The Pursuit of Excellence
by the Charlotte-Mecklenburg Police

Early Intervention System
*a tool to encourage & support
high quality performance*

**A Guidebook for the Public and Our Employees
On What We Do and Why We Do It**

MISSION OF THE
CHARLOTTE-MECKLENBURG POLICE DEPARTMENT

The Charlotte-Mecklenburg Police Department will build problem-solving partnerships with our citizens to prevent the next crime and enhance the quality of life throughout our community, always treating people with fairness and respect.

We value:
● Our Employees   ● People   ● Partnerships
● Open Communications   ● Problem Solving   ● Integrity
● Courtesy   ● The Constitution of North Carolina
● The Constitution of the United States

Chief of Police Darrel W. Stephens

It is my pleasure to present this handbook on the Early Intervention System in the Charlotte-Mecklenburg Police Department. This new and automated system holds great promise to help our supervisors introduce an ounce of prevention when employees seem at risk of troublesome patterns of conduct so that a pound of cure—discipline—does not become necessary. The system is intended to alert supervisors and guide them in doing what good supervisors have always done: notice and then address the possibility that a person they supervise may need some assistance in complying with our high standards of performance.

Preventing problems rather than waiting for them to erupt is a central strategy of our agency. We do this in addressing the community's crime problems, and we are no less dedicated to this approach in maintaining the high level of performance from our employees that the public and members of this Department expect. We care about the well-being of the men and women who work for our organization and, frankly, they represent a substantial taxpayer investment in training. So if they are beginning to struggle in handling their work responsibilities in some way, it's important for us to intervene early and help them return to a good pattern of performance.

As with any new system, some of our employees have questions about how the EIS works, how it differs from past practices, and how they may be affected by an early intervention. This handbook, in Q&A format, addresses questions that have been asked and tries to anticipate and respond to others that may arise. Other police departments may find these discussions helpful as well.

This publication was prepared with feedback from CMPD employees, including a 45-member working group, representing all parts of our organization, which developed our EIS by carefully reviewing other departments' systems and tailoring their best aspects to suit our mission, values and needs. I am grateful for the diligence and effectiveness of this working group and to consultant Bill Geller, who posed questions about our draft EIS policy that helped us improve it and drafted this handbook based on input from our employees. I am grateful as well to the U.S. Justice Department's Office of Community Oriented Policing Services for funding development of this handbook.

I am proud of the service our employees deliver to our community and the many productive partnerships we enjoy with our citizens. I hope that you find the information in this handbook helpful and reassuring of our commitment to high standards of service and integrity.

Sincerely,

Darrel W. Stephens
Chief of Police

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INTRODUCTION

This handbook is intended mostly as an explanation for our employees of a new system which affects them. Since some members of the public may be interested in understanding how our Early Intervention System works, and why we developed it, we have endeavored to write in a way that minimizes police jargon and will be understandable by a general audience.

As noted in Chief Stephens' preceding comments, in the Charlotte-Mecklenburg Police Department, we place a high priority on solving crime problems when they occur and on preventing future problems. Similarly, when it comes to performance by our sworn and civilian employees, we are committed to helping them handle challenges that might impede their effective and appropriate conduct.

When we notice potential performance problems, we want to prevent them from growing to the point where they will jeopardize an employee's career, weaken our service to the public, or damage the reputation of the CMPD. To be sure, if our employees violate our rules, our internal affairs and supervisory structure are responsible for investigating and recommending discipline as may be appropriate. We are strict about compliance with our rules because we owe high standards to the community and to our justly proud workforce. We also owe the public and our employees the very best supervision possible—supervision which encourages employees to continue what they do well and helps them steer away from potentially troublesome patterns of conduct.

With the increasing complexity of police work, the responsibilities and workload of our supervisors are greater than they were a generation ago. The CMPD strives to find methods that make high quality supervision as easy and effective as possible. There is no substitute for well-trained and motivated individuals selected to serve as supervisors, but one of the systems we have established to assist them in doing their jobs proficiently is an automated record keeping and notification sys-tem—called our Early Intervention System (EIS).

This handbook explains why we created this system; how it works; how it is expected to affect sworn and civilian CMPD employees and supervisors; what input our employees had in designing the EIS; how our system differs from those adopted by other departments; and what criteria we will use over time to assess whether the EIS is making a positive contribution to effective supervision and employee assistance. These topics are discussed using a question-and-answer format, with the discussions grouped under six general categories.

1
Why Create An EIS?
Why Do We Need It?

Q **What's the difference between what a supervisor should do under the EIS and what a supervisor has always done if he or she is actively monitoring what the employees are doing?**

A There are some new procedures, but essentially there really is no difference. As always, we expect our supervisors to know what their employees are doing, to manage employee behavior, and to help employees overcome performance weaknesses.

Q **So if there's isn't any new responsibility placed on the supervisors, what's the purpose of adopting a new system?**

A Sometimes the number of employees a supervisor supervises may be large or larger than we'd like. Or a supervisor or employee may transfer. We have a lot of transfers, so as a supervisor you may not know an employee's background, behaviors, or other circumstances. And our supervisors are just plain busy, and they might miss something about one of their employees that they should know about.

In years past, it would not have been easy to create a user-friendly system to help supervisors manage a little bit better. But with breakthroughs in information technology and with our employees' computer skills, we can now put together a system to help prevent some people from falling through the cracks. Establishing the EIS is not a criticism of our sworn and civilian supervisors. There are completely normal reasons why a supervisor might not be aware in a timely way of something about an employee. For instance, the supervisor could have a day off and something happens to one of his or her employees, but nobody ever communicates that to the supervisor. It could be that the supervisor is in training for a week, and an employee is involved in one or two events during that week; but the supervisor doesn't know because another supervisor handled it, and it was never communicated.

So there are many reasons why some of that can slip through the cracks. And where there are differences in skill levels among our supervisors, this system can help ensure that supervisors are all functioning at the levels that we need and expect. By creating a departmental record system, it matters not where an employee is assigned or whether he or she transfers tomorrow to the other side of the county. If the employee has been involved in an event and another incident occurs, the Department won't lose count.

