

**BOROUGH OF GARWOOD
POLICE DEPARTMENT**



POLICY AND PROCEDURE

S.O.P. 4-2		#OF PAGES: 6	REVISION DATE	PAGE #
SUBJECT: EARLY WARNING SYSTEM				
EFFECTIVE DATE: July 6, 2018		James H. Wright CHIEF OF POLICE		
CROSS REFERENCE: N.J.A.G. Directive 2018-3				

I. Background:

An Early Warning System ("EW System") is an important management tool designed to detect patterns and trends in police conduct before that conduct escalates. An effective EW System can assist a law enforcement agency in identifying and remediating problematic officer conduct that poses potential risk to the public, to the agency, and to the officer. EW Systems, therefore, serve to not only increase public safety and public confidence in law enforcement, but also to assist officers through early intervention.

POLICY:

It shall be the policy of the Garwood Police Department to establish and maintain an Early Warning System for all applicable employees contained in Section I of this policy.

II. IMPLEMENTATION

A. APPLICABILITY:

This policy shall apply to the Borough of Garwood Police Department and all sworn law enforcement officers of the Borough of Garwood Police Department.

B. ESTABLISHMENT OF EW SYSTEM POLICY:

The Borough of Garwood Police Department shall adopt an EW System policy consistent with all directives, guidelines, and laws as set forth by the N.J. A.G.

C. SELECTION OF PERFORMANCE INDICATORS:

An EW System may monitor many different categories of officer conduct which indicate potentially escalating risk of harm to the public, the agency, and/or the officer. The following performance indicators shall be included in all EW Systems:

1. Internal affairs complaints against the officer, whether initiated by another officer or by a member of the public;
2. Civil actions filed against the officer;
3. Criminal investigations of or criminal complaints against the officer;
4. Any use of force by the officer that is formally determined or adjudicated to have been excessive, unjustified, or unreasonable;
5. Domestic violence investigations in which the officer is an alleged subject;
6. An arrest of the officer, including on a driving under the influence charge;
7. Sexual harassment claims against the officer;
8. Vehicular collisions involving the officer that are formally determined to have been the fault of the officer;
9. A positive drug test by the officer;
10. Cases or arrests by the officer that are rejected or dismissed by a court;
11. Cases in which evidence obtained by an officer is suppressed by a court;
12. Insubordination by the officer;
13. Neglect of duty by the officer;
14. Unexcused absence by the officer; and
15. Any other indicators, as determined by the Chief of Police or his designee.

D. INITIATION OF EARLY WARNING PROCESS:

At a minimum, the Garwood Police Department's EW System shall provide that three separate instances of performance

indicators (as listed in Section C, above) within any twelve-month period will trigger the EW System review process. If one incident triggers multiple performance indicators, that incident shall not be doubled or tripled-counted, but instead shall count as only one performance indicator.

E. ADMINISTRATION AND TRACKING

The Chief of Police shall assign personnel from the Internal Affairs Unit to conduct the EW System function. Personnel assigned to conduct the EW System will track each officer in the Garwood Police Department on an EW System Tracking Form (Appendix A). The EW Tracking Forms will be audited by the Internal Affairs Unit bi-annually for accuracy and efficiency.

F. REMEDIAL/CORRECTIVE ACTION

Once an officer has displayed the requisite number of performance indicators necessary to trigger the EW System review process (as set forth in Section II.C above) assigned supervisory personnel shall initiate remedial action to address the officer's behavior.

When an EW System review process is initiated, personnel assigned to oversee the EW System should (1) formally notify the subject officer, in writing using a Garwood Police Department Employee Performance Notice (Appendix B), (2) conference with the subject officer and appropriate supervisory personnel; (3) develop and administer a remedial program including the appropriate remedial/corrective actions listed below; (4) 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); (5) document the 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.

Remedial/corrective action may include but is not limited to the following:

1. Training or re-training
2. Counseling;
3. Intensive Supervision;
4. Fitness-For-Duty Examination;
5. Employee Assistance Program (EAP) referral; and
6. Any other appropriate remedial or corrective action consistent with Garwood Police Department S.O.P. 4-1 Internal Affairs.

G. NOTIFICATION TO SUBSEQUENT LAW ENFORCEMENT EMPLOYER

If any officer of the Garwood Police Department is or has been subject to an EW System review process applies to or

accepts employment at a different law enforcement agency it is the responsibility of the Garwood Police Department to notify the subsequent employing law enforcement agency of the officer's EW System review process history and outcomes. Upon request, the Garwood Police Department shall share the officer's EW System review process files with the subsequent employing agency.

H. NOTIFICATION TO COUNTY PROSECUTOR

Upon initiation of the EW System review process, the Chief of Police of the Garwood Police Department or his/her designee shall make a confidential written notification to the Union 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 Chief of Police or his/her designee shall make a confidential written notification to the Union 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. ANNUAL REPORT TO ATTORNEY GENERAL

By January 31st of each year the Union County Prosecutor or his/her designee shall submit a report to the Attorney General. This summary shall include a statement indicating those agencies under the Union County Prosecutor's supervision that are in compliance with the directive and those that are not.

III. PUBLIC ACCESSIBILITY AND CONFIDENTIALITY

Annual reports from the Union County Prosecutor to the Attorney General (as required by Section II.I above) shall be made available to the public upon request and shall be posted on the Garwood Police Department's website.



Garwood Police Department
Early Warning System
Tracking Form

Name of Officer	Event Date	Case Number	Performance Indicator

GARWOOD POLICE DEPARTMENT

EMPLOYEE PERFORMANCE NOTICE (Commendations & Complaints)

To: _____

From: _____

You are herein advised that on this ____ day of _____, 20__ you are:

- Commended Counseled Other
 Trained Reprimanded Nominated for Award

for the following:

Issued by: _____
(SIGNATURE OF ISSUING OFFICER)

Received by: _____
(SIGNATURE OF RECEIVING OFFICER)

Note: Three (3) copies of this form are to used as follows:

- The *White Original* is to be filed in the Officers personnel file.
- The *Pink Copy* is to be given to the Officer.
- The *Yellow Copy* is to be filed with the Uniform Division Commander