodically interact with and report to any identified victim or the complaining party on the progress of the investigation, any conclusion, and any planned affirmative steps to control the situation. The Human Resources Division Commander shall comply with all privacy rights under law while engaged in these communications.

F. Contact with the Media/Public Information

All information and inquiries to the media or public and general information to members shall originate from Public Affairs. This office shall work in conjunction with the Human Resources Division commander, the Director of Behavioral Sciences and respective district, division, or work unit commanders to ensure that the appropriate statement or news release will be disseminated to the media through Public Affairs.

G. Supervisor's Responsibilities to Victim(s)

The following list of responsibilities are delegated to the on-scene commander as it pertains to any victim(s) of the violence in the workplace:

- (1) Immediately advise the victim(s) of available health care services (e.g., Behavioral Science Section, local mental health facilities, hospitals, etc.)
- (2) Discuss and reinforce the confidential nature of the investigative process that may be involved. Assure the victim(s) that they will be provided with a periodic and timely update on the progress of any investigation.
- (3) Assist the victim(s) with any appropriate personal protection needs. Ensure the victim(s) is not isolated, either personally or geographically. Provide escort assistance, if requested and appropriate.

5. REVISION RESPONSIBILITY

Responsibility for continuous review and revision of this Order lies with Human Resources Division in cooperation with the Executive Division.

DIRECTOR