We hope even without a computerized system a supervisor would catch if an employee was involved in some frequency of events. The EIS just helps to ensure that. It should function as a tool to help keep the supervisors on task. Put another way, EIS is simply systematizing and providing much easier information retrieval for what the CMPD has long viewed as quality supervision. This is reflected in the fact that the policy establishing EIS procedures (CMPD Directive 800-010) is listed in our Directives manual in the "Information and Records" section. In essence, EIS should be viewed as an aid in keeping records—records that both provide a limited history of activity and remind supervisors of upcoming tasks to be done. The full text of the EIS directive is available at the following website:

www.charmeck.org/Departments/Police/About+Us/Departments/CMPD+Directives.htm#800

Q **Are CMPD employees being singled out for close monitoring and early intervention, or are early intervention systems widespread?**

A The CMPD committee which designed our EIS looked at the business community, the military, other public sector service providers and, of course, other police agencies. A majority of what we found was counseling, training or employee assistance programs. Frankly, we did not find anything unique even though one of our marching orders was to look outside of police departments for something creative. There are processes in place in many institutions that identify employees in need of assistance so companies don't lose their investment in that employee. Within the police world, EIS programs are growing rapidly. There's widespread interest now in early intervention systems.

Q **Was the EIS forced on us by a court or some outside group?**

A No. We have been interested in developing an EIS for purposes of continually improving our management and supervision. In order to be accredited as a police agency by CALEA (Commission on Accreditation for Law Enforcement Agencies), a police agency has to have many types of systems, one of which is an early intervention system. However, our interest in providing this kind of support for our supervisors and employees was self-initiated and independent of any outside advocacy or requirements.

Q **What's the most significant impact the EIS is expected to have on our Department?**

A The largest contribution will be that it provides a limited history. If an employee has a problem once, and someone tries to address it, we will have a clear history of what steps were taken, what the

analysis revealed. We will be able to see readily if an employee is having the same problems over and over again. If past attempts to help an employee correct job performance concerns have not worked, we can pursue progressive interventions.

All of us in the police department know that when an employee refuses to make changes, ultimately it will result in discipline. The EIS at least sets the stage for employees to correct behavior—inappropriate or unacceptable work performance, or behaviors that contribute to that—without being disciplined. If they elect not to change, or they can't change, then that's a different matter. The EIS provides the limited history of efforts on the part of the organization—the supervisors—to try to shape an employee's behavior in a positive way.

The EIS retains alert records for a period of five years. After that time, the records are purged from the system. The EIS committee and executive staff felt that this period was sufficient to ensure that potential problems would be properly addressed, or that the employee would have faced discipline or unsatisfactory performance reviews, both of which are records which are retained for an extended period of time by Internal Affairs or Human Resources.

2
How Will EIS Affect Me as an Employee or Supervisor?

Q **What kinds of events will be the subject of an alert and possible intervention?**

A After considering a lot of options used in other police organizations, we settled on a relatively small number of performance indicators. These are indicators that our in-house EIS design committee believes are meaningfully related to keeping an employee from falling into job habits that, unchecked, could result in discipline. The events that our

EIS tallies for each employee, as the occurrences are entered into the electronic records, are listed in section IV.A. ("Performance Indicators") of the EIS directive. They are:

- **Discretionary arrests** (intoxicated and disruptive in public; disorderly conduct; resisting, obstructing or delaying an officer; assault on a law enforcement officer)—when they occur in the absence of another *non-*discretionary charge (e.g., larceny, possession of drugs or paraphernalia, a charge supported with tangible evidence)

- **Incidents requiring a supervisory investigation** (uses of force; vehicle pursuits; on-duty employee vehicle collisions; employee injuries)

- **Citizen and Department generated complaints** (alleged violations of CMPD Rules of Conduct, such as neglect of duty, courtesy, excessive use of force, etc.)

- **Use of sick leave** (frequency of use in general, use of sick leave in conjunction with days off and use of sick leave in conjunction with the use of vacation leave)

Q **How many of these events have to occur for a threshold to be reached and an alert to be issued?**

A There must be several such events during a specified number of months. The thresholds were set by the 45-member committee that designed the EIS, which consisted mostly of first-line employees. What they considered is how many events might indicate a potential performance problem. There was consensus among the large design group on all the thresholds we set. The Department from time to time will review and may reconsider and recalibrate the number of events that seems appropriate to trigger an alert.

There is no secret about the calibrations. All our employees will be kept current on the system's mechanics and on what the thresholds are for triggering an alert. Any employee who wishes to know the thresholds that have been set for any given type of events (for instance, it might be

three incidents of use of force within a 90 day period) need only ask his or her supervisor. Or, as we explain elsewhere in this handbook, employees can see what the thresholds are by checking their own electronic "summary page" in the EIS. That page also shows them if any relevant events have been counted for them.

Q **What happens to me if an *alert* is issued by the system?**

A If you are the *supervisor* who is alerted, your responsibility is to make an assessment, as you normally would if you had a concern about one of your employees. The purpose of this assessment is to determine whether each of the events which triggered the automated alert is explainable and appropriate conduct or whether it represents undesirable job performance which should be corrected.

If you are the *employee* who is the subject of the alert, you will have an opportunity to discuss the events with your supervisor if he or she believes there is need for an intervention to correct job performance. If the supervisor's assessment is that no intervention is necessary because the employee is performing properly, there is no need for the employee to do anything.

Q **What kinds of concerns might lead a supervisor to decide that an intervention is needed?**

A If, after careful assessment, the supervisor concludes that employee behaviors involved in the events—uses of force, employee injuries, use of sick leave, etc.—are inappropriate in light of CMPD rules, mission or values, an intervention would be warranted.

For instance, the supervisor may find that relatively frequent uses of force by the employee or injuries to the employee stem not simply from the necessities of a high-activity, dangerous assignment but from other factors. These other factors might include some tactical mistakes officers are making that jeopardize themselves, their colleagues and innocent bystanders as well

as arrestees. There might be some deficiencies in verbal communication skills. Perhaps the supervisor learns that the employee is not as skilled as we would like in diffusing or deescalating stressful situations, and may in fact unintentionally contribute to increasing the stress, resulting in otherwise avoidable uses of force. Or, a supervisor may learn that the way an officer broke his hand is by using fists to the head of a suspect; depending on the incident circumstances, this may or may not represent the most sensible choice of tactics.

