

MILLVILLE POLICE DEPARTMENT			
General Order			
VOLUME: 1	CHAPTER: 5	# OF PAGES: 6	
SUBJECT: EARLY INTERVENTION SYSTEM			
EFFECTIVE DATE: February 9, 2021	Revised Policy Management System of 2020	REVISION DATE	PAGE #
BY THE ORDER OF: Jody Farabella, Chief of Police			
SUPERSEDES ORDER #: G.O. #2-16			

PURPOSE

An Early Intervention System is an important management tool designed to detect problematic patterns and trends in police conduct to assist the department in identifying and remediating such conduct that poses a potential risk to the public, the agency, and to the officer. The purpose of this directive is to establish the policy and procedures for administering an Early Intervention System to increase public safety and confidence in the Millville Police Department, enhance its integrity, provide an optimal level of service to the community, reduce its exposure to civil liability, and assist officers through early intervention.

POLICY

It is the policy of the Millville Police Department to comply with the directives of the Attorney General and the County Prosecutor concerning Early Intervention Systems. To proactively work to detect troubling patterns in police conduct, the Millville Police Department will utilize an early intervention system for tracking and reviewing the indicators of increased risk to detect patterns and trends and provide timely, non-punitive intervention consistent with best practices before conduct escalates into more serious issues.

PROCEDURE

1.0 SECTION 1 - SUPERVISION

- 1.1** All levels of supervision, especially first line supervisors, are expected to be able to timely identify officers with performance and misconduct issues, identify training needs and provide professional support in a consistent and fair manner.
- 1.1.1** Supervisors can react to problems they identify through direction, counseling, and effective performance evaluations.
- 1.1.2** Proper training of supervisors is critical to the discipline and performance of law enforcement officers.
- 1.1.3** Emphasis should be placed on anticipating employee problems before it results in improper performance or conduct.
- 1.1.4** The Early Intervention System may be initiated by any supervisor based upon their own observations.
- 1.1.5** The first line supervisor is usually the first member of the department 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 division commander through early intervention system software. The success of this program relies heavily on the first line supervisor's participation and involvement.
- 1.1.6** Supervisors will have input on recommendations affecting their employees such as required remedial training, counseling services through the Employee Assistance Program, and disciplinary action.
- 1.1.7** Referrals to the Employee Assistance Program shall be made in accordance with the Employee Assistance Program protocols. Personal problems may adversely affect an employee's personal and professional well-being and job performance. The most effective means of handling these problems may be through this program.

2.0 SECTION 2 – EARLY INTERVENTION SYSTEM SOFTWARE

- 2.1** This department will utilize a computerized early intervention software program to manage, track and trigger alerts with respect to the Early Intervention System Policy. All documentation and notifications pertaining to the Early Intervention System shall take place in this software program. The Early Intervention System Policy and its software program are designed to mirror and be used in accordance with the procedures mandated in this department's Internal Affairs Policy.
- 2.2** The Early Intervention System shall be administered by the Internal Affairs Unit. Supervisory officers in the subject officer's chain of command will also be directly involved in any Early Intervention System Review and Remedial/Corrective Action. The Chief of Police and the Internal Affairs Unit will be designated in the system to receive copies of all entries.

- 2.3 All employees shall have access to their own entries in the Early Intervention System via an assigned login and personal password. Supervisors shall have access to subordinate officers in their chain of command. Employees who have not been issued a login are not authorized to access the system.
- 2.4 All written reports created or submitted concerning the Early Intervention System that identify specific officers are confidential as Internal Affairs documents and are subject to the same disclosure and retention regulations and guidelines.
- 2.5 Incidents involving one of the identified Performance Indicators shall be entered into the Early Intervention System by the Internal Affairs Unit or a Supervisor for subordinates in their chain of command. Supervisors are not permitted to enter incidents on an equal or higher ranking officer. Supervisors who fail to document incidents as required by this directive will be subject to disciplinary action.
- 2.6 The Court Liaison Officer shall forward a report to his or her immediate supervisor detailing whenever evidence is suppressed, a case is dismissed, or prosecution rejected. The Court Liaison Officer shall include the reason(s) for the suppression, dismissal, or rejection of such prosecution. It shall be the responsibility of the liaison's immediate supervisor to review the report and, where warranted, document any cases in the Early Intervention System under the appropriate performance indicator category.
- 2.6.1 Cases that warrant entry will include those with suppressed evidence and case dismissals due to the following reasons:
- A. Failure of an officer to appear; or
 - B. As a direct result of an officer's action or inaction related to the case.
- 2.6.2 Cases that **DO NOT** warrant entry into the Early Intervention System are those dismissed for:
- A. Failure of witnesses or complainants to appear; or
 - B. As a result of routine court dispositions such as plea bargains and mergers; or
 - C. As a result of any other reason not related to an officer's conduct or actions.

