

**CHERRY HILL CAMPUS POLICE DEPARTMENT**



**GENERAL ORDER No. 19-03**

**SUBJECT: EARLY WARNING SYSTEM**

**NEW**

**REVISED**

**EFFECTIVE DATE: 03-01-19**

**REVIEW DATE: 03-01-21 INDEX CODE:**

**C.08**

**REVISION DATE:**

**ISSUING AUTHORITY – DIRECTOR OF SECURITY**

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**SOURCE DOCUMENT / AUTHORITY**  
*Attorney General Law Enforcement Directive #2018-3*

**ACCREDITATION STANDARD(S) INVOLVED**  
NOT APPLICABLE

**REVISION HISTORY**

<b><u>DATE</u></b>	<b><u>REASON</u></b>	<b><u>AUTHOR(S)</u></b>
03/01/19	Implementation of New Order	Dir. Anthony Saporito
03/01/20	No Changes	Dir. Anthony Saporito
03/01/21	No Changes	Dir. Anthony Saporito

## **NEW GENERAL ORDER**

THE PURPOSE OF THIS POLICY IS TO PROVIDE PROCEDURAL GUIDANCE TO ALL DEPARTMENTAL PERSONNEL. IT IS DESIGNED TO BE COMPREHENSIVE AND CONSISTENT WITH RELEVANT LEGAL STANDARDS AND CONTEMPORARY POLICE PRACTICES. IT IS NOT INTENDED TO RESTRICT AUTHORITY AS PROVIDED BY LAW, STATUTE OR REGULATION. NOTHING IN THIS POLICY AND ITS' ATTACHMENTS OR ASSOCIATED DOCUMENTS IS INTENDED TO CREATE OR DOES CREATE AN ENFORCEABLE LEGAL RIGHT OR PRIVATE RIGHT OF ACTION.

### **I. PURPOSE**

- A. The purpose of this general order is to establish procedures and guidelines for an Early Warning System as mandated by the NJ Attorney General under Directive No. 2018-3. An 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.

### **II. POLICY**

- A. It is the policy of the Cherry Hill Campus Police Department to utilize an Early Warning System as directed by the New Jersey Attorney General under Directive No. 2018-3.

### **III. PROCEDURE**

- A. Performance Indicators

An EW System may monitor many different categories of officer conduct which indicate potentially escalating risk of harm to the public, the agency, and/or the officer. The following performance indicators shall be included in all EW systems, but also can be supplemented based upon the unique characteristics of the department and the community it serves. The Director of Security 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.

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 Director of Security.

If an EW System notification to the officer could jeopardize an ongoing criminal investigation, the County Prosecutor may, at this or her discretion, permit delayed notification to the officer or delayed initiation of the EW System review process.

B. Early Warning Process

The Cherry Hill Campus Police Department's EW System policy shall provide that three separate instances of performance indicators (as listed in Section III, A) within any twelve-month period will trigger the EW System review process. 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. The Director of Security may at his or her discretion determine that a lower number of performance indicators within a twelve-month period (i.e., one or two performance indicators) will trigger the EW System review process.

C. Administration and Tracking

The Internal Affairs Officer will conduct the Early Warning System function. The Cherry Hill Campus Police Department will utilize its central filing database as a

tracking system in order to identify officers who display the requisite number of performance indicators necessary to trigger the EW System review process. At least every six months the EW System and records will be audited to assess the accuracy and efficacy of the tracking system.

D. Remedial/Corrective Action

Once an officer has displayed the requisite number of performance indicators necessary to trigger the EW System review process (as set forth in Section A) the Director of Security shall initiate remedial action to address the officer's behavior.

When an EW System review process is initiated, personnel assigned to oversee the EW System should (1) formally notify the subject officer, in writing; (2) conference with the subject officer and appropriate supervisory personnel; (3) develop and administer a remedial program including the appropriate remedial/corrective actions listed below; (4) continue to monitor the subject officer for at least three months, or until the Director of Security concludes that the officer's behavior has been remediated (whichever is longer); (5) document and report findings to the Director of Security and, if warranted, to the Internal Affairs Officer. Any statement made by the subject officer in connection with the EW System review process may not be used against the subject officer in any disciplinary or other proceeding.

Remedial/corrective action may include but is not limited to the following:

1. Training or re-training;
2. Counseling;
3. Intensive supervision;
4. Fitness-for-duty examination;
5. Employee Assistance Program (EAP) referral; and
6. Any other appropriate remedial or corrective action.

E. Notification to Subsequent Law Enforcement Employer

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

F. Notification to Camden County Prosecutor

Upon initiation of the EW System review process, the Director of Security or his/her 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 EW System review process, the Director of Security shall make a confidential written notification to the County Prosecutor or his/her designee of the outcome of the EW System review, including any remedial measures taken on behalf of the subject officer.

G. Public Access and Confidentiality

This general order shall be made available to the public upon request and shall be posted on the Cherry Hill Board of Education's website.

All written reports created or submitted pursuant to this Directive that identify specific officers are confidential and not subject to public disclosure.

ALL GENERAL ORDERS OR PARTS OF GENERAL ORDERS INCONSISTENT WITH THIS NEW GENERAL ORDER ARE HEREBY REPEALED TO THE EXTENT OF SUCH INCONSISTENCY ONLY.