


<b>DPS STANDARD OPERATING PROCEDURE</b>			
	<b>SUBJECT:</b>	<b>SECTION(S):</b>	<b>DISTRIBUTION:</b>
	<b>Personnel Early Intervention System</b> <b>DPS SOP 2016-08</b>	ALL	ALL PERSONNEL
<b>ISSUING AUTHORITY:</b>		<b>EFFECTIVE DATE:</b>	<b>SUPERSEDES:</b>
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## Personnel Early Intervention System

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### **CALEA STANDARDS:**

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## REFERENCES:

DCSES SOP 2015-02 Threat Assessment and Management

DCSES SOP 2016-07 Supervisory Conversations

DPS SOP 2010-07 Internal Affairs, Professional Standards

DPS SOP 2006-12 Duty Manual

**ATTACHMENTS:** None

**I. APPLICABILITY:** This Standard Operating Procedure is applicable to all Syracuse University Department of Public Safety (DPS) employees.

**II. PURPOSE:** The purpose of this SOP is to establish procedures applicable to the activation and operation of a Personnel Early Intervention System in an effort to assist DPS Personnel who observe changes in an employee's performance and/or behavior and to provide an effective intervention when necessary. This system is intended to assist DPS supervisors and managers in identifying members of the department whose performance and behavior warrants review and where appropriate, intervention in circumstances that may have had future negative consequences for the employee, fellow employees, the department and/or the public we serve and interact with daily. This directive establishes a Personnel Early Intervention System (EIS) and outlines procedures for its use along with reporting requirements.

**III. POLICY:** It is the policy of the Syracuse University Department of Public Safety (DPS) to operate a system for documenting and reviewing incidents of risk to both the agency and the involved employee. To this end, the Personnel Early Intervention System (EIS) shall be used as a means to identify and assess employees whose recent performance and behavior has indicated a possibility for future negative performance and behavior impacting their professional lives and duties and to intervene with an improvement plan where appropriate.

## IV. DEFINITIONS:

- A. Early Intervention System: A system for the informal, non-disciplinary and proactive referral of members for retraining, counseling and other forms of assistance when specific predetermined performance indicators or behaviors exceed the norm. The system is designed to identify potential problems early and to foster positive corrective action before the problem becomes critical in nature and results in inappropriate and potentially harmful behavior resulting in serious consequences and punitive discipline.
- B. Opportunity for Improvement Plan: A written plan of action designed to facilitate a non-punitive opportunity for improvement as a method for altering a member's behavior to benefit the member and the department. Action plans must also include post incident monitoring. An Opportunity for Improvement Plan is considered training.
- C. EIS Activation Indicators: A list of conduct or behaviors that when observed by supervisory personnel may lead a supervisor to believe that an employee is a candidate for the Early Intervention System. Either a single or combination of

observed conduct or behavior indicators may result in an EIS review and recommendation.

## V. PROCEDURES: Personnel Early Intervention System:

**A. Activation of the Early Intervention System:** The EIS is activated after receiving an EIS Referral, usually from an employee's supervisor, that the employee's actions have raised concerns and that an EIS evaluation based on the comparison of an individual's job performance and behavior, as they relate to a defined set of EIS "Activation Indicators" set forth in this SOP, has been requested and/or performed.

1. Program Administrator: The Deputy Chief for Law Enforcement and Community Policing shall have overall responsibility for administering the EIS.
2. EIS Program Components:
  - a. Identification: Observations of a member made by or reported to any supervisor causing the supervisor to consider the employee as a candidate for EIS.
  - b. Intervention: In concurrence with the command staff, supervisory contact with and counseling of the employee to seek corrective action or directing formal employee assistance in the form of a written action plan.
  - c. Post Intervention Monitoring: A scalable period of time following an EIS intervention action plan being implemented to determine if the action plan was followed and corrective action was successful.

**B. EIS Program Reporting Criteria: (3.1.3 a) (35.1.9 a)** There is no single trigger for the EIS, but listed below are potential activation indicators to be used as a guide. Supervisors must be aware of these indicators and must take time to consider the totality of circumstances relating to an employee whose actions are being observed before making a decision to initiate an EIS review. Timing is everything.

A supervisor should not activate the EIS review so early as to demoralize a member, but shall not delay commencing the review until it is too late to intervene on an employee's unacceptable behavior without applying punitive discipline.

The occurrence of one or more of the following "Activation Indicators" over a stated period of time may trigger an EIS Review.

**C. EIS Activation Indicators** may include:

1. Use of Force Incidents: Three or more incidents involving the use of force incidents requiring the preparation of a Use of Force Report. This includes the use of both "less than lethal" and/or "lethal weapons" in any six month

- period, and five or more such incidents in any twelve month period of the review. Any single incident involving what appears to be excessive force.
2. Vehicle Accidents: The patrol vehicle they are operating or have parked is involved in two or more accidents in any six month period, or three or more at fault or preventable traffic accidents in any twelve month period.
  3. Minor Incidents and/or Internal Affairs complaints: Minor incidents including those relating to availability and fitness for duty, appearance, grooming and/or aggressive, or combative, abusive behaviors and communications and/or other inappropriate actions or behaviors as defined in Parts 1 through 12 of SOP 2006-12 Duty Manual. Three or more such incidents in a six month period, or five or more such incidents in any twelve month period.
  4. Performance Evaluation: When the rating supervisor becomes aware of a remarkable decline in job performance, attendance or grooming and appearance. This may include unusual use of sick leave or repeated incidents of tardiness or other on the job behaviors that may continue even after a supervisory discussion with the employee.
  5. Employee Report of EIS Related Behavior Observations: Any employee noting potentially problem behavior may generate a confidential report to the employee's first line supervisor detailing the reasons for their concern.

