

**SAN DIEGO POLICE DEPARTMENT
PROCEDURE**

DATE: MAY 21, 2020

NUMBER: 5.24 – HUMAN RESOURCES

SUBJECT: EARLY IDENTIFICATION AND INTERVENTION SYSTEM (EIS)

RELATED POLICY: NONE

ORIGINATING DIVISION: OPERATIONAL SUPPORT

NEW PROCEDURE:

PROCEDURAL CHANGE: **EXTENSIVE CHANGES**

SUPERSEDES: DP 5.24 – 05/02/2019

I. PURPOSE

The Department recognizes the need for employees to self-assess and for supervisors to monitor, identify and assist employees where work-related records show the employee has been exposed to situations that may impact their wellbeing or work performance.

The San Diego Police Department’s Early Identification and Intervention System (EIS) is a database management tool designed to identify trends that may negatively impact employee wellness before they lead to performance issues or policy violations. The goal is to intervene and offer assistance to support the values of the San Diego Police Department, including its commitment to constitutional policing and upholding lawful, professional and ethical standards.

While EIS is not a tool for identifying misconduct or imposing discipline, the department has discretion to utilize EIS or progressive discipline where each process is appropriate. This policy does not create an employment right for Department employees to participate in the intervention process as an alternative to the City’s progressive discipline process. Department employees remain fully accountable for complying with policy and performance standards.

The EIS contains indicators that relate to confidential information. All data recorded and related to the EIS are considered confidential and will not be used for performance or misconduct related discipline. The EIS will not be accessed or used when the Department is considering promotions, transfers or requests by employees for transfer or special assignments.

II. SCOPE

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This procedure applies to all sworn members of the Department.

III. BACKGROUND

The Department implemented the EIIS in April 06, 2011. As explained in the United States Department of Justice, Office of Community Oriented Policing Services (COPS) report, "Early Intervention Systems for Law Enforcement Agencies: A planning and Management Guide," early intervention systems consist of four basic components: performance indicators, identification and selection process, intervention, and post-intervention monitoring. The EIIS provides systematic data analysis of certain indicators for supervisors to review, and a self-assessment tool for use by individual employees.

IV. DEFINITIONS

- A. Above Average Activity - Performance Indicator activity which is greater than the simple average of Peer Group activity.
- B. Assessment or Early Intervention Assessment Report - review of various employee-related data.
- C. EIIS Unit - Trained staff in a specialized unit, who provide assistance and serve as a resource to employees involved in the EIIS process.
- D. Intervention - The process of a supervisor meeting with, coaching, or referring an employee to resources in order to encourage and reinforce good performance and wellness. An Intervention is intended to be a positive tool to assist employees in reaching a higher level of effectiveness.
- E. Intervention Plan - A plan created by the supervisor during an intervention meeting to help address the identified potential cause for an alert with an employee (e.g., offered resources, assigned training, etc.).
- F. Peer Group - a group of employees who perform substantially the same tasks during their daily work routines.
- G. Incident(s) - An incident or incidents refers to one or more instances in which an employee has an added statistic within a performance indicator.
- H. Performance Indicator - A factor tracked in EIIS that is given a numerical point value to allow for a compilation scoring. The total number of incidents will be

used to compare employees within their peer group. Numerical points accumulate from the date of the current Indicator entry; time is calculated on a rolling basis.

- I. Threshold - Aggregate value of indicators that would trigger an EIIS alert.
- J. EIIS Alert Report - The automated notification made to the EIIS Unit when a threshold has been met or surpassed.
- K. Training - Training is a non-punitive tool used to assist employees to become more efficient and effective in their job performance by providing instruction. Training can be in-house or outside training, specific to the needs of the employee and the Department.
- L. Post Intervention Monitoring - Structured and timely follow-up to reassess and facilitate additional intervention needs.
- M. IAPro - A comprehensive Internal Affairs case management system that compiles and maintains the data collected in EIIS.
- N. BlueTeam - software used by IAPro that allows officers and supervisors to enter and manage officer-based incidents such as use of force, citizen complaints, vehicle pursuits, vehicle collisions, among others, from, “the field.”
- O. Status Report - A form used to document the date, time, location, and status of an intervention during a post-intervention monitoring meeting.

V. POLICY

- A. Performance Indicators tracked in EIIS
 - 1. Each employee’s Performance Indicator data is tabulated and compared to that of their Peer Group.
 - 2. Performance Indicator Categories
- Note: Not all indicators apply to every employee, depending upon job description and function. Those indicators requiring manual entry in Blue Team are noted with an (m):
- a. Officer Involved Shootings (m)
 - b. Use of Force (m)
 - c. Officer Activity

- d. High Risk Crime Reports
- e. Citizen Initiated Complaints (m)
- f. Internal Investigations
- g. Criminal Arrests
- h. Missed Shoot Qualifications (m)
- i. Missed Court (m)
- j. Collisions (m)
- k. Elevated Use of Time Off
- l. Overtime Usage
- m. Equal Employment Opportunity Complaints (EEO)
- n. Inquiry Only
- o. Supplemental Performance Report (m)
- p. Civil Litigation
- q. Canine Bites (m)
- r. Tardiness (m)
- s. Vehicle Pursuits (m)
- t. Disciplinary Action
- u. Positive Commendations (m)

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B. Access Levels

1. Chiefs have access to all data.
2. Commanding Officers have access to their own command data.
3. Lieutenants will have access to data for employees under their direct supervision.

