



**Verona Police Department**  
**Policy & Procedures**  
**EARLY INTERVENTION SYSTEM**

	Chapter: Five-Section 7		
Date (s):	Authority	General Order P&P 5.7	File #:VPD 5.7
Effective: 01/01/2015			
Revised: 04/24/2018			
Revised:			
LEGAL REFERENCES:			
ACCREDITATION STANDARDS REFERENCES:			

**I. PURPOSE:**

The purpose of this directive is to establish the policy and procedures for administering a personnel early intervention/performance tracking policy.

**II. POLICY:**

It is the policy of the Verona Police Department to utilize an early intervention policy, in accordance with NJ Attorney General Guidelines for Internal Affairs, for the primary purpose of tracking and reviewing the indicators of increased risk and to provide timely, non-punitive intervention, consistent with best practices. In addition, the system is to be used to monitor positive performance behaviors. The Guardian Tracking web-based software system is to be used for this purpose. Guardian Tracking is not to be used for internal affairs investigations.

**III. SPECIFICATIONS:**

**A. General Information**

1. The Early Intervention Policy is designed to detect patterns and trends before conduct escalates into more serious problems. The primary intent is to address potential problems through the use of appropriate management intervention strategies before negative discipline becomes necessary.
2. All levels of supervision, especially first line supervisors, are expected to recognize potentially troublesome employees, identify training needs and provide professional support in a consistent and fair manner. Emphasis should be placed on anticipating employee problems before it results in improper performance or conduct.
3. Many different measures of employee performance can be regularly examined for patterns or practices that may indicate potential problems. These performance measures include, but are not limited to, the following documented indicators:

- a. Internal complaints, regardless of outcome;
  - b. Use of force incidents;
  - c. Claims of duty-related injury;
  - d. Criminal investigations or complaints made against the employee;
  - e. Incidents of arrested persons being injured;
  - f. Vehicular pursuits;
  - g. Vehicular collisions.
4. The Early Intervention Policy is primarily the responsibility of the Chief of Police, however, any supervisor may initiate the early intervention process based upon his or her own observations.
  5. The Chief of Police shall conduct an annual evaluation of the Early Intervention Policy to assess its effectiveness. Modifications to this process should be implemented at the earliest opportunity.
  6. An employee's first line supervisor is usually the first member of the department to encounter and document specific incidents that affect an employee. It is essential for the supervisor to meet and counsel the employee prior to the releasing any corrective action incident recorded within the system. The success of this program relies heavily on the first line supervisor's participation and involvement.
  7. Any incident created that was put on hold by a supervisor will automatically be released after 14 days.
  8. Supervisors shall forward all documentation required by the Early Intervention Policy pursuant to written directives already established: Use of Force, Internal Affairs Investigations, Investigating and Reporting Damage to Police Vehicles, Personnel Policies and Procedures, Vehicle Pursuit Actions, and Tardiness.
  9. Supervisors will have input on recommendations affecting their employees such as required remedial training, counseling services through an Employee Assistance Program and disciplinary action.
  10. Referrals to an Employee Assistance Program shall be made in accordance with the Employee Assistance Program protocols. Personal problems may adversely affect an employee's personal and professional well-being and job performance. The most effective means of handling these problems may be through this program.

#### **IV. Guardian Tracking Software**

- A. This department will utilize Guardian Tracking® software in order to manage, track and trigger alerts with respect to the Early Intervention Policy. Guardian Tracking® is an employee behavioral monitoring and early intervention system. In no way, does it excuse a supervisor or any other employee from following the procedures mandated in this department's Internal Affairs directive.
- B. All sworn employees shall have access to the Guardian Tracking system via an assigned login and personal password. Permissions will be granted based on rank. Employees who have not been issued a login are not authorized to access the system.