3.0 **SECTION 3 - PERFORMANCE INDICATOR CATEGORIES**

- 3.1 **Performance Indicators:** The Early Intervention System will monitor categories of officer conduct which may indicate a potentially escalating risk of harm to the public, the agency, and the officer. The following performance indicators are included in the Early Intervention System:
- 3.1.1 **Internal Affairs Complaints:** Shall be entered by the Internal Affairs Unit at the same time the subject officer is served with notification of an Internal Affairs complaint in accordance with the Internal Affairs policy. The entry shall only include the Internal Affairs Investigation case number with no additional information.
- 3.1.2 **Civil Actions:** Civil actions filed against the officer.

- 3.1.3 Criminal Actions:** Criminal Investigation of or criminal complaints against an officer. Entry may be delayed for ongoing investigation, at direction of County prosecutor, or in accordance with Internal Affairs Policy.
 - 3.1.4 Use of Force - Violation:** Any Use of Force by an officer that is formally determined or adjudicated (for example, by internal affairs or a grand jury) to have been excessive, unjustified, or unreasonable.
 - 3.1.5 Domestic Violence:** Investigations in which the officer is an alleged subject.
 - 3.1.6 Arrest of Officer:** Includes DWI.
 - 3.1.7 Sexual Harassment:** Claims against officer.
 - 3.1.8 MV Crash:** Where the officer has been formally determined to have been at fault.
 - 3.1.9 Drug Test:** Positive drug test by officer.
 - 3.1.10 Case Dismissal:** For cases dismissed as defined above in Section 2.4.1
 - 3.1.11 Suppressed Evidence:** For cases where evidence obtained by an officer is suppressed.
 - 3.1.12 Insubordination:** By an officer in violation of Rules and Regulations.
 - 3.1.13 Neglect of Duty:** By an officer in violation of Rules and Regulations.
 - 3.1.14 Unexcused Absences:** Absences in violation of policy.
- 3.2** If one incident falls under multiple performance indicator categories, it shall only be counted as one indicator, not double or triple counted.
- 4.0** **SECTION 4 – INITIATION OF THE EARLY INTERVENTION PROCESS**
- 4.1 Performance Indicator Flags:** Whenever three separate instances under the performance indicator categories are entered for an officer within any twelve-month period, the Early Intervention System will create a flag for the subject officer triggering the review process.
- 4.2 Early Intervention Review:** When the Early Intervention System creates a flag, the Internal Affairs Unit will review the flagged entries.
- 4.2.1** Not every flag will require remedial or corrective action.
 - 4.2.2** When a review determines corrective action is not warranted, the Internal Affairs unit will document the reasons directly in the flag entry and remove the flag.
 - 4.2.3** When an Internal Affairs review of an Early Intervention System Flag determines that Remedial/Corrective Action is required, Internal Affairs will forward the Early Intervention Flag to the Division Commander of the subject officer for Remedial/Corrective Action.

5.0 SECTION 5 – REMEDIAL/CORRECTIVE ACTION

5.1 Upon receiving a flag with recommended remedial/corrective action from the Internal Affairs Unit, the Division Commander of the subject officer shall conference with the officer and his or her direct supervisor(s). Internal Affairs may be present.

5.1.1 The conference will be used to:

- A. Identify problems or potential problems;
- B. Determine short and long-term goals for improvement;
- C. Come to a consensus commitment on a plan for long-term improved performance;
- D. Advise of the monitoring process and the repercussions of future sustained transgressions.

5.1.2 They will develop and administer a remedial program including one or more of the following appropriate remedial/corrective actions:

- A. Training or re-training;
- B. Counseling;
- C. Intensive supervision;
- D. Fitness-for-duty examination
- E. Employee Assistance Program (EAP) referral
- F. Peer counseling or Resiliency Program

5.1.3 The supervisors will continue to monitor the subject officer for 90 days or until the supervisor concludes the subject officer's behavior has been remediated, whichever is longer. Progress reports will be completed by the supervisor and due every 30 days.

5.1.4 Corrective actions, progress reports, and completion will be documented in the software program at each step.

5.1.5 Any statement made by the subject officer in connection with the Early Intervention System process may not be used against the subject officer in any disciplinary proceeding.

6.0 SECTION 6 – NOTIFICATIONS

6.1 **Notifications to subsequent Law Enforcement Employer:** If any officer who has been subject to an Early Intervention System remedial/corrective process applies to or accepts employment at a different law

enforcement agency, upon request, the Internal Affairs Unit shall share the subject officer's Early Intervention System files with the subsequent agency.

- 6.2 Notifications to the County Prosecutor:** Upon initiation of the Early Intervention System remedial/corrective process, the Internal Affairs Unit shall make confidential written notification to the County Prosecutor's designee of the identity of the subject officer, the nature of the triggering performance indicators, and the planned remedial program. Upon completion of the remedial process, Internal Affairs shall make notification of the outcome of the remedial measures.
- 6.3 Public Accessibility:** This Early Intervention System policy shall be made available to the public upon request. Reports and specific officer's files are confidential and not subject to disclosure.