

SEPTEMBER ROLL CALL TRAINING

High-Risk Critical Task/Hiring Retention Early Identification System

The policy of this agency is to hire only those people qualified for employment as law enforcement officers. This agency seeks the highest level of professionalism and integrity in its members and recognizes that this commitment begins with the selection of candidates for this agency. Members of this agency have been subjected to a rigorous selection process and only those qualified candidates were chosen. It is the policy of the Sheriff's Office to provide deputies with continuous training on recurring, high risk, critical tasks that deputies will face. It is the mission of this agency to protect and serve the community by retaining highly qualified deputies to respond to the ever-growing needs of the community and to deliver professional and courteous service while enforcing the laws and ordinances within the jurisdiction.

A comprehensive Personnel Early Intervention System is an essential component of good discipline in a well-managed law enforcement agency. The Early Intervention System is a supervisory tool and not a disciplinary process. The early identification of employees exhibiting symptoms of stress or other behavior that could pose a liability to the community, the agency, or the deputy must be detected as soon as possible. When appropriate, an intervention consisting of a menu of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agency's values and mission statement.

The system should identify patterns of behavior that might indicate that an individual employee requires an intervention. The system should monitor, at a minimum:

- Complaints
- Shooting Incidents
- Domestic Misconduct Incidents
- Use of Force Incidents
- Civil Litigation
- Performance Evaluations
- Use of Sick Leave
- Preventable Accidents

Scenario: A deputy at your agency has been employed as a sworn law enforcement deputy for three years. His first year of service, he had no traffic accidents, however he was in the law enforcement basic training academy and with a training deputies a large portion of that time. His second year of service he had five at-fault traffic accidents, for reasons of following too close, too fast for conditions, failing to use emergency equipment when proceeding through redlights, and failure to yield. He received discipline ranging from written warnings to a two-day suspension without pay. His third year with the agency, the deputy had six at-fault traffic accidents, for the same reasons as the previous year. He received written reprimands and a suspension without pay for five days.

Question: Should the agency be concerned about the deputy's continued employment based on his on-duty driving in a two-year period?

Answer: Yes. The hiring and retention of deputies who are not qualified may lead to liability where the deputy causes injury (physical or constitutional) in an area that can be connected to his or her lack of qualification. In this case, the applicant gives cause for concern regarding his qualification to drive with due regard for the safety of others. If the applicant is retained, and has an at-fault vehicle crash, the injured party could allege that the agency was negligent in retaining the deputy based on his pattern of at-fault vehicle crashes and failing to drive within agency guidelines.