
	GAITHERSBURG POLICE DEPARTMENT		
	Personnel Early Warning System		
	GENERAL ORDER	200.5	
Effective Date	06/02/2022	35.1.9	
Authorized by:	Mark P. Sroka CHIEF OF POLICE	SIGNATURE	DATE 06/02/2022

1. PURPOSE

- 1.1. The purpose of the Department’s Personnel Early Warning System is to identify and assist employees showing symptoms of job stress or personal problems. This policy is intended to assist supervisors and command staff in identifying, at the earliest possible stage, any member whose performance warrants review and, where appropriate, intervention. The system is based on the premise that the Department should not be faced with investigating a serious allegation against one of its members, only to find there was a pattern of behavior that could have been discovered and addressed in a timely manner.
- 1.2. The Department shall establish a confidential and non-punitive early intervention system to identify police officers who are at risk of engaging in the use of excessive force and to provide the officers with training, behavioral interventions, reassignments, or other appropriate responses to reduce the risk of the use of excessive force.

2. POLICY

The Department will use the Personnel Early Warning System (PEWS) as a proactive measure for the systematic review of specific incidents that involve Department employees. The Department will use PEWS as a tool to evaluate and assist employees who exhibit signs of performance or stress related problems that would otherwise be difficult to identify. It is the policy of this Department to utilize PEWS as a systematic approach to track, review and monitor employee job performance involving incidents of potential risk.

3. DEFINITIONS

- 3.1. **Employee:** Within the context of this directive, the term “employee” refers to all personnel employed by the Department.
- 3.2. **Early Intervention:** Within the context of this directive, the term “early intervention” refers to action taken or facilitated by the Department in order to break an observed and preventable pattern of behavior that places the employee or the City at risk beyond that which is reasonably necessary in the performance

of official duties.

- 3.3. **Employee Assistance Program (EAP):** Within the context of this directive, the term “Employee Assistance Program” refers to short term, confidential counseling for employees and their family members, at no expense to the employee. The employee and each of his or her eligible dependents may receive up to six free counseling sessions.
- 3.4. **Remedial Training:** Within the context of this directive, the term “remedial training” refers to a non-punitive training measure intended to assist employees in reaching a successful level of performance and/or proficiency in job related knowledge, skills and abilities.
- 3.5. **Supervisor:** Within the context of this directive, the term “supervisor” refers to the subject employee’s direct supervisor. For example, a patrol officer’s supervisor would be the shift sergeant, a shift corporal in the sergeant’s absence, or officer in charge (OIC) in the absence of both; a sergeant’s supervisor would be the respective bureau commander.

4. **PROCEDURE**

4.1. **PEWS Entries**

- 4.1.1. The identification of behavior that may warrant early intervention is accomplished when certain types of incidents occur and are recorded in the PEWS database. Information shall be collected and entered into PEWS for:
 - 4.1.1.1. Response to Resistance/Aggression and Threshold incidents;
 - 4.1.1.2. Internal Affairs investigations;
 - 4.1.1.3. Disciplinary actions;
 - 4.1.1.4. Citizen and internal complaints;
 - 4.1.1.5. Performance deficiencies; resulting in written counseling or remedial action.
 - 4.1.1.6. Traffic collisions involving city vehicles;
 - 4.1.1.7. Traffic photo enforcement violations that are not connected to taking police action; and
 - 4.1.1.8. Abuse of sick leave.

- 4.1.2. When it is believed that behavior merits attention by the Department, or violates any provision or policy in a written directive, employees witnessing the behavior or conduct shall submit a written statement to the subject employee's supervisor. That statement shall provide a clear account of the facts of the incident, pattern of conduct, or behavior for which intervention is believed necessary.
- 4.1.3. Upon receipt of information or documentation of an incident requiring a PEWS entry, the subject employee's direct supervisor will:
 - 4.1.3.1. Forward the information and any documentation to the appropriate bureau commander or next step in the chain of command; and
 - 4.1.3.2. Ensure that a copy is provided to the PEWS administrator for entry, if not being entered directly by the supervisor.
- 4.1.4. Supervisors shall periodically review collected materials, along with any other pertinent information, to determine when a PEWS related notification and possible intervention may be required.
- 4.1.5. Members have the right to review any PEWS entries in which they are named. Members will be notified and provided with a copy of the entry's content upon request.
- 4.1.6. Members may make an appeal, to the Chief of Police, concerning the validity of any PEWS entry in which they are named.
- 4.1.7. All persons will treat these issues and related documents as personnel matters and ensure their confidentiality.

