

Rowan University			Applicable: ALL PERSONNEL			
Public Safety						
GENERAL ORDER # 10-0216						
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SENIOR DIRECTOR REED LAYTON						

I. PURPOSE

The purpose of this policy is to establish guidelines to assist with the early identification of potential problem members and employees and to reference other office policies and procedures that must also be utilized to effectively carry out this process. The personnel early intervention process is a consolidated review process of various reports and information generated from policies and procedures already in place. This policy also serves to illustrate the methods by which the personnel early intervention system program will be organized and administered.

II. POLICY

Rowan Public Safety recognizes that a comprehensive personnel early intervention 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 designated and implemented toward achieving the goals of increasing office accountability and offering members and employees a better opportunity to meet the agency's mission and values statement.

III. PROCEDURES

Oversight and Monitoring. The personnel early intervention system will fall under the oversight and control of the Senior Director, or designee who shall, at the end of each calendar year, prepare a written evaluation of the process utilizing input gathered and received from the following sources.

1. Unit Commanders and Front Line Supervisors.

2. Professional Standard Officer
 3. Training Officer.
 4. Bargaining Unit Presidents or their designees.
 5. Any other source deemed appropriate.
- A. **Monitoring and Review.** A significant portion of the process will be monitored and reviewed by the Professional Standards Officer as outlined in section **III.D.3.**

All full time employees and the Senior Director shall have access to the Guardian Tracking system via an assigned login and personal password. Employees who have not been issued a login are not authorized to access the system.

- B. It is the responsibility of all supervisors to enter all incidents listed below for each of their subordinates. Supervisors who fail to document incidents as required by this directive will be subject to disciplinary action.
- C. The following shall serve as a guide to the incident categories contained within Guardian Tracking. Additional categories may be added with the approval of the Senior Director

1. Accident - To be used when an employee has an accident with a department issued vehicle and has been determined to be at fault.
2. Arrest – of an officer, including Driving Under the Influence
3. Attendance / Absenteeism – To be used when an employee has an unscheduled absence. Prescheduled sick leave taken for tests, scheduled surgery / procedures, etc., does not qualify under this category.
4. Award- Letter of Appreciation - To be used when an employee receives a letter from a civilian or supervisor with regards to thanking them for a job well done.
5. Award- Nomination - To be used when a supervisor believes that the actions of an officer / employee on an incident deserve an award nomination.
6. Cases or Arrests - by the officer that are rejected or dismissed by the court.
7. Civil Actions - filed against the officer.
8. Complaint – External - To be used when a supervisor receives a complaint from an outside source about an employee.
9. Complaint – Internal - To be used when a supervisor receives a complaint from an employee about another employee.
10. Counseling – To be used when an employee receives counseling of any sort as a result of job performance.
11. Criminal Investigations of or Criminal Complaints against the officer.
12. Discipline - To be used to document when an employee receives some form of discipline.
13. Domestic Violence – investigations in which the officer is the alleged subject.
14. Failure / Weapons Qualification – To be used when a Patrolman, Detective, Sergeant, or Lieutenant fails to qualify with issued service weapon.
15. Grooming / Dress - To be used when an employee’s manner of grooming or dress is not in compliance with department policy or shows exceptional care in this area.

