



HILLSBOROUGH TOWNSHIP POLICE DEPARTMENT

Subject: Early Warning System	General Order No.
To: All Supervisors	Standard Operating Procedure No. 2013-57
Dated: March 1, 2013	Special Order No.
Effective Date: March 15, 2013	Training Notice No.
Revision Date: June 11, 2018	Personnel Order No.
References:	Information Statement No.

TO: All Supervisors
 FROM: Chief Darren Powell
 SUBJECT: Early Warning System (EWS)

I. INTRODUCTION

A. Purpose

The Early Warning System (“EW System”) is an important management tool designed to detect patterns and trends in police conduct before that conduct escalates. An effective EW System can assist a law enforcement agency in identifying and remediating problematic officer conduct that poses a potential risk to the public, to the agency, and to the officer. EW Systems, therefore, serve to not only increase public safety and public confidence in law enforcement, but also to assist officers through early intervention.

B. Policy

It shall be the policy of this Department to utilize the EW System for identifying,

Tracking, reviewing, and taking remedial/corrective action as it relates to officer conduct and performance indicators, consistent with the New Jersey Attorney General's Office Law Enforcement Directive No. 2018-3.

III. COMPONENTS

A. Performance Indicators

1. Categories of officer conduct which indicate potentially escalating risk of harm to the public, the agency, and or the officer.
2. Refer to (Addendum A) for performance indicators

B. Tracking Systems

1. A system to enable the Department to identify officers who display the requisite number of performance indicators necessary to trigger the EW System review process.
2. Refer to (Addendum B) for EW System tracking form.
3. The Captain shall serve as the system coordinator and is responsible for entering performance indicators into the tracking system, and periodic review of same.

C. Early Warning Process Review and Remedial/Corrective Action

Refer to the New Jersey Attorney General Law Enforcement Directive No. 2018-3 Section II.F (Addendum C)

IV. PROCEDURE

- A. All supervisors are responsible for knowing the performance indicators of the EW System. Applicable incidents for which any supervisor becomes aware of shall be documented via Inter-Office Memorandum and forwarded to the Captain through the Chain of Command, with any supporting documents, as soon as practical after an incident is identified. If the performance indicator is also part of an Internal Affairs Investigation, the normal routing of the Internal Affairs Complaint form will suffice for notification to the Captain.
- B. The Captain shall enter the performance indicator into the tracking system form (Addendum B).

1. 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
 2. The subject officer shall be advised of any performance indicator that is entered into the tracking system.
 3. Once any officer has displayed three performance indicators (as identified in (Addendum A) during any 12-month period, the EW System review process will be triggered.
 4. The Chief of Police shall be notified as soon as practical.
- C. The EW System review process and remedial/corrective action plan shall be implemented as outlined in Section II.F. of A.G. Directive No. 2018-3.
- D. Notification to Subsequent Law Enforcement Employers shall be made as outlined in Section II.G. of A.G. Directive No. 2018-3.
- E. Notification to the Somerset County Prosecutor's Office of initiation of the EW System review process shall be made by the Chief of Police as outlined in Section II.H. of A.G. Directive No. 2018-3. Notification shall be made in writing to the Somerset County Prosecutor's Office Internal Affairs Unit Commander.
- F. Written notification from the Chief of Police shall be made to the Somerset County Prosecutor's Office Internal Affairs Unit Commander by January 15th of each year, indicating that the Department did or did not follow all the provisions of A.G. Directive No. 2018-3.

V. ACCESSIBILITY AND CONFIDENTIALITY

- A. All EW System policies adopted by law enforcement agencies shall be made available to the public upon request and shall be posted on the agency's website.
- B. All written reports created or submitted pursuant to A.G. Directive No. 2018-3 that identify specific officers are confidential and not subject to public disclosure.
- C. Documentation concerning an Early Warning review process initiated on any officer shall be maintained in the subject officer's personnel file and shall be made available to subsequent law enforcement employing agencies upon request as indicated in Section II.G. of AG Directive No. 2018-3.

Any previously issued directive that conflicts with this policy shall be considered null and void.

Early Warning System Performance Indicators

1. Internal Affairs complaints against the officer, whether initiated by another officer or by a member of the public;
2. Civil actions filed against the officer;
3. Criminal investigations of or criminal complaints against the officer;
4. 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;
5. Domestic violence investigations in which the officer is an alleged subject;
6. An arrest of the officer, including on a driving under the influence charge;
7. Sexual harassment claims against the officer;
8. Vehicular collisions involving the officer that are formally determined to have been the fault of the officer;
9. A positive drug test by the officer;
10. Cases or arrests by the officer that are rejected or dismissed by a court;
11. Cases in which evidence obtained by an officer is suppressed by a court;
12. Insubordination by the officer;
13. Neglect of duty by the officer;
14. Unexcused absences by the officer; and
15. Any other indicators, as determined by the agency's chief executive.
16. Any incident, action taken or problematic conduct by the Officer which is determined to pose a potential risk to the public, any employee of this agency or any other agency, or to the Officer.