- C. It is the responsibility of all supervisors to enter all incidents listed below for each of their subordinates. Any supporting documentation should be uploaded when creating an incident. Supervisors who fail to document incidents as required by this directive will be subject to disciplinary action.
- D. Online training for the use of the system is available at: <http://www.screencast.com/t/J7MOfnOIWQ>
- E. The Court Liaison Officer or designee shall supply a memo to an employee's immediate supervisor whenever evidence is suppressed, a case is dismissed or prosecution rejected.
- F. The following shall serve as a guide to the incident categories contained within Guardian Tracking®:
1. **Award Nomination** - To be used whenever an employee's actions on or off duty warrant recognition;
  2. **Cases/Arrests Dismissed** - To be used when a case or an arrest by a supervisor or an officer is rejected or dismissed by the court;
  3. **Civil Action Against an Officer** - To be used when a civil action has been filed against an officer;
  4. **Code of Conduct** - To be used whenever an employee violates the department's Code of Conduct policy;
  5. **Communicator** - To be used when an employee's communication skills deserve recognition;
  6. **Compliance with Rules and Regulations** - To be used when an employee has complied with and properly applied the department Rules and Regulations while on or off duty;
  7. **Core Values** - To be used when an employee demonstrates and applies the core values of the department;
  8. **Counseling** - To be used when an employee receives counseling as the result of job performance;
  9. **Crash- Employee at Fault** - To be used when an employee has been involved in a vehicle crash with a department vehicle while on duty and it has been formally determined that the employee was at fault;
  10. **Criminal Investigation or Criminal Complaint Filed Against an Employee** - To be used when a criminal investigation or a criminal complaint has been filed against an employee UNLESS it would jeopardize an ongoing investigation. In this case, the County Prosecutor's office is to be consulted as soon as possible;
  11. **Day to Day Effectiveness** - To be used when an employee is recognized for their day to day effectiveness;
  12. **Demeanor** - To be used when a demeanor complaint has been filed against an employee;
  13. **Demotion** - To be used when an employee has been reduced in rank as a result of the progressive discipline process;
  14. **Documentation Proficiency** - To be used when an employee demonstrates proper documentation during the course of their duties;
  15. **Domestic Violence** - To be used when an employee is the alleged subject of a domestic violence incident;
  16. **Early Intervention Policy** - To be used when an employee's actions have been flagged in the Guardian Tracking system;

17. **Failure to Complete Assignments** - To be used when an employee fails to complete an assignment(s);
18. **Failure to Report for Duty** - To be used when an employee fails to report for duty or an assignment;
19. **Insubordination** - To be used when an employee is insubordinate as defined by the department's Rules and Regulations;
20. **Internal Affairs Complaint** - To be used when an internal affairs complaint has been filed against an employee, whether it is initiated by another employee or a member of the public;
21. **Leadership-Communications** - To be used whenever an employee demonstrates effective leadership communication skills worthy of recognition;
22. **Leadership-Demonstrated** - To be used whenever an employee demonstrates leadership skills worthy of recognition;
23. **Leading-Challenging Situations** - To be used when an employee demonstrates leadership, worthy of recognition, during a challenging situation or incident;
24. **Leads by Example** - To be used whenever an employee leads by example that is worthy of recognition;
25. **Managing Others** - To be used when an employee manages others that is worthy of recognition;
26. **Mediator** - To be used when an employee uses mediation skills that are worthy of recognition;
27. **Motivator** - To be used when an employee demonstrates motivation skills worthy of recognition;
28. **Neglect of Duty** - To be used when an employee neglects their duties as defined by the department's Rules and Regulations;
29. **Officer Arrested** - To be used when an employee has been arrested including driving under the influence of alcohol or drugs;
30. **Operation and Care of Equipment** – To be used when it has been determined that an employee has improperly operated or misused department equipment as defined by the department's Rules and Regulations;
31. **Oral Reprimand** – To be used as a result of the progressive disciplinary process;
32. **Performance Improvement Plan** – To be used when a plan has been developed to improve an employee's performance;
33. **Policy Violation** – To be used when a sustained finding through an internal affairs investigation reveals that an employee has violated a department Policy and Procedure, or a department Rule and Regulation;
34. **Positive Drug Test** - To be used when an employee has tested positive for drugs as defined by the department's Drug Testing policy and defined by the New Jersey Attorney Generals Guidelines on Drug Testing and Internal Affairs;
35. **Problem Solver** - To be used when an employee uses problem solving skills that are worthy of recognition;
36. **Property Damage (not a crash)** - To be used when an employee intentionally or unintentionally damages Department property or while in the performance of their duties intentionally or unintentionally damages property of another person;