Q **What happens if the supervisor believes an intervention is needed?**

A The supervisor is not authorized to impose an intervention solely on his or her own initiative. The supervisor must confer with the next tier supervisor and discuss the areas of concern, explaining why an intervention is appropriate, and also discuss why the proposed specific intervention makes sense.

If the second-tier supervisor agrees, then there will be a one-on-one meeting between the first-line supervisor and the affected employee to discuss the situation and any intervention. This is an opportunity for the employee to offer a different perspective, if he or she sees things differently. For instance, the employee may agree with the diagnosis of the problem but think the proposed solution (more training of a particular type, etc.) is unlikely to be helpful.

This is an opportunity for mutual problem-solving. The ultimate purpose of an early intervention is not a "gotcha" but an effort to head off at an early stage a pattern of conduct that could prove detrimental to the employee's career and could negatively impact others. As with traditional employee-supervisor relationships, the supervisor has the responsibility to decide, after hearing the employee, what will be the best course of action for any intervention.

Q **What are some of the interventions that will be used to correct job performance?**

A The interventions under our EIS are the same kind of employee guidance, assistance and support that have always been applied when a supervisor thought an employee should be functioning at a higher level of proficiency. Section IV.C. of the EIS policy sets forth the kinds of interventions that typically will be appropriate: defensive tactics instruction, communication skills development (verbal judo, etc.), supervisor counseling, one-on-one training or course instruction, and engagement of the Employee Assistance Program.

It is important to understand that the Early Intervention System is not designed to be Big Brother, snooping into our employees' private lives and meddling in matters that are unrelated to work performance. The entire purpose of the EIS is to maintain the high standards of work performance that we hire and train our employees to provide. If a problem at home is not affecting work performance, it is not a matter that the EIS will flag or expect a supervisor to assess. We do, of course, care a great deal about the well-being of our employees, and, as always, if an employee seeks assistance with a personal matter that is troubling him or her, we will endeavor to see if we can be helpful.

Q **Can you give a specific example of what might occur when the employee is going through the prescribed intervention?**

A Take the example of someone who the supervisor thinks could improve in the area of tactical communication skills. The employee would go to our Academy and be assessed by a use-of-force instructor or instructors. They would create a scenario or scenarios for that person to get involved with, and they would recreate, in the safety of the training environment, some of the incident-related tension or stress that the employee seems to need to deal with more effectively.

Having created the stressful training encounter, the instructors will observe how the employee behaves. They might say to the employee, for instance, "OK, you're supposed to be here to lock me up, and here's the situation I'm in, and I'm not listening to you. What are you going to do about it?" Then the employee needs to try to communicate with them. The instructors might videotape the scenario, which is something that some other agencies that the CMPD EIS design committee visited do very well. They videotape the scenarios and then debrief, critiquing what the employee did well and what could be done better.

We might not videotape everything, but there would be practical exercises, followed by a conversation. We might have additional people there, if they were not videotaping, to share during the debrief what they saw and how a person might improve. And then we would run through the scenario again and have the employee apply the tactics or the strategies just learned—whether it's communication styles or skills—and see what the results are. Our objective in such training is to both encourage the employee and help provide the skills necessary to overcome whatever deficiency or weakness is interfering with high-quality police work.

Q **Why would you want to videotape an officer going through corrective training? Isn't that just a way to embarrass the officer?**

A As they say, "Seeing is believing." Sometimes some of us can't see ourselves the way others see us, which can be quite understandable. It can help to watch a videotape to get insight into how we appear to others. Here's an example from a retraining exercise used by another agency that some members of our EIS committee visited:

Two officers are highly active, and their routine on the streets has been that after they handle a situation, they bump chests and salute each other with high fives. They're the kind of guys who are always saying, "To the death, buddy. I'm here for you." They were getting involved in a lot of uses of force. So their supervisor brought them in to see why every time they to go on something, they seem to get involved in uses of

force. The department videotaped that particular retraining exercise.

In that videotape, you see the two officers talking to the guy in the Redman outfit, and he's not cooperating at all. They're not going to put up with that, so they jump right in with hands on. They're not saying the right things to control him anyway, nor are they exercising any patience and tactical thinking. When they jump to hands-on, he puts up a fight and slings one across the room, gets on top of the other and struggles with both as the other officer returns to engage him.
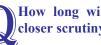
At that point in the video, the suspect takes the gun of the officer below him. The officer above him sees this and runs out of the room, leaving his partner to be "shot" by the suspect, which in fact happens. As the story is told by agency representatives, those two officers weren't bumping chests anymore as the officer left to be "shot" wasn't very happy about his partner's decision when the chips were down. The trainers had to work with those officers to show them that the two of them can be compromised, and that they need to think about how they approach people. So, there can be value in videotaping people because they can better understand what they are doing.

Q What is the employee's basic responsibility when directed to participate in an intervention?

A The employee has the responsibility to do his or her very best to fix any concerns and try to address any issues that are identified.

Q Does EIS participation cost the employee any money or days off?

A No. It's a cost to the Department. If the employee has to go for a day of training, the Department bears the cost of having that person out of his or her primary function and having somebody else fill that role.

Q How long will an employee be under closer scrutiny after an intervention?

A That varies by the situation and the type of intervention needed, and whether or not a supervisor prescribes a follow-up review. A follow-up might be planned for two, three or perhaps six months after the intervention to see how the employee is doing on the particular issue that caused the intervention. An Academy instructor who is working with the employee as part of an intervention may say, "I want you to come back next week or in a month or three months, and I want to test this again. I want to be sure we are confident—and *you* are confident—that you can apply the techniques, tactics and skills that you were taught."

So there are no hard and fast time periods that apply to all cases. The principle is that the supervisor should keep a close eye on the situation until the employee's performance improves and remains consistently improved.

