



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 440 - EARLY INTERVENTION PROGRAM

**GENERAL ORDER:** 2021-XX  
**ISSUED:** May 3, 2021

**EFFECTIVE:** May 3, 2021

**REVIEWED/APPROVED BY:**

Inspector Boston-Smith

**DATE:** January 12, 2021

**ACTION:** Amends General Order 2019-08 (January 25, 2019)

**WILEAG STANDARD(S):** NONE

#### **440.00 PURPOSE**

The Early Intervention Program (EIP) shall serve as a self-monitoring and proactive management non-disciplinary tool. This will enable the department's employees and management to track performance for better recognition of positive performance and identification of work deficiencies.

The primary objective of EIP is to provide management and its employees with clear and usable information to make informed decisions to identify, guide and manage a department member's performance to ensure department accountability, identify policy and/or system failures and help the member achieve the department's goals and mission.

#### **440.05 POLICY**

It is the policy of the Milwaukee Police Department to monitor, identify and guide member performance successes and deficiencies in an effort to ensure a professional and accountable work environment for members and quality service to citizens of the city of Milwaukee.

#### **440.10 DEFINITIONS**

##### A. EARLY INTERVENTION PROGRAM

A database software program designed to identify department member performance. Information is drawn from the original data source and formatted for evaluation of the member's performance.

##### B. PERFORMANCE INDICATOR

A performance indicator is the data/information gathered in which to help identify department members who may be in need of intervention.

##### C. BENCHMARK

A benchmark is the point at which a sufficient number of incidents have occurred to necessitate a review of those incident(s).

#### D. IDENTIFICATION

System and data compilation will utilize information from data sources to identify behavioral trends or negative patterns or practice, and assists management with identifying department members for intervention. In addition, it provides accurate and relevant information to properly evaluate the member's performance.

#### E. INTERVENTION

An identified department member may receive a policy review or formal training for specific deficiencies. Members may also be referred to professional organizations, employee assistance programs or other personal services as appropriate. Interventions are non-disciplinary and confidential. Therefore, intervention meetings are not subject to Wis. Stat. § 164.02(1)(b) and members are not entitled to representation during such meetings.

#### F. "FALSE POSITIVE"

Intervention alerts that are generated but do not meet the intended criteria will be closed without further action. This includes but is not limited to squad accidents in which the member is not at fault and the achievement of a benchmark due to a single incident.

### **440.15 SCOPE OF AUTHORITY**

EIP shall monitor all police members below the rank of assistant chief of police and all civilian members.

### **440.20 ORGANIZATION**

- A. EIP shall be under the direction of the Administration Bureau.
- B. All EIP information shall be strictly confidential and only disseminated as directed by the Chief of Police or designee. Violation of confidentiality may result in disciplinary action up to and including discharge from the department.
- C. There shall be an EIP focus group comprised of a representative from the Milwaukee Police Association, the Milwaukee Police Supervisors Organization, the Police Officer Support Team, the Employee Assistance Program, the EIP administrator, and a representative of the Chief of Police. The focus group shall meet periodically to discuss EIP related matters and forward to the Chief of Police any recommendations for modification to EIP.

### **440.25 GENERAL GUIDELINES**

- A. All department members shall be required to periodically review their personal EIP information for the purpose of self-intervention.
- B. All supervisors/command officers shall be required to periodically review the EIP

electronic file of the subordinates under their command for the purpose of monitoring performance.

C. EIP information shall be collected from established database systems.

#### **440.30 PERFORMANCE INDICATORS AND BENCHMARKS**

A. The Chief of Police shall have the authority to establish EIP performance indicators and benchmarks, which are subject to modification.

B. Performance indicators include the following:

1. Sustained or not sustained personnel investigation (including PD-30).
2. Battery related personnel investigation.
3. Alcohol related personnel investigation.
4. Sexual assault related personnel investigation.
5. Squad accident.
6. Reportable use of force incident.
7. Vehicle pursuit.
8. Sick leave usage.
9. Traffic stops, field interviews, no-action encounters, frisks, and searches that are insufficiently documented, legally unsupported, or based on racial and ethnic profiling (including through audits).

C. Benchmarks that cause an intervention to be initiated include the following:

1. A total of three (3) or more sustained or not sustained personnel investigations or PD-30s issued within 90 days.
2. One (1) battery related personnel investigation (open or closed).
3. One (1) alcohol related personnel investigation (open or closed).
4. One (1) sexual assault related personnel investigation (open or closed).
5. A total of two (2) or more squad accidents within 90 days.
6. A total of three (3) or more reportable use of force incidents within 90 days.
7. A total of three (3) or more vehicle pursuits within 45 days.

8. A combination of any three (3) or more of the above listed indicators within 90 days.
  9. A total of three (3) or more instances of sick leave use within 90 days.
  10. A total of three (3) incidents of traffic stops, field interviews, no-action encounters, frisks, and searches that are insufficiently documented, legally unsupported, or based on racial and ethnic profiling over a rolling one (1) year period.
- D. The Internal Affairs Division shall notify the captain of an individual officer receiving three or more complaints within a ninety (90) day period, and also provide notice to the captain of any individual officer receiving three (3) or more complaints over a rolling one year period.

