



# **POLICY AND PROCEDURE NO. 505**

## **Early Intervention Screening**

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4 Pages

### **1. PURPOSE:**

While it will utilize certain indicators or “triggers,” such as the number of formal citizen complaints filed against an officer within a specified time period, Early Intervention Screening (EIS) is a process that is distinct from the system of formal discipline within the department. As such, it shall not be deemed to comprise additional formal discipline within the context of the existing disciplinary system, as it is outlined in the City of Worcester’s Manual for the Discipline of Employees. Rather, its goal is to identify officers with potentially problematic behavior and serve as a development tool and intervention strategy to help such officers identify the cause(s), obtain additional training and/or counseling, thereby improving their behavior and thus their job performance. In so doing, it will also reflect the department’s commitment to integrity and accountability, both internally and externally, thus helping to foster and maintain trust with the community it serves.

### **2. PROCESS:**

Insofar as an important aspect of the Bureau of Professional Standards Function is to assure that uniform standards of conduct are maintained throughout the Police Department, BOPS will be involved in monitoring the EIS. By keeping records of complaints which may be filed against an officer throughout his career, as well as other situations that occur not involving formal complaints, the BOPS is in a position to spot a situation where a particular officer receives an unusually high number of citizen complaints, or is involved in the indicated activities an abnormally high number of times, within a specified period of time. An analysis can then be done in order to determine whether or not a particular officer is engaging in a pattern of behavior which may be detrimental to the public, to the department, or to himself.

In some cases it will be found that the officer was acting properly in the incidents which gave rise to the complaints. After consultation between the Chief, the Deputy Chief and the Commander of BOPS, if the finding is that the officer did act properly and is not otherwise in need of some form of assistance, then the review need not proceed any further.

In others, however, it will appear that there may be some underlying problem which needs to be addressed. By assisting officers who need help, the individual officers, the public and the department will benefit. For the purposes of EIS, the system will be considered fully implemented as of February 1, 2008.

#### **A. Triggering Criteria:**

Upon the occurrence of any of the following events, the EIS will be utilized with respect to a particular employee:

1. Receipt of three (3) or more citizen complaints against any one officer within an 6-month period, or five (5) or more citizen complaints against any one officer within an 12-month period;
2. Any incident of an Officer-Involved Shooting;
3. Any Domestic Violence incident;
4. Any Restraining Order involving the employee;
5. Any combination of three (3) or more uses of chemical/pepper spray, taser, or a baton by any one officer within a 6-month period, or five (5) or more uses of chemical/pepper spray, taser, or a baton by any one officer within a 12-month period;
6. Three (3) or more A&B on a P.O. arrest incidents within a 6-month period, or five or more A&B on a P.O. arrest incidents within a 12-month period (to be determined by incidents, not charges; e.g., if a single arrest involved three charges of A&B on a P.O., they would count as one incident for EIS purposes);
7. Any combination of four (4) or more of any of the following occurrences by any one officer within a 6-month period: citizen complaints, uses of chemical/pepper spray, taser, or a baton, or A&B on a P.O. arrest incidents;
8. Three or more injured prisoners within a 6-month period or five or more injured prisoners within a 12-month period;
9. Three or more resisting arrest charges within a 6-month period or five or more resisting arrest charges within a 12-month period;
10. Three or more use of personal weapons incidents within a 6-month period or five or more use of personal weapons incidents within a 12-month period;
11. Three or more display of firearm incidents within a 6-month period or five or more display of firearm incidents within a 12-month period;
12. Any lawsuit settlement agreements;
13. Any lawsuit findings of liability on behalf of the police officer.

**B. Notification:**

BOPS will notify the Chief, the appropriate Deputy Chief, and the officer's Unit Commander of any triggering criteria with respect to a specific officer via IDC. This IDC will detail all relevant data, and shall point out if a particular officer had more than one triggering event that stemmed from the same incident and to treat that as one event and not multiple triggering events. With respect to Citizen's complaints, this IDC will detail the names of the complainants as detailed in Policy & Procedure #500, Bureau of Professional Standards and Internal Investigations; the dates of the alleged incidents; and the nature of the complaint, i.e., potential violations of departmental Rules & Regulations, Policies & Procedures, etc.

**C. Intra-Department Interview:**

An interview will be conducted with the officer by the appropriate Deputy Chief, the Commanding Officer, and/or one of the officer's immediate supervisors. Prior to this interview, the participating police officials shall review all relevant reports/materials

concerning each triggering incident. Every effort shall be made to schedule the interview during the officer's regular tour of duty, or immediately prior to it or after its conclusion. The officer may bring a union official with him to the interview, and the officer will have the option of having the meeting tape-recorded. The discussion during this interview shall focus upon the triggering criteria and/or the issues raised in any citizen complaints, and the findings of any investigations, which were conducted into them by the Unit Commander or BOPS, and any of the following possible recommendations: no action; discussion with the commander; counseling; retraining; referral to the Stress Unit; or an alternative recommendation by the union.

**D. Stress Unit Involvement:**

Either in addition to Section C above, or in the alternative, the appropriate Deputy Chief will notify the Stress Unit, which will then schedule an interview with the officer to determine what course of action, if any, will be taken. The Stress Unit Officer will then report back to the Chief and the Deputy Chief with a written recommendation as to whether the Employee Assistance Program should be utilized. The alternatives are: no action; specialized training; and fitness evaluation by a professional. If outside counseling is undertaken, the professional that is utilized shall report in writing to the Chief when the counseling has been completed, whether the officer cooperated with the program, and whether in the professional's opinion the officer is fit for duty.

**E. Reports:**

The Deputy Chief involved shall be responsible for assuring that a detailed report on this interview and the recommendation is prepared and submitted to the Chief forthwith. The Commander and/or immediate supervisor shall submit this written report to the Chief and the Deputy, and it shall include, at a minimum, the following information: date and time of the interview; all topics which were discussed, as outlined in Section C above during the substantive portion of the interview; and whatever recommendation was made.

**F. Discipline:**

Additional disciplinary action, in the form of reprimand, extra duty, suspension, or termination, shall not be taken based solely on the fact that the EIS process was triggered. Instead, the officer may be considered for additional training and/or change of assignment, in accordance with the employee's respective collective bargaining unit's agreement with the City, after consultation between the Chief, Deputy Chief, and the officer's Unit Commander. Factors to be considered in making such a determination would include: 1) hardship; 2) the recommendation of the outside professional, with the agreement of the officer; 3) the recommendation of the appropriate Deputy Chief, with the agreement of the officer.

**G. Records:**

The department shall maintain files for each EIS case in the office of the Bureau of Professional Standards Division only.

Per:

*Gary J. Gemme*

Chief of Police