

# **COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE**

**Subject: PERSONNEL EARLY WARNING SYSTEM**

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## **I. Purpose**

To offer appropriate intervention strategies to employees identified at-risk through the department's Personnel Early Warning System.

## **II. Statement of Policy**

It shall be the policy of the Covington Police Department to actively monitor all employees' conduct and provide appropriate intervention, as necessary, for the benefit of the employee and the Department by using the Guardian Tracking software. Furthermore, it shall be the policy of the Department to assist supervisors in the identification of employees with potential performance-related problems.

## **III. Discussion**

The Covington Police Department has a responsibility to its employees and the community to develop and demonstrate a positive approach to identifying and assisting any police employee whose performance indicates the possibility of job stress or other job-related problems. These symptoms may be exhibited by:

- A. Field performance by the employee that tends to indicate a tendency to use unnecessary or unreasonable force.
- B. Over - aggressiveness that causes unnecessary injuries or equipment abuse.
- C. Personal techniques or habits that tend to increase the severity of field contacts or arrest situations.
- D. Work habits that seriously affect job performance.

## **IV. Early Identification System**

The department's Early Identification System (EIS) is designed to help identify at-risk employees at an early stage.

- A. No system can guarantee it will positively identify all employees who need special assistance. There are certain performance indicators that, when used in a systematic way, can alert both supervisors and employees to the possibility of

a problem. So often, time, location and person observing the incident or relative frequency separate the specific events. This system is designed to capture critical tasks and incidents over a period of time to highlight the performance of certain employees.

- B. This system is not intended to produce conclusions regarding any individual employee's performance. It is simply a tool for supervisors and managers to identify employees who need assistance, at an early stage, and ensure that reasonable assistance can be provided and tailored to the individual employee.
- C. This system is designed to capture essential information and identify those employees who must then be contacted by their immediate supervisor. It requires the supervisor to counsel with, and if warranted, recommend remedial approaches to assist the employee. Some of these remedial resources include:
  - 1. Additional counseling;
  - 2. Supervised observation periods in the field;
  - 3. Peer counseling;
  - 4. Remedial training;
  - 5. Psychological services;
  - 6. Substance abuse treatment and counseling; and
  - 7. Temporary assignment change.

#### **V. Criteria for Early Warning System**

The criteria used for this system are those events that have the potential to produce negative results, arouse community attention, result in injury or death, or generate potential liability. The following events will be used as a basis for this system.

- A. Complaints alleging misconduct.
- B. Use of force reports.
- C. Firearms discharge.
- D. Vehicular pursuits.
- E. Official vehicle traffic accidents.
- F. Criminal complaints filed against an agency employee.
- G. Civil lawsuit filed against an employee.

#### **VI. Internal Affairs as the Monitoring Agent**

The Internal Affairs officer will maintain all Personnel Early Warning System files to include the original notification, review and supplemental recommendations. These files will be maintained separately from the employee's personnel or medical file. The Internal Affairs officer will also be responsible for updating the Chief of Police as needed, and the preparation and transmittal of the System's annual reports.

## **VII. Reporting Formats**

- A. Reports will be prepared by Internal Affairs indicating individual employees who have accumulated the pre-designated number of incidents for the selected period of time.
- B. Internal Affairs will monitor the following specified department records and make written notification when one or more of the following situations exist.
- C. The reports are essential to identify any employee who may warrant attention, but fails to accumulate the required number of incidents within the designated period of time, yet accumulates a significant number of such incidents over a longer period.
- D. The annual report will identify employees who generate the following:
  - 1. Three (3) or more use of force reports;
  - 2. Two (2) or more vehicular pursuits;
  - 3. One (1) or more firearm discharges;
  - 4. Two (2) or more complaints of misconduct;
  - 5. One (1) or more civil lawsuits or criminal complaint filings;
  - 6. Two (2) or more of any combination of the selected early identification system criteria.
- E. An Early Warning System review will be initiated upon written notification by an employee's supervisor that any of the following conditions exist:
  - 1. Two or more chargeable accidents in city vehicles with a six-month period;
  - 2. Any act or threat of violence against another employee(s);
  - 3. A discernable pattern of abuse of leave or tardiness;
  - 4. More than one unexcused absence within a six-month period;
  - 5. Any allegation of domestic violence involving the employee, whether as victim or aggressor;
  - 6. Behavior by an employee that is so unusual or inappropriate that it disrupts normal working conditions or creates an unsafe work environment;
  - 7. Any apparent indication that an employee is being mentally or physically abused (i.e. bruises, significant behavioral changes, excessive sleepiness, etc.); or
  - 8. An employee's involvement in an emotionally or physically traumatic incident that appears to be detrimentally affecting the employee's performance.

