



**NORTH HANOVER TOWNSHIP
POLICE DEPARTMENT**

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**CHIEF OF POLICE
BUDD WELLS**

Effective Date: August 1, 2018	Revised Date: Initial Deployment	Number: SOP # 58
Subject: Employee Conduct Early Warning System Policy		
Special Instructions: This policy shall be consistent with New Jersey Attorney General Directive 2018-3, entitled; Statewide Mandatory Early Warning Systems. Refer to N.H.P.D. S.O.P. #26 as it applies.		

Purpose

The North Hanover Township Police Department is committed to providing the highest quality public safety and law enforcement services necessary to fulfill its mission statement. Therefore, motivated by a moral and professional obligation to perform to this ultimate objective, this Agency will ensure the application of Standard Operating Procedure #58.

The North Hanover Township Police Department is committed to providing law enforcement services that are fair, effective, and impartially applied. To that end, all officers are held to the highest standards of official conduct and are expected to respect the rights of all citizens. Officer's adherence to these standards, motivated by a moral and professional obligation to perform their job to the best of their ability, is the ultimate objective of this Agency.

The purpose of this policy is to improve the quality of law enforcement services. Citizen confidence in the integrity of the Police Department increases through the establishment of meaningful and effective procedures. The establishment of an Employee Conduct Early Warning System (ECEWS) is an important management tool designed to detect patterns and trends in police conduct before that conduct escalates.

An effective Early Warning System can assist a law enforcement agency in identifying and remediating problematic employee conduct that poses a potential risk to the public, to the agency, and to the employee. An Early Warning System therefore serves not only to increase public safety and public confidence in law enforcement, but also to assist employees through early intervention.

This confidence engenders community support for the law enforcement agency. Improving the relationship between the officers and the citizens they serve, thereby facilitating cooperation, vital to the Department's ability to achieve its goals.

Policy

It is the policy of this Department to establish an effective Employee Conduct Early Warning System that assists in identifying and remediating problematic employee conduct that poses a potential risk to the public, the Agency, and to the employee, for the purpose of improving employee conduct and performance, through early identification and intervention.

It is the policy of this Department that prevention is the primary means of reducing and controlling misconduct. To that end, it is the policy of this Department to discover and correct organizational conditions which permit misconduct to occur, as well as the conduct of individual Department Members. Special emphasis is placed on recruitment, selection and the training of officers and supervisors, and the Employee Conduct Early Warning System is an additional tool in the analysis of the effectiveness of this process.

The Internal Affairs Officer will have the responsibility of managing the Department's Employee Conduct Early Warning System. However, any supervisor may initiate the monitoring system based upon their own observations.

Procedure

A. Employee Monitoring System

1. The Employee Conduct Early Warning System is designed as an early warning system to detect patterns and trends before the conduct of an employee escalates into more serious problems. The primary intent is to address potential problems through the use of appropriate management and supervisory intervention strategies, before negative discipline becomes necessary.
2. All levels of supervision, especially first line supervisors, are expected to recognize potentially troublesome employees, identify training needs and provide professional support in a consistent and fair manner. Emphasis should be placed on anticipating problems among employees before they result in improper performance or conduct.
3. It will be the responsibility of the Internal Affairs Officer to determine the specific system by which information used in the Employee Conduct Early Warning System is received and recorded. Special attention shall be given to accuracy and reliability in the receiving and recording of such information.
4. In the event that the Department chooses to adopt an automated tracking system that is capable of flagging emergent behavioral patterns, It shall be the responsibility of the Internal Affairs Officer to conduct an audit of the Employee Conduct Early Warning System and records, every six (6) months to assess the accuracy and efficiency of the system.
5. The Internal Affairs Officer shall prepare a written report of this evaluation for presentation to the Chief of Police. The report, at a minimum will note the previous year's participants and outcomes, with recommendations for process modification.

6. The Employee Conduct Early Warning System will monitor many different categories of employee conduct which could indicate potentially escalating risk of harm to the public, the Agency, and or the Officer. As such, many different measures of employee performance can be regularly examined for patterns or practices that may include potential problems. These performance measures include, but are not limited to the following documented indicators:
 - a. Motor vehicle stop data;
 - b. Search and seizure data;
 - c. All Internal complaints, regardless of source or outcome;
 - d. Civil actions filed, regardless of outcome;
 - e. Use of force incidents;
 - f. Claims of duty-related injury;
 - g. Arrests for resisting arrest;
 - h. Arrests for assault on a law enforcement officer;
 - i. Criminal investigations or complaints made against an officer;
 - j. Incidents of arrested persons injured;
 - k. Vehicular pursuits;
 - l. Vehicular accidents;
 - m. Cases rejected or dismissed by the Prosecutor;
 - n. Evidence suppressed by the Court;
 - o. Domestic Violence Incidents of which an Officer is involved;
 - p. An arrest of an officer, including D.U.I.;
 - q. Sexual harassment claims against an officer;
 - r. A positive drug test result by an officer;
 - s. Insubordination by an officer;
 - t. Any unexcused absence by an officer;
 - u. Neglect of duty by an officer;
 - v. Any other indicators, as determined by the Chief of Police

B. Initiation of Warning Process

1. The presence of three (3) separate instances of performance indicators within any twelve (12) month period will trigger the Employee Conduct Early Warning System. In the event that one (1) incident triggers multiple performance indicators, that incident shall not be double or triple counted, but instead shall count as only one (1) performance indicator.
2. The Chief of Police may in his discretion determine that a lower number of performance indicators within a twelve (12) month period will trigger the Employee Conduct Early Warning System review process.
3. Officers subject to the Employee Conduct Early Warning System review process should expect to remain under intensive monitoring and supervision for a period no less than six (6) months.
4. The Internal Affairs Officer should review an individual employee's history any time a new complaint is made. Using this information the Internal Affairs Officer may be able to identify employees who may need counseling, training or other remedial action, even before such is indicated by the Employee Conduct Early Warning System ongoing data review.

