

	<b>Bridgewater Township Police Department Policy/Procedure</b>			
	<b>Title: Early Warning System</b>			
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<b>References: New Jersey Attorney General Directive 2018-3. S.C.P.O General Order V8, C2</b>				
<b>Authored/ Revised By: Lieutenant Mitzak</b>			<b>Date: March 2, 2020</b>	
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<b>REVIEW / REVISIONS</b>				
<b>DATE</b>	<b>PAGE / SECTION</b>			
2/12/16	Policy Revised			
4/2018	Pg 2 Sec IV. 4, a to s modified. Pg 3. Sec. IV B. 6 modified. Pg 4 Sec IV C.3 modified. Pg 5 Sec. IV D. 1 modified. Pg 6 Sec. G,H, I added			
3/2/20	Page 8- Revised Early Warning Tracking Form			

- I. **Purpose:** To provide guidelines for establishing an Early Warning System to identify employees who may require proactive intervention efforts.
- II. **Policy:** It is the policy of the Bridgewater Township Police Department to provide early intervention to employees who meet established criteria. The Bridgewater Police Department has a responsibility to its employees and the community to identify and assist employees who show symptoms of job related stress, personal problems or require additional training.
- III. **Definitions:**

- A. Declining Performance – Not primarily enforcement related activity, although may be a consideration; difficulty completing reports in a timely manner, manner of dress and hygiene, etc.
- B. System Coordinator – Administrative Captain, whose collateral responsibility is Internal Affairs oversees and tracks the Early Warning System.

#### **IV. Procedure:**

- A. The Early Warning System
  - 1. The system coordinator for the Early Warning System is the Administrative Captain who oversees the Internal Affairs function of the department. The primary goal of the Early Warning System is to address and change the behavior of the individual officer who has been identified as having problematic performance records before the discipline process begins.
  - 2. The Early Warning System is designed to detect patterns and trends before the conduct escalates into more serious problems. Employee's must understand that the Early Warning System is not equal to the department's current disciplinary process; however it is possible that disciplinary action may be taken as the result of repeated rules and regulations violations.
  - 3. There are three (3) main components to an Early Warning System:
    - a. Selection
    - b. Intervention
    - c. Monitoring.
  - 4. Employee performance can be regularly examined for patterns or practices that may have the potential for problems. These performance measures are found in the Early Warning System Guide (Appendix A) and may include but are not limited to the following:
    - a. Internal Affairs Complaints against officer:
    - b. Civil Actions filed against officer:
    - c. Criminal Complaints / Investigations against officer:
    - d. Subject of Domestic Violence Investigation:
    - e. Arrest of Officer (Including DWI):
    - f. Sexual Harassment Claim against officer:
    - g. Positive Drug Test:
    - h. Cases or Arrests rejected / dismissed by court:
    - i. Cases where evidence is suppressed:
    - j. Insubordination:
    - k. Neglect of Duty:

- I. At Fault MV Crashes:
- m. Declining Performance:
- n. Pursuits:
- o. Job Related Injuries:
- p. Use of Force:
- q. Total Number of Sick Days in a Calendar Year (6 Days in any 3 month period):
- r. Any Combination of or other Performance Indicators as determined by the Chief of Police:

- 5. Discretion may be utilized if there is any combination of the aforementioned indicators during any given period of time that could initiate the Early Warning System process.

B. Administration of the Early Warning System.

- 1. A supervisor will complete an Early Warning System Form when there is an occurrence of any performance measures listed in this policy.
- 2. Supervisors will utilize the Employee Calendar to determine if an alert for Pattern of Sick Time and Total Sick Time performance measures has been met.
- 3. Once completed, the Early Warning Tracking Form will be forwarded to the System Coordinator, through the employees' chain of command.
- 4. When an Early Warning Tracking Form is received, it shall be entered into the Early Warning Tracking Spreadsheet. The System Coordinator will review that employees Early Warning System file to determine if an intervention is necessary.
- 5. For incidents involving Police involved MVA's, Pursuits and Use of Force, the Early Warning Tracking Form must be completed in addition to the Internal Affairs Admin Review Form.
- 6. Upon initiation of the Early Warning System review process for a specific officer, the Chief of Police or his designee shall notify the Somerset County Prosecutors Office Internal Affairs Unit Commander via a confidential written notification which will include at minimum, the identity of the subject officer, the nature of the triggering performance indicators and the planned remedial program.

C. Intervention

1. After reviewing the Early Warning System file, the System Coordinator will determine whether the employee is in need of remedial or corrective actions.
2. Examples of remedial or corrective action may include but are not limited to the following:
  - a. Training / Re Training
  - b. Counseling
  - c. Intensive Supervision
  - d. Employee Assistance Program
  - e. Fitness for Duty Exam
  - f. Any other appropriate remedial or corrective action.
3. When an EW System review process is initiated, the System Coordinator will:
  - a. Formally notify the subject officer, in writing. If the notification to the officer could jeopardize an ongoing criminal investigation, the County Prosecutor may at, his/her discretion permit delayed notification to the officer or the initiation of the EW System review process.
  - b. Meet with the subject officer and appropriate supervisory personnel;
  - c. Develop and administer a remedial program, including the appropriate remedial/corrective actions listed above;
  - d. Continue to monitor the subject officer for at least three months, or until the supervisor concludes that the officer's behavior has been remediated (whichever is longer);
  - e. Document and report findings to the appropriate supervisory personnel and, if warranted, the internal affairs unit. Any statement made by the subject officer in connection with the EW System review process may not be used against the subject officer in any disciplinary or other proceeding.
4. If remedial or corrective action is needed, the System Coordinator will ensure such actions are implemented and documented in writing. If training or retraining is recommended then this should be reflected in the employees training records.

