



CAMDEN COUNTY PROSECUTOR'S OFFICE

STANDARD OPERATING

PROCEDURE

NUMBER SOP 32	EFFECTIVE DATE IMMEDIATELY
SUBJECT EARLY WARNING SYSTEM	
RESCINDS	
REFERENCE Attorney General Law Enforcement Directive No. 2018-3	

All Members of the Staff

: **POLICY OF THE CAMDEN COUNTY PROSECUTOR'S OFFICE**

It is policy of the Camden County Prosecutor's Office to implement and utilize CSI Technology Group ("Infoshare") as an early intervention system for tracking and reviewing incidents of risk and provide timely, non-punitive intervention consistent with best practices and New Jersey Attorney General Guidelines.

: **PROCEDURE:**

The Early Warning System is designed to detect patterns and trends before the conduct escalates into more serious problems. As such, employees of the Camden County Prosecutor's Office 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 primary intent of the 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.

Many different measures of employee performance (actions or behaviors) can be regularly examined for patterns or practices that may indicate potential problems. Pursuant to the Attorney

General Law Enforcement Directive No. 2018-3, the following performance indicators shall be included in the Camden County Prosecutor's Office Early Warning System:

- Internal Affairs complaints against the staff member, whether initiated by another staff member or a member of the public;
- Civil actions filed against the staff member;
- Criminal investigations of or criminal complaints against the staff member;¹
- Any Use of Force by the staff member that is formally determined or adjudicated to have been excessive, unjustified, or unreasonable;
- Domestic violence investigations in which the staff member is an alleged subject;
- An arrest of the staff member, including a driving under the influence charge;
- Sexual harassment claims against the staff member;
- Vehicular collisions involving the staff member that are formally determined to have been the fault of the staff member;
- A positive drug test by the staff member;
- Cases or arrests by the staff member that are rejected or dismissed by a court;
- Cases in which evidence obtained by the staff member is suppressed by a court;
- Insubordination by the staff member;
- Neglect of duty by the staff member;
- Unexcused absences by the staff member; and
- Any other indicators, as determined by the agency's chief executive.

ADMINISTRATION AND TRACKING

Personnel from the Special Prosecutions Unit will be assigned to conduct the Early Warning System function. Supervisory staff members in the subject staff member's chain of command will also be directly involved in the Early Warning System review process.

Personnel from the Special Prosecutions Unit shall identify staff members who display the requisite number of performance indicators necessary to trigger the Early Warning System review process.

The requisite number of performance indicators will be set at three (3). Therefore, if an employee is identified as receiving three (3) performance indicators, the Early Warning System review process will be commenced.

Every six (6) months an audit shall be conducted of the tracking system and records to assess the accuracy and efficacy of the tracking system.

¹ If the Early Warning System notification to the staff member could jeopardize an ongoing criminal investigation, the County Prosecutor may in his or her discretion permit delayed notification to the staff member or delayed initiation of the Early Warning System review process.

REMEDIAL OR CORRECTIVE ACTION

Once a staff member has displayed the requisite number of performance indicators, the Early Warning System will be triggered and the assigned supervisory personnel shall initiate remedial action to address the staff member's behavior.

When the Early Warning System review process is initiated, personnel assigned to oversee the Early Warning System should:

- 1.) Formally notify the subject staff member, in writing;
- 2.) Conference with the subject staff member 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 staff member for at least three (3) months, or until the supervisor concludes that the staff member's behavior has been remediated (whichever is longer);
- 5.) Document and report findings to the appropriate supervisory personnel and, if warranted, the internal affairs unit.

It must be noted that any statement made by the subject staff member in connection with the Early Warning System review process may not be used against the subject staff member 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;
- 6.) Any other appropriate remedial or corrective action.

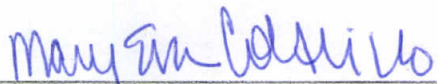
NOTIFICATIONS

If any staff member 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 staff member's Early Warning System review process history and outcomes. Upon request, the prior or current employing agency shall share the staff member's Early Warning System review process files with the subsequent employing agency.

PUBLIC ACCESSIBILITY AND CONFIDENTIALITY

This Early Warning System policy adopted by the Camden County Prosecutor's Office shall be made available to the public upon request and shall be posted on the Prosecutor's Office website.

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



AUTHORITY



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ATTORNEY GENERAL LAW ENFORCEMENT DIRECTIVE NO. 2018-3

TO: All Law Enforcement Chief Executives
FROM: Gurbir S. Grewal, Attorney General
DATE: March 20, 2018
SUBJECT: **Statewide Mandatory Early Warning Systems**

I. Background

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. Indeed, many law enforcement agencies throughout the State have recognized the utility of such systems and some County Prosecutors already require agencies within their jurisdictions to use them. For all of these reasons, this Directive now mandates that all law enforcement agencies in New Jersey adopt and implement EW Systems consistent with the requirements set forth below.

Accordingly, pursuant to the authority granted to me under the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to -117, which provides for the general supervision of criminal justice by the Attorney General as chief law enforcement officer of the State to secure the benefits of a uniform and efficient enforcement of the criminal law and the administration of criminal justice throughout the State, I, Gurbir S. Grewal, hereby DIRECT all law enforcement and prosecuting agencies operating under the authority of the laws of the State of New Jersey to implement and comply with the following policies, procedures, standards, and practices.