4. Acting Lieutenants will not have access to a Sergeant's information in EIIS.
 5. Sergeants will have access to data for employees under their direct supervision.
 6. Acting Sergeants will only have access to their own personal data.
 7. Employees will have access to their own personal data.
 8. System Administrators have access to all data.
- C. The EIIS contains performance indicators that relate to confidential information. Department employees may only access EIIS in accordance with the access levels set forth above. Misuse of the EIIS, as with any other Department data system, may result in discipline.

VI. PROCEDURES

- A. Access EIIS via BlueTeam
- B. Early Identification and Intervention System Indicator Alert
 1. Identify - EIIS Alerts are established to identify Department employees whose performance indicators have met the criteria for an Early Intervention Assessment. The EIIS Unit will review the system to determine if any employees have surpassed the established thresholds. Also, on a monthly basis, supervisors will conduct an inspection of all employees' EIIS data.

Verify - The EIIS Unit will verify the threshold criteria record for an identified Department employee is accurate and not the result of a system or human error. This will occur through data research by the EIIS Administrators. The EIIS Unit will also determine if further assessment at the command level is necessary based solely upon the data and research.

 - a. **Note:** Applications of the cord cuff maximum restraint or WRAP systems in a Use of Force will be excluded by the EIIS Unit when evaluating alerts. These statistics will not be included in the Use of Force threshold.
 2. Notify - The EIIS Alert Report for assessment and intervention will be provided to the employee's direct supervisor through their chain of command within 10 business days. The employee will be notified by his

or her direct supervisor that an Alert Report has been received and if intervention is required.

3. The EIIS Unit will provide assistance and serve as a resource to personnel involved in the intervention process and will receive and review Assessment Reports.

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C. EIIS Accountability and Inspection Guidelines

1. Sergeants will review the performance indicators for all of the employees for whom they are responsible in the EIIS on a monthly basis or anytime a supervisor is assigned a new employee. When necessary, the Sergeant will conduct appropriate follow-up with an employee.
2. Lieutenants will review the performance indicators for all of the employees for whom they are responsible in the EIIS on a monthly basis. When necessary, the Lieutenants will conduct appropriate follow-up with an employee. Lieutenants will also ensure Sergeants are conducting their monthly inspections. If a Sergeant is unavailable to complete these duties under this procedure, the Lieutenant will take over performance of those duties, as the ultimate responsibility for the inspection falls under their purview.
3. Lieutenants will conduct the review of any Department employee being supervised by an Acting Sergeant and conduct any appropriate follow-up.
4. Commanding Officers will conduct the review of any Department employee being supervised by Acting Lieutenants and conduct any appropriate follow-up.
5. Commanding Officers must review their command data monthly and may interview, coach, and/or refer individuals to appropriate resources at any time.
6. The Sergeant and Lieutenant's inspections will be recorded in the Inspections Database.
7. The EIIS Unit will inspect and audit the system at least once a year to make necessary adjustments to the threshold levels based upon Department-wide performance and best practices.
8. When changes are made to the threshold levels, the SDPOA will be notified in writing of the changes.

D. Assessment and Intervention

1. Employees are encouraged to assess their own data and to take advantage of available supportive resources via [F:\Wellness Programs](#)
2. Supervisors may assess performance indicators for employees under their supervision at any time and are required to do so when conducting monthly inspections, when an employee is first assigned to the supervisor, and upon receipt of an Alert Report.
3. Supervisors will comply with the following process to help identify stress factors that may impact the employee and to enable the supervisor to identify and address potential issues before they impact work performance.

- a. Obtain relevant documentation or information regarding the triggering performance indicator.

Note: Supervisors are never permitted to ask questions or to obtain any medical information regarding employees.

- b. Thoroughly review relevant documentation, identify factual circumstances surrounding the initiation, progression, and conclusion of the triggering incident or incidents.
- c. Perform a thorough review of all performance information contained in BlueTeam, which identify repeated issues or related trends.
- d. Consider any additional factors that may be relevant to identified issues that may potentially impact work performance including:
 - (1) An employee's work history with the Department, outside employment, or any prior interventions or mentoring plans.
 - (2) The outcome of triggering incidents that have already gone through separate interventions and consider whether or not the employee has followed through with any training recommendations or is scheduled to do so.