We recognized that an employee is going to feel more scrutinized upfront because that's where the assessment is active. If there's an intervention, it's going to be identified and discussed with the employee; he or she will go through it; and a number of people are going to be looking at the individual's performance for some period of time after that—probably for a couple of months. The employee will be elevated on the supervisor's radar, and the supervisor will know that the employee potentially needs closer scrutiny.

Q What, if any, stigma attaches to an employee who is identified by an early intervention alert or actual intervention? Can it affect career opportunities within the Department?

A It depends. EIS alerts are simply a count of events that may indicate an increased risk to the Department, public and/or employee. Alerts themselves do not mean that an employee's performance needs improvement or that it is inconsistent with our values as a department. EIS alerts are not based on the specific details of the events. Therefore, the

mere presence (or absence) of EIS alerts will not affect promotions or transfers.

There should be no stigma attached to the mere fact of an alert. While our system is quite new, based on experiences in other agencies we anticipate that there will be many alerts that turn out to require no intervention. That is, the supervisor looks into the matter and determines that the employee acted appropriately. Perhaps the supervisor concludes that in handling an arrest situation there was really nothing that the employee could have done better. The officer communicated well, used all the appropriate safety measures and tactics. The result would be no intervention. In these circumstances, what stigma attaches to those non-interventions? None.

However, an EIS record that describes an employee performance issue that has been determined to be *problematic* may affect a transfer to another assignment within the Department. Employee performance is always considered in assessing transfers. So, while an alert itself would not affect a transfer, an employee behavior or other matter that affects work performance could affect a transfer. If an employee's work performance improves, re-sulting from an intervention or through the em-ployee's own efforts outside the EIS program, the improvement can also be considered as part of the evaluation for transfer.

EIS alerts or interventions will not disqualify someone from a promotional process. Eligibility criteria for promotion are detailed in CMPD Directive 300-011. The Early Intervention System is designed to correct behaviors, inconsistent with our values and expectations of employee performance, *before* disciplinary action is necessary. Of course, discipline applied from sustained complaints does affect promotional eligibility, consistent with Directive 300-011.

Employee performance is *always* a factor in the Structured Chain of Command Evaluation (SCOCE). EIS interventions may affect SCOCE scores. An intervention (as opposed to the initial automated alert) *is* an indication that a behavior or performance needs improvement. Although *the intervention is not discipline*, the

performance concern is always a matter that should be considered in assessing the promotional potential of any employee.

So for the employee who does have issues that affect his or her work performance, and for whom an intervention is directed, is there a stigma? Some employees may feel there's a stigma. They may think, "I've had five interventions in the last two years, and now I can't get that job in robbery or homicide or that transfer wherever it is I want to go." One could think of this as a stigma, but if it is, doesn't the employee attach the stigma to himself or herself?

Q Is it fair that I might be stigmatized by the EIS?

A Let's remember that the EIS, like any system, is designed to help us do and manage our work in a sensible way. We don't leave commonsense and common decency at the door when we walk into the brave new world of computerized record-keeping.

Take an example. Perhaps an employee was struggling at home for whatever reason. Maybe his wife or child was sick, or may he and his wife had some marital strife, and it was a tough time. Maybe he got two or three rudeness complaints because he was a little bit more impatient than he should have been. Should that follow him forever? Most people—and most folks in this organization—aren't going to hold that against a person forever. We don't hold discipline against people forever. In the promotional process there are specific guidelines for how long something like that would be held against an employee.

The EIS information is a personnel record, and it may or may not affect someone's promotion, but it's not going to be held against him or her forever. If the employee has repetitive problems of the same sort, that says something different. Or if he or she has constant problems, that also says something different. Could there be stigma that attaches there based on the same type of problem happening over and over and over again? Sure, there may be some stigma that attaches there, but think about it: We don't need

EIS to point out some folks who have some stigma attached to them, and the members of the organization know it because people develop reputations. The way people perform their jobs establishes reputations for people.

Q **Will EIS action be a part of an employee's permanent personnel record? Will it be expunged? When?**

A Because EIS records (and the data that they are based on) address employee performance, they are considered personnel records. However, the Department has considered the length of time that these records would be relevant to an employee's performance and has decided that *EIS alerts and intervention records would be purged from the system after they age five years.*

In their consideration of this policy, Executive Staff members felt that an employee's performance concerns would be effectively addressed through EIS within this period or the employee should have already faced disciplinary or unsatisfactory performance action. If discipline was imposed for action that violated Department rules, that would remain a part of the employee's permanent personnel record.

Q **You say that interventions aren't discipline, but aren't they really just discipline dressed up in new language?**

A No. We know it's just human nature that any new system will be viewed with a little concern by some people. "They're tracking me, and that worries me" is a feeling some may have. And in situations where an employee isn't cooperating with a supervisor, it's probably true that *anything* the supervisor prescribes is going to feel like discipline.

But there's a difference between interventions and discipline. Interventions don't affect an employee's pay or job status. Early intervention is designed, as are other aspects of supervision, to affect an employee's *performance.* The purpose of interventions is to assist employees in doing the job we expect them to do. We don't need a rule infraction to prompt intervention or

other guidance to an employee. In fact, we hope interventions and other guidance will *prevent* rule infractions and make unnecessary any sort of discipline. Discipline occurs, unlike an intervention, when an employee is adjudicated to have violated a rule of conduct.

As we studied early intervention systems around the country, we learned that successful systems do not sit within Internal Affairs. If EIS is housed within a police department's IA unit, people cannot readily see that EIS is about *preventing* discipline; rather, they tend to think of it as a disciplinary system.

Q **If the intervention isn't discipline, will it be used in determining whether I am disciplined—and what type of discipline I might receive—for some other rule infraction?**

A The way we handle our discipline is that an allegation of misconduct must first be sustained against an employee. *Then*, we look to their record—not their entire *personnel* record, but their *disciplinary* record. The employee's EIS record is *not* a disciplinary record.