#### **440.35 CRITICAL INCIDENTS**

- A. A critical incident is defined as any event that provokes an intense emotional, psychological and/or physical response. It is further defined as all incidents involving department members that result in great bodily harm or death, caused by a police member. This includes, but is not limited to, incidents in which a police member discharges their firearm causing injury to a person.
- B. Critical incidents are entered into the Administrative Investigations Management (AIM) system database to provide supervisors with a history of incidents that members have been involved in.
- C. Supervisors need to be keenly aware of incidents that could cause an intense emotional, psychological and/or physical response. This is not limited to the above defined critical incidents but any incident that may provoke the listed emotional response.
- D. When identifying a department member involved in a critical incident, understand that the member may not necessarily be “directly” involved in order to be subject to the aforementioned responses.
- E. Once the Early Intervention Program (EIP) coordinator learns of member(s) involved in and/or exposed to a duty related critical incident the following shall occur:
  1. EIP contacts impacted MPD member(s).
    - Obtains information related to critical incident.
    - Obtains best contact information for the member(s).
  2. EIP contacts the department psychologist, or designee.
  3. Provides department psychologist, or designee, with:
    - Name of member(s).
    - Information related and relevant to critical incident.

- Best contact information for impacted member.
4. Schedules group debrief with officers (other than the primary or secondary officers) involved in the critical incident.

#### **440.40 IDENTIFICATION AND INTERVENTION PROCESS**

- A. If a department member reaches the established benchmarks for an intervention, the EIP system will automatically identify the department member and send a notification to the EIP administrator that a benchmark has been reached.
- B. The EIP administrator shall review the benchmark reached and any reports relating to the benchmark incidents. The administrator will identify possible “false positives” that have alerted and close those interventions as “No Intervention Necessary”.
- C. The EIP administrator shall notify the identified department member’s commanding officer that a member under their command has reached a benchmark and is subject to an intervention.
- D. The commanding officer shall assign the intervention to the identified member’s immediate supervisor within 72 hours of receiving notification from the EIP administrator.
- E. The identified member’s immediate supervisor shall review the benchmark reached and any additional information provided by the EIP administrator. The supervisor shall schedule an intervention meeting with the identified member as soon as practicable. Interventions that are alcohol, battery, or sexual assault related shall not require an intervention meeting, but will result in a mandatory referral to the Employee Assistance Program (EAP).
- F. The intervention meeting shall take place within 72 hours from the time the supervisor became aware of the need for such meeting, unless the member is on vacation, extended leave, or with the permission of their commanding officer.
- G. The supervisor conducting the intervention meeting shall follow the outline in the *Guidelines for Early Intervention Meeting Report* (form PI-56E), located on the MPD (N:) drive “Forms” folder.
- H. Examples of intervention options, which a supervisor may suggest during the intervention meeting, include but are not limited to the following:
  - Policy review.
  - Counseling.
  - Training specific to the member’s needs.
  - Employee Assistance Program referral.
  - Police Officer Support Team referral.
  - Confidential professional counseling services referral.
- I. Intervention options may be mutually agreed upon with a follow-up date established, if

necessary.

**Note: It is expected that a mutually agreed upon policy review be conducted during the intervention meeting, or as soon as practical after the meeting. Department members are required to attend mutually agreed upon training once scheduled.**

- J. Intervention results shall be reported to the EIP administrator as soon as practicable upon conclusion of the intervention meeting.

#### **440.45 EIP ADMINISTRATOR RESPONSIBILITIES**

The EIP administrator shall be responsible for the following:

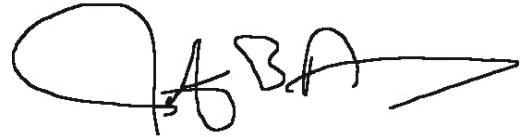
1. Identify members in need of intervention.
2. Notify the identified member's commanding officer of a member reaching a benchmark.
3. Review benchmark incidents to identify "false positives" and close those interventions as "No Intervention Necessary."
4. Identify and reporting negative systemic, divisional or procedural patterns.
5. Arrange for all training mutually agreed upon as a result of an intervention meeting.
6. Post intervention follow-up and survey as may be appropriate.
7. Monitor benchmarks and performance criteria for appropriateness and necessity.
8. Act as a liaison with the focus group.
9. Conduct an annual statistical and performance review of EIP.
10. Update the EIP standard operating procedure as needed or directed.
11. Notify the appropriate source of any reported inaccuracies in a member's record.
12. Entering critical and major incidents into the AIM system.

#### **440.50 SUPERVISOR / COMMAND OFFICER RESPONSIBILITIES**

Supervisors/command officers shall be responsible for the following:

1. Periodically monitor their subordinate's EIP electronic file.
2. Notify the EIP administrator of a possible "false positive" or intervention that the supervisor/command officer may feel is unnecessary. The final decision regarding whether or not an intervention should take place is that of the EIP administrator.

3. Conduct an intervention meeting with the identified member within 72 hours and establish intervention options as deemed appropriate.
4. Notify the EIP administrator upon successful completion of the intervention meeting.
5. Follow-up and/or scheduling requested by EIP.

A handwritten signature in black ink, appearing to read 'J.B.N.' with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN  
ACTING CHIEF OF POLICE

JBN:mfk