- e. If the identified employee's supervisor concludes that an intervention is not needed, the supervisor will forward the finding to the EIIS Unit in a memorandum through their commanding officer. The memorandum must have the commanding officer's initials along with the signature and PD identification number of

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the supervisor. The identified employee must be given an opportunity to review and sign the completed memorandum.

NOTE: A memorandum is not to be used to clear an alert for **Elevated Use of Time Off**. Elevated Use of Time Off alerts, may be cleared by a supervisor placing **“No Action Needed”** along with the supervisors name and ID number in the notation box titled **“Actions taken in response to the alert.”** Once completed, the alert will be forwarded back to EIIS Unit and cleared. This action should only be used when a full intervention is not warranted.

- f. The EIIS Unit will review the assessment report and make an independent determination regarding the need for intervention based solely upon data researched department-wide. If the EIIS Unit does not concur with the Command’s finding, the Commanding Officer will be notified for further review.
 - g. A decision, either way, will be made within 14 calendar days by the employee’s Commanding Officer.
4. Employees represented by the MEA and Local 127 are exempt from EIIS procedures.
- a. As to all employees, supervisors or other members of the Department should limit their questions to asking generally about an employee’s wellbeing (*e.g.*, How are you? Is everything okay?) and whether an employee can perform job functions. Supervisors or other members of the Department must not make disability-related inquiries, without a reasonable belief, based on objective evidence, that:
 - (1) An employee’s ability to perform essential job functions will be impaired by a medical condition; or
 - (2) An employee will pose a direct threat due to a medical condition. Supervisors should be aware that this discussion may trigger employee protections under federal and state law, including the Americans with Disabilities Act (ADA) and the Fair Employment Housing Act (FEHA).
 - b. Supervisors must be prepared to engage in any process required by federal or state law, including the interactive process and the need to make reasonable accommodations. If this occurs, end the meeting and contact the Medical Assistance Unit for guidance.

E. Intervention Meetings

1. Supervisors will promptly meet with and notify employees that their performance indicators have met one or more performance thresholds and afford the employee an opportunity to identify any errors in the data.
2. If there are no errors in the data and the supervisor decides to proceed with the intervention meeting, they will read the following notification:

I am meeting with you because an alert was triggered for you in the EIIS system for [*insert basis of Alert*]. The purpose of this meeting is to check in with you and ensure we are doing what we can as a department to ensure your success as an employee. No portion of the performance indicators in the EIIS database will be used for disciplinary reasons. Therefore, Peace Officer Bill of Rights (POBOR) does not apply and you do not have the right to representation. However, if at any time during our conversation, something is discovered that could lead to punitive action this intervention will immediately cease and you will be afforded all the rights defined by POBOR.

3. Prior to completing an assessment, supervisors will accompany or observe the employee in work-related activity whenever possible.
4. Supervisors may consider providing information to employees on training or counseling resources, including:
 - a. Employee Assistance Program (EAP)
 - b. Focus Psychological Services
 - c. Wellness Unit
 - d. Peer Support
 - e. Alcohol Substance Abuse Program (ASAP)
 - f. San Diego Law Enforcement Officer Wives (SDLEO Wives)
 - g. Chiefs Community Liaisons
 - h. Chaplain Program
 - i. Medical Assistance Unit (MAU)
 - j. San Diego Police Officer Association (SDPOA)
 - k. San Diego Municipal Employee Association (SDMEA)
 - l. AFSCME Local 127

F. Following the Intervention Meeting

1. Supervisors will complete and submit an Early Intervention Assessment Report, and if appropriate, the proposed Intervention Plan to the EIIS Unit within 7 calendar days of meeting with an employee.

2. Supervisors will utilize the Status Report to document actions taken, if any.
3. Employees must read, sign, and date the report prior to returning to the EIIS Unit. Whenever possible, scan the form or documentation into the BlueTeam “Alert” entry under the attachments section.
4. If an employee prefers not to sign the report, the supervisor should note, “Employee declines to sign” and sign and date the form.

G. Post Intervention Monitoring

1. Sworn employees must adhere to the intervention plan as it pertains to their work performance and conduct, and are required to complete any mandated training. However, no employee is required to participate in any resources, nor will any supervisor inquire whether any resources were sought or used either during or after the intervention process.
2. The following timeframes should be used as a general guideline and may be appropriately adjusted based upon the specific needs of the employee or Department.
 - a. Upon submitting a proposed Intervention Plan to the EIIS Unit, the supervisor and employee will meet and discuss the intervention at the end of each month for the following three months.
 - b. At the end of the fourth month, the supervisor and employee will meet to review and confirm resolution and closeout. If no resolution is reached, the intervention will be closed.
3. Upon completion of the designated monitoring period, all related documents, including the recommendation on the status report (whether or not the affected employee has participated in the intervention and made progress) will be forwarded to the EIIS Unit for Alert Report closeout. Supervisors will only document whether or not they recommended resources, as participation in those resources are voluntary. **All original reports and forms must be shredded after being uploaded into Blue Team in the alert attachments section.**

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