37. **Pursuit** - To be used any time a pursuit report is file. The entry must include the incident case number;
38. **Recognition-Peer** - To be used when a peer recognizes another peer for a job well done and worthy of recognition;
39. **Recognition-Public** - To be used when a member of the department recognizes an employee for a job well done and worthy of recognition;
40. **Recognition-Supervisor** - To be used when a supervisor recognizes an employee for a job well done and worthy of recognition;
41. **Remedial Training** - To be used when an employee has received remedial training as a result of the progressive discipline process;
42. **Report Writing-Errors** - To be used when an employee consistently submits reports that are incorrect;
43. **Report Writing-Excellence** - To be used when an employee consistently submits reports that are excellent and worthy of recognition;
44. **Sexual Harassment** - To be used if an employee was found to be in violation of the sexual harassment policies as defined by the department's Policy Against Sexual Harassment in the Workplace and as defined by the New Jersey Attorney Generals Guidelines on Sexual Harassment in the Workplace;
45. **Significant Emotional Event** - To be used if an employee was involved in a significant emotional event worthy of recognition;
46. **Suggestion Box** - To be used if an employee makes a suggestion or has an idea that is used and the suggestion or idea makes the department function more effectively and efficiently;
47. **Suppressed Evidence** - To be used when evidence obtained by an employee is suppressed by a court;
48. **Suspension** - To be used when an employee has been suspended from the department as a result of the progressive disciplinary process;
49. **Tardiness** - To be used when an employee arrives for duty or an assignment after the time set forth by his/her schedule in accordance with department policy;
50. **Termination** - To be used when an employee has been terminated from employment with the department as a result of the progressive disciplinary process;
51. **Unexcused Absences** - To be used when an employee fails to provide a note, when requested, for an unexcused absence;
52. **Use of Force** - To be used when an employee uses any force that is formally determined or adjudicated (for example, by internal affairs or grand jury) to have been excessive, unjustified, or unreasonable;
53. **Withdraw from Assignment** - To be used when an employee withdraws from an assignment without proper authorization from the Chief of Police or his designee;
54. **Work Related Accident/Injury** - To be used when an employee has suffered a work related injury or accident;
55. **Written Reprimand** - To be used when an employee receives disciplinary action constituting a written reprimand.

## V. Remedial Action

- A. If the Early Intervention Policy reveals a potential problem through the presence of a flag in the Guardian Tracking® software or as identified by a supervisor, the employee's division commander or designee will gather all relevant information from the system. A separate incident will be generated in the Guardian Tracking® software utilizing the appropriate Early Intervention Policy incident category.
- B. The employee's division commander will implement a review of the data provided, along with more detailed information available from department records. If this review indicates that the Early Intervention Policy flag is unwarranted, the division commander or designee will document this result in writing. The incident narrative placed in the Guardian Tracking® software may serve as adequate documentation.
- C. If the review reveals that an employee has violated department directives, the employee's division commander may proceed with an internal investigation. If the review reveals that the employee has engaged in conduct that indicates a lack of understanding or inability to comply with accepted procedures, the division commander shall determine the appropriate course of remedial action. All action taken will be documented in the Guardian Tracking® software under the previously created Early Intervention Policy incident category.
- D. Remedial intervention may include, but is not limited to:
  - 1. Training;
  - 2. Retraining;
  - 3. Counseling;
  - 4. Intensive supervision;
  - 5. Fitness for duty examination;
  - 6. Employee Assistance Program;
  - 7. Peer counseling.
- E. Internal disciplinary action, remedial action and fitness for duty examinations are not mutually exclusive and should be jointly pursued if and when appropriate.
- F. When remedial action has been undertaken, the division commander shall ensure that such actions are documented in writing. No entry should be made in the employee's personnel file unless the action results in a sustained complaint. If the remedial action is a training program, attendance and successful completion of that program should be noted in the employee's training record.
- G. The operations commander shall cause a review of any individual employee's history anytime a new complaint is made. Using this information, the operations commander or designee may be able to identify employees who may need counseling, training or other remedial action even before such is indicated by the early warning system's ongoing data review.
- H. In general, the following indicators will prompt early intervention as per Attorney General Law Enforcement Directive No. 2018-3:

1. Early Intervention Flag (three entries within 365 days):
  - a. Internal affairs complaints against the officer, whether initiated 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 (if the notification could jeopardize an ongoing criminal investigation the County Prosecutor should be notified and determine if the entry should be delayed) ;
  - 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. An arrest of the officer, including on a drunk driving under the influence charge;
  - g. Sexual harassment claims against the officer;
  - h. A positive drug test by the officer;
  - i. Cases in which evidence obtained by an officer is suppressed by a court;
  - j. Insubordination by the officer;
  - k. Neglect of duty by the officer; and
  - l. Unexcused absences by the officer.
  
- I. Generally, personnel should expect to remain under intensive monitoring and supervision for three (3) months.
  
- J. When under early intervention system monitoring, the employee's direct supervisor shall meet with the employee to discuss the situation in depth to:
  1. Identify problems or potential problems;
  2. Determine short and long-term goals for improvement;
  3. Come to a consensus commitment on a plan for long-term improved performance; or
  4. Advise of the monitoring process and the repercussions of future sustained transgressions.
  
- K. All employee-supervisor meetings shall be thoroughly documented in the Guardian Tracking® software, which will automatically be forwarded to the Chief of Police. The affected employee and supervisor shall meet on a regular basis, minimally monthly, to discuss progress towards the agreed upon goals and objectives.
  
- L. All regular monthly progress/status reports shall be submitted via the Guardian Tracking® software.
  
- M. All reports shall be forwarded to the Chief of Police through the Guardian Tracking® software for review. These reports have the same confidential status as Internal Affairs documents and are subject to the same disclosure and retention regulations and guidelines.