In fact, Internal Affairs will not be any different than any other unit of the Department in terms of its access to EIS records. IA will *not* have full control access to the EIS system. IA staff won't be able to look up any employee's EIS history because they don't have the permissions the EIS requires. The Training Academy (and its chain of command) *will* have that kind of access because they're managing the EIS for the entire Department. But Internal Affairs supervisors will only be able to see the records and histories of their own employees.

Q **Does the supervisor have the flexibility to look at the employee's conduct even if the EIS doesn't flag the employee with an alert?**

A Yes. Nothing about the EIS is designed to intrude on what our good supervisors have always done—pay careful attention to the work of their employees and see

how their good work can be supported and their challenges in doing good work can be overcome. A supervisor may notice, without receiving an alert, that an employee isn't as productive as he or she used to be. If a supervisor thinks a pattern of conduct is occurring that requires closer analysis, the supervisor would take a look and would record that he or she was doing so by creating a "supervisor-initiated alert."

The Department developed this additional option for supervisors under the EIS because the system can't necessarily pick up on everything. For instance, the supervisor may notice a problem with an employee's attitude toward work. The EIS doesn't directly measure the fact that somebody is disgruntled, but usually disgruntled employees tend to act out in one form or another, and it shows up in their work performance. They tend to have more complaints because they're rude with people or they may engage in more aggressive physical behavior and uses of force. Sometimes a supervisor will recognize an attitude problem which is below the EIS radar screen in the sense that it hasn't yet produced an event tracked by that system.

It could be that the supervisor recognizes from talking with the employee that there is an issue at home that is affecting the person's attitude and, ultimately, affecting his or her work per-formance. An on- or off-duty problem may be affecting work performance, and if so the supervisor will need to take a closer look. However, if stress or some other problem for the employee is *not* hindering the employee's *work*, it's not something supervisors would create an intervention about. Negative effects on work performance could show up as a communication problem, a safety issue, a tactics concern, or some other difficulty. The effect on work performance may not be something that would trigger an alert because it might not be associated with a particular *event* that EIS tracks.

If something like that occurs, the supervisor can go into the EIS computer-based record system and create a supervisor-generated alert. When that is done, the system would pull all the events the employee was involved in for the previous 180 days or whatever time period the system is calibrated to capture. The system would list these events for review by the supervisor. Just as

with the analysis triggered by an automated flag, the supervisor would be responsible for deciding whether an intervention is appropriate.

Q **Why should a "supervisor-initiated alert" be entered into an employee's record?**

A It helps other supervisors to see an accurate history of issues that may help them better manage the employee. It also helps the affected employee to see what kinds of issues supervisors believe need to be addressed in order for the employee to perform well and have a positive job experience.

Q **Will the EIS have any effect in smoothing out some of the inconsistencies in how supervisors approach their work?**

A It may very well. Even though we train our supervisors with standard procedures and expectations, inevitably there are variations in how people do their work. Some variations are perfectly acceptable and some are less desirable. Where in the past some supervisors may have dealt informally with problems and not made records of addressing them with their subordinates, the EIS should help the CMPD keep more complete and consistent records. This benefits our learning about how to best support and manage employees in doing high quality work, and it benefits supervisors who are newly transferred or receive newly transferred personnel into their unit.

Q **How would the EIS help create greater consistency in *interventions*?**

A Achieving greater consistency in our interventions is likely to occur in part because the new EIS policy identifies the types of available interventions. This listing is not a limit on the creativity of supervisors and command staff in tailoring corrective measures to the specific circumstances and challenges of any given employee. But the listing of typical

interventions in the policy is a reference—a starting place—for supervisors in figuring out how to respond when some kind of intervention is found to be necessary.

Q **Is it always desirable to have interventions be consistent from case to case?**

A No. Consistency means treating similar problems similarly. Not only would it be unfair to treat different problems in the same way; it would be unwise and unhelpful. We want to make a difference for our employees who are struggling a bit in their performance—not just check off a box saying we tried and now the employee is on his or her own. So we attempt to tailor interventions to the particular individual and the difficulties he or she is facing. We don't want to be *unfairly* inconsistent from one employee to the next; rather, we want to find a solution that actually helps the employee have a more productive, satisfying career working for the CMPD.

In tailoring interventions, a supervisor is not left on his or her own to dream up what needs to be done. Just as good supervisors have always done, we expect them to check with knowledgeable people in the organization for good ideas if the path ahead is not obvious. Thus, a supervisor might talk with Academy staff, the police attorneys, or HR to see if they have any creative ideas for helping the employee address the area of concern.

To help the people who will work with the employee to be of real use, the supervisor needs to be specific about what the intervention is supposed to accomplish. For example, if an officer has some challenges with using force, we expect our supervisors to do more than just send the employee off to have a one-on-one with an Academy instructor. The supervisor doing the assessment needs to have a conversation with that instructor and say, "Here's what I'm seeing. We need to devise the exercise to get at *this* particular problem. You need to assess the employee's capacity to handle *this* type of situation because this is where we're seeing him blow up or do something else unproductive." And then that supervisor is responsible for

building a tailored, employee-focused intervention. If a particular intervention doesn't work as we thought it would, we need to try something else. If we fail, we are failing the employee.

So we aim for consistency which deals with the reality that each of our employees is an individual who deserves to be and must be recognized as someone with unique characteristics, strengths and weaknesses. We recognize, too, that different people learn best in different ways. Individualized corrective training should honor that fact and adjust teaching methods so the employee can actually benefit in a practical way.

Q **Will the EIS cause the documentation of a lot more concerns about employees than would get recorded in the absence of EIS?**

A It very likely will. This doesn't necessarily mean supervisors will have more concerns—just that the concerns they do have will be recorded more consistently.

Q **Will the EIS cause supervisors to intervene more frequently to improve the employees' performance than occurred before the EIS?**

A For some supervisors this will probably be true. With the EIS we now have a more clearly established process than we use to have for supervisors to follow. When they get an alert they must conduct an assessment, and then they must discuss that with their chain of command. Some supervisors would have conducted assessments on their own initiative whenever they had concerns, others might not have looked into things quite so often. Under the EIS, when supervisors notice a need for attention to employee job performance, the supervisors can't just say, "Hey look, how about straightening up" and then be on their way. By having an automated record system, it creates these flags. A supervisor can't just eliminate a flag, so he or she has to address it, and the supervisor has to close it out with an explanation.

