



DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES



Subject: Early Intervention Personnel System		Policy Number: ADM: 41
Revision Number: 2	Effective Date: 07/14/2023	Original Issue Date: 07/09/2007

1) PURPOSE

- a) The purpose of this policy is to outline a process relative to the management and utilization of the Department's Early Intervention Personnel System.

2) POLICY

- a) It is the policy of the Department of Public Safety to proactively and systematically review certain employee work behavior for possible indicators of performance/stress related problems to assist employees who may benefit from departmental intervention.

3) APPLICABILITY

- a) This policy applies to all commissioned personnel of the Department of Public Safety.

4) REFERENCES

- a) CALEA Chapter 35 – Performance Evaluation
- b) International Association of Chiefs of Police – Early Intervention Model Policy
- c) Police Agency Training Council – Early Intervention Systems for Law Enforcement)

5) DEFINITIONS

- a) **Early Intervention Personnel System (EIPS)** – The Department of Public Safety's proactive, non-disciplinary approach to identify employees who may need assistance and to document actions taken to assist such employees.
- b) **EIPS Alert** – A notification by the EIPS when an employee meets or exceeds a predetermined threshold within an established time frame. The predetermined threshold is a total of three (3) incidents within a twelve-month period.
- c) **Remedial Service** – Remedial assistance provided to the employee that may include, but is not limited to, training, counseling, and medical/psychological



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



referral. Remedial service may also be provided through the Department's Employee Assistance Program.

6) OPERATIONAL PROCEDURES

a) General Guidelines

- i) Although no particular set of criteria can determine job stress and/or performance problems, it is important that certain criteria be reviewed collectively and routinely as possible indicators of behavior patterns. The EIPS is designed to provide a non-disciplinary, systematic review of predetermined data to highlight tendencies that might otherwise be overlooked. The EIPS is a proactive system intended to enhance awareness of job stress and/or performance problems.
- ii) The emphasis of the EIPS is on training and counseling and is designed as a system to assist supervisory personnel in evaluating and guiding the employee. This program is to be used to help the employee first, if possible, and then support the department in any action it may deem necessary. This program also acts as a tool to identify employees who have shown a propensity for involvement in incidents of potential misconduct.
- iii) Supervisors are reminded that the EIPS is a supervisory/management tool that alerts when the number of record entries exceeds a predetermined threshold for the system. An alert is simply an indicator for supervisors and management to closely scrutinize the information that triggered the alert for that employee, analyze additional data if needed, and to take appropriate action, if necessary. Any action taken will be governed by existing corresponding departmental policies. However, the focus should be to help those employees who may benefit from intervention.

b) Early Intervention Personnel System (EIPS)

- i) First-line supervisors are a key element in the identification of employees with potential problems. First-line supervisors will familiarize themselves with their subordinates by direct observation, review, and documentation of demeanor, appearance, and conduct.
- ii) Data for the EIPS will be collected in four (4) main areas and maintained in a departmental computer database. The Standards Bureau Commander will be responsible for maintaining and administering the system. The system will be configured to generate an alert indicating a threshold has been met by an employee. The threshold for an employee



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



is a total of three (3) incidents within a twelve-month period. The information will be collected from the following areas:

- (1) Complaints – Both internal and external.
- (2) Use of Force Incidents – Any use of force.
- (3) Vehicle Collisions – Only chargeable fleet accidents.
- (4) Documents or Events – The collection of data in this category will be limited to written counseling sessions, less than satisfactory performance evaluations/ quarterly reviews, lost or stolen equipment, cautionary letters, vehicle pursuits, duty injuries, and Tort Claims.

