

CAMDEN COUNTY POLICE DEPARTMENT



DISTRIBUTION: ALL BUREAUS – SWORN AND CIVILIAN

ORDER TYPE: STANDARD OPERATING PROCEDURE

SUBJECT: EARLY WARNING SYSTEM

EFFECTIVE DATE:

January 27, 2023

ACCREDITATION STANDARDS:

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January 27, 2023

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BY THE ORDER OF:

Chief Gabriel Rodriguez

SUPERSEDES DIRECTIVE:

PURPOSE: The purpose of this written directive is to set forth procedures for the administration of the department’s “Early Warning System.”

POLICY: It is the policy of the Camden County Police Department to identify and remediate unwanted officer behavior as early as possible. The department can only be effective and seen as legitimate if it has the consent and trust of the people we serve. To that end, the department’s early intervention protocol is an important management tool designed to detect patterns of officer conduct that if left unchecked pose a potential risk to the public, to the department, and/or to the officer. All personnel observing subject officer behavior that violates department policy and/or erodes the public’s trust, have a duty to intervene, and must document/submitted their observations to the Professional Development and Training Unit immediately via the chain of command. The duty to intervene includes physical intervention to stop uses of force that violate any applicable law and/or the department’s use of force policy.

Note: This directive does not address disciplinary actions that might be warranted against an officer. Such disciplinary actions—to include the decision to suspend, terminate or, if applicable, charge an officer with criminal conduct—remain within the purview of the department’s internal affairs function, and may be imposed in accordance with existing internal affairs guidelines and applicable law, separate from and independent of this written directive.

PROCEDURE:

1. Early Warning System

1.1. Methodology

1.1.1. Officers must respect the sanctity of all human life, act in all possible respects to preserve human life, do everything possible to avoid unnecessary uses of force, minimize the force used, and protect the civil rights and dignity of every person. The department's early intervention follows a standardized protocol to monitor specified categories of officer conduct, identify patterns of behavior which indicate potentially escalating risk of harm to the public, the agency, and /or the officer, and remediate such unwanted behavior through an individually tailored action plan and evaluation period.

1.2. Administration and Function

1.2.1. The Internal Affairs Unit shall administer the "Early Warning System Review Process". The Professional Development and Training Unit shall manage the remedial action and evaluation functions.

1.3. **Patterns of Conduct.** The department shall monitor officer conduct for behavioral patterns that indicate a potentially escalating risk of harm to the public, the agency, and /or the officer. The intent is to preemptively intervene and prevent the development of undesirable and/or prohibited officer behavior. Conduct to be monitored for behavioral patterns include:

1.3.1. Use of force,

1.3.2. Administrative/department rule infractions,

1.3.3. Officer demeanor,

1.3.4. Work-related injury,

1.3.5. Officer involved vehicular collisions,

1.3.6. Internal affairs complaints, whether initiated by another officer or by a member of the public,

1.3.7. Secondary employment hours worked above the department's current six-month peer officer median,

1.3.8. Overtime hours worked above the department's current six-month peer officer median,

1.3.9. Response to crimes in progress and/or firearm calls above the department's current six-month peer officer median,

1.3.10. Arrests charging any of the following: resisting arrest, improper behavior, aggravated assault on police officer, and/or obstruction of justice,

1.3.11. Chronic or abusive sick time usage.

Behavioral Patterns of Conduct shall be remediated at the subject officer's command level under the direction of the Professional Development and Training Unit Commander. Uniquely tailored remedial actions shall be implemented considering the totality of the circumstances. The appropriate evaluation protocol shall be determined by the Professional Development and Training Unit Commander in consultation with the subject officer's immediate supervisor and commanding officers, and as approved by the subject officer's deputy chief.

