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| GENERAL ORDER | | GO-2024-007 |
| SUBJECT: Early Warning System | | |
| DATE ISSUED 10/15/2024 | DATE EFFECTIVE 10/15/2024 | NO. PAGES 7 |
| BY THE ORDER OF: MATTHEW LLOYD CHIEF OF POLICE <i>(Signature)</i> | REFERENCE(S): NJ AG Directive 2018-3 OO2016-005 | DISTRIBUTION: All Employees |
| SUPERSEDES ORDER NUMBER: | | |

I. PURPOSE:

- A. The purpose of this General Order is to establish the Township of Aberdeen Police Department's personnel early warning system.

II. POLICY:

- A. It is the policy of the Township of Aberdeen Police Department to implement and utilize an early warning system for tracking and reviewing incidents of risk and provide timely intervention consistent with Attorney General Guidelines. This General Order is in accordance with the New Jersey Attorney General's Law Enforcement Directive No. 2018-3.

III. PROCEDURE:

A. EARLY WARNING SYSTEM

1. The Township of Aberdeen Police Department's Early Warning System is designed to detect patterns and trends before the conduct escalates into more serious problems. As such, officers must understand that the early warning system is not identical to the disciplinary process.
2. Although it is possible that disciplinary action may be taken as the result of evidence that rules and regulations were violated, this is not the sole or even primary intent of the early warning system. The primary intent of an early warning system is to address potential problems through the use of appropriate management and supervisory strategies before formal discipline is warranted.

3. Many different measures of an officer's performance (actions or behaviors) can be regularly examined for patterns or practices that may indicate potential problems. These performance measures shall include, but are not limited to, the following documented indicators:
 - a. Internal affairs complaints against an officer, whether initiated by another officer, a civilian employee, or by a member of the public;
 - b. Civil actions filed against the officer;
 - c. Criminal investigations or criminal complaints against an 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. An arrest of the officer, including on a driving under the influence charge;
 - g. Sexual harassment claims against an officer;
 - h. Vehicular collisions involving an officer that is formally determined to have been the fault of the officer;
 - i. A positive drug test by the officer;
 - j. Cases or arrests by the officer that are rejected or dismissed by a court;
 - k. Cases in which evidence obtained by an officer that is suppressed by a court;
 - l. Insubordination by the officer;
 - m. Neglect of duty by the officer;
 - n. Unexcused absences by the officer;
 - o. Vehicular pursuits.
4. Generally, three (3) instances of questionable conduct or performance indicators (as listed in section III.A.3.a-o) within a 12-month period would initiate the early warning system process.

5. If one incident triggers multiple performance indicators, that incident shall not be double or triple counted, but instead shall count as only one performance indicator.

B. ADMINISTRATION OF EARLY WARNING SYSTEM

1. The early warning system is primarily the responsibility of Internal Affairs; but any supervisor may initiate the early warning process based upon his or her own observations. Emphasis should be placed on anticipating employee problems before it results in improper performance or conduct.
2. Internal Affairs shall conduct a manual or computerized audit of its records to determine if an officer has the emergence of a pattern, practices or trend of inappropriate behavior or misconduct. In addition, an Internal Affairs Supervisor shall audit an individual employee's history any time a new complaint is received. Examples of computerized programs include *Guardian Tracking*, *IAPro*, *BlueTeam*, or other similar early warning and intervention software.
 - a. Using this information and his/her experience, an Internal Affairs Supervisor may be able to identify officers who may need remedial/corrective intervention even before such is indicated by the early warning system data audit.
3. If the audit indicates the emergence of a pattern, practices or trend of inappropriate behavior or misconduct, the Internal Affairs Commander shall consult with the officer's supervisor and the Chief of Police.
4. The Internal Affairs Commander, the officer's supervisor and Chief of Police shall review the information provided by Internal Affairs along with any other relevant information from department records for the purpose of initiating a course of intervention designed to correct/interrupt the emerging pattern, practice, or trend.
 - a. If the audit indicates that the early warning system has returned an incorrect identification or "false positive," that conclusion should be documented.
 - b. If the audit reveals that an officer has violated department rules and regulations or written directives, the supervisor in consultation with the Internal Affairs Commander should proceed with an Internal Affairs investigation and possible disciplinary action.

- c. If the audit reveals that the officer has engaged in conduct, which indicates a lack of understanding or inability to comply with accepted procedures, the supervisor shall consult with the Internal Affairs Commander to determine the appropriate course of remedial/corrective intervention.
5. At least every six (6) months, internal affair's personnel shall audit the agency's tracking system and records to assess the accuracy and efficacy of the tracking system.

