


BAY HEAD POLICE DEPARTMENT				
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SUBJECT: EARLY WARNING SYSTEM				
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BY THE ORDER OF: Chief Of Police William A. Hoffman				
SUPERSEDES ORDER #:				

PURPOSE The Bay Head Police Department is committed to providing law enforcement services that are fair, effective, and impartially applied. The purpose of this written directive is to establish a personnel early warning system.

POLICY It is the policy of the Bay Head Police Department to implement and utilize an early warning system. The early warning system will be used for tracking and reviewing incidents of risk and to identify any pattern or practice by any member of this agency which warrants timely intervention or remediation before it can escalate into a more serious problem, consistent with Attorney General Guidelines.

PROCEDURE:

I. EARLY WARNING SYSTEM

- A. 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.
- B. Many different measures of employee performance 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:
1. Criminal investigations or complaints made against the employee;
 2. Internal complaints, regardless of outcome;
 3. Civil actions files, regardless of outcome;
 4. Incidents of force usage, including firearms discharges and use of non-deadly force;
 5. Claims of duty-related injury;
 6. Incidents of arrested persons injured;
 7. Vehicle pursuits;
 8. Vehicle collisions;
 9. Cases rejected or dismissed by the prosecutor
 10. Evidence suppressed by the court
 11. Tardiness;
 12. Excessive sick time usage;
 13. Officer Involved in Domestic Violence
 14. Employee involved in a high conflict period (separation or breakup) with spouse or intimate partner.
 15. Other data to measure. These incidents may be higher than normal or indicate questionable circumstances:
 - a. Search and Seizures
 - b. Motor Vehicle Stops
 - c. Arrests for resisting arrest

d. Arrests for assault on a law enforcement officer

16. Reprimand, either Written or Oral.

- C. The above behaviors should be monitored for patterns of questionable conduct.
- D. Generally, three (3) instances of **questionable conduct** or flag indicators within a six (6) month period would initiate the early warning system process.

II. ADMINISTRATION OF EARLY WARNING SYSTEM

- A. The early warning system is primarily the responsibility of the supervisor of the Internal Affairs Function; 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.
- B. Internal Affairs Function supervisor shall conduct an audit of its records to determine if an employee has the emergence of a pattern, practices or trend of inappropriate behavior or misconduct. In addition to the regular data audits by internal affairs, the internal affairs supervisor shall audit an individual employee's history any time a new complaint is received.
 - 1. 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 early warning system data audit.
- C. If the audit indicates the emergence of a pattern, practices or trend of inappropriate behavior or misconduct, the Internal Affairs investigator shall consult with the employee's supervisor.
- D. The internal affairs supervisor and the employee's supervisor and 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.
 - 1. If the audit indicates that the early warning system has returned an incorrect identification or "false positive," that conclusion should be documented.
 - 2. If the audit 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.
 - 3. If the audit 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.

III. SUPERVISORS

- A. An employee's first line supervisor is usually the first member of the agency 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 the next supervisor above in the chain of command or, if warranted, internal affairs supervisor/officer. The success of this program relies heavily on the first line supervisor's participation and involvement.

- B. If a supervisor has initiated remedial/corrective intervention, the internal affairs function shall be formally notified of such efforts. This information shall be documented and appropriate copies forwarded to the internal affairs unit for filing.
 - 1. No entry should be made in the employee's personnel file, unless the action results in disciplinary/corrective action.
- C. If the remedial/corrective intervention was training, documentation shall be filed in accordance with the department's written directive governing training (remedial training).
- D. Supervisors shall forward all documentation as required by department written directives established to assist in a comprehensive audit. This data shall minimally include: use of force reports, vehicle pursuit reports, and attendance records.

IV. COMMAND SUPERVISOR(S)

- A. When under early warning system monitoring, the internal affairs supervisor / commander and the employee's supervisor shall meet with the employee to discuss the situation in depth to:
 - 1. Identify problems or potential problems;
 - 2. Determine short and long-term goals for improvement;
 - 3. Come to a consensus commitment on a plan for long-term improved performance;
 - 4. Advise of the monitoring process and the repercussions of future sustained transgressions.
- B. Generally, personnel should expect to remain under intensive monitoring and supervision for six (6) months when an early warning flag is triggered.
- C. Supervisor / Employee Meeting
 - 1. All supervisor / employee meetings shall be thoroughly documented, which will 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 toward the agreed upon goals and objectives.
 - 2. All regular monthly progress / status reports shall be submitted to the Chief of Police or his/her designee through the chain of command.
 - 3. An additional two (2) months of documented monitoring is required following removal from the early warning system. Monthly monitoring reports from the direct supervisor are required.

V. REMEDIAL/CORRECTIVE INTERVENTION

- A. Supervisory personnel may initiate remedial/corrective intervention to correct behavior. Remedial/corrective intervention may include, but is not limited to:
1. Training;
 2. Retraining;
 3. Counseling;
 4. Intensive supervision;
 5. Fitness for duty examination;
 6. Employee Assistance Program, when warranted, if available;
 7. Peer counseling.
- B. Internal disciplinary action, remedial/corrective intervention, and fitness for duty examinations are not mutually exclusive and should be jointly pursued if and when appropriate.
- C. 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.
- D. All reports shall be forwarded to the Chief of Police for review. These reports have the same confidential status as Internal Affairs documents and are subject to the same disclosure and retention regulations and guidelines.