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16. Initiative - To be used when an employee either shows initiative in the performance of a job function or when needed to document the absence of initiative on the part of an employee.
17. Insubordination - To be used when an employee is insubordinate as defined in the Rules and Regulations.
18. Internal Affairs Investigation - To be used when an employee has had some involvement with the Internal Affairs investigation. This will not document anything that is part of the Internal Affairs investigation.
19. Leave – Approved - To be used when an employee has been approved by the Senior Director for an extended leave from work due to personnel reasons.
20. Leave- FMLA - To be used when an employee has been approved for FMLA leave by Human Resources.
21. Leave – Sick - To be used when an employee has been approved to take off for a scheduled amount of sick time, which has been document at Human Resources.
22. Letter of Appreciation - To be used when an employee receives a letter of commendation or appreciation from a citizen or citizen group for commendable behavior.
23. Letter of Commendation - To be used when an employee’s actions are of the nature that the supervisor believes that they deserve; praise; official citation; award; or a commendation for a job well done.
24. Letter of Recognition - To be used by a supervisor to recognize an
25. employee for their dedication; outstanding work; or assistance with a special assignment.
26. Neglect of Duty - by the officer.
27. Operation/Care of Equipment - To be used when an employee fails to properly care for or damages department equipment or if an employee shows exceptional care or concern for department property.
28. Policy Violation - To be used when an employee violates departmental policy and none of the other categories available is appropriate.
29. Property / Vehicle Damage - To be used when an employee’s actions results in the damage to departmental property or a departments vehicle.
30. Quality of Work - To be used to document an employee’s quality of work, whether positive or negative.
31. Recognition – Peer - To be used when an employee feels another employee has acted in a manner deserving acknowledgement for a job well done.
32. Recognition – Supervisor - To be used when a supervisor believes an employee has acted in a manner deserving praise or acknowledgement.
33. Report Writing - To be used when an employee has completed poor or incomplete reports. Used to address areas of concerns for that employee to address when completing reports. This section can also be used to acknowledge an officer for writing a thorough, well written report.
34. Reprimand – Verbal - To be used when an employee has received a verbal intervention from a supervisor in regards to their; conduct; policy violation; etc...
35. Reprimand – Written - To be used when an employee has received a formally written reprimand by a supervisor documenting an incident or policy violation.
36. Rudeness/Attitude - To be used whenever a supervisor observes or a citizen initiates a formal or informal complaint about an employee’s demeanor.
37. Sexual Harassment – claims against the officer.

38. Significant Emotional Event - To be used when an employee has encountered an incident or is involved directly with handling of an event or incident that can have an emotional effect on that employee. This area should be documented by the supervisor to identify need of counseling or assistance for an employee.
39. Suppression Motions – To be used when an officer has evidenced obtained suppressed by a court.
40. Suspension - To be used when an employee has been issued a suspension as a form of discipline. This category is to be used by supervisors to document the employee’s discipline.
41. Tardiness - To be used whenever an employee reports for work after the time set forth by his/her schedule in accordance with department policy.
42. Teamwork - To be used when a group of employees worked together towards a common goal. Cooperative or coordinated effort on the part of a group of employee’s acting together as a team or in the interest of the this agency.
43. Training - To be used when an employee has successfully completed some form of training.
44. Use of Force – To be used whenever an employee utilizes physical, mechanical or deadly force. An entry in this category does not presuppose that the employee acted improperly or contrary to policy or procedure.
45. Withdrawal from Assignment - To be used when an employee has been assigned to a special detail and the employee requests or is removed by a supervisor from the assignment.
46. Work related injury - To be used when an employee is injured while acting in the line of duty, or is currently working when the injury occurs.

D. Remedial Action

1. If the early intervention system reveals a potential problem through the presence of a flag in the Guardian Tracking software, or as identified by a supervisor, the Senior Director or designee will gather all relevant information from the system. A separate incident will be generated in the Guardian Tracking® software using the appropriate Early Warning Intervention Incident category.
2. The Senior Director or designee will cause a review of the identified employees, based on current patterns of collected materials of data provided, along with more detailed information available from department records. If this review indicates that the early intervention system flag is unwarranted, the Senior Director or designee will document this result in writing. The incident narrative placed in the Guardian Tracking software may serve as adequate documentation.
3. If the review reveals that an employee has violated departmental policies the Senior Director may proceed with an internal investigation, if warranted. 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 Senior Director shall determine the appropriate course of remedial action. All action taken will be documented in the Guardian Tracking software under the previously created Early Warning Intervention Incident category.

