

East Haven Police Department 	Type of Directive:		No. 207.4
	Policies & Procedures		
	Subject/Title:		Issue Date:
Early Intervention System (EIS)		November 26, 2019	
		Effective Date:	
Issuing Authority:		December 15, 2019	
		Review Date:	
Honorable Board of Police Commissioners		Annually	
		Rescinds:	
References/Attachments:		207.3	
		Amends:	
<small>¹ Kevin M. Gilmartin, PhD, Emotional Survival for Law Enforcement Officers, E-S Press (2002).</small>		N/A	

I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding the Early Intervention System (EIS). The EIS supports the effective supervision and management of personnel including the identification of and response to potentially problematic behaviors as early as possible.
- B. The Department shall regularly use EIS data to promote ethical and professional police practices; to manage risk and liability; and to evaluate the performance of officers and employees across all ranks, units and shifts.

II. POLICY

- A. It is the policy of the Department to intervene as rapidly as feasible to address problematic behavior to manage risk and liability.

III. BACKGROUND STATEMENT

We owe our employees our best effort to ensure that they are prepared to manage the complexities of policing. Research shows that police work exerts particular physiological, emotional and psychological strain on practitioners.¹ The Early Intervention System (EIS) is the Department's program for identifying employees whose conduct indicates emerging problems affecting the quality of their work performance.

IV. GENERAL GUIDELINES AND CONSIDERATIONS

- A. We want our personnel to be able to recognize behavior that may indicate they are having problems managing these strains. We want to provide all the assistance we can to help these individuals address their problems and lead happy, productive lives.
- B. A comprehensive EIS is an essential component of good discipline in a well-managed law enforcement agency. The early identification of potential employees with problems and a menu of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agency's values and mission statement and to live a healthier life.
- C. EIS is a problem-oriented approach to employee performance. The problem orientation enables management to recognize behavior patterns from among discrete incidents over a prescribed period of time. EIS provides a way for the Department to provide non-disciplinary direction and training before the employee becomes a liability to citizens, the Department, and himself/herself. Through the EIS, the Department will tailor assistance strategies (e.g. counseling and training) for the specific issues affecting the employee.
- D. Intervention will include counseling, retraining and psychological evaluation if warranted. It is not intended as the only way for an employee to address his/her problems, but rather as a tool to help supervisors and commanding officers determine if job stress or performance problems exist. The benefits of early intervention include helping employees with problems or lower skill levels, controlling complaints and increasing public confidence, getting supervisors more involved with employee development, identifying training needs and supporting termination of officers who cannot be remediated.
- E. The EIS can be an effective tool for first-line supervisors. The program provides them an expanded role in employee development, as the lines of communications are opened, as they are made part of the intervention strategy.
- F. Intervention is not disciplinary, and shall not be used instead of disciplinary action, which is a separate process from EIS. However, an EIS action does not preclude the investigation of an incident(s) and any discipline that may result.
- G. An employee identified based on patterns of collected data shall be subject to review by the EIS Review Team, as approved by the Chief of Police or his/her designee, when threshold levels for certain Indicator Criteria are met. These are defined in the Table of Indicator Criteria and Threshold Levels (see below).

V. PROCEDURES

- A. Definitions
 - 1. Ad Hoc Participants: Department employees who may be added to an intervention review process whenever pertinent or necessary.
 - 2. EIS Review Team: An unbiased, objective group of Department employees selected by the Chief of Police for purposes of providing a systematic and comprehensive

review of defined Indicator Criteria when such review is necessary and rendering an Intervention Recommendation to the Chief of Police.

3. EIS Officer: Professional Standards Officer/Internal Affairs Officer (IAO) responsible for monitoring EIS data, administering the automated EIS Program, and acting as facilitator of the EIS Review Team.
4. Indicator Criteria: An event or incident that is used as a marker or indicator that may trigger an intervention review.
5. Intervention Strategies: A series of actions or steps designed and recommended by the EIS Review Team to assist the employee in a positive and supportive way.

B. This table defines the criteria that will initiate an EIS Review. The full review will include the criteria listed within this policy.