Q Can employees suggest different interventions than the one their supervisor has come up with?

A Yes. Employees should always feel free to suggest action that will improve their performance. The whole goal of the EIS is to improve work performance. Employees' ideas about how that can best be done certainly may be relevant to finding long-lasting solutions. Having said that, supervisors are under no obligation to *negotiate* any solution with an employee.

It's also important to remember that employees are encouraged to frequently critique their own work performance. They can monitor their current status in the EIS, and take advantage of opportunities to enhance their performance by pursuing training or other assistance as appropriate. This can be done at any time, and the employee never needs to wait on an EIS alert to make an effort to improve his or her work performance.

The way in which an employee could have input on an intervention is pretty straightforward and nothing new: The supervisor will sit down and talk with the employee in terms of the assessment and say, "Here's the pattern I'm seeing, and my concern is this. Help me understand why you're doing this." The employee might say, "Well, that was the way I was trained." Or the supervisor may prescribe some corrective steps that the employee believes won't work. And the employee may propose an option the supervisor thinks is a better idea. This kind of conversation is part of the assessment and the process of setting in motion an intervention.

Q Will all the interventions involve the employee working with people within the CMPD?

A Over the years, we have developed the capacity in our Academy and other parts of the organization to meet most of our needs for training and guiding employee job performance. But we are always open to considering other ways to help our employees. If, in devising an intervention under the EIS, an employee recommended some outside training option—or the supervisor thought of something out of the ordinary—we would consider whether that makes sense under the circumstances. The supervisor might ask an Academy instructor to look into the costs and benefits of the proposed outside training for the particular employee, and that information would help guide the supervisor and the next tier supervisor in deciding on the intervention to be directed.

Q Why isn't changing an employee's assignment listed as an available option in the EIS policy?

A The committee that designed the system considered this option. We recognize that, in some cases, the environment in which the employee is working may be significantly contributing to a job performance problem. For the good of all concerned—the employee, his or her coworkers, supervisors and the public at large—the simplest and most sensible solution might be to reassign the employee. We didn't specifically list transfers in the directive because we want to be careful that supervisors do not use transfers as a way of evading their responsibility to help their employees perform well. Supervisors shouldn't be "transferring problems," they should be fixing them.

Still, we recognize that sometimes a change of assignment is the smartest and most effective way to meet everyone's legitimate concerns. We want to be careful however, that if a transfer does turn out to be the best solution, it is not seen as a disciplinary transfer. Intelligently matching employees with the right working situations so they can do their best work is not punishment.

Q What checks and balances exist to prevent inappropriate or excessive supervisory scrutiny?

A The supervisor needs to discuss his or her assessment with the next level of supervisor. The point of this review and discussion is to make sure that the assessment was accurate and was properly completed. This

will include discussing whether any prescribed intervention is best suited to address the issue.

Q **What if I, as the employee, think the supervisor is wrong about a proposed intervention and I can't convince the supervisor of this? Can I appeal to the next level supervisor?**

A It's possible that the supervisor and employee will disagree about whether a particular intervention is a good idea. An officer might say, "Sarge, if you tell me to do that, I'm going to do it because I have to, but you are off base. It's wrong. I'm not unwilling to address whatever your concerns are, but this is not the right way to do it." The supervisor might be convinced to reconsider or he or she might stand firm.

If the employee feels the supervisor is being unfair, that's what we have a chain of command for. Our employees know this. An employee may be talking with the initial supervisor and might tell the supervisor, "Look, this is overkill. You're killing a fly with a sledgehammer. I don't know what you're doing to me, but you're going to crush my morale, and the kind of intervention you're planning will not help things. I'd like you to reconsider." Or an employee might just say, "I don't feel like I need any intervention." If the employee disagrees with the supervisor, that employee can talk to the next level in the chain of command.

Because this process is not disciplinary, no *formal* appeal rights attach. However, an employee may seek to remedy what he or she believes is an inappropriate intervention response by discussing it through chain of command channels. The individual members of the chain of command may or may not elect to hear the employee's position or change the intervention.

We're not setting up any rigid procedures for how an inquiry to the next level supervisor would work because we don't envision any departure from how things seem to work reasonably well now. As a practical matter, an employee might say to the supervisor, "Well, I don't agree with this, and I'd like to talk with the captain about it." Most likely, the sergeant would say, "OK, schedule some time with the captain and I'll let the captain know that you want to talk with him or her."

Probably—although we're not try to micromanage this kind of thing—the first conversation between the employee and the second-tier supervisor would be a one-on-one meeting, unless the employee expressed a strong preference for having the first-line supervisor sit in from the start. A captain might very well say to the employee, "What I'd like to do after listening initially to you is for the three of us to sit down and just go through this." Most captains will figure that when the sergeant comes in they will get half the story, and when the employee comes in they'll get the other half and be able to ask intelligent questions. That's usually how it happened before the EIS, and we anticipate no differences under the new system.

Q **What about the privacy of the EIS? Who has access to an employee's record of alerts and interventions?**

A The individual employee and his or her chain of command. The EIS system manager, who is a member of the Academy staff, and that system manager's chain of command, also have access. They need access in order to fulfill their responsibility to make sure that the EIS is functioning as intended and that supervisors are using it as intended.

Note that the employee's chain of command can see the EIS records for that employee, but only when they are that employee's *current* chain of command. So as soon as an employee transfers, and his or her assignment is updated in the personnel records, the members of the employee's previous chain of command can no longer see those records.

Each employee may, at any time, check his or her own "personal summary page" in the EIS records. This early intervention summary page will show the number of events—uses of force, pursuits, accidents, injuries and the other items tracked by the EIS—that have been recorded. And it shows what the threshold is to trigger a flag in each category of activity. When the

employee looks at his or her own summary page, the alert status will be indicated by an icon that shows a green, yellow or red light.