C. SUPERVISORS

1. An officer's first line supervisor is usually the first member of the department to encounter and document specific incidents that affect an officer. It is essential for the supervisor to speak with the officer, document these incidents and report findings to their commander.
 - a. The success of this program relies heavily on the first line supervisor's participation and involvement.
2. If a supervisor has initiated remedial/corrective intervention, Internal Affairs Unit shall be formally notified of such efforts. This information shall be documented, and appropriate copies forwarded to the Internal Affairs Unit for review and filing.
 - a. No entry should be made in the officer's personnel file unless the action results in disciplinary/corrective action.
3. If the remedial/corrective intervention was training, documentation shall be filed in accordance with the department's written directive governing training (remedial training).
4. Supervisors shall forward all documentation as required by department written directives established to assist in a comprehensive audit. This data shall minimally include but is not limited to:
 - a. use of force reports;
 - b. vehicle pursuit reports;
 - c. and attendance records.

D. COMMAND-LEVEL PERSONNEL

1. In addition to the regular data audits conducted by Internal Affairs, the department's command-level personnel shall periodically audit an individual officer's history. Using this information, command-level personnel may be able to identify officers who may need remedial/corrective intervention even before such is indicated by the early warning system data audit.
2. When under early warning system monitoring, the officer's commander shall meet with the officer and supervisor to discuss the situation in depth to:
 - a. Identify problems or potential problems;
 - b. Determine short and long-term goals for improvement;
 - c. Come to a consensus commitment on a plan for long-term improved performance;
 - d. Advise of the monitoring process and the repercussions of future sustained transgressions.
3. Generally, personnel should expect to remain under intensive monitoring and supervision for at least three (3) months when an early warning flag is triggered or until the supervisor concludes that the officer's behavior has been remediated (whichever is longer).
4. Officer Meeting
 - a. All officer meetings shall be thoroughly documented, which will be forwarded to the Chief of Police or designee. The affected officer and supervisor shall meet on a regular basis, minimally monthly, to discuss progress towards the agreed upon goals and objectives.
 - b. All regular monthly progress/status reports shall be submitted to the Chief of Police or designee.
 - c. An additional six (6) months of documented monitoring is required following removal from the early warning system. Monthly monitoring reports from the direct supervisor are required.
5. Any statement made by the officer in connection with the early warning system review process may not be used against them in any disciplinary or other proceeding.

E. REMEDIAL / CORRECTIVE INTERVENTION

1. Supervisory or command personnel may initiate remedial/corrective intervention to correct behavior. Remedial/corrective intervention may include, but is not limited to:
 - a. Training;
 - b. Retraining;
 - c. Counseling;
 - d. Intensive supervision;
 - e. Fitness for duty examination;
 - f. Professional counseling, when warranted, if available;
 - g. Peer counseling.
2. Internal disciplinary action, remedial/corrective intervention, and fitness for duty examinations are not mutually exclusive and should be jointly pursued if and when appropriate.
3. When remedial/corrective intervention has been undertaken, the Chief of Police shall ensure that such actions are documented in writing. No entry should be made in the officer's personnel file unless the action results in a sustained investigation. If the remedial/corrective intervention is a training program, attendance and successful completion of that program should be noted in the officer's training record.
4. All reports shall be forwarded to the Chief of Police or designee 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.

F. NOTIFICATION TO SUBSEQUENT LAW ENFORCEMENT EMPLOYER

1. If any officer who is or has been subject to an Early Warning System review process applies to or accepts employment at a different law enforcement agency than the one where he or she underwent the Early Warning System review process, it is the responsibility of the prior or current employing law enforcement agency to notify the subsequent employing law enforcement agency of the officer's Early Warning System review process history and outcomes. Upon request, the prior or current employing agency shall share the officer's Early Warning System review process files with the subsequent employing agency.

G. NOTIFICATION TO THE MONMOUTH COUNTY PROSECUTOR

1. Upon initiation of the Early Warning System review process, the Chief of Police or a designee shall make a confidential written notification to the County Prosecutor. The notice shall identify the subject officer, the nature of the triggering performance indicators, and the planned remedial program. Upon completion of the Early Warning System review process, the Chief of Police shall make a confidential written notification to the Monmouth County Prosecutor or his/her designee of the outcome of the Early Warning System review, including any remedial measures taken on behalf of the subject officer.
2. On January 5th of the calendar year, the Chief of Police or a designee shall report, in writing, to the Monmouth County Prosecutor Internal Affairs Unit, the total number of Early Warning reviews that were undertaken for the previous year.

H. PUBLIC ACCESSIBILITY AND CONFIDENTIALITY

1. The Early Warning System policy shall be made available to the public upon request and shall be posted on the agency website. However, all written reports created or submitted that identify specific officers are confidential and are not subject to public disclosure.

All members of the Department will take cognizance of the foregoing and be guided accordingly. Each superior officer shall be responsible for directing the effective implementation of the written directives of the Aberdeen Township Police Department.

By the Authority of:

Matthew Lloyd
Chief of Police

1. This Order shall become effective immediately.
2. All Directives, Orders, Regulations, Policies and Procedures previously issued that conflict with this Order are hereby rescinded.
3. Violations of this Order shall subject members to disciplinary action.
4. Supervisory personnel shall be held accountable for review, discussion, application, and enforcement of this Order.
5. Members shall acknowledge receipt and understanding of this Order by digitally signing for it in the Department's computerized document management and distribution system.
6. This Order shall be reviewed annually and will be updated, revised or rescinded as necessary.