- 1.4. Early Warning Review Tracking. At the core of the department's "Early Warning System Review Process" is an advanced, early intervention technology platform allowing managers to surface threshold triggers relevant to monitored performance indicators. Any time the platform identifies a review trigger, the following steps shall be followed:
 - 1.4.1. Internal Affairs shall review the triggered performance indicators in compliance with Internal Affairs standard operating procedures and determine whether or not notification to the subject officer could jeopardize an ongoing criminal investigation. If an ongoing investigation could be jeopardized, Internal Affairs shall request permission from the County Prosecutor to delay notification to the subject officer,
 - 1.4.2. Internal Affairs shall forward the triggered incidents to the Professional Development and Training Unit Commander for "Early Warning System Review" and remedial intervention,
 - 1.4.3. The Professional Development and Training Unit Commander shall ensure the subject officer is notified in writing that he/she has been identified for "Early Warning System Review",
 - 1.4.4. If the "Early Warning System Review" tracking software has returned an incorrect trigger or "false positive" that conclusion shall be documented.
- 1.5. Early Warning System Review Triggers. The following performance indicators shall be monitored/examined continuously. Each indicator is assigned a threshold, establishing the number of separate instances within any twelve-month period that triggers the "Early Warning System Review Process".

Early Warning Performance Indicators	Trigger Threshold
Any use of force by the officer that is formally determined or adjudicated to have been excessive, unjustified, or unreasonable.	1
Internal affairs complaints against the officer, whether initiated by another officer or by a member of the public alleging biased based policing and/or discriminatory practices.	1
Criminal investigations or criminal complaints against the officer.	1
An arrest of the officer, including, driving under the influence charges.	1
A positive drug test by the officer.	1
Insubordination by the officer.	1

Neglect of duty by the officer.	1
Domestic violence investigations in which the officer is an alleged subject.	1
Sexual harassment claims against the officer.	1
Unexcused absences by the officer. (AWOL)	1
Civil actions filed against the officer.	2
Vehicular collisions involving the officer that is formally determined to have been the fault of the officer.	2
Internal affairs complaints against the officer, whether initiated by another officer or by a member of the public.	3
Use of force incidents within a period of 6 months.	3

Note: If one incident triggers multiple early warning performance indicators, that incident shall not be double, or triple counted, but instead shall count as only one performance indicator trigger.

1.6. Remedial Intervention Protocol. Any time the need for remedial intervention is identified, the following steps shall be followed:

- 1.6.1. The Professional Development and Training Unit Commander shall complete a thorough review of the relevant incidents. At any time during the remedial intervention process, information reveals that a rule violation or other misconduct has been committed by the subject officer, Internal Affairs shall be notified immediately.
- 1.6.2. The Professional Development and Training Unit Commander shall consult with the subject officer's commanders and supervisors to develop a course of remedial action and select the appropriate evaluation period,
- 1.6.3. When early intervention is required, one or more of the following remedial actions and when warranted, tiered evaluation level shall be applied:
 - 1.6.3.1. Training/Retraining
 - 1.6.3.2. Counseling
 - 1.6.3.3. Peer Mentoring
 - 1.6.3.4. Intensive Supervision
 - 1.6.3.5. Fitness for Duty Examination
 - 1.6.3.6. Employee Assistance Program

Evaluation Level I (90-180 days)	
Professional Development and Training Unit shall:	Subject Officer's Immediate Commander shall:
Assign to the subject officer, PowerDMS training modules along with online tests.	Conference with the subject officer, and the subject officer's immediate supervisor to review the specific triggering events, and set the goals, objectives and expectations of the remedial action plan.
Conduct in-person training sessions pertaining to the triggering behavior. Where the triggering behavior involves use of force or officer demeanor—In-person training must include weekly VirTra300 de-escalation technique simulations, practical application of the critical decision-making model (CDM), and a comprehensive review of the department's core use of force principles.	Ensure subject officer's immediate supervisor completes an intensive supervision ride along with the subject officer once per month during the evaluation period.
Evaluate the subject officer's performance and responsiveness to training.	Conference with the subject officer and subject officer's immediate supervisor monthly to review the remedial action plan effectiveness/progress.
Assign a peer mentor to the subject officer.	Submit an "Evaluation Disposition Report" to the Professional Development and Training Unit Commander via the chain of command, memorializing all remediation actions taken and recommended disposition.
Schedule mentoring sessions for the duration of the evaluation period. Mentor observation reports shall be completed bi-weekly.	