**D. Duties and Responsibilities of DPS Supervisors: (3.1.3 b, c) (35.1.9 b, c)**

1. Initial EIS Report: It is the duty of all supervisory and command personnel, on a daily basis to directly monitor the performance and behavior of personnel under their command.
2. Fact Finding: Supervisory and command personnel shall be responsible for documenting and reporting inappropriate or improper employee behavior. Documentation materials shall be maintained in the secure Employee Development Folder (located on the G: Drive with restricted access) associated with their performance evaluations.
  - a. The first line supervisor is the closest level of management to the majority of department employees and therefore may be in the best position for observing and recognizing problematic behavioral patterns.
3. When the Employee's Supervisor becomes concerned about an employee's behavior they will closely review the employee's recent behavior for a pattern that creates concern, paying particular attention to the EIS Activation Indicators.
4. EIS Report Format: If the review reveals a pattern exceeding the EIS program threshold, the Supervisor will generate a written E-mail or memorandum report, titled "**Confidential EIS Referral**," to the Commander of that employee's unit, CC to the Deputy Chief of Law Enforcement and Community Policing, detailing the reason for the EIS referral and the results of the initial review.

Because of the confidential nature of these matters, do NOT name the employee in the title of the memorandum or E-mail EIS Referral as it may be inadvertently viewed by unauthorized persons.

5. Guidelines for Preparation of an EIS Report: The reporting supervisor will review records relating to the employee and may choose to interview witnesses, including the employee who is the subject of the EIS review. Included in the review will be:
  - a. Review the documentation of the incidents that triggered the EIS concerns to determine if there are any common factors or preventative measures that could have been taken.
  - b. Determine if other indicators are present such as excessive use of sick time, tardiness, incomplete assignments, etc.
  - c. Consult with other supervisors who have had contact with the member regarding their observations.
  - d. Consider the totality of the circumstances of each incident or complaint, recognizing that there are circumstances such as the use of force is necessary and proper. Keep in mind that false accusations may be made against department members as a form of retribution.
  - e. Interview with Employee: The supervisor may meet with the member to discuss the initial analysis of the member's performance. Following that discussion, and after final review of the behavior patterns reviewed, the assigned supervisor will make a determination whether or not a pattern of behavior or problem exists that is negatively impacting job performance and it can be remediated through a non-disciplinary intervention. **(3.1.3 c) (35.1.9 e, f)**
    - i. When employees are interviewed relating to a performance related or behavioral concern the interview will be made subject of a "Supervisory Conversation" form. Refer to SOP 2014-02 Supervisor Conversations.
6. Written Report of EIS Evaluation Phase: **(3.1.3 a) (35.1.9 a, d)** The Command staff and Supervisor's Guidelines after an in-depth investigative review are:
  - a. Unconfirmed: The EIS report may close the matter in the initial report indicating that "No Further Action" is required: The Personnel EIS is not activated.
  - b. Confirmed: If it is determined that a pattern of behavior or problem does exist, and a non-disciplinary intervention is warranted, the EIS Report with analysis, supporting an Action Plan, with notifications will be forwarded through channels to the employee's Commander for comment and to the Deputy Chief for Law Enforcement and Community Policing for approval.

- c. Serious Behavior Problems: If the EIS process indicates that the Employee's behavior may tend towards violence it will immediately be brought to the attention of the Deputy Chief for Law Enforcement and Community Policing and/or the Chief of Public Safety. These matters may result in internal actions appropriate to control the level of concern or threat and provide for the immediate care of the employee.
- d. Converting to an Internal Affairs Matter: At this stage, a recommendation may include that the EIS matter be closed and the matter converted to an Internal Affairs Investigation with the possibility of formal discipline considered against the employee. Refer to SOP 2010-07 Internal Affairs Professional Standards.
- e. Supervisor Assigned by Unit Commander: Upon receipt of an e-mail message or a memorandum indicating that an employee under their command has met or exceeded the EIS reporting criteria, a supervisor will be assigned to follow-up on the EIS report to determine specific causes and to suggest possible remedies. **(35.1.9 b, d)**
- f. Reporting Time Limit: All EIS reports must be received by the employee's Commander and the Commander, Administrative and Operational Support within 30 days of initial notification of the commander. Case reports may be extended beyond 30 days when special circumstances exist (i.e. SU Human Resources involvement). When delays occur, the reason will be noted in the report.
- g. EIS File by Year: The Commander, Administrative and Operational Support will maintain a file of all EIS notifications, reports and Action Plans. This file permits the annual audit of the EIS and insures that reporting time limits are met.
- h. An EIS Report shall NOT be considered discipline or punitive action against the employee and shall only serve as an early intervention tracking mechanism.