4. Remedial intervention may include, but is not limited to:
 - a. Training;
 - b. Retraining;
 - c. Counseling;
 - d. Intensive supervision;
 - e. Fitness for duty examination;
 - f. Employee Assistance Program;
 - g. Peer counseling.
5. Internal disciplinary action, remedial action, and fitness for duty examinations are not mutually exclusive and should be jointly pursued if and when appropriate.
6. When remedial action has been undertaken, the Senior Director shall ensure that such actions are documented in writing to the appropriate supervisory personnel and the Internal Affairs unit if necessary. No entry should 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 successful completion of that program should be noted in the employee's training record.
7. The Senior Director shall cause a review of any individual employee's history anytime a new complaint is made. Using this information, the Senior Director or designee may be able to identify employees who may need counseling, training or other remedial action even before such is indicated by the early intervention system's ongoing data review.
8. In general, the following threshold or trigger levels will initiate a review of employee actions or behavior for early intervention: Early Intervention Flag (3 in 365 days). If one incident triggers multiple performance indicators, that incident shall not be double or triple counted, but instead shall count as only one performance indicator.
 1. *Accidents*
 2. *Complaint – External*
 3. *Complaint – Internal*
 4. *Discipline*
 5. *Leave – Sick – Unexcused Absences by the officer*
 6. *Reprimand (Written)*
 7. *Tardiness*
 8. *Use of Force determined to be excessive, unjustified or unreasonable*
 9. *Sexual Harassment*
 10. *Domestic Violence when officer is alleged subject*
 11. *Positive Drug Test*
 12. *Insubordination by the officer*
 13. *Neglect of duty by the officer*

14. *Civil action against the officer*
15. *Criminal Investigations of/or criminal complaints against officer**
16. *Arrest of officer, including DUI*
17. *Cases or arrests by the officer that are dismissed or rejected by the court*
18. *Cases in which evidence obtained by an officer is suppressed by a court*

*** If the EW System notification to the officer could jeopardize an ongoing criminal investigation, the County Prosecutor may in his or her discretion permit delayed notification to the officer or delayed initiation of the EW System review process.**

9. When an early intervention flag is initiated, 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. 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.
10. All employee-supervisor meetings shall be thoroughly documented in the Guardian Tracking software, which will automatically be forwarded to the Senior Director. The affected employee and supervisor shall meet on a regular basis, minimally monthly, to discuss progress towards the agreed upon goals and objectives. The subject officer's progress shall be monitored for at least three (3) months, or until the supervisor concludes that the officer's behavior has been remediated (whichever is longer).
11. All reports shall be forwarded to the Senior Director through the Guardian Tracking software for review. These reports have the same confidential status as Professional Standards documents and are subject to the same disclosure and retention regulations and guidelines. 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.

E. Responsibilities of Supervisors:

- a. The process will be utilized and applied by all supervisory members and employees on a continual basis in accordance with applicable provisions of this policy and others as referenced herein.
- b. All supervisory personnel will familiarize themselves with the work habits of those members or employees under their control. The role of supervisors, especially front line supervisors, is crucial in identifying circumstances in which early intervention is needed and subsequently identifying the most effective methods of intervention.

- c. Supervisors who observe notable changes in work habits, or current patterns of collected material, which in the opinion of the supervisor may have a detrimental effect on the member or employee's job performance, will either:
 - (1) Initiate a review based on current patterns:
 - (2) Address the circumstances as prescribed in other policies pertaining to training or behavior modification; or
 - (3) When appropriate, offer assistance to the member or employee in resolving or alleviating the issue(s). Supervisors should remain sensitive to any personal problems of members or employee's 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 individual at the next level of the chain of command in accordance with General Order 09-0312, Chain of Command.
- d. Supervisors will confer with their respective Unit Commander regarding any member or employee who's yearly Performance Appraisal indicates an overall rating of "Unsatisfactory" or who has failed to show improvement in a particular category, or where a "Needs Improvement" rating was received in the previous six month evaluation period, per General Order 06-0330, Performance Evaluations.
- e. Supervisors should note the frequent issuance of "Written Notice of Performance" reports in accordance with General Order 06-0330, in the performance evaluation to a member or employee as an indication of a potential or actual concern that may need to be remedied in another fashion.

