

	<h1>S.O.P.</h1>		Eff. Date: 06/26/2013
	<b>Title: Early Warning System</b>		<b>Number: 1-30</b>
Issuing Authority: Chief Alfonso A. Parente, Jr.			Eval. Date:
Accreditation: 2 The Personnel Function			
Accreditation Standards: 2.1.1			
Revision Date 06/13/2018	Page Numbers	Sections	Approved AP

**I. PURPOSE:**

The purpose of this written directive is to establish a personnel early warning system.

**II. POLICY:**

It is the policy of this department to implement and utilize Administrative Data Base Program as an early warning system for tracking and reviewing incidents of risk and provide timely intervention consistent with Attorney General Guidelines.

**III. PROCEDURE:**

**A. EARLY WARNING SYSTEM**

1. The Early Warning System is designed to detect patterns and trends before the conduct escalates into more serious problems. As such, employees must understand that the early warning system is not identical to the disciplinary process. Although it is possible that disciplinary action may be taken as the result of evidence that rules and regulations were violated, this is not the sole or even primary intent of the system. The primary intent of an early warning system is to address potential problems through the use of appropriate management and supervisory strategies before formal discipline is warranted.
2. Many different measures of employee performance (actions or behaviors) can be regularly examined for patterns or practices that may indicate potential problems. These performance measures include, but are not limited to, the following documented indicators:
  - a. Internal affairs complaints against the officer, whether initiated by another officer or a member of the public;
  - b. Civil Actions filed against an officer;

- c. Criminal investigations of or criminal complaints against the officer;
  - d. Any use of force by the officer that is formally determined or adjudicated (for example, by internal affairs or a grand jury) to have been excessive, unjustified, or unreasonable;
  - e. Domestic violence investigations in which the officer is an alleged subject;
  - f. An arrest of the officer, including on a driving under the influence charge;
  - g. Sexual harassment claims against the officer;
  - h. Cases or arrests by the officer that are rejected or dismissed by a court;
  - i. Cases in which evidence obtained by an officer is suppressed by a court;
  - j. Insubordination by the officer;
  - k. Neglect of duty by the officer; and
  - l. Unexcused absences by the officer.
3. Three (3) instances of questionable conduct or flag indicators within the same twelve (12) month period would initiate the early warning system process.

## **B. ADMINISTRATION OF EARLY WARNING SYSTEM**

1. The early warning system is primarily the responsibility of the internal affairs unit; but, any supervisor may initiate the early warning process based upon their own observations. Emphasis should be placed on anticipating employee problems before it results in improper performance or conduct.
2. Internal affairs shall be alerted by the Administrative Data Base Program if an employee has the emergence of a pattern, practices or trend of inappropriate behavior or misconduct. In addition, the internal affairs supervisor shall query the Administrative Data Base Program and review an individual employee's history any time a new complaint is received. Internal affairs will audit the data base every six (6) months to access the accuracy and efficacy of the tracking system.
  - a. Using this information and their experience, internal affairs investigators may be able to identify employees who may need remedial/corrective intervention even before such is indicated by the Administrative Data Base Program.
3. If the Administrative Data Base indicates the emergence of a pattern, practices or trend of inappropriate behavior or misconduct, the internal affairs supervisor shall formally notify the subject officer in writing and consult with the employees supervisor and/or division commander.
4. The internal affairs supervisor and the employees supervisor and/or division commander shall review the information provided by internal affairs along with any other relevant information from department records for the purpose

of initiating a course of intervention designed to correct/interrupt the emerging pattern, practice or trend.

- a. If the Administrative Data Base Program has returned an incorrect identification or "false positive," that conclusion should be documented.
- b. If the Administrative Data Base Program reveals that an employee has violated department rules and regulations or written directives, the supervisor in consultation with the internal affairs unit should proceed with an internal investigation and possible disciplinary action.
- c. If the Administrative Data Base Program reveals that the employee has engaged in conduct which indicates a lack of understanding or inability to comply with accepted procedures, the supervisor shall consult with the internal affairs unit to determine the appropriate course of remedial/corrective intervention.

