

	BUTLER POLICE DEPARTMENT STANDARD OPERATING PROCEDURES		Vol. 6 Ch. 9
	PERSONNEL EARLY WARNING SYSTEM		
	Effective Date: 5/1/13	Supersedes:	
Approved by: Chief Scott Ricker		Accreditation Standard(s)	
Revision Date: 8/25/23 ID, IF, IIID, IV		NJSACOP 2.2.3	

PURPOSE

The purpose of this policy is to establish guidelines to assist with the early identification of potential problem personnel and to reference other office policies and procedures that must also be utilized to effectively carry out this process. The Personnel Early Warning process is nothing more than a consolidated review process of various reports and information generated from policies and procedures already in place within different chapters of the department's Written Directive System. The other policies that are referenced herein will not, for the most part, be modified in any significant manner as a result of this process being implemented. This policy also serves to illustrate the methods by which the personnel early warning process will be organized and administered.

POLICY

The Chief of Police recognizes that a comprehensive Personnel Early Warning Process is an essential component of good discipline in a well-managed law enforcement agency. Additionally, the active participation of first and second level supervisors is expected, as this is crucial to the process's success. This process has been designed and implemented toward achieving the goals of increasing agency accountability and offering personnel a better opportunity to meet the agency's values and mission statement.

PROCEDURE

I. Oversight and Monitoring

- A. The Personnel Early Warning System will fall under the oversight and control of the Administrative Lieutenant. The Admin. Lieutenant will, at the end of each year, prepare a documented evaluation of the process utilizing input gathered and/or received from the following sources:
 1. Operations Lieutenant;
 2. Shift Commanders;

3. Internal Affairs;
 4. Bargaining Unit President; and
 5. Any other source deemed appropriate
- B. A significant portion of the process will be monitored and reviewed by the Internal Affairs Unit (See section II-B).
- C. Factors that will be continually reviewed by this process will include, but not limited to:
1. Use of force incidents;
 2. Citizen complaints;
 3. Disciplinary actions;
 4. Counseling sessions;
 5. Performance appraisals;
 6. Use of sick leave;
 7. On the job injury reports;
 8. Accidents with Borough of Butler owned vehicles;
 9. Worker's compensation claims; and
 10. Specific supervisory concerns.
- D. At a minimum, this agency's EW policy shall provide three (3) separate instances of performance indicators, as listed above, within any twelve-month period to trigger the Early Warning Review process. If one incident triggers multiple performance indicators, it shall count as only one performance incident. However, the chief of police may exercise discretion to determine that a lower number of indicators within a twelve-month period may trigger the Early Warning Review process.
- F. Pursuant to AG Directive 2018-3, the chief of police shall make a written notification of any matter which triggers an Early Warning Review to the Sergeant of the Morris County Prosecutor's Office Professional Standards Unit. The notice shall identify the subject officer, the nature of the triggering performance indicators, and the planned remedial program. At the conclusion of the process, the chief of police shall make a written notification of the outcome of the review, including any remedial measures taken on behalf of the subject officer.

II. Application of Process

A. Supervisory Personnel

1. The process will be utilized and applied by all supervisors on a continual basis in accordance with applicable provisions of this policy and others as referenced herein.

2. All supervisors will familiarize themselves with the work habits of personnel under their control. The role of supervisors, especially shift commanders, is crucial in identifying circumstances in which early intervention is needed and subsequently identifying the most effective methods or intervention.
3. Supervisors who observe notable changes in work habits, which in the opinion of the supervisor may have a detrimental effect on the individual's job performance, will either address the circumstances as prescribed in other policies pertaining to training or behavior modification or, when appropriate, offer assistance to the individual in resolving or alleviating the issue(s). Supervisors should remain sensitive to any personal problems of individuals, but ultimately must understand that prolonged or frequent instances of such problems affecting the individual's job performance must be brought to the attention of the supervisor at the next level of the chain of command.
4. Supervisors will confer with the Admin Lieutenant regarding any individual whose yearly performance appraisals indicate an overall rating of "unsatisfactory" or who has failed to show improvement in a particular category in which a "Needs Development" rating was received in the previous year.
5. Supervisors should note the frequent issuance of reports involving counseling sessions and individual training reports to an individual as an indication of a potential or actual concern that may need to be remedied in another fashion.

B. Internal Affairs

1. The Internal Affairs Unit will monitor the following items for recurrences or escalation patterns involving individual personnel.
 - a. All complaints against individuals;
 - b. Disciplinary actions;
 - c. Use of force incidents;
 - d. Use of sick leave; and
 - e. Excessive sick time notifications.
2. Any recurrence or pattern identified by the Internal Affairs Unit which is felt to be of a significant nature will be brought to the Admin. Lieutenant's attention in writing as soon as possible.
3. If no notifications are made to the Admin Lieutenant during a particular quarter, this fact will be noted in the internal Affairs summary report as "no reportable activity was noted as described under the Personnel Early Warning System."

C. Administrative Responsibilities

1. It shall be the responsibility of the Operations Lieutenant to monitor the following items for recurrences or escalating patterns involving individual personnel.
 - On the job injury/accident reports
 - Accident reports involving Borough of Butler vehicles
 - Workers Compensation claims.
2. The Admin. Lieutenant shall be responsible for the following involving the process:
 - a. Notification to the Chief of Police if any concerns arise.
 - b. Assist supervisors in addressing any concerns pertaining to personnel brought to his/her attention.
 - c. Review all performance appraisals and noting all those in which concerns are presented.
 - d. Determine if a potential or actual concern exists by utilizing the information provided by department supervisors.
 - e. With the approval of the Chief of Police, take appropriate action as soon as possible regarding intervention upon confirmation of a potential or actual concern in accordance with agency policy.

III. Intervention

- A. Intervention should be taken, whenever possible, by the immediate supervisor of the individual involved.
- B. Intervention may consist of varying methods including employee assistance, training, pre-disciplinary intervention or disciplinary action.
- C. Other agency policies and procedures which comprise the framework of the Personnel Early Warning process and which should be referenced for guidance when intervention is necessary include the following:
 1. Internal Affairs (V6C2)
 2. Performance Evaluations (V4C8)
 3. Discipline (V3C6)
 4. Department Rules and Regulations
 5. Reporting Sick or Injured and Light Duty (V4C6)
 6. Line of Duty Death or Injury (V6C7)
 7. Employee Benefits and Programs (V3C9)
- D. Further guidance can be located by referencing MCPO Directive V3-C4 And New Jersey Attorney General Directive 2018-3 Sec. II.I

IV. Reporting

- A. On January 5th of the calendar year, the chief of police or their designee, shall report, in writing, to the Morris County Prosecutor's Office the total number of Early Warning reviews that were taken for the previous year.

- B. All Early Warning Systems policies shall be made available to the public upon request, and shall be posted on the department website. However, all written reports created or submitted that identify specific officers are confidential and are not subject to release or public disclosure.