

# Stratford Police Department Executive Order

DIRECTIVE NUMBER: EO 18-02		Volume: <b>Police Administration</b>		CHAPTER: <b>Ninety Seven (97)</b>	
SUBJECT: <b>Personnel Early Warning System (PEWS)</b>					
REFERENCE: <b>Attorney General Directive 2018-3. Prosecutors Memo</b>			SPECIAL INSTRUCTIONS:  Revision Date: _____		
APPLICABILITY: DISTRIBUTION: <b>All Police Personnel</b>			NUMBER OF PAGES: <b>6 pages including cover and addendum</b>		
<b>Chief R. Morello #3200</b>			REVISIONS <b>3/10/20</b>		
DATE	PAGE	SECTION	DATE	PAGE	SECTION
<b>3/10/20</b>	<b>2</b>	<b>180 purging period</b>			

*[Handwritten Signature]*  
 #3200  
 3/10/2020

Foreword: This policy is intended for internal departmental use only; it has no application to any criminal or civil proceeding. It is an internal operations document, the policy should not in any way be construed as creating substantive legal rights, setting higher legal standards of safety or care, or setting standards of police legal liability for the benefit of litigants who pursue police officers in courts. The Policy has not been promulgated to be a litigational measuring stick for police conduct. By itself, an officer's violation of any provision contained herein serves only as the basis for departmental; administrative sanctions

## 1. POLICY

A comprehensive *Personnel Early Warning System* (PEWS) is an essential component of a well-managed law enforcement agency. The early identification of potential problems and a menu of remedial actions not only increase the agency's level of accountability, but also offer employees a better opportunity to comply with the Stratford Police Department's values and mission. This policy is intended to assist supervisors and administrators in identifying employees whose performance warrant review and, where appropriate, provide intervention in circumstances that may have negative consequences for the employee, fellow employees, the department and or the general public. This intervention is intended to assist employees who exhibit signs of performance and/or stress related problems, preventing allegations of misconduct or disciplinary action. In addition, this policy has been formulated based on best practices which have been formalized pursuant to Attorney General Directive #2018-3 issued on March 20, 2018.

## 2. PURPOSE

The Personnel Early Warning System (PEWS) is designed to monitor many different categories of officer conduct which indicate potentially escalating risk of harm to the public, the department and the officer. The Personnel Early Warning System shall be incorporated into the daily duties of each supervisor, however formal PEWS records shall be maintained by the Internal Affairs commander.

## 3. PROCEDURES:

### A. Supervisor Responsibilities:

1. The immediate supervisor of an officer who is involved in the following incidents shall insure that relevant reports/documents are forwarded to the Internal Affairs Supervisor in accordance with the Stratford Police Department existing policies on police reports and internal affairs. The below incidents are qualifying Performance Indicators (PI):
  1. Allegations of misconduct - both internal and external complaints
  2. Civil actions filed against an officer
  3. Criminal Investigations of or criminal complaints against the officer
  4. Any use of force by an officer that is formally determined or adjudicated (by internal affairs or a grand jury) to be excessive, unjustified, or unreasonable

5. Domestic Violence or domestic type disputes where the officer is Involved. (non-victim)
6. An arrest of an officer including for DWI or a serious traffic offense
7. Sexual harassment claim against an officer
8. Vehicular accidents involving the officer that have been formally determined to be of the fault of the officer
9. A positive drug test by an officer
10. Cases or arrests that are made by an officer that are rejected or dismissed by the court (false arrests, no probable cause)
11. Cases where evidence obtained by an officer are suppressed by the court
12. Insubordination by the officer
13. Complaint of aggression or loss of self-control
14. Neglect of duty
15. Unexcused absences by the officer

B. Office of Internal Affairs Responsibilities:

1. Internal Affairs shall be responsible for overseeing the Personnel Early Warning System. Internal Affairs shall maintain Personnel Early Warning System incident data. If a single instance is triggered, but the instance qualifies for more than one trigger, the instance shall only qualify as one trigger and shall not be compounded. *For example: Use of Force incident, that results in an internal affairs complaint, and a criminal complaint and a civil action against the officer.* This type of scenario should only be scored as a single *Performance Indicator*.
2. Incidents depicted above as *Performance Indicators* (1-15) shall be color coded on index cards, which shall be filed by the officer's name. The qualifying index cards shall be color coded as follows:
  - a. White for the first instance
  - b. Yellow for the second instance
  - c. Red for the third qualifying indicator, within any 12-month period

Index cards shall be purged from the filing system in reverse order for which they were filed. Any qualifying card will be purged from the index card in reverse order, every 180 days.

### C. Administration and Tracking

Internal Affairs shall track the Performance Indicator card file on a quarterly basis and shall ensure the card filing system is purged when appropriate.

### D. Remedial / Corrective Action / Reporting

1. Once an officer has triggered the third qualifying *Performance Indicator* within any 12-month period, the following actions shall be taken without delay:

1. Chief of Police shall be notified
2. Chief shall forward a confidential memorandum to the Camden County Prosecutors Office
3. Internal Affairs shall meet with the officer and his direct supervisor
4. Thereafter, a remedial corrective action plan will be formulated and administered (possible courses of action are listed in section below)
5. Monitor performance and remedial program for at least 90 days
6. Internal Affairs will inform the Chief of Police in writing of the remedial plan / effectiveness
7. The Chief of Police shall notify the Camden County Prosecutor Office in writing when the subject officer has successfully completed the remedial corrective action program

#### 2. Possible Corrective Action Plans

- a. Training
- b. Retraining
- c. Counseling
- d. Intensive Supervision
- e. Fitness for duty examination
- e. Employee Assistance Program Referral (EAP)
- f. Any other or appropriate remedial action as determined by the agency

**EFFECTIVE DATE**

***This policy and set of procedures shall be effective  
May 15, 2018 and shall remain in full force and effect until rescinded,  
modified or otherwise revised by the Chief of Police***

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**Ronald M. Morello  
Chief of Police**

**ADDENDUM A**  
**SAMPLE EARLY WARNING SYSTEM COLOR CARD**

(white, yellow, red)

**OFFICER:** Ptl Parker Smith  
**COMPLAINANT:** Sgt Brett Large  
**DATE:** 6/1/2018  
**SCHEDULED PURGE DATE:** 5/31/2018  
**PERFORMANCE INDICATOR:** Domestic Dispute  
**CASE #:** 2018-10023  
**IA CASE #:** 2018-12  
**ACTUAL PURGE DATE:** 6/2/2021