Evaluation Level II (Extension of Level I as determined by Subject Officer's Deputy Chief)	
Professional Development and Training Unit shall:	Subject Officer's Immediate Commander shall:
Conduct additional in-person training sessions.	Conference with the subject officer, and the subject officer's immediate supervisor, senior commanding officer to review the rationale for extended evaluation, and set goals, objectives and expectations of the extended remedial action plan.
Evaluate the subject officer's performance and responsiveness to training.	Personally, complete an intensive supervision ride along monthly. Ensure subject officer's immediate supervisor completes an intensive supervision ride along with the subject officer once bi-weekly during the evaluation period.
Assign a new peer mentor to the subject	Conference with the subject officer and

officer.	subject officer's immediate supervisor weekly to review the remedial action plan effectiveness/progress.
Mentor/subject officer shall partner for the duration of the extended evaluation period. Mentor observation reports shall be completed weekly.	Submit an "Evaluation Disposition Report" to the Professional Development and Training Unit Commander via the chain of command, memorializing all remediation actions taken and recommended disposition.

- 1.6.4. The Professional Development and Training Commander shall ensure that the remedial action plan and evaluation period is followed, evaluated and thoroughly documented.
- 1.6.5. The Professional Development and Training Commander shall identify, track and evaluate measurable success indicators relevant to the behavior being remediated. The measurements of success shall be clearly stated and communicated to the subject officer, subject officer's immediate supervisor and commanding officers during the initial subject officer conference and throughout the evaluation period.
- 1.6.6. All remedial intervention actions shall be thoroughly documented as required herein and maintained in the subject officer's training file. It is the responsibility of the Professional Development and Training Unit Commander to ensure all documentation is completed, filed and retained.
- 1.6.7. The Professional Development and Training Unit shall develop and administer on-line and in-person training sessions that include early warning policy compliance, behavior patterns, early warning indicators, effective documentation, and best practices for conducting supervisor-subject employee conferences and mentoring sessions. All commanders, supervisors and peer mentors shall receive ongoing training in direct support of the department's early intervention protocols.
- 1.7. Auditing. The Professional Development and Training Unit shall complete a comprehensive audit of the "Early Warning System Review Tracking System" every six months, to assess its accuracy and protocol compliance. Internal Affairs shall complete a comprehensive evaluation of the "Early Warning System Review Process" annually, to evaluate its efficacy and regulatory compliance. Both shall submit audit findings in writing to the Chief of Police.
- 1.8. Notifications.
 - 1.8.1. To subsequent law enforcement employer—If any officer who is or has been subject to the "Early Warning System Review Process" applies to or accepts employment at a different law enforcement agency, Internal Affairs shall notify the subsequent employing agency of the subject officer's remedial intervention history and outcomes. Upon the subsequent employing agency's request, Internal Affairs shall share the subject officer's "Early Warning System Review Process" files with the subsequent employing agency.

- 1.8.2. To County Prosecutor—Upon initiation of the “Early Warning System Review Process”, Internal Affairs shall make a confidential written notification to the Camden County Prosecutor of the identity of the subject officer, the nature of the triggering performance indicators, and the planned remedial program. Upon completion of the early intervention evaluation, a confidential written notification outlining the outcome of the early intervention, including any remedial measures taken on behalf of the subject officer shall be made to the county prosecutor by Internal Affairs.
- 1.9. Public Accessibility and Confidentiality. The “Early Warning System” written directive shall be made available upon request and shall be posted on the department’s public website. All written reports created or submitted that identify specific officers are confidential and not subject to public disclosure.

OTHER PROVISIONS

All personnel are responsible for adhering to the requirements of this written directive until rescinded or amended by written order of the Chief of Police. Employees have an ongoing and continuous responsibility to seek guidance and verify their understanding of this and all directives including orders, policies, procedures, and rules. This directive shall take effect 1/27/2023 and remain in force and effect unless and until it is repealed, amended, or superseded by Order of the Chief of Police. All directives not expressly altered by this order remain in full force and effect.

The provisions of this directive shall be severable. If any phrase, clause, sentence or provision of this directive is declared by a court of competent jurisdiction to be invalid, the remainder of the directive shall not be affected.

Non-enforceability by third parties. This Directive is issued pursuant to the Chief of Police's authority to ensure the uniform and efficient enforcement of the laws and administration of criminal justice by department members. This Directive imposes limitations that may be more restrictive than the limitations imposed under the United States and New Jersey Constitutions, and federal and state statutes and regulations. Nothing in this Directive shall be construed in any way to create any substantive right that may be enforced by any third party.