

Plainsboro Township Police Department

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G.O. 1.4.2		A		Early Intervention Program (EIP) & Personnel Records Management		
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**Supersedes
the following:**

1.74, 1.89

The written directives developed by the Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE

- I. To provide guidelines for establishing an Early Intervention System to detect patterns and trends in officer/employee conduct.
- II. To provide an effective procedure for documenting employee performance and management of employee personnel records.
- III. To provide a mechanism for formally recognizing positive employee performance.

POLICY

- I. It is the policy of the Plainsboro Township Police Department, in accordance with NJ Attorney General Directives, to identify officer conduct which may indicate potentially escalating risk of harm to the public, the agency, and/or the officer/employee. The Plainsboro Township Police Department has a responsibility to its employees and the community to monitor such performance indicators.
- II. The Plainsboro Township Police Department provides access to employee assistance programs available to employees on a voluntary and policy-mandated basis. In order to enhance these services, the Department has implemented the Early Intervention Program (EIP).
- III. Nothing in this general order shall be interpreted to diminish Department supervisors' responsibilities, as outlined in other Departmental written directives.

PROCEDURE

- I. General
 - A. The Early Intervention Program is intended to detect patterns and trends before conduct escalates into more serious infractions. Employees therefore must understand that the EIP is a system for documenting employee performance, and not identical to the disciplinary process or formal discipline. Although it is possible that disciplinary action may be taken in conjunction with this program, this is not

the system's primary role or intent. Rather, the primary intent of the EIP is to address potential problems through appropriate management and supervisory strategies before formal discipline is warranted.

- B. "Guardian Tracking" (G.T.) software will assist the Department in performance documentation and tracking and in administration of the Early Intervention Program (EIP). It will assist supervisors in streamlining employee documentation and evaluation. Additionally, it will create a personnel file system that is readily available to the employee and easily transferred between supervisors. The system permits employees to precisely monitor their personal progress in meeting Departmental performance standards.

II. Management of Hierarchy (Chain of Command)

- A. All Department employees shall be entered into the Guardian Tracking System software. Persons shall be classified within the hierarchy of the system according to their reporting requirements within the Departmental chain of command.
- B. Entries are viewable by the employee, his/her direct supervisor and Command level personnel in the direct chain of command. For example, an entry made in an employee's file will be viewable by the employee, the employee's corporal, sergeant, lieutenant, and the Chief of Police, Police Director and the Officer in Charge. Supervisors outside of an employee's chain of command shall not have ready access to the employee's G.T. file.
- C. It shall be the responsibility of the Administrative Lieutenant and/or the Officer in Charge to monitor and update the hierarchy within the Guardian Tracking system.

III. Administration & Tracking

- A. The Administrative Lieutenant and Officer in Charge are responsible for maintenance of the Early Intervention Program and G.T. software.
- B. The I.A. Commander is responsible for administration, monitoring, and review of the Early Intervention Program.
- C. The I.A. Commander is responsible for making all entries related to "Corrective Performance Indicators" and internal affairs records.
- D. The Field Operations Lieutenant is responsible for entering "Consent & Probable Cause to Search" records.

- E. Division Commanders receive email notification of G.T. entries made for employees within their chain of command. Lieutenants are responsible for monitoring entries, discussing incidents with subordinate supervisors, and making recommendations for commendation and/or intervention.

IV. Performance Categories & Indicators

- A. Performance categories and indicators have been established to monitor and document employee conduct. Performance categories may be revised, added, or removed at the discretion of the Chief of Police, Police Director or the Officer in Charge.

- B. Performance categories and indicators include:

1. NJ A.G. 20-18; Corrective Performance Indicators

- a. I.A. Complaints - Internal affairs complaints against the employee, whether initiated by another officer or by a member of the public
- b. Civil Actions - Filed against the employee
- c. Criminal Investigations/Complaints - Employee is the accused
- d. Excessive Force - Formally determined or adjudicated (for example, by internal affairs or a grand jury) to have been excessive, unjustified, or unreasonable.
- e. Domestic Violence Investigations - Employee is the accused
- f. Arrest – Employee is the accused, including DWI
- g. Sexual Harassment - Employee is the accused
- h. On-duty MVA – Employee at fault
- i. Positive Drug Test
- j. Rejected or Dismissed Court Cases – Criminal and Title 39
- k. Suppressed Evidence - Cases in which evidence obtained by an officer is suppressed by a court

l. Insubordination

m. Neglect of Duty

- n. Attendance/Tardiness (Deficiency) – Documents instances of unexcused absenteeism or tardiness. This shall include, but is not limited to, scheduled shifts, extra-duty assignments, training assignments, etc. This shall not include valid sick time or scheduled time off.