- F. Any member of an employee's supervisory/management chain-of-command may make the notification. The notification will be in writing and addressed to the employee's Division Commander with a copy to Internal Affairs and the Chief of Police.
- G. Internal Affairs will conduct an annual review of the Personnel Warning System and submit a report to the Chief of Police. The report will include an analysis of the reviews conducted that year to determine if the system is appropriately identifying individuals in need of intervention. A review of IA's conducted that year will be made to determine if there were cases investigated which could or should have been prevented by early intervention.
- H. Suggested improvements to the Early Warning System will be included in the report based on the reviews and analyses and will identify any employee who during the previous twelve (12) months generated the following:
  - 1. Four (4) or more use of force reports;
  - 2. Three (3) or more vehicle pursuits;
  - 3. One (1) or more firearm discharges;
  - 4. Three (3) or more complaints of misconduct;
  - 5. One (1) or more civil lawsuits or criminal complaints filings; or
  - 6. Four (4) or more of any combination of the selected early identification criteria.
- I. For each employee identified in the annual report, Internal Affairs will provide a report listing the employee's name, assignment, and a listing of the specific number and type(s) of incidents that were used to identify the individual employee. This report will be forwarded to the unit of assignment of the identified employee. Internal Affairs will assign a return due date of two (2) calendar weeks and ensure that the required response is returned within that period of time or that an approved extension request is made and maintained on file.

**VIII. Responsibility of the Employee's Unit of Assignment**

- A. When a division commander receives a report from Internal Affairs on one of his employees, the commander will assign the employee's immediate supervisor to meet with the employee and discuss the contents of the report. The supervisor may contact Internal Affairs for a more complete understanding of the specific incidents involved.
- B. It is extremely important that all persons recognize that this is not meant to be a disciplinary process. This is a supervisory notification of a potential personnel performance problem. It is a systematic process to alert the division command and the employee to a condition that necessitates concern and attention. The Early Identification System is designed to be a resource to assist supervisors in their primary function of personnel development and guidance.
- C. The supervisor shall prepare a written report outlining the meeting and any recommended actions. The employee will have an opportunity to review the supervisor's completed report and, if desired, can note on the report or prepare a

supplemental report expressing his/her agreement or disagreement or add personal comments.

An Early Warning System review will be initiated upon written notification by an employee's supervisor that any of the following conditions exist:

1. Two or more chargeable accidents in city vehicles within a six-month periods;
2. Any act or threat of violence against another employee(s);
3. A discernable pattern of abuse of leave or of tardiness;
4. More than one unexcused absence from duty within a six month period;
5. Any allegation of domestic violence involving the employee, whether as victim or aggressor;
6. Behavior by an employee that is so unusual or inappropriate that it disrupt normal working conditions or creates an unsafe working environment;
7. Any apparent indication that an employee is being mentally or physically abused (i.e. bruises, significant behavioral changes, excessive sleepiness, etc.);
8. An employee's involvement in an emotionally or physically traumatic incident that appears to be detrimentally affecting the employee's performance.

#### **IX. Approval of Supervisory Action**

The completed supervisory report and any reports of the employee will be entered into Guardian Tracking software and forwarded to Internal Affairs through the normal chain of command. Each level within the command chain must indicate agreement or disagreement with the recommended action of the immediate supervisor. The Chief of Police will be the final authority on the action to be taken. Internal Affairs will be responsible for verifying that the recommended action is implemented. Internal Affairs will store these reports in a separate and secure file.

**X. Availability and Use of Supervisory Counseling Reports**

The completed supervisory counseling reports or the absence of any such notices should be used by supervisors in other personnel decisions such as recommended disciplinary actions, subsequent Early Identification System, counseling notices, performance evaluations, and assignment changes.

***This SOP supersedes any SOP previously issued.***

BY ORDER OF THE CHIEF OF POLICE

*Stacey L. Cotton*

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Chief of Police