C. Remedial/Corrective Action

1. In the event that the Employee Conduct Early Warning System reveals a potential problem, the appropriate supervisor will be notified and provided with all relevant information from the system.
2. The Chief of Police or his designee will cause a review of the data provided, along with more detailed information available from departmental records, in consultation with the Internal Affairs Officer. If this review indicates that the Employee Conduct Early Warning System flag is unwarranted, the Chief of Police or his designee will report such, in writing, to the Internal Affairs Officer.
3. If the review reveals that an employee has violated Department directives, the supervisor in consultation with the Internal Affairs Officer should proceed with an internal investigation. If the review reveals that the employee has engaged in conduct that indicates a lack of understanding or inability to comply with accepted procedures, the supervisor shall consult with the Internal Affairs Officer to determine the appropriate course of remedial action.
4. Remedial intervention may include, but is not limited to:
 - a. Training

- b. Retraining
 - c. Counseling
 - d. Intense supervision
 - e. Fitness for duty examination
 - f. Employee assistance program referrals
 - g. Any other appropriate remedial or corrective action
5. Internal disciplinary action, remedial action, and fitness for duty examinations are not mutually exclusive and should be jointly pursued if appropriate.
6. Once an officer has displayed the requisite number of performance indicators necessary to trigger the Employee Conduct Early Warning System review process, the officer will be formally notified in writing by the Internal Affairs Officer.
7. When remedial action has been undertaken, the Internal Affairs Officer shall formally notify the Chief of Police in writing of such efforts. This information shall be recorded in the internal affairs index file system. No entry shall be made in the employee's personnel file, unless the action results in a sustained investigation. If the remedial action is a training program, attendance and completion of that program will be noted in the officer's training records.
8. When under Employee Conduct Monitoring System monitoring, the employee's direct supervisor shall meet with the employee, to discuss the situation in depth to:
- a. Identify problems or potential problems
 - b. Determine short and long-term goals for improvement
 - c. Develop and administer a remedial program including the appropriate remedial/corrective actions
 - d. Come to a consensus committed to a plan for long-term improved performance
 - e. Continue to monitor the Officer for at least six (6) months or until the Supervisor concludes that the Officer's behavior has been remediated (whichever is longer)
 - f. Ensure the officers understanding of the monitoring process and the repercussions of future sustained transgressions.
9. The meeting shall be thoroughly documented and forwarded to the Internal Affairs Officer. The affected employee and supervisor shall meet on a regular basis at a minimum of monthly, to

discuss progress towards the agreed-upon goals and objectives.

10. The supervisor shall ensure that regular monthly progress/status reports are submitted to the Internal Affairs Officer concerning the employee's progress.
11. An additional six months of documented monitoring is required following removal from the Employee Conduct Monitoring System status. Monthly monitoring reports from the supervisor are required.
12. All reports shall eventually be forwarded to the Internal Affairs Officer for review by the Chief of Police, these reports have the same confidential status as any internal affairs document.
 - a. Any statements made by the Officer in connection with the Employee Conduct Early Warning System review process may not be used against the Officer in any other disciplinary or other proceeding.

D. Notification to subsequent Law Enforcement Employers

1. If an officer is or has been subject to the Employee Conduct Early Warning System review process and applies or accepts employment with another law enforcement agency, It shall be the responsibility of the Internal Affairs Officer to notify that agency of the officers E.C.E.W.S. review process history and outcomes. Upon request, the Internal Affairs Officer will share the officer's review process files with that agency.

E. Notification to the County Prosecutor

1. Upon initiation of the Employee Conduct Early Warning System review process, the Chief of Police shall make a confidential written notification to the Prosecutors Office Special Investigations Unit, providing the officer's identity, the nature of the triggering performance indicators, and the planned remedial program.
2. Upon completion of the Employee Conduct Early Warning System review process, the Chief of Police shall make a confidential written notification to the Prosecutors Office Special Investigations Unit indicating the outcome of the Employee Conduct Early Warning System review, including any remedial measures taken on behalf of the officer.
3. The Internal Affairs Officer will be responsible for the content and completion of an annual report that will be provided to the Burlington County Prosecutors Office, to be maintained and further distributed at the discretion of the Prosecutor.

F. Public Accessibility and Confidentiality

1. The Employee Conduct Early Warning System Policy shall be made available to the public upon request and be posted as part of the Department's Professional Standards page on the North Hanover Township public website.

2. The Annual report to the County Prosecutors Office shall be made available to the public upon request and be posted as part of the Department's Professional Standards page on the North Hanover Township public website.

3. All written reports created or submitted pursuant to this policy that identifies specific Officers are confidential and not subject to public disclosure.

Approved by:

Theodore B. Wells III
Chief of Police