2. Administrative Records

- a. Annual Performance Evaluation (attach electronic file) – Record of employee's annual performance evaluation.
- b. Areas of Responsibility (attach electronic file) – Record of all areas of responsibility an employee has held throughout his/her career.
- c. Career Development (attach electronic file) – Supervisors shall document career development discussions with subordinates to include a summary of the discussion, training requests and recommendations, etc.
- d. Doctor's Notes (attach electronic file) – Supervisors shall enter doctor's notes for employees requiring documentation for use of sick time.
- e. (FTO) Field Training and Evaluation Program Records (attach electronic file) – Record of employee field training.
- f. Line-of-Duty Injury (attach electronic file) – Documentation (Special Report, RIF, etc.) of all line-of-duty injuries sustained by an officer/employee.
- g. Off-duty Incidents (attach electronic file) – File and track reportable incidents that occur during off-duty status as required under Department Rules and Regulations or other Policy or Directive.
- h. Service Record (attach electronic file) – Chronological record of all positions, assignments and ranks held by the officer.
- i. Shift Switch Requests – Completed shift switch request forms.
- j. Special Directives (attach electronic file) – Record of any directives, issued by the Chief of Police, Police Director or the Officer in Charge, regarding

instructions pertaining specifically to the employee. Examples may include, but are not limited to, relief from standards of appearance due to special assignment, reporting requirements for sick leave while on worker's compensation, permission for outside employment, etc.

3. Administrative Review

- a. Animal Destruction – (Recorded by Field Operations Supervisor) Attach officer's "Animal Destruction Special Report" (Does not require R.I.F.)
- b. Consent & Probable Cause to Search – (Recorded by Field Operations Lieutenant Only) Attach Consent to Search Form, Probable Cause to Search Form and Administrative Review Sheet.
- c. Motor Vehicle Pursuit – (Recorded by I.A. Commander only) Attach Pursuit Report and Administrative Review Sheet.
- d. On-duty MVA (Employee not at fault) – (Recorded by direct supervisor) Attach MVA report and Administrative Review Sheet.
- e. Other Administrative Review – Documents reviews of other incidents where administrative review is not necessarily required, but may be prudent.
- f. Performance Review – A review of employee performance, to include but not limited to: Discussion of performance expectations, BWC/MVR review, areas of responsibility, etc. Use this category for discussions not specifically pertaining to performance efficiency/deficiency.
- g. Remedial Training & Counseling – Documents remedial training, counseling notices, Performance Improvement Plans (P.I.P.) and follow-up. Accompanying documentation shall be scanned and attached to entries.
- h. Use of Force – No deficiencies; (Recorded by I.A. Commander only) Attach Use of Force Report and Administrative Review Sheet.

4. Performance Efficiency

- a. Attendance (Efficiency) – Documents instances where the employee offered or volunteered his time for a police/community function, outside of his regular duties or responsibilities.

- b. Grooming/Appearance (Efficiency) – Documents instances where an employee has exceeded the Department’s standard of appearance.
- c. Initiative/Innovation – Documents instances where an employee demonstrates a unique or particularly effective solution or method of approach to a Departmental or law enforcement function.
- d. Job Knowledge/Skill (Efficiency) – Documents instances where an employee demonstrates a particularly thorough grasp of, or is particularly adept at, some Departmental or law enforcement practice/procedure.
- e. Judgment (Efficiency) – Documents instances where an employee has demonstrated good or exceptional judgment/decision making.
- f. Leadership/Management (Efficiency) – Documents instances where an employee has demonstrated leadership/management ability/potential.
- g. Operation & Care of Equipment (Efficiency) – Documents instances where employee took exceptional care of Department equipment.
- h. Professionalism (Efficiency) – Documents instances where employee demonstrates exceptional professionalism with the public and/or fellow employees.
- i. Report Writing (Efficiency) – Documents instances where an employee has demonstrated proficiency in report writing.