c) Responsibilities

- i) When the system identifies an employee who has met or exceeded the thresholds of the system, the Standards Bureau Commander will complete Part I of an Early Intervention Report (EIR) and forward it to the employee's commander within five (5) business days of the system's alert.
- ii) Upon receiving the EIR from the Standards Bureau Commander, the employee's commander shall review it and determine, based on the information contained in the report, whether supervisory intervention will be done by the employee's commander or by first or second level supervisors. In all instances, the employee's commander will ensure that a review takes place with the employee within five (5) business days of receiving the EIR, when practical.
- iii) When scheduling the meeting for the review, the employee's supervisor shall inform the employee of the following:
 - (1) The purpose for the meeting.
 - (2) The meeting is a separate proceeding from any complaints involving the employee.
 - (3) The meeting is non-disciplinary in nature.
 - (4) The meeting is mandatory.
- iv) The purpose of the supervisory intervention is to review with the employee his/her job performance and to determine what, if any, external factors may be adversely affecting said performance. The supervisor's goal should be to determine what if any, assistance might be provided to the employee by the Department.
- v) Discussions may involve such areas as a review of the employee's knowledge of relevant existing policies and procedures, employee's training history, and internal or external stressors which the employee



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



believes may have contributed to the EIPS alert. Other information that may be reviewed during the meeting is sick leave usage, personality or lifestyle changes, and other personal issues that may be affecting work performance.

- vi) After the meeting with the employee or the supervisor responsible for the intervention, the employee's commander, with the concurrence of the next highest level of command, will make one of the following determinations:
- (1) The EIPS criteria that initiated the alert are incidental to the employee's proper job performance and **do not** appear indicative of any work-related issues.
 - (2) There is sufficient concern that the EIPS criteria that initiated the alert **may be** symptomatic of work-related issues. The commander will **request and encourage** the employee to attend an appropriate remedial service based upon the employee's specific needs. The cost will be paid by the Department.
 - (3) There is sufficient concern the EIPS criteria that initiated the alert **may be** symptomatic of work-related issues and the commander **orders** the employee to attend an appropriate remedial service based upon the employee's specific needs. The commander will also inform the employee that refusal to attend the remedial service, absent unusual circumstances, will result in disciplinary action. The cost of the remedial service will be paid by the Department.
- vii) After a determination is made by the employee's commander, the employee will be informed that he/she may provide comments on the EIR, which must be submitted within five (5) calendar days. Employees who fail to respond within five (5) calendar days will have waived their opportunity to do so.
- viii) The employee's commander will retain the EIR for five (5) calendar days or until the employee provides the comments. No later than the end of the five (5) days, the employee's commander will forward the EIR in a sealed envelope to the Standards Bureau Commander. Copies of EIRs will not be kept locally. The employee, upon request, will be given a copy of the EIR. If the employee declines to sign the EIR as receipt, his/her refusal shall be noted on the employee's signature line, "Refused to Sign."
- ix) If the EIR indicates the employee must attend remedial service that includes a medical/psychological referral or any service offered through



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



the Employee Assistance Program, the Standards Bureau Commander will coordinate with the Office of Legal Affairs for the issuance of a Personnel Order directing the employee to attend within ninety (90) days or as soon as possible thereafter. Nothing in the Personnel Order will indicate that the remedial service is a result of the EIPS. The employee must submit proof of compliance with the order to his/her commander. The employee's commander will ensure that the Standards Bureau Commander is notified of the employee's attendance.

- x) If the ordered or recommended remedial service involves training, the employee must submit proof of attendance upon completion of the training course to his/her commander. The employee's commander will ensure that the Standards Bureau Commander and the Advanced Training Bureau Commander receive a copy of the documentation.
- xi) Annually, the Standards Bureau Commander will conduct a documented review of the EIPS, including established alert thresholds and timeframes, and make recommendations for modifications, as necessary, to the Office of the Chief. Employees will be notified about the thresholds and timeframes at the time of implementation, or sooner, if practical. Any reports and information related to the EIPS are confidential and will be maintained separate from Internal Affairs and Personnel files. EIPS records may be released to persons outside the employee's chain of command only with written approval from the Office of the Chief. EIPS records/documents will be retained for three (3) years from the date of the incident.

7) ATTACHMENTS

- a) None

8) APPROVAL

APPROVED BY: _____

W. Ly Wainly

New Mexico State Police Chief

DATE: July, 14, 2023