



LONGPORT POLICE DEPARTMENT

2305 Atlantic Avenue • Longport, New Jersey 08403-1196

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Frank Culmone
Chief of Police

S.O.P.				Effective Date: 05.08.2018	
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Issuing Authority: Chief Frank Culmone				Evaluation Date: 05.08.2019	
Accreditation:					
Accreditation Standards:					
Issue Date 09.24.2015	Revision Date 05.08.2018	Page Numbers 1-12	Sections Complete Revision	Approved FC	

SUBJECT: Early Warning System
3.17 (12 pages)

I. PURPOSE:

The purpose of this policy is to establish an Early Warning System (EWS) with consistent practices for documenting and managing employee performance and early intervention through Guardian Tracking software. This policy is intended to standardize documentation for both positive and negative performance indicators and to identify employees who have developed a pattern of behavior which indicates intervention efforts may be necessary.

The Early Warning System (EWS) is designed to detect patterns and trends before the conduct escalates into more serious problems. As such, employees must understand that the early warning system is not identical to the disciplinary process. 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 the primary intent of the system. The primary intent of an



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early warning system is to address potential problems through the use of appropriate management and supervisory strategies before formal discipline is warranted.

II. POLICY:

It is the policy of the Longport Police Department to implement and utilize an early warning system, as described in the Attorney General's Internal Affairs Policy, Atlantic County Prosecutor's Office Directive AX-01259-18, and Risk Management Procedures (revised July 2014), for tracking and reviewing the indicators of increased risk and provide timely, non-punitive intervention consistent with best practices.

III. PROCEDURE:

A. Applicability:

This policy shall apply to Longport Police Department sworn officers who are responsible for enforcing the criminal laws in New Jersey, come under the jurisdiction of the Police Training Act, and are authorized to carry a firearm under N.J.S.A. 2C:39-6

B. Selection of Performance Indicators

1. The Early Warning System (EWS) shall be used to monitor many different categories of officer conduct which indicate potentially escalating risk of harm to the public, the agency, and/or the officer.
2. The following performance indicators shall be included in all EWS, but also can be supplemented based upon the unique characteristics of the department and the community. The chief shall determine any such supplemental performance indicators. To the extent possible, supplemental performance indicators should be objectively measurable and reasonably related to potentially escalating harmful behavior by the officer.



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- 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;
- 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 the officer;
- h. Vehicular collisions involving the officer that are 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 is suppressed by a court;
- l. Insubordination by the officer;
- m. Neglect of duty by the officer;
- n. Unexcused absences by the officer; and



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- o. Other indicators, as determined by the Chief of Police.

C. Initiation of Early Warning Process

1. At a minimum, three separate instances of performance indicators (as listed in Section C, above) within any twelve-month period will trigger the EW System review process.
2. 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.
3. The EWS will be triggered for each performance indicator as listed below:
 - a. Internal affairs – 3/365 days
 - b. Civil actions – 1/365
 - c. Criminal investigations – 1/365
 - d. Use of force – 3/365
 - e. Domestic violence – 1/365
 - f. Arrest of officer – 1/365
 - g. Sexual harassment – 1/365
 - h. Vehicular collisions (MVC) – 2/365
 - i. Positive drug test – 1
 - j. Cases or arrest dismissal/rejection – 3/365
 - k. Insubordination – 2 /180
 - l. Neglect of duty – 1/365
 - m. Unexcused absence – 3/365

D. Administration and Tracking

1. The EWS shall be administered by the internal affairs unit. Supervisory officers in the subject officer's chain of command also should be directly involved in any EWS review process.



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2. The Tracking of performance deficiencies shall be conducted through the Guardian Tracking System, which has been set up to comply with this policy to flag emerging behavioral patterns.
3. At least every six months, IA shall audit the EWS and records to assess the accuracy and efficiency of the system.

E. Remedial/Corrective Action

1. Once an officer has displayed the requisite number of performance indicators necessary to trigger the EWS review process (as set forth in Section III.C, above) assigned supervisory personnel shall initiate remedial action to address the officer's behavior
2. When an EWS review process is initiated, personnel assigned to oversee the EWS should:
 - a. Formally notify the subject officer, in writing;
 - b. Conference with the subject officer and appropriate supervisory personnel;
 - c. Develop and administer a remedial program including the appropriate remedial/corrective actions listed below;
 - d. Continue to monitor the subject officer for at least three months, or until the supervisor concludes that the officer's behavior has been remediated (whichever is longer);
 - e. Document and report findings to the appropriate supervisory personnel and, if warranted, the internal affairs unit. Any statement made by the subject officer in connection with the EWS review process may not be used against the subject officer in any disciplinary or other proceeding.



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3. Remedial/corrective action may include but is not limited to the following:
 - a. Training or re-training;
 - b. Counseling;
 - c. Intensive supervision;
 - d. Fitness-for Duty Evaluation (FFDE);
 - e. Employee Assistance Program (EAP) referral;
 - f. Any other appropriate remedial or corrective action

F. Notification to Subsequent Law Enforcement Employer

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

G. Notification to the County Prosecutor

Upon initiation of the EWS review process, the agency's chief executive or a designee shall make a confidential written notification to the 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. Upon completion of the EWS review process, the chief shall make a confidential written notification to the County Prosecutor or his/her designee of the outcome of the EWS review, including any remedial measures taken on behalf of the subject officer.

H. Annual Report to the Attorney General

By January 31st of each year, the County Prosecutor shall submit a report to the Attorney General, through the Division of Criminal



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Justice's Prosecutors' Supervision and Training Bureau. This summary shall include a statement indicating those agencies under the County Prosecutor's supervision that are in compliance with Directive 2018-3 and those that are not.

I. Public Accessibility and Confidentiality

1. All EWS policies shall be made available to the public upon request and shall be posted on the Longport Police Department's website.
2. Annual reports from the County Prosecutors to the Attorney General also shall be made available to the public upon request and shall be posted on the Atlantic County Prosecutor's Office website.
3. All written reports created or submitted pursuant to this Directive that identify specific officers are confidential and not subject to public disclosure.

This by Order of:

**Chief
Frank
Culmone**

Digitally signed by Chief
Frank Culmone
DN: cn=Chief Frank
Culmone, o=Longport
Police Department, ou,
email=culmone_frank@lo
ngportpd.org, c=US
Date: 2018.05.07 14:46:13
-04'00'

Frank Culmone

Chief of Police

Attachments:

ACPO Directive PD-01267-18 (EWS)
ACPO Early Warning Systems Review Reporting Form