When our 45-member EIS committee discussed different possible features of our system, people liked the idea of employees being able to see a summary page. They said it would help alleviate concerns for an employee to have the right to look and see where he or she stood at any given point in time. Some people said, "I don't like the fact that the Department has one more tracking device on me, but at least there is nothing hidden. There are no secrets; I can see it too."

Q **Why does the employee's chain of command have access to the individual's EIS records?**

A They ought to know the background of their employees. They may see some behavior, which has not created a flag in the EIS, but which is causing a supervisor to consider doing something to assist the employee. The supervisor would want to be able to take a look and see what's happened before. It's in the best interest of the employee for a supervisor to have access to that history so the Department doesn't repeat a failed strategy with this individual. It also helps a supervisor, who is trying to make an assessment after an alert, to understand what other people saw when they were trying to make their assessments. That knowledge may help the supervisor make a more complete diagnosis and create a better strategy or tactic for trying to address whatever problems he or she is seeing.

3
How Does EIS Work? What Are the Mechanics?

Q **What is the basic difference between an "alert" or "flag" and an "intervention"?**

A As noted earlier, an *alert* is issued when a threshold has been met. That threshold is met when a specified number of the events tracked by the system occur during a specified time period. An alert does not automatically require any corrective action on the part of the employee—because it's not necessarily the case that the employee is doing anything incorrectly. That determination will be made by the supervisor who, responding to the alert, will conduct an assessment. If the assessment reveals that the employee's *work* performance—not off-duty conduct—is falling below our expectations, then an *intervention* will be devised. The intervention requires the employee to participate in counseling, training or some other activity to fix whatever problem has been identified.

Q **How is notification made that an alert was created?**

A Notification of an alert or flag is made automatically, by email.

Q **Who is automatically alerted via email by the EIS?**

A The affected employee's immediate supervisor and second-tier supervisor.

Q What exactly does an employee see on his or her own "summary page"?

A Here is an example of what the employee—or that employee's chain of command—would see. The example uses fictitious numbers. It also uses illustrative alert thresholds that may not be exactly what the Department uses over time. Each of the areas of activity—accidents, injuries, pursuits, complaints, use of force—is shown. There is also a "combination" category, which totals the alerts from the other categories. An employee might not have enough activity in a single area to send up a flag, but one or more alerts in each of several categories could trigger an alert in the combined category.

For each activity category, there are three items of information posted: the time frame for which the activity is being reported (number of days); the number of events that have occurred during that time frame; and the threshold that applies to that particular category of activity.

Q How often are the system alerts updated?

A The system does a record scan once per day for all records other than sick leave records. With sick leave, the scan is completed once per week.

Q What kind of case management information does the EIS show the supervisor and the rest of an employee's chain of command?

A There are several screens in the computer program. On the "Events" screen, the EIS displays the number of relevant events where an alert has been issued; the date and time of alert notification; the name of the assigned supervisor; the closure date; who the matter was closed by; the follow-up date, if any; and the current status of the employee's early intervention. The current status may be any of the following: in progress, for review, close intervention record, follow-up scheduled, follow-up due, and no action.

On the "Supervisor Assessment" screen, the EIS displays a box in which the supervisor writes his or her assessment in narrative form. Instructions on that screen state: "Indicate your analysis of behaviors in each of the following categories: Communication, Safety, Tactics, and Other On/Off Duty Behaviors (that affect work performance)."

On the "Action Taken" screen, the specific action taken is to be described in narrative form. The supervisor is also instructed to check all of the types of interventions that were used. The choices listed are "No Intervention Required, Counseling, Training, EAP, Other (describe), Combined with Other EI Record."

Finally, the system provides a screen titled "Adding Exhibits," in which the supervisor can add an exhibit or attachment to help document the assessment and intervention, if any.

4

What Input Did CMPD Employees Have in Designing the EIS?

Q Were those most likely to be affected by an intervention consulted in the design of our EIS?

A "Consulted" would be an understatement. Our EIS is fundamentally the product of consensus decisions among a group of 45 employees of the CMPD. Their recommendations were, of course, presented to Executive Staff and ultimately signed off on by the Chief. The 45 employees represent every component of the Department—sworn and non-sworn; multiple ranks (with first-line sworn and non-sworn predominating); and virtually every section of the organization. In addition, representatives from each of the local police employee organizations, including North State, Charlotte-Mecklenburg Fraternal Order of Police, and International Brotherhood of Police Officers, were invited to participate. Of these, the representative of the FOP participated extensively in each area.

In the Department's preliminary research on the establishment of an EIS, we learned from the successful and unsuccessful experiences of other agencies. One of the first things we learned at a conference about EIS in Phoenix was: "Get your employees involved or nobody's going to buy into it." We were fortunate in that the CMPD was not pressured into adopting an EIS rapidly because of a court order or some other outside mandate. Sometimes when that happens, departments don't always feel they can take the time to establish a highly collaborative process in which a representative group of employees substantially contribute to every aspect of system design and development, including policy development.

Q What were the tasks undertaken by this EIS committee?

A There were seven basic objectives and activities for the group:

1. Identify performance standards
2. Determine thresholds for system alerts
3. Develop employee training on the system
4. Identify intervention options
5. Develop an operating procedure and policy
6. Serve as EIS "ambassadors" to other employees
7. Develop a standing EIS Management Committee for post-implementation management of issues.

Q How was the EIS committee organized?

A The entire 45-member group met initially, for about four hours, in January 2004. At that time, the group was briefed about EIS-type programs around the country that were somewhat like the system we were tasked with creating here. Also at that meeting, the group discussed what the CMPD was trying to accomplish by establishing an automated EIS; decided what they wanted the system to measure; and outlined the tasks mentioned above. The group then decided to do the bulk of its work over the next year in several subcommittees. These subcommittees were:

- Technology
- Training
- Intervention Development
- Operating Procedure/Policy
- Thresholds

The technology subcommittee talked about what kind of technology would be needed to make an EIS work. They also considered how they could make a business case to look for additional funding if we had to connect different systems or undertake other somewhat expensive efforts. The training subcommittee planned how the entire Department would be trained in the operations of the EIS. The Intervention Development subcommittee explored what

categories of interventions we wanted the system to recommend as standard options for supervisors. The Operating Procedure subcommittee brainstormed and wrote the EIS directive, and then distributed it to the entire committee for comment. Following review of these comments, the directive was sent for review to Executive Staff. Finally, the Thresholds subcommittee deliberated the number of events of each type that should trigger an alert, on the ground that such a frequency might indicate a potential performance problem.