4.2. Review

- 4.2.1. Upon receipt of a PEWS related notification, the Training Coordinator will ensure that a review of collected entries is made for that employee.
- 4.2.2. When an employee is identified as a candidate for early intervention, the employee's supervisor will conduct a confidential and non-punitive review into the details of the incident(s) contained in the PEWS.
- 4.2.3. Upon conclusion of the supervisor's review, a memorandum shall be submitted to the respective bureau commander. This memorandum will include:
 - 4.2.3.1. The presence of apparent similarities between the incidents;
 - 4.2.3.2. The discovery of trends, patterns of behavior or changes in patterns of behavior;

- 4.2.3.3. The presence of other possible indicators of stress, such as tardiness, unusual amount of leave use, family problems, etc.
- 4.2.3.4. Recommendations that may include, but are not limited to:
 - 4.2.3.4.1. **No Action** – At times the circumstances that initiated a review are merely part of a competent employee performing his or her duties in a conscientious manner. If the review does not indicate a problem, or that a pattern of behavior exists, then no further action is necessary.
 - 4.2.3.4.2. **Counseling or Refresher Training** – Counseling may be required and conducted by supervisory personnel regarding specific aspects of job performance. Refresher training may be necessary in interpersonal skills, defensive tactics, cultural diversity, driving, weapons care and maintenance, or specific Department policies and procedures.
 - 4.2.3.4.3. **Referral to the Employee Assistance Program (EAP)** – If the review indicates that activation was initiated by factors possibly related to job stress or other issues beyond the work environment, a referral to EAP may be warranted in accordance with General Order 202.4 (Employee Assistance Program).
 - 4.2.3.4.4. **Disciplinary Action** – Disciplinary action shall not be based solely upon the initiation of a PEWS review. Any recommendation for discipline will be in accordance with the provisions of General Order 208.1 (Disciplinary System).
- 4.2.4. The bureau commander will review the memorandum, ensure that any recommendations are in accordance with law and Department policy, attach written comments as appropriate and forward the memorandum to the Chief of Police.
- 4.2.5. The Chief of Police will determine whether additional review is required and assign to either the Internal Affairs component or back to the bureau commander.
- 4.2.6. If counseling, refresher training or EAP referral is recommended, the original PEWS entry will be updated to note the employee's compliance with mandated action(s).

4.2.7. The City's Human Resources Division may be consulted for assistance in finding appropriate programs or services.

4.2.8. Upon completion of any review, a follow-up entry will be made noting recommendations.

4.2.8.1. An early intervention review will be initiated for any officer who receives three or more civilian complaints within any 12-month period.

4.2.8.2. This early intervention review does not prevent the investigation or discipline for any particular complaint.

4.3. Ongoing Responsibilities

4.3.1. Supervisors shall:

4.3.1.1. Monitor the performance of all members under their supervision, especially those whose past behaviors have been noted;

4.3.1.2. Ensure that instances of complaints or administrative inquiries reviewed by them are forwarded to the appropriate bureau commander;

4.3.1.3. Take immediate and appropriate corrective action when necessary, consistent with General Orders 102.2 (Roles and Responsibilities of Supervisors), 109.1 (Inspections); 200.1 (Rules and Regulations), 208.1 (Disciplinary System), 209.1 (Internal Affairs), and other applicable directives;

4.3.1.4. Notify their respective bureau commander whenever early intervention efforts by the Department are believed necessary;

4.3.1.5. Ensure that employees under their supervision comply with all counseling and training sessions; and

4.3.1.6. Follow-up and monitor an employee's performance during and after early intervention efforts.

4.3.2. Commanders shall:

4.3.2.1. Monitor all employees under their command;

4.3.2.2. Ensure coordination with supervisors under their command;

- 4.3.2.3. Keep other members of the command staff up to date on specific issues related to individual performance;
 - 4.3.2.4. Review the facts and circumstances of employees' conduct or behavior to determine if appropriate intervention may be needed;
 - 4.3.2.5. Take immediate and appropriate corrective action when necessary, consistent with general orders;
- 4.3.3. The Chief of Police shall:
- 4.3.3.1. Designate a PEWS administrator to:
 - 4.3.3.1.1. Maintain a record of events that trigger review of documented materials;
 - 4.3.3.1.2. Ensure that reviews and data purging are conducted in accordance with Department policy;
 - 4.3.3.1.3. Ensure individual data beyond 18 months is available only with the approval of the Chief of Police.
 - 4.3.3.1.4. Ensure that a documented evaluation of the system used, and whether it meets the needs of the Department, is conducted annually.

4.4. Employee Assistance

- 4.4.1. Assistance offered to Department members from within includes, but is not limited to:
 - 4.4.1.1. Personnel trained in peer support;
 - 4.4.1.2. Opportunities for additional and/or refresher training to address proficiency and performance; and
 - 4.4.1.3. Counseling and mentoring by supervisory personnel.
- 4.4.2. Assistance offered to Department members from outside the Department, includes, but is not limited to:
 - 4.4.2.1. Police psychologist;
 - 4.4.2.2. Police chaplains;

- 4.4.2.3. The Employee Assistance Program (EAP) available to all City employees; and
- 4.4.2.4. Any other public or private entities that may be deemed appropriate.