5. Performance Deficiency (Supplemental Performance Indicators)

- a. Grooming/Appearance (Deficiency) – Documents instances where an employee has been found in violation.
- b. Job Knowledge/Skill (Deficiency) – Documents instances where an employee demonstrates a deficiency in some Departmental or law enforcement practice/procedure.
- c. Judgment (Deficiency) – Documents instances where an employee has demonstrated a deficiency in judgment/decision making.
- d. Late Report or Assignment – Documents instances where an employee does not complete a report or assignment within an allotted time frame.

- e. Leadership/Management (Deficiency) – Documents instances where an employee has demonstrated a deficiency in leadership/management ability.
- f. Operation & Care of Equipment (Deficiency) – Documents instances of misuse or improper care of Department equipment, including officer-at fault MVA's.
- g. Professionalism (Deficiency) – Documents instances where employee demonstrates unprofessional behavior or conduct.
- h. Report Writing (Deficiency) – Documents instances where an employee has demonstrated a deficiency in report writing.

6. Awards & Recognition

- a. Awards (attach electronic file) – Departmental award, or award from other agency/institution approved by the Chief of Police and/or Police Director. (Hard copy to be forwarded through Chain of Command for Township files.)
- b. Citizen Recognition (attach electronic file) – Documents citizen letters thanking or praising employee conduct. (Hard copy to be forwarded through Chain of Command for Township files)
- c. Peer Recognition – Positive recognition of any Department employee, by a fellow Department employee.

7. Internal Affairs (Recorded by I.A. Commander only, once disposition is determined.)

- a. Demeanor
- b. Differential Treatment
- c. Improper Arrest
- d. Improper Entry
- e. Improper Search
- f. Other Rule Violation

g. RIF (Resolved informally) – Reportable incidents of personnel complaints resolved informally.

V. Supervisor Responsibilities

- A. Supervisors are crucial to a successful Early Intervention Program. Sergeants and Corporals work with individual employees on a day-to-day basis and may be the first to observe and document performance efficiencies or deficiencies.
- B. Supervisors shall report and document all observed performance efficiencies and deficiencies.
- C. The employee's direct supervisor is responsible for documenting efficient and deficient performance, in accordance with this directive. Employees shall not enter performance efficiencies/deficiencies for themselves. Administrative records may be self-entered. Supervisors who observe a performance efficiency/deficiency exhibited by an employee not in their chain-of-command may document the deficiency in G.T. or report it to the employee's direct supervisor to address. The employee is formally notified, in writing, via the G.T. system which generates an email notification to the employee, and the employee's chain of command, for every entry made.
- D. Upon documenting an incident or deficiency in G.T., it is the supervisor's responsibility to consult with the Division Lieutenant and/or the I.A. Commander to discuss the issue. If required, the supervisor should be prepared to present options for remediation and a course of action for implementation to the Division Lieutenant for approval.
- E. If it is determined that an incident or deficiency does not require additional action, the supervisor should note this in the G.T. entry, thereby notifying the Division Lieutenant that the incident was discussed with the employee and no further action is required at that time.
- F. Initial "Performance Deficiency" entries requiring follow-up action shall only document the occurrence and facts of the incident. A subsequent entry may be made at a later date, as a related incident, documenting action(s) taken to address the deficiency. Most follow-up entries, such as "Remedial Training & Counseling", are the responsibility of the direct supervisor. Other follow-up entries, such as "I.A." cases, may be the responsibility of the Division Lieutenant or I.A. Commander.

- G. The Guardian Tracking system is not a substitute for face-to-face, supervisor to subordinate, discussions. Any entries into the system should also include a face to face discussion between the employee and his/her direct supervisor.