F. Responsibilities of Unit Commanders:

- a. Utilize and apply the process as indicated within this policy and will ensure that all first-line supervisory members and employees under their command understand the purpose and practical applications of the process.
- b. Familiarize themselves with the work habits of supervisory members and employees within their span of control.
- c. Utilize, when necessary, the same procedures indicated for supervisors (as described in section **III.D.1.c, d and e of this policy**) to address similar concerns involving those supervisory personnel.
- d. Upon notification of supervisory concerns regarding a member or employee, discuss the concern(s) with the supervisor and together they shall attempt to assist the member or employee in resolving the problem.
- e. Notify the Operations Division Lieutenant if attempts to assist a member or employee with the resolution of a problem are unsuccessful or if the issue(s) involving the individual are of a serious nature.

- f. Confer with the Operations Division Lieutenant when any supervisor under their command has a six month Performance Appraisal which indicates an overall rating of “Unsatisfactory” or when the supervisor has failed to show improvement in a particular category where “Unsatisfactory” or “Needs Improvement” was received in the previous six month evaluation.
- g. Monitor the use of “Written Notice of Performance” reports by their respective supervisors for recurrent patterns involving individual members or employees.

G. Responsibility of all employees:

- a. If any Public Safety personnel notice a change in behavior of another employee, or observes something that needs attention, they are encouraged to report this information to their supervisor, or member of the administrative staff immediately. Passage of this information will be kept strictly confidential.

H. Professional Standards Officer Responsibilities:

- a. The Professional Standards Officer shall audit the EW Tracking System and records at least every six (6) months to assess the accuracy and efficacy of the tracking System. The individual will also monitor the following items for recurrences or escalating patterns involving individual members or employees.
 - (1) Citizen Complaints.
 - (2) Disciplinary Actions.
 - (3) Use of Force Incidents.
- b. Any recurrence or pattern identified by the Professional Standards Officer or flags from the incident triggers listed in section III., 8 will be brought to the attention of the Operations Division Lieutenant in writing as soon as possible.

I. The Operations Division Lieutenant shall:

- a. Assist supervisors in addressing any concerns pertaining to a member or employee that are brought to their attention.
- b. Review all Performance Appraisals, noting all those in which an “Unsatisfactory” or “Needs Improvement” rating has been given.
- c. Review all information provided by the Professional Standards Officer as indicated in section **III.D.3.b** of this policy.

- d. Utilize the information provided, and through any additional consultations with first-line supervisors determine if a potential or actual concern exists regarding any individual member or employee.
- e. Assure the appropriate intervention is taken as soon as possible and in accordance with applicable office policy should a potential or actual concern be identified.

J. Notification to Subsequent Law Enforcement Employer

If any officer who is or has been subject to an EW System Review process applies to or accepts employment at a different law enforcement agency than the one where he or she underwent the EW System review process, it is the responsibility of the prior or current employing law enforcement agency to notify the subsequent employing law enforcement agency of the officer's EW System review process history and outcomes. Upon request, the prior or current employing agency shall share the officer's EW System review process files with the subsequent employing agency.

I. Notification to County Prosecutor

Upon initiation of the EW System review process, the agency's 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 planned remedial program. Upon completion of the EW System review process, the agency's chief executive or a designee shall make a confidential written notification to the 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.

K. Intervention.

- 1. Intervention should be taken, whenever possible, by the affected member or employee's front line supervisor with the aim of resolving the issue(s) at that level.
- 2. Intervention may consist of varying methods including an formal employee assistance in accordance with current General Orders, Employee Assistance Program, training, pre-disciplinary intervention or disciplinary action.
- 3. Other office policies and procedures which compromise the framework of the Personnel Early Intervention System and which should be referenced to provide guidance when intervention is necessary are:
 - a. General Order 05-1206, Professional Standard.
 - b. General Order 05-1003, Training.
 - c. General Order 06-0502, Career Development
 - d. General Order 06-0330, Performance Evaluation.
 - e. Rowan University Employee Advisory Service (EAS).

- f.** General Order 08-0602, Fitness for Duty (Substance Abuse).
- g.** Workmen's Compensation:
 - 1. Rowan University Workmen's Compensation Process, and;
 - 2. New Jersey Division of Pensions and benefits, Fact sheet #45, pages 1, 2, and 3
- h.** General Order 05-0805, Line of Duty Deaths.
- i.** General Order 05-0907, Compensation, Benefits and Conditions of Work.
- j.** Department Rules & Regulations.