

## MANTUA TOWNSHIP POLICE DEPARTMENT POLICY AND PROCEDURE

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<b>SUBJECT:</b> Early Warning System			10/8/13	
<b>EFFECTIVE DATE:</b>  7/24/12	<b>CHIEF OF POLICE</b> Darren E White		11/8/13 2/21/14 4/9/14 3/06/2015	1-2 Review, no change 2 Format
<b>CROSS REFERENCE #:</b> 2.2.3 <b>AG LE DIRECTIVE</b> 2018-3	Mantua Township POLICE DEPARTMENT		5/20/18	All

**PURPOSE:** The purpose of this policy is to establish a personnel early warning system.

**POLICY:** It is the policy of this department to implement and utilize Guardian Tracking Software as an early warning system (EWS) for tracking and reviewing incidents of risk, and provide timely intervention consistent with the Attorney General Guidelines

**PROCEDURE:**

**I. Guardian Tracking Software**

- A. Guardian Tracking is a software based system to augment the current performance evaluation system. Guardian Tracking allows supervisors the ability to document routine performance, in one centralized location, during the course of an evaluation period. As incidents are entered, Guardian Tracking will monitor the frequency of specific incidents to determine if early intervention is warranted.
- B. Supervisors are encouraged to document as much detail as possible throughout the year using the categories listed in the program; however, the following performance indicators are required to be entered into Guardian Tracking at a minimum. Should an officer become involved in one of these incidents, it shall be the responsibility of their supervisor to report the incident to the administrator responsible for that area so that it can be entered:
  - 1. Internal Affairs Investigation – To be used whenever an Internal Affairs Investigation has been opened and the officer is the target
  - 2. Excessive Force – To be used when the officer uses force that is formally determined or adjudicated (for example, by internal affairs or a grand jury) to have been excessive, unjustified, or unreasonable.
  - 3. At Fault Officer involved MV collisions – To be used when an officer is involved in a motor vehicle accident while on duty and the officer was formally determined to be at fault
  - 4. Sick time abuse – To be used whenever an officer utilizes a sick day improperly or for an identified pattern of sick time use

5. Policy Violation – To be used when an officer violates departmental policy and none of the other categories available is appropriate
  6. Lack of Attendance / Tardiness – To be used when an officer has an unexcused absence for scheduled work related events, or arrives after the time set forth by his/her schedule in accordance with departmental policy
  7. Damage to Township Property – To be used when an officer fails to properly care for or damages departmental equipment
  8. Civil Actions – To be used when civil actions are filed against the officer.
  9. Criminal Investigation – To be used when the officer is under criminal investigation or criminal complaints have been signed against him/her.
  10. Domestic Violence – To be used when the officer is the alleged subject in a domestic violence investigation.
  11. Arrest – To be used when the officer is arrested, including on a driving under the influence charge.
  12. Sexual Harassment – To be used when there are sexual harassment claims against the officer.
  13. Positive Drug Test – To be used when the officer has a positive drug test.
  14. Case Dismissed – To be used when cases or arrests by the officer are rejected or dismissed by a court.
  15. Case Suppressed – To be used when evidence obtained by an officer is suppressed by a court.
  16. Insubordination – To be used for insubordination by the officer.
  17. Neglect of Duty – To be used for neglect of duty by the officer.
- C. Three (3) separate instances of the above performance indicators within the same twelve (12) month period will initiate the early warning system process. If one incident triggers multiple performance indicators, the incident shall not be double- or triple-counted, but instead shall count as only one performance indicator.
- D. The EWS will be administered by the police administration and/or members of the internal affairs unit. Supervisory officers in the subject officer's chain of command also should be directly involved in any EWS review process.
- E. Remedial/Corrective Action
1. When the EWS review process is triggered, assigned supervisory personnel shall initiate remedial action to address the officer's behavior.
  2. Personnel assigned to oversee the EWS should:
    - a) Formally notify the subject officer in writing
    - b) Conference with the subject officer and appropriate supervisory personnel
    - c) Develop and administer a remedial program including the appropriate remedial/corrective actions listed below
    - d) Continue to monitor the subject officer for at least three (3) 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
  3. Any statement made by the subject officer in connection with the EWS review process may not be used against the officer in any disciplinary or other proceeding
  4. Remedial/corrective action may include but is not limited to the following:

- a) Training or re-training;
  - b) Counseling;
  - c) Peer Counseling;
  - d) Intensive supervision;
  - e) Fitness-for-duty examination;
  - f) Employee Assistance Program (EAP) referral; and
  - g) Any other appropriate remedial or corrective action.
5. If the EWS review process reveals a need for disciplinary actions, they will be carried out in accordance with Mantua Township SOP [V3 C4: INTERNAL INVESTIGATIONS](#)
  6. Internal disciplinary action, remedial / corrective intervention, and fitness for duty examinations are not mutually exclusive and should be jointly pursued if and when appropriate.
  7. When remedial / corrective intervention has been undertaken, the Chief of Police or his designee shall ensure that such actions are documented in writing. No entry should be made in the employee's personnel file, unless 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. Guardian Tracking will also be utilized to document the following types of incidents which, independently, will not initiate the EWS.
1. Motor Vehicle Pursuits
  2. Any Use of Force
  3. Officer Injured on Duty
  4. Officer Involved MV Collision (not at fault)
  5. Use of Firearm
- G. Supervisors are encouraged to document all positive performance by their employees. Examples of positive performance may include, but is not limited to, the following:
1. Exemplary Performance - To be used when an officer performs a task that is worthy of others emulating. The action(s) may be the result of completing a task assigned by a supervisor or simply part of the officer's daily routine; it is not necessarily above and beyond what is expected as would be indicative of "Exceptional Duty", but is praiseworthy nonetheless due to the way in which the task was accomplished.
  2. Exceptional Duty – Actions that are above and beyond what is expected, but may not be worthy of an official commendation
  3. Letter of Praise – Written correspondence received by the agency regarding positive actions demonstrated by the employee
  4. Commendation – Official awards or citations that commend an officer's action(s)

## II. Patrol Commanders

- A. Patrol commanders shall periodically review an individual employee's history. Using this information and their experience, the patrol commander may be able to identify employees who may need remedial / corrective intervention even before such is indicated by the Guardian tracking Software

- B. Patrol Commanders shall review all “flag” indicators to determine if it is a “false positive”.
  - 1. The Patrol Commander shall document this conclusion and his reasoning if made

### **III. Supervisors**

- A. Supervisors will not document routine performance in any other format. All performance documentation will be entered into the Guardian Tracking system.
- B. Supervisors will have access to make entries and view all employees under their chain of command.
- C. Supervisory personnel who identify deficiencies with other personnel, outside their chain of command, will submit a “Supervisor Notice” in Guardian Tracking to the employee’s direct supervisor indicating the nature of the deficiency.
  - 1. This will not prohibit supervisors from taking immediate action to correct serious infractions, which may result in liability, injury, and/or disrepute.
- D. 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.

### **IV. Personnel**

- A. All personnel will log into and review any recently created or recently updated incidents any time they are made aware of an entry, or any time they submit a report that requires an entry to be made (ie pursuit, use of force incident, etc).
  - 1. Personnel may select the “Sub-entry” tab and document their response to a recently created or updated incident.
- B. All personnel will ensure that all documentation within Guardian Tracking will remain confidential. Unauthorized sharing of information may result in disciplinary action.

### **V. Training**

- A. All personnel will be trained in the use of the Guardian Tracking software. Refer to [Guardian Tracking Software User Manual](#), posted on Power DMS, for additional instructions on how to use the program.

### **VI. Notifications**

- A. If any officer who is or has been subject to an EWS review process applies to or accepts employment at a different law enforcement agency it is the responsibility of the Mantua Township Police Department to notify the subsequent employing law enforcement agency of the officer's EWS review process history and outcomes. Upon request, the Department shall share the officer's EWS review process files with the subsequent employing agency.
- B. Upon initiation of the EWS review process, the chief executive or a 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 EWS review process, the chief

executive shall make a confidential written notification to the County Prosecutor or his/her designee of the outcome of the EWS review, including any remedial measures taken on behalf of the subject officer.

**VII. Public Accessibility and Confidentiality**

- A. This policy shall be made available to the public upon request and shall be posted on the Mantua Township Police Department website.
- B. Annual reports from the County Prosecutor to the Attorney General also shall be made available to the public upon request and shall be posted on the website.
- C. All written reports created or submitted pursuant to this policy that identify specific officers are confidential and not subject to public disclosure.