VI. Early Intervention & Merit Review Flags

- A. The Guardian Tracking system is capable of monitoring the number of incidents entered for any given employee. A pre-specified number of incidents, within a pre-specified amount of time, will trigger a “flag” in the system. When a “flag” is generated, it notifies the employee’s direct supervisor, chain of command Lieutenant, and/or the I.A. Commander.
- B. Early Intervention Flag – Three occurrences in any one of the following categories, in a 12-month period. G.T. notification to chain of command Sergeant, chain of command Lieutenant, and I.A. Commander. Officer’s immediate supervisor shall review the entries, confer with the chain of command Lieutenant, and make appropriate written recommendation.

1. “AG Early Intervention” (Corrective Performance Indicators)

- a. I.A. Complaints – Employee is principal
- b. Civil Actions - Against employee
- c. Criminal Investigations/Complaints - Employee is the accused
- d. Excessive Force - Formally determined or adjudicated
- e. Domestic Violence Investigations - Employee is accused
- f. Arrest – Employee is accused, including DWI
- g. Sexual Harassment - Employee is accused
- h. On-duty MVA – Employee at fault
- i. Positive Drug Test
- j. Rejected or Dismissed Court Cases – Criminal and Title 39
- k. Suppressed Evidence

- I. Insubordination
 - m. Neglect of Duty
 - n. Attendance/Tardiness (Deficiency)
2. “Early Intervention Flag” (Performance Deficiency)
 - a. Attendance/Tardiness (Deficiency)
 - b. Grooming/Appearance (Deficiency)
 - c. Job Knowledge/Skill (Deficiency)
 - d. Judgment (Deficiency)
 - e. Late Report or Assignment
 - f. Leadership/Management (Deficiency)
 - g. On-duty MVA (at fault)
 - h. Operation & Care of Equipment (Deficiency)
 - i. Professionalism (Deficiency)
 - j. Report Writing (Deficiency)
3. “Consent & PC to Search”
4. “Use of Force” (No deficiencies)
5. “Motor Vehicle Pursuit”
6. Internal Affairs Review
 - a. Demeanor
 - b. Differential Treatment
 - c. Excessive Force

d. Improper Arrest

e. Improper Entry

f. Improper Search

g. Other Rule Violation

h. On-duty MVA (at fault)

C. Merit Review Flag – 18 occurrences in a 12-month period of any “Awards & Recognition” and/or “Performance Efficiency” entries. G.T. notification to chain of command Sergeant and Lieutenant. Officer’s immediate supervisor shall review the entries, confer with the chain of command Lieutenant, and make written recommendation, in accordance with the Awards and Recognition Program, for consideration for Department award and/or recognition.

1. Attendance (Efficiency)

2. Award

3. Citizen Recognition

4. Grooming/Appearance (Efficiency)

5. Initiative/Innovation

6. Job Knowledge/Skill (Efficiency)

7. Judgment (Efficiency)

8. Leadership/Management (Efficiency)

9. Operation & Care of Equipment (Efficiency)

10. Peer Recognition

11. Professionalism (Efficiency)

12. Report Writing (Efficiency)

VII. Merit Recognition

- A. Once an employee has displayed the requisite number of performance indicators necessary to trigger a recognition flag, the employee's direct supervisor is responsible for reviewing the flag and entering comments/recommendations in the review notes section in G.T.
- B. All facts and documentation related to a recognition flag shall be reviewed by the subject employee's direct supervisor.
- C. If, upon review, a recommendation for a Department award is appropriate, it shall be the responsibility of the employee's direct supervisor for initiating the nomination process to the awards committee.

VIII. Supervisory/Command Intervention & Remedial/Corrective Action

- A. Once an employee has displayed the requisite number of performance indicators necessary to trigger an intervention flag, the employee's direct supervisor is responsible for reviewing and initiating the required action to address any performance deficiencies, in accordance with Department directives. The employee's direct supervisor is responsible for entering comments/recommendations in the review notes section in G.T.
- B. All facts and documentation related to an intervention flag shall be reviewed by the subject employee's direct supervisor.
- C. The analysis of facts should include consideration of the totality of the circumstances surrounding each intervention flag. Additionally, the following factors should be considered:
 - 1. Determine what, if anything, could have been done differently to prevent the deficiency.
 - 2. Determine if there are any similarities between incidents.
 - 3. Determine if other possible indicators of stress are present, such as an unusual amount of sick leave, tardiness, marital problems, etc.
 - 4. Determine if a trend or pattern of behavior is indicated.
- D. Upon review, the Sergeant shall make recommendations for action to the Division Lieutenant.

