

## Ewing Police Department Early Warning System

### A. Purpose

1. The Ewing Police Department utilizes the IA Pro System for its Internal Affairs records keeping function and the Early Warning System (referred to herein as “EWS”).
2. The EWS is an automated system, capable of flagging emerging behavioral patterns in order to monitor officer conduct which could indicate potentially escalating risk of harm to the public, the agency, and/or the officer.
3. The EWS serves to increase public safety and public confidence in law enforcement as well as to assist officers and employees through early intervention.
4. The EWS will monitor the following performance indicators:
  - a. Internal affairs complaints against the officer, generated by another officer or by a member of the public;
  - b. Civil actions filed against the officer;
  - c. \*Criminal investigations of or criminal complaints against the officer;
  - d. Any use of force by the officer that is formally determined or adjudicated (for example, by internal affairs or a grand jury) to have been excessive, unjustified, or unreasonable;
  - e. Domestic violence investigations in which the officer is an alleged subject;
  - f. Sexual harassment claims against the officer;
  - g. Vehicular collisions involving the officer that are formally determined to have been the fault of the officer;
  - h. A positive drug test by the officer;
  - i. Cases or arrests by the officer that are rejected or dismissed by a court;
  - j. Cases in which evidence obtained by an officer is suppressed by a court;
  - k. Insubordination by the officer;
  - l. Neglect of duty by the officer;
  - m. Unexcused absences by the officer;

- n. An arrest of an officer, including DWI arrests; and
- o. Any other indicators as determined by the Chief of Police.

**\*Note:** *If an EWS notification to the officer could jeopardize an ongoing criminal investigation, the County Prosecutor may in his or her discretion permit delayed notification to the officer or delay initiation of the EWS review process.*

B. Initiation and Management of the EWS

- 1. Within any twelve-month period, three separate instances of performance indicators (as listed in Section A above) will trigger the EWS review process. If one incident triggers multiple performance indicators, that incident shall not be doubled-or-triple-counted, but instead shall count as only one performance indicator.
- 2. The EWS will be managed and monitored by the Professional Standards Bureau supervisor or his/her designee.
- 3. Every six months, at minimum, the Professional Standards Bureau Supervisor or his/her designee shall conduct an audit of the EWS to assess the accuracy and efficiency of the EWS.

C. Remedial/Corrective Action

- 1. When an EWS review process is initiated, the Professional Standards Bureau Supervisor or his/her designee will:
  - a. Formally notify the subject officer in writing
  - b. Conference with the subject officer and the officer's supervisor
  - c. With assistance from the officer's supervisor, develop and administer a remedial program including the appropriate remedial/corrective action(s) including but not limited to:
    - 1. Training or retraining;
    - 2. Counseling;
    - 3. Intensive supervision;
    - 4. Fitness-for-duty examination;
    - 5. Employee Assistance Program (EAP) referral;
    - 6. Any other appropriate remedial or corrective action

- d. Continue to monitor the subject officer at least three months, or until the officer's supervisor concludes and documents that the officer's behavior(s) has been remediated (whichever is longer).
- e. Document and report all findings to the Chief of Police or his/her designee

D. Notification to Subsequent Law Enforcement Employer

- 1. If any officer who is or has been subjected to a EWS review process and applies to or accepts employment at a different law enforcement agency, it will be the responsibility of the Professional Standards Bureau Supervisor or his/her designee to notify the subsequent employing law enforcement agency of the officer's EWS review process history and outcome and upon request, share the officer's EWS review process files with the subsequent law enforcement employing agency.

E. Notification to the Mercer County Prosecutor's Officer

- 1. Upon initiation of the EWS review process, the Chief of Police or his/her designee shall make a confidential written notification to the Mercer County Prosecutor or his/her designee of the identity of the subject officer, the nature of the triggering performance indicators, and the planned remedial program.
- 2. Upon completion of the EWS review process, the Chief of Police or his/her designee shall make a confidential written notification the Mercer County Prosecutor or his/her designee of the outcome of the EWS review, including any remedial measures taken on behalf of the subject officer.

F. Public Accessibility and Confidentiality

- 1. The portion of this general order pertaining to the EWS will be made available to the public upon request and shall be posted on the Ewing Police Department's official website.
- 2. All written reports created or submitted pursuant to the EWS that identify specific officers are confidential and not subject to public disclosure.