Criterion	Threshold Initiator of EIS Review
Firearm Discharge or Use	One Use on a Person
Taser Deployment or Use	Two Within a 60 Day Period
Baton Use/OC Use	Two Within a 60 Day Period
Non-compliant handcuffing	Three Within a 30 Day Period
Physical Use of Force	Three Within a 30 Day Period
Pursuits	Two Within a 30 Day Period
Civilian Complaints	Three Within a 90 Day period
Sick Time Use	Eight Occurrences Within a 12 Month Period
Arrests for Interfering with an Officer	Two Within a 60 Day Period
Arrests for Obstructing an Officer	Two Within a 60 Day Period
Arrests for Resisting Arrest	Two Within a 60 Day Period
Arrests for Assaults on an Officer	Two Within a 60 Day Period
Civil Law Suits	Two Within a 12 Month Period
Traffic Accidents	Two Within a 12 Month Period

C. Additional Considerations

1. The IAO shall conduct a 12-month review of the identified employees' conduct in the areas cited within this policy to consider whether or not an anomaly in the listed parameters represents a longer-term pattern that could affect job performance.
2. The IAO shall review and make a written report annually to the Chief of Police on the usefulness of the criteria as listed within this policy for supporting the purpose and policies of the EIS.

3. The decision to order an intervention for an employee or group using EIS data shall include peer group analysis, including consideration of the nature of the employee's assignment, and not solely on the number or percentages of incidents in any category of information recorded in the EIS.

D. Intervention Protocol

1. EIS Preliminary Review

- a. The Early Intervention System and Program has been established to provide an objective, systematic review of defined intervention criteria. It is designed to identify certain behavior indicators that may otherwise be insignificant when examined individually and, in so doing, allows the Department to support and assist the employee in addressing identified behavior patterns.
- b. The IAO shall establish a database that captures all the information on which the EIS is based. The IAO shall input new, relevant information into an officer's or employee's Department Review (DR) file within seventy-two (72) hours of receiving such new information.
 - 1) The EIS data shall include appropriate identifying information for each involved officer (i.e., name, badge number, shift and supervisor) and civilian.
- c. The officer's immediate supervisor and chain of command shall be involved in the analysis of any employee identified as qualifying for the EIS Program. Once an employee is identified for EIS Preliminary Review, the IAO shall notify the appropriate supervisor. The employee and his/her supervisor shall meet to review and discuss the initiating criteria and any other relevant circumstances. At the meeting, the supervisor will:
 - 1) Explain the purpose and process of an EIS Review.
 - 2) Discuss the factors leading to the review.
 - 3) Attempt to identify any causes that may have led to the review.
- d. In order to obtain a more complete view of an employee's situation, the complete EIS review shall include as appropriate, but not be limited to, a review and discussion of the following:
 - 1) Assignments during and immediately prior to the identified period (the period of time during which the criteria that triggered the review occurred).
 - 2) Any performance evaluations during that period, and/or interviews with present and prior supervisors.
 - 3) Comparative data analysis, including peer group, shift and unit analysis, to identify patterns of activity by individual officers and/or groups of officers.
 - 4) Commendations, letters of appreciation, and awards.

- 5) All complaints and findings.
 - 6) Civil lawsuits or tort claims against an employee.
 - 7) All loss or theft of EHPD property or equipment in the custody of the employee, including currency, firearms, force instruments, and identification cards.
 - 8) Any disciplinary or other corrective action taken against the employee.
 - 9) On-duty vehicle collisions and off-duty vehicle collisions if operating a city vehicle.
 - 10) Training history, including whether the employee has completed the required annual in-service training.
 - 11) Use of Force.
 - 12) Absenteeism and other leave usage.
 - 13) Number of arrests for obstructing, resisting arrest/interfering with police, or assault on a police officer.
 - 14) Any other information that may prove helpful in the overall evaluation.
- e. The supervisor shall prepare an EIS Review Report in the DR reporting module that outlines the initial meeting with the employee, outlines the information reviewed, and any supervisory recommendations, which may include the recommendation of no further action.
 - f. The DR shall be completed by the assigned supervisor within thirty days of notification by the IAO and forwarded back to the IAO who will determine if the review is to be forwarded to the EIS Review Team.
 - g. The EIS Review Team shall conduct a review and analysis of the EIS Review Report and make a determination on whether or not there is a need for an intervention.
2. Intervention Process
- a. Employees who are found to need an intervention shall be required to participate in all discussions and activities recommended by the Review Team.
 - b. The Department shall consider an array of intervention options to facilitate an effective response to identified problems. Interventions may take the form of counseling or training, or of other supervised, monitored, and documented action plans and strategies designed to modify activity. All interventions will be

documented in writing and entered into the EIS. Should it be determined that an intervention is needed, intervention strategies may include, but are not limited to:

- 1) Review of related Departmental Policies and Procedures.
 - 2) Coaching (a form of non-disciplinary counseling, by the employee's supervisor or other organizational resource).
 - 3) Career Development Activities, including training (i.e.: individual training, complaint avoidance, verbal de-escalation, defensive tactics, cultural diversity, human behavior, stress management, conflict management) and potential assignment options.
 - 4) Remedial training.
 - 5) Referral to identified counseling or therapy program (i.e.: Employee Assistance Program).
- c. The Chief of Police or his/her designee shall approve all EIS Review Team recommendations for an intervention strategy.
 - d. Participation in departmentally mandated intervention strategies shall be considered on-duty for timekeeping purposes.
 - e. The employee's supervisor shall be responsible for monitoring and notifying the IAO, no less than monthly, of the status of any intervention strategy until it is completed. The supervisor shall provide the IAO and his/her division commander with a written report on how well the officer completed the requirements of the intervention strategy. As part of his general supervisory duties, the supervisor will continue to monitor the officer's performance.
3. Post Intervention Monitoring
 - a. Once the employee has completed the recommended intervention strategy, the IAO shall notify the Chief of Police through the chain of command.
 - b. The IAO will review, biweekly, EIS reports regarding each employee under their direct command and, at least quarterly, broader, pattern-based reports.
 - c. If, within the next six months, an additional complaint of the same nature is received against an employee who has become part of the EIS, a second stage of counseling will take place with the employee's commanding officer and immediate supervisor. This meeting will include identification of problem areas and a revised intervention strategy.

E. Roles and Responsibilities

1. The EIS Review Team shall consist of the IAO, the Training Officer, the Division Commander of the affected employee, the employee's supervisor, a union representative of the affected employee's choosing, and ad hoc participants, as approved by the Chief of Police.

2. The roles and responsibilities of each participant are as follows:
 - a. Commanders and supervisors will promptly review the EIS system records of all employees upon transfer to their supervision or command. The Department will evaluate commanders and supervisors for their appropriate use of the EIS to enhance effective and ethical policing and reduce risk.
 - b. IAO: The Early Intervention Officer shall administer the EIS. The IAO shall serve as an ex officio member of the EIS Review Team and shall monitor the EIS data to identify officers who have reached the established EIS criteria threshold(s). The IAO will complete an annual evaluation of the EIS, which will document and analyze outcomes.
 - c. Officer's Supervisor: In addition to duties and responsibilities mentioned elsewhere in this Policy and Procedure, the officer's Supervisor will participate in all EIS Team discussions and decisions.
 - d. Training Officer: The Training Officer shall identify internal and external training opportunities and resources that could be made available to the officer.
 - e. Bargaining Unit Representative: A bargaining unit representative of the officer's choice shall be present during discussion(s) of the EIS Review Team.
 - f. Division Head: The Division Head shall be responsible for ensuring that all recommendations for intervention are implemented. The interventions shall be implemented within a reasonable time, usually not to exceed 24 days from the time the recommendation was issued.
 - g. Ad Hoc Participants: The Chief of Police may designate individuals to sit on a particular review panel based on the need for outside expertise in any given review.

F. System Integrity

1. The Department shall ensure that the Early Intervention System is free of erroneous information.
2. If an employee disagrees with information contained in his or her EIS report, the information in question shall be brought to the attention of the employee's supervisor. The supervisor may request that information be changed or removed. The request for change must be made in writing by the employee's immediate supervisor and presented to the IAO.
3. The EIS Review Team shall review the information submitted, make further inquiry if necessary. The EIS records shall be changed when they are shown to be incorrect. Moreover, if documentation is received that supports change in the EIS record for one officer and there are other involved officers with the same standing, changes will be made for all officers accordingly.

G. Access to Early Intervention System & Data

1. Upon request, employees shall be given an opportunity to review their EIS Review Report(s) on file.
2. The IAO shall ensure monitored and secure access to the EIS to ensure the integrity, proper use, and appropriate confidentiality of the data.
3. Users of EIS data shall be strictly held accountable for the information's privacy and confidentiality. Inappropriate use shall result in discipline.

H. Retention of Records

1. Records associated with EIS shall be maintained by the Internal Affairs Officer in accordance with applicable laws and agreements.

¹ Kevin M. Gilmartin, PhD, Emotional Survival for Law Enforcement Officers, E-S Press (2002)