- E. If remedial action is required, the subject employee's direct supervisor shall enter the plan into "Remedial Training & Counseling".

- F. Patterns of behavior potentially indicative of performance deficiency, or "early warning flag" alerts generated by the EIP, shall require:
 1. Formal notification to the affected employee. This may be accomplished via the G.T. system which generates an email notification to the employee when an entry is made.
 2. A conference with the subject officer, his/her direct supervisor, and the Division Lieutenant and/or the I.A. Commander to discuss the issue(s).
 3. Development and administration of a remedial program, including the appropriate remedial/corrective actions, in accordance with Department directives. The subject officer's direct supervisor shall be responsible for developing the appropriate course of action, with the approval of the Division Lieutenant and/or the I.A. Commander. If appropriate, the subject officer may be included in the remediation development process.
 4. Monitoring of the subject officer for a specified time period, or until the supervisor concludes the officer's performance has been remediated.
 5. Documentation and reporting of conclusion(s) in G.T. and, if warranted, the Internal Affairs unit.

- G. If review of the documentation and related material reveals the need for intervention, the Division Lieutenant shall schedule a counseling meeting with the employee and his supervisor(s) as soon as possible.

- H. Remedial/corrective action may include but is not limited to the following:
 1. Training/re-training
 2. Counseling
 3. Intensive Supervision (*Performance Improvement Plan - PIP*)
 4. Formal Discipline
 5. Referral to the E.A.P.

6. Referral to other services

7. Fit For Duty Examination

8. Any other appropriate remedial or corrective action.

- I. If a review of the documentation and related reports yields no issues or concerns requiring intervention, a counseling meeting with the employee may not be necessary. Details of the findings shall be documented in the Intervention Review in Guardian Tracking as a “False Positive”.
- J. The subject employee should remain fully apprised of the recommendations made by his/her chain of command, as well as the steps being taken for remediation.

IX. Employee Assistance Referral & Counseling

A. Recommendations for addressing a performance deficiency may include referral to the Employee Assistance Program (E.A.P.).

- 1. Participation by departmental employees in the E.A.P. may be voluntary or mandatory, in accordance with Department directives. The Chief of Police, Police Director or the Officer in Charge in consultation with Township personnel and legal services, shall make a determination as to whether the referral will be voluntary or mandatory.
- 2. Mandatory attendance shall be considered on-duty time, and the employee’s schedule will be adjusted accordingly.

B. Separately, or in conjunction with the E.A.P., recommendations may also include:

- 1. Referral to the Cop-2-Cop or other assistance program.
- 2. Personal or family counseling.
- 3. Financial counseling.
- 4. Drug/alcohol counseling/treatment.
- 5. Stress counseling, with consideration given to physical fitness and/or weight management counseling.

6. Restriction on secondary employment and/or restrictions on department authorized extra-duty employment.

X. Notifications, Reporting, and Confidentiality

- A. If any officer who is or has been subject to an EIP review process applies to or accepts employment at a different law enforcement agency, the Plainsboro Township Police Department shall notify the subsequent employing law enforcement agency, upon its request, of the officer's EIP review process history and outcomes.
- B. Upon initiation of an EIP review for the AG Corrective Performance Indicators, as specified in this directive, the Chief of Police, Police Director or the Officer in Charge shall make confidential written notification to the Middlesex County Prosecutor's Office, including identity of the subject officer, nature of the triggering "corrective performance indicators", and planned remedial program. Upon completion of the EIP review process, the outcome of the EIP System review, including any remedial measures taken on behalf of the subject officer, shall also be reported to the Middlesex County Prosecutor's Office, via confidential written notification.
- C. This EIP directive shall be made available to the public upon request and shall be posted on the Plainsboro Township Police Department's website. All written reports created or submitted pursuant to this directive that identify specific officers are confidential and not subject to public disclosure.