



CONCORD POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

EARLY INTERVENTION PROGRAM

GENERAL ORDER: 03.15

CREATED: October 28, 2021

ISSUE DATE: October 1, 2022

CALEA STANDARD: 35.1.9

EFFECTIVE DATE: October 1, 2022

ACTION: Re-numbers general order dated November 4, 2021.

03.15.0 **PURPOSE**

The purpose of this standard operating procedure is to provide a proactive, non-disciplinary Early Intervention Program (EIP) that is designed to identify and positively influence at-risk conduct or performance by individual coworkers.

This program does not prevent the Chief of Police from using the formal disciplinary process for violations of the Code of Conduct.

03.15.1 **POLICY**

It shall be the policy of the Concord Police Department to implement an EIP to proactively monitor and address at-risk conduct or performance before it results in discipline, legal liability, injury, or other adverse consequences to a coworker's career.

03.15.2 **DEFINITIONS**

A. EARLY INTERVENTION PROGRAM (EIP)

A time sensitive system designed to effectively organize critical performance and evaluation data in a format conducive to promptly identify early indicators of certain at-risk conduct or performance and/or stress related problems, and to facilitate necessary or appropriate follow-up activities.

B. FALSE POSITIVE

Intervention alerts that are identified but do not meet the intended criteria of the EIP shall be closed without further action. This includes, but is not limited to: non-preventable or not-at-fault department vehicle accident; and a personnel investigation determined to be unfounded.

C. INDICATOR

The data/information gathered in which to help identify coworkers who may be in need of an intervention meeting.

D. INTERVENTION MEETING

A confidential, administrative, and non-disciplinary meeting between a coworker, his/her commanding officer, and the Professional Standards Division commander to discuss the threshold indicators and determine an appropriate course of action to take, if necessary and agreed upon. Coworkers are not entitled to representation during such meetings.

03.15.3 **OBJECTIVES**

- A. A comprehensive EIP is an essential component of a well-managed and well-performing law enforcement agency. The early identification of potential at-risk conduct and performance along with options for remedial action increases department accountability and provides coworkers with a better opportunity to meet the department's expectations and advance in one's career.
- B. The EIP is one method by which coworkers are identified as possibly needing assistance with at-risk conduct and/or performance related concerns. The EIP is intended to serve as a systematic approach to highlighting at-risk tendencies that may otherwise be overlooked.

03.15.4 **GENERAL RESPONSIBILITIES**

A. CHIEF OF POLICE

The Chief of Police has overall responsibility for managing the EIP, including program scope and design.

B. BUREAU COMMANDER

Bureau Commanders are responsible for effective implementation and oversight of this policy within their respective bureau.

C. PROFESSIONAL STANDARDS DIVISION COMMANDER

1. The PSD commander shall establish and maintain a system to collect, review, and analyze quantitative and qualitative data related to the early intervention indicators outlined in 03.15.5.
2. The PSD commander shall conduct at least a quarterly review of coworkers' early intervention indicators and shall submit an analysis of trends to the Chief of Police.
3. The PSD commander shall conduct a documented annual evaluation of the EIP and recommend changes to the Chief of Police, if necessary.

D. CAPTAINS/LIEUTENANTS/SERGEANTS

Captains, Lieutenants, and Sergeants are responsible for actively monitoring their assigned subordinate coworker's conduct and performance separate from and regardless of the EIP. Captains and their subordinate chain of command may be called upon to assist the PSD commander with regard to analyzing benchmark indicators and participate in intervention meetings.

E. COWORKERS

Coworkers are responsible for their own conduct. Any coworker who is the subject of an EIP review or referral to an intervention meeting shall promptly and fully cooperate with his/her commanding officer, the PSD commanding officer, and anyone else involved in the EIP review process.

03.15.5 CONDUCT OR PERFORMANCE INDICATORS

A. The following are considered at-risk indicators and shall be reviewed by the PSD commanding officer on at least a quarterly basis in order to identify whether a coworker is in need of an intervention meeting. Data collection and analysis shall focus on these indicators:

1. Attendance / Tardiness;
2. Civil Law Suits;
3. Departmental Motor Vehicle Crashes;
4. Disciplinary action;
5. Needs improvement or fails to meet expectations in performance evaluation;
6. Personnel Investigations (sustained and not sustained dispositions only);
7. Uses of Force; and/or
8. Vehicle Pursuits

NOTE: Indicators are not, by themselves, evidence of conduct or performance that fails to meet department expectations. Additional analysis conducted by the PSD commander and the respective coworker's chain of command will determine if an intervention meeting needs to take place.

03.15.6 IDENTIFICATION AND SELECTION

- A. The benchmark threshold for an EIP alert is three (3) or more incidents of the same performance indicator within a three-month period; or, five (5) or more incidents of any combination of different performance indicators within a three-month period.
- B. In response to an alert the PSD commander shall advise the affected coworker's bureau commander and subordinate chain of command. These coworkers, in consultation with the PSD commander, shall conduct a careful evaluation and analysis to determine if the coworker's conduct or performance requires intervention; or, if a false positive was responsible for the alert.
- C. A non-disciplinary interview with the affected coworker may also be conducted to assist in determining if an intervention meeting is even necessary. It may be determined that an intervention is not appropriate or necessary. In either case, the Chief of Police shall be made aware of the final decision.
- D. If an intervention meeting is necessary the coworker shall be so informed. The coworker shall be advised how and why they achieved a benchmark threshold and the purpose(s) for the intervention meeting.

03.15.7 INTERVENTION MEETING

- A. EIP intervention meetings shall provide the affected coworker with non-disciplinary options or courses of action as established by the Chief of Police as follows:
 - 1. Counseling, guidance, or coaching as appropriate;
 - 2. Policy review;
 - 3. Remedial training;
 - 4. Referral to the Employee Assistance Program (EAP), a peer counselor, and/or police chaplain for counseling or referral assistance;
 - 5. Performance Improvement Plan (PIP) for a minimum of 12 weeks with a monthly review and written documentation as to progress or lack thereof
 - 6. Transfer / assignment to a different work location; and/or
 - 7. No additional action required
- B. The PSD commander and the applicable coworker's commanding officer shall facilitate the intervention meeting with the coworker.
- C. During the meeting the PSD commander and applicable commanding officer shall listen to any concerns from the coworker and assist the coworker in identifying any underlying issues that may be responsible for affecting the coworker's conduct or performance.
- D. Courses of action (1-4) must be mutually agreed upon by all parties.
- E. The appropriate course(s) of action described above (1-4) shall be completed as soon as administratively possible after the intervention meeting. A PIP or Transfer / re-assignment is only a recommendation subject to a final decision by the Chief of Police.

- F. The only documentation that will be produced as a result of an intervention meeting shall be the date/time/location of the meeting; who was present; and which course(s) of action was agreed upon by all parties, if any.



GARY J. GACEK
CHIEF OF POLICE