



HOWARD COUNTY SHERIFF'S OFFICE

GENERAL ORDER ADM-38 PERSONNEL EARLY WARNING SYSTEM

EFFECTIVE JANUARY 6, 2012

This General Order contains the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. SYSTEM OVERVIEW
- IV. REQUESTS TO INITIATE SYSTEM
- V. RESPONSIBILITIES
- VI. FOLLOW-UPS
- VII. ANNUAL EVALUATION

I. POLICY

The Howard County Sheriff's Office (HCSO) shall establish and maintain, in coordination with the Howard County Government, a system for tracking and reviewing incidents of potential risk to the public, the Office, and involved employees. The Personnel Early Warning Systems (PEWS) shall be used to identify and assess employee performance and provide intervention where appropriate.

II. DEFINITIONS

- A. Employee: any member of the Howard County Sheriff's Office, civilian or sworn.
- B. Formal Complaint: any complaint in which an Internal Affairs case number has been assigned.
- C. Sustained Complaint: a formal complaint in which the investigation produces sufficient evidence to prove that the accused employee committed all or part of the alleged act(s) of improper conduct.

III. SYSTEM OVERVIEW

- A. The Personnel Early Warning System (PEWS) is initiated when certain types of incidents occur. The System uses an evaluation of collected materials and interviews to determine if an escalating pattern of misconduct is occurring.
- B. If it is determined that an escalating pattern of misconduct is present, a plan is developed to correct such behavior.
- C. Collected materials used in PEWS include, but are not limited to:
 - 1. Performance evaluations
 - 2. Supervisory files
 - 3. Use of Force reports
 - 4. Internal Affairs reports
 - 5. Incident report
 - 6. Conduct and behavior, attendance, lateness, and civil affairs, which affect work

IV. REQUESTS TO INITIATE SYSTEM¹

- A. Supervisors shall be accountable for the performance of employees under their direct command and must take immediate and appropriate corrective action when necessary. This action must be consistent with HCSO policies and procedures, State and local laws, and any collective bargaining agreements in place.²
- B. Section Sergeants, Unit Corporals, and civilian employees with supervisory responsibilities must make a written request to the Chief Deputy, via the Chain of Command, for the Personnel Early Warning System to be initiated in any of the following circumstances:³
 - 1. Any employee has received more than one (1) *Counseling Form* involving non-disciplinary corrective counseling or training for the same or similar occurrences within the past six (6) months.
 - 2. The Supervisor has observed a significant reduction in an employee's work performance.
 - 3. Based on the employee's conduct or performance, it is the opinion of the Supervisor that the employee is unable to adequately or safely perform all the essential job functions required by the employee's position.
- C. Division Lieutenants must make a written request to the Chief Deputy for the Personnel Early Warning System to be initiated in any of the following circumstances:⁴
 - 1. In any of the circumstances detailed above for a Section Sergeant, Unit Corporal, or civilian employee with supervisory responsibility for an employee directly supervised by a Lieutenant.
 - 2. It is the opinion of the Section Sergeant or Division Lieutenant that a deputy's use of force, as documented on any *Use of Force form (HCSO 8100 series)* was inappropriate or was contrary to HCSO policy.
- D. If the Chief Deputy grants the request, he/she shall assign a Division Lieutenant to initiate the PEWS.

V. RESPONSIBILITIES

- A. Division Lieutenant
 - 1. The Division Lieutenant shall conduct interviews of the employee's current and past supervisors and shall review collected materials and records to determine if an escalating pattern of misconduct is occurring.
 - 2. Division Lieutenants shall refrain from interviewing the subject employee during this inquiry until the Sheriff and Chief Deputy have determined a course of action.
 - 3. The Division Lieutenant shall document his/her findings and recommendations for corrective action, if appropriate, on a Form 16 Memorandum to the Chief Deputy within two (2) weeks of the assignment. Recommendations may include the following:

¹ CALEA 35.1.9 a

² CALEA 35.1.9 d

³ CALEA 35.1.9 b & d

⁴ CALEA 35.1.9 b & d

- a. A recommendation for remedial action. For the purposes of this General Order, remedial action includes:⁵
 - 1) Additional supervisory counseling;⁶
 - 2) Requiring an employee to attend a training class, seminar, workshop or course; OR
 - 3) Voluntary participation in counseling conducted by the Employee Assistance Program or the Sheriff's Office Chaplain (see *General Order ADM-19 Chaplain Program & Deputy Assistance*).⁷
 - b. A recommendation that a disciplinary investigation be initiated.
 - c. A recommendation that no action be taken.
4. If it is determined by the Sheriff and Chief Deputy that any course of action, other than a disciplinary investigation, will be utilized, the Division Lieutenant shall meet with and discuss the course of action with the employee.
 5. The Division Lieutenant has follow-up responsibility as outlined in Section VI of this General Order.

B. Sheriff & Chief Deputy

1. The Chief Deputy, in consultation with the Sheriff, shall review the Division Lieutenant's findings and recommendations.
2. The Sheriff may implement these recommendations or elect another course of action.
3. The Chief Deputy shall notify the Division Lieutenant of the final decision.

VI. FOLLOW-UPS

- A. Within sixty (60) days of implementation of the corrective action, the Division Lieutenant shall re-interview the employee's immediate supervisor and re-examine collected materials and records to determine if there has been improvement in the employee's conduct.
- B. The Division Lieutenant shall document his/her findings and any additional recommendations made in memorandum form to the Chief Deputy.
- C. PEWS shall be noted on the annual personnel evaluation.

VII. ANNUAL EVALUATION⁸

- A. The Chief Deputy shall conduct an annual evaluation of the Personnel Early Warning System.
- B. The findings of the annual evaluation shall be submitted to the Sheriff via a written report.

⁵ CALEA 35.1.9 e

⁶ CALEA 35.1.9 f

⁷ CALEA 35.1.9 f

⁸ CALEA 35.1.9 c

- C. The purpose of the annual evaluation is to:
1. Determine the effectiveness of the system;
 2. Determine the need for modifications or enhancements to the system;
 3. Ensure the system meets the needs of the Office; AND
 4. Identify any additional resources or programs that may be beneficial to employees.

Authority:

James F. Fitzgerald
Sheriff