After each of the subcommittees did their work, the entire 45-member committee reconvened in January 2005. The committee reviewed the accomplishments of each of the subcommittees, saw demonstrations of some of the technology we planned to use for the EIS and approved of all work.

5
Does Our EIS Differ from the Systems in Other Departments?

Q **Why couldn't we just buy a fully functional, off-the-shelf computer system for our EIS?**

A Off-the-shelf EI systems don't always perform as expected. In the two years prior to this initiative, the Department unsuccessfully tried to integrate an 'OTS' system. Department staff and the vendor were unable to make that software fully function as expected within the Department's network and data system structure. This prompted the Department's effort to design and build its own system. We also learned that most of the successful EIS programs that we've seen are the ones that are home built because they're integrated into the technology that exists within a particular department.

Q **Do most other agencies track the same range of indicators we do?**

A Some do, but some track a great many more indicators. For instance, we took a careful look at Pittsburgh's, Phoenix's, and Tampa's systems. Of these three, both Phoenix and Pittsburgh measure many more types of events that the CMPD system does. Actually, those systems are intended to be far more than early intervention systems. They are essentially performance assessment systems.

Those systems, for instance, track a wide range of employee activity (tickets written, consent searches, etc.) and track whether each employee is within or outside a normal range for the workforce. While those systems may be useful, our EIS committee decided it would be most appropriate for the CMPD to develop a system more specifically targeted at identifying potential performance problems and the interventions supervisors prescribe to fix them. To put it in other words, some other agencies use their systems to try to assess overall employee performance, whereas our system looks at danger signals, and corrective actions.

Q **Why did we decide to track the categories of events that our EIS monitors?**

A The EIS committee that designed our system picked the types of events that they believe are key in terms of employee performance and liability to the Department—things that could derail an employee's career or injure the reputation of the Department.

6

How Will We Know if Our EIS is Working Well and Benefiting the Department, Our Employees & the Public?

Q What are the basic things the EIS has to accomplish for us to consider it useful?

A It has to help supervisors take note when their employees are potentially at risk of performing their jobs below the levels we expect. The system should be fine-tuned over time to make any corrections we learn are needed in the thresholds for alerts. The thresholds should be high enough that we don't get huge numbers of "false positives"—alerts that turn out to reflect perfectly normal and acceptable employee conduct. And the thresholds should be low enough that we don't miss significant numbers of "true positives"—employees who actually are experiencing job performance difficulties.

To be considered successful, our EIS also has to help guide supervisors toward figuring out useful interventions, when interventions are called for. And it has to create an easily re-trievable, accurate history for each employee of alerts and interventions. This historical record has to be user-friendly for supervisors and managers to keep track of employees who may have recently transferred, who have been involved in events when the supervisor was off-duty, etc. If the system helps us better identify what works and what doesn't work to help employees overcome particular types of job performance problems, the EIS will be a worth-while system. And the system will be judged useful if it actually helps us *implement* what we learn about how best to improve employee performance.

Q Who watches over the EIS to be sure people are conducting themselves as the system designers intended?

A If there's something that looks unusual in the way a supervisor handled an alert or an intervention, and the way a second-tier supervisor approved it and closed it, then the EIS manager would bring that up to the third level in the chain of command. The EIS manager would say that something doesn't look right and ask the upper-level manger to take a look. Additional oversight of the EIS might come from higher ranking members of the organization. For instance, nothing prevents a major or civilian equivalent manager—because they are within their employees' chain of command—from going into the EIS records and seeing what alerts there are on their employees and how those alerts are being handled.

CONCLUSION

The Charlotte-Mecklenburg Police Department is proud that we hire good people and invest heavily in their training and supervision. Our supervision includes praising people when they do well, trying to share their accomplishments and skills with other employees through training and other methods, and guiding people when we think they can do better. Hopefully, through appropriate supervision we will notice—and intervene—if an employee seems to be working in a way that risks falling below our expectations.

Police work is becoming more complicated each year. Things that our community's police offi-cers never had to think about in earlier genera-tions now quite properly demand the attention of our workforce. This includes new problems, such as the risk of terrorist threats. And it in-cludes new crime control strategies, such as problem-oriented policing. Just as front-line po-lice work has become more and more compli-cated, so too has the task of professionally su-

pervising their work. We want our supervisors to be problem-solvers themselves—not only solving the community's crime problems, but also solving any personnel problems that might interfere with our department providing the highest quality service to the public.

As we ask more and more of our supervisors, we need to be sure we are giving them ever-better guidance in what we expect. And we must continue developing and honing tools and systems to assist them with their important work. This handbook has described one such innovation—the Early Intervention System. Our EIS was designed *by us*—by a hard-working, 45-member committee representing every component of the CMPD. They, and our executive staff, believe this system will serve us well. But we want to ensure that it does, and so we welcome your feedback over time. Please let us know if the EIS can be modified to even better support our mission, goals and values. Together, we can make this system a valuable feature of one of the nation's finest police departments.

EIS Dataflow and Process Model

Attendence Database

Internal Affairs Database

KB-COPS (Arrest Module)

Scan for established patterns

Scan for event frequencies

Scan for discretionary arrests

EMPLOYEE → Self-assessment → **EIS SYSTEM** ← Threshold Adjustment ← **ADMINISTRATOR**

Supervisor notification that alert threshold was met/exceeded

Examine behaviors that may affect work performance, i.e. communications, tactics, safety and other on/off-duty issues

Data flow

Data source

Process

Interface (Users)

Review assessment with 2nd level supervisor ← **SUPERVISOR**

Intervention recommended

Intervention not recommended

2nd level supervisor review → Close/clear flag

Schedule intervention → Follow-up to ensure intervention was completed