### **C. SUPERVISORS**

1. An employee's first line supervisor is usually the first member of the department to encounter and document specific incidents that affect an employee. It is essential for the supervisor to speak with the employee, document these incidents and report findings to their operations commander and if warranted, the internal affairs supervisor. The success of this program relies heavily on the first line supervisor's participation and involvement.
  - a. If a supervisor has initiated remedial/corrective intervention, the Operations Commander shall be formally notified of such efforts via email.
2. The Operations Commander shall open an incident and place an incident narrative in the Administrative Data Base Program describing the incident and explaining whatever corrective measurements were made.
3. Administrative Data Base Program
  - a. Administrative Data Base Program allows command staff and internal affairs officers the ability to document routine performance in one centralized location during the course of an evaluation period. As incidents are entered, Administrative Data Base Program will monitor the frequency of specific incidents to determine if early intervention is warranted.
  - b. Command staff and internal affairs officers will not document routine performance in any other format. All performance documentation will be entered into the Administrative Data Base Program.
  - c. Command staff and internal affairs officers will have access to make entries and view all employees under their chain of command.
  - d. Supervisory personnel, who identify deficiencies with other personnel outside of their chain of command, will submit the notice via email to the employee's direct supervisor indicating the nature of the deficiency.

- This process does not relieve supervisors of the obligation to take immediate action to correct serious infractions that may result in liability, injury, and/or disrepute.
4. Supervisory personnel who identify and wish to document positive performance conduct on other personnel, outside of their chain of command, will submit the nature of the performance directly to the employee involved. Supervisors within the chain of command will, by default, have access to this newly created documentation.

#### **D. Command Staff**

1. The command staff shall periodically review an individual employee's history. Using this information and their experience, the division commander may be able to identify employees who may need remedial/corrective intervention even before such is indicated by the Administrative Data Base Program.
2. When under early warning system monitoring, the employee's division commander and supervisor shall meet with the employee to discuss the situation in depth to:
  - a. Identify problems or potential problems;
  - b. Determine short and long-term goals for improvement;
  - c. Come to a consensus commitment on a plan for long-term improved performance;
  - d. Advise of the monitoring process and the repercussions of future sustained transgressions.
3. Generally, personnel should expect to remain under intensive monitoring and supervision for six (6) months when an early warning flag is triggered.
4. Supervisor/Employee Meeting
  - a. All supervisor/employee meetings shall be thoroughly documented in the Administrative Data Base Program, which will automatically be forwarded to the Chief of Police or his designee. The affected employee and supervisor shall meet on a regular basis, minimally monthly, to discuss progress towards the agreed upon goals and objectives.
  - b. All regular monthly progress/status reports shall be submitted via the Administrative Data Base Program.
  - c. An additional six (6) months of documented monitoring is required following removal from the early warning system. Monthly monitoring reports from the direct supervisor are required.

## **E. REMEDIAL/CORRECTIVE INTERVENTION**

1. Supervisory or command personnel may initiate remedial/corrective intervention to correct behavior. Remedial/corrective intervention may include, but is not limited to:
  - a. Training;
  - b. Retraining;
  - c. Counseling;
  - d. Intensive supervision;
  - e. Fitness for duty examination;
  - f. Employee Assistance Program, when warranted, if available;
  - g. Peer counseling; and
  - h. Any other appropriate remedial or corrective action.
2. Internal disciplinary action, remedial/corrective intervention, and fitness for duty examinations are not mutually exclusive and should be jointly pursued if and when appropriate.
3. When remedial/corrective intervention has been undertaken, the Chief of Police shall ensure that such actions are documented in writing. No entry should be made in the employee's personnel file, unless the action results in a sustained investigation. If the remedial/corrective intervention is a training program, attendance and successful completion of that program should be noted in the employee's training record.

## **F. Implementation of Recommendations**

1. Participation by departmental employees in counseling and/or training may be voluntary or mandatory.
2. The Executive Officer will make a determination as to whether the referral will be mandatory or suggested.
3. Mandatory attendance shall be considered on-duty time, and the employee's schedule will be adjusted accordingly.
4. Training and counseling as a result of this program are not considered punitive or to be disciplinary action.

### **G. Notification to County Prosecutor**

1. Upon initiation of the early warning system review process, the chief of police or his designee shall make a confidential written notification to the County Prosecutor's or his/her designee of the identity of the subject officer, the nature of the triggering performance indicators, and the planned remedial program. Upon completion of the early warning review process, the chief of police or his designee shall make a confidential written notification to the County Prosecutor or his/her designee of the outcome of the early warning review, including any remedial measures taken on behalf of the subject officer.

### **H. Public Accessibility and Confidentiality**

1. This policy shall be made available to the public upon request posted on the Township of Delran website.
2. All written reports created or submitted pursuant to this directive that identify specific officers are confidential and not subject to public disclosure.

-END-