#### D. Monitoring

1. Every employee that is determined to be in need of intervention shall be monitored by his/her immediate supervisor for at least three (3) months, or until the supervisor concludes the officers' behavior has been remediated (whichever is longer).
2. All progress reports shall be forwarded by the employee's supervisor to the System Coordinator.
3. Once the monitoring process is complete, the employee will receive an inter office memorandum documenting the completion.
4. The System Coordinator will notify the employees Division Commander and/ or the Chief of Police, at the completion of the monitoring phase.
5. Once an employee has completed an intervention as a result of the Early Warning System an additional six (6) months of monitoring may be required. This monitoring would be by way of Inter Office memorandums to the System Coordinator from the employee's supervisor through his/her chain of command monthly.
6. Early Warning System files shall be kept separate from Personnel and Internal Affairs files in a locked file cabinet.

E. Supervisors

1. An employee's front line supervisor should be the first member of the department to encounter and document specific incidents that affect an employee, as they work with the individual employee on a day to day basis.
2. Supervisors will not document routine performance through an Early Warning Tracking Form. The employee's immediate supervisor will complete the form and forward to the System Coordinator through the chain of command. The System Coordinator will then notify the employees Division Commander and/ or the Chief of Police.
3. Supervisors who identify deficiencies with personnel outside of their chain of command will submit an early Warning Tracking Form to the employee's direct supervisor indicating the nature of the deficiency. That supervisor will then forward it to the System Coordinator.
  - a. This does not relieve the supervisor noting the deficiency from taking immediate corrective action if necessary.
4. Supervisors who wish to document positive performances are encouraged to do so through Letters of Commendation.

F. Early Warning Tracking Form

1. The Early Warning Tracking Form will contain the following information:
  - a. Date
  - b. Officers Name
  - c. Incident number if applicable
  - d. Type of Incident (From Appendix A)
  - e. Description of Incident.

G. Notification to Subsequent Law Enforcement Employer

1. If any officer who is or has been subject to an EW System review process applies to or accepts employment at a different law enforcement agency than the one where he or she underwent the EW System review process, it is the responsibility of the prior or current employing law enforcement agency to notify the subsequent employing law enforcement agency of the officer's EW System review process history and outcomes. Upon request, the prior or current employing agency shall share the officer's EW System review process files with the subsequent employing agency.

H. Notification to County Prosecutor

1. Upon initiation of the EW System review process for any officer, the Chief of Police or his/her designee shall make a confidential written notification to the County Prosecutor 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 EW System review process, the agency's chief executive shall make a confidential written notification to the County Prosecutor or his/her designee of the outcome of the EW System review, including any remedial measures taken on behalf of the subject officer.

- I. All Early Warning System policies adopted by this agency shall be made available to the public upon request and shall be posted on the Departments' website.

## APPENDIX A

### Early Warning System Guide

Incident Type	Time Duration	Alert Number
Internal Affairs Complaints against officer	6 months	3
Civil Actions against officer	6 months	3
Criminal Complaints / Investigations against Officer	Any Time Frame	1
Subject of Domestic Violence Investigations	Any Time Frame	1
Arrest of Officer (including DWI)	Any Time Frame	1
Sexual Harassment Claim against Officer	Any Time Frame	1
Positive Drug Test	Any Time Frame	1
Cases or Arrests rejected / dismissed by court	6 months	3
Cases where evidence is suppressed	Any Time Frame	1
Insubordination	Any Time Frame	1
Neglect of Duty	Any Time Frame	1
At Fault MV Crashes	12 Months	1
Declining Performance	Monthly	1
Pursuits	6 months	3
Job Related Injuries	12 months	2
Use of Force	6 months	4
Total Number of Sick Days in a calendar year	3 months	6 Days
Any Combination or Other Performance Indicators	Any Time Frame	Discretion

**Bridgewater Township Police Department**  
**Internal Affairs Unit**  
**Early Warning System Tracking Form**

Officer: \_\_\_\_\_

Event # \_\_\_\_\_

- Internal Affairs Complaints against officer:
- Civil Actions filed against officer:
- Criminal Complaints / Investigations against officer:
- Subject of Domestic Violence Investigation:
- Arrest of Officer (Including DWI):
- Sexual Harassment Claim against officer:
- Positive Drug Test:
- Cases or Arrests rejected / dismissed by court:
- Cases where evidence is suppressed:
- Insubordination:
- Neglect of Duty:
- At Fault MV Crashes:
- Pursuits:
- Use of Force:
- Total Number of Sick Days in a Calendar Year (6 Days in 3 month period during the current calendar year):
- Unexcused Absences by Officer:
- Any Combination of or Other Performance Indicators:

\_\_\_\_\_  
**Signature of Submitting Supervisor PIN#**

\_\_\_\_\_  
**Date**