**E. Intervention - Remediation Phase:** Upon approval by the employee's Commander, the assigned supervisor may be assigned to work with the member to develop and implement a personal action plan (intervention strategy) and that supervisor will periodically monitor progress. **(3.1.3 d, e) (35.1.9 d, g)**

- 1. Intervention Action Plans following a confirmed EIS evaluation can include, but are not limited to:
  - a. Internal or external remedial training
  - b. Voluntary or mandatory referral to the University's current employee assistance provider AllOne Health (formerly Carebridge) or other personal counseling **(01/05/26)**
  - c. Career counseling or reassignment

- d. A meeting with the appropriate supervisor for intervention and coaching. The employee's commander and supervisor will work with the member to formulate a written and agreed upon personal Action Plan for Improvement.
  - i. The development of a personal improvement plan should be a cooperative agreement between the supervisor and the member on how defined goals will be accomplished and have a timeline.

2. Intervention Action Plan Requirements:

- a. Statement of the Issue(s): Clearly define the concerns with the member's performance and/or behavior. Each matter noted shall be identified in a separate statement, which is supported by documentation.
- b. Root Cause: Member's explanation as to the reason for their performance/behavioral issues.
- c. Goal: A clear statement of the desired outcomes related to each problem statement to establish boundaries and to narrow the desired improvement focus.
- d. Action Plan: A plan designed to leverage improvement options and set a timetable for accomplishing stated goal(s). The plan should be developed with considerable ownership by the member, with collaboration with the supervisor.
- e. Signed: Signed by both persons that developed the Action Plan. A refusal by the employee to assist in the development of an action plan or to sign it will be considered a refusal to accept training.
- f. Periodic Follow-up: the supervisor should meet with the employee at periodic intervals to receive and provide feedback relating to the success of the member's efforts to achieve the stated goals.
- g. Modifications: The supervisor is authorized to modify the plan with the agreement of the member and supervisor documented.
- h. Supplemental Reports: The supervisor shall file supplemental reports through the chain of command to the Deputy Chief of LE & CP.

**F. Follow-up and Closure on EIS Program Referrals:**

- 1. Final Report: Following the implementation of the intervention strategy, the assigned supervisor will prepare a final report and forward it through the chain of command, to the Deputy Chief of Law Enforcement and Community Policing, with final observations and recommendations.
  - a. Those recommendations may include placing the employee on leave or non-patrol status, and/or that the matter has been resolved and to recommend the closing of the EIS employee tracking at this time. **(3.1.3 a) (35.1.9 d)**

## **G. Administration of EIS Program, Annual Review and Report:**

1. The Deputy Chief of Law Enforcement and Community Policing shall approve all recommendations for remediation made after an EIS Program investigation. **(35.1.9 e)**
2. Serious Behavior Problems: EIS Evaluation reports that indicate that the Employee's behavior may tend towards violence will immediately be brought to the attention of the Chief and may result in internal actions appropriate to control the level of concern or threat and to provide immediate care for the employee.
  - a. In certain serious cases, the Chief may direct the notification to the Campus Threat Assessment and Management Team. Refer to DCSES SOP 2015-02 Threat Assessment and Management.
3. Annual EIS Overview Report: The Deputy Chief of Law Enforcement and Community Policing will review the Department's EIS Program annually and provide an internal report to the Chief. That report will list a synopsis of the events reported, remedial actions taken, the outcomes along with recommendations for improving the department or the EIS Program: **(3.1.3 f) (35.1.9 c, e)**
4. Composition and Use of the Annual EIS Report: The review of the EIS Program will be conducted in July of each year for incidents that meet the EIS reporting criteria. Those incidents where the final disposition or finding has not been made will be included in the review, but carried as "pending" with the final disposition carried over and reported for the next review period.
  - a. Report Due Date: The EIS Annual Review with recommendations will be completed and results of the review reported to the Office of the Chief and to the Commander, Administrative and Operational Support for inclusion in the Departmental and Accreditation proof files by July 31 each year.
  - b. Referrals Based on Annual Review: If the Annual EIS Program review discloses that an employee has met or exceeded the EIS reporting criteria, and was **not** previously a participant in the EIS Program for those matters, the Deputy Chief of Law Enforcement and Community Policing will generate an e-mail report to the employee's Commander.

That e-mail report will indicate the EIS criteria that has been met and the corresponding report(s) and/or complaint numbers and for a supervisor to initiate the EIS program protocols.

## H. Confidentiality

1. Medical or Personnel Records of an employee or other person with an emotional/mental illness or substance abuse-related problems or incident will be subject to the same confidentiality standards as all other medical records.

### POLICY REVISION HISTORY:

No.	Section Revised	Date
1	Entire SOP Reviewed/Revised per CALEA 35.1.9 changes	05/01/18
2	Title changes re Deputy Chief and Operational Support Commander	10/30/19
3	Revised re: AllOne Health	01/06/26
4		
5		