



ATHENS-CLARKE COUNTY POLICE DEPARTMENT

Memorandum

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Chief of Police

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CHRISTOPHER W. NICHOLS
*Lieutenant,
Professional Responsibility*



To: Chief Cleveland L. Spruill, Sr.
From: Lieutenant Christopher Nichols
Date: July 23, 2019
Re: Evaluation of Early Warning System

I have completed a review of the Athens-Clarke County Police Department (ACCPD) Early Warning System for the period January 1, 2018 through December 31, 2018. The Early Warning System is not a discipline system but a positive approach of training and assistance.

The Office of Professional Responsibility relies upon supervisory personnel and statistical data to identify persons meeting the criteria identified in the Written Directive System to activate the Early Warning System.

There are five categories monitored for the Early Warning System:

- (1) Use of force incidents (monitored per incident)
- (2) Citizen complaints/disciplinary action (whether sustained or not sustained - monitored per incident)
- (3) Vehicle accidents (contributory or preventable – monitored per incident)
- (4) Excessive uses of sick leave (monitored per sick leave use)
- (5) Vehicle Pursuits (monitored per incident)

Any combination of statistical data, resulting in an employee having three incidents in any month requires the accountable Lieutenant to notify the respective division Captain of the status and remedy implemented. In addition, employees who do not show a sufficient number of incidents in any month, but show a pattern of five incidents in the previous two months will result in notification to the divisional Captain.

I am unaware of information indicating any ACCPD employee was referred to the Employee Assistance Program because of the Early Warning System.

Use of Force Incidents

Analysis assigned to Deputy Chief Jeffrey Clark.

Internal Affairs Investigations

There were a total of 53 complaints / administrative investigations involving police officers and 1 complaint on communications officers during the review period. A public notice of

the different complaints in available to the public online and in the front lobby of police headquarters.

Of the incidents investigated, two written reprimands were issued, four officers were counseled and/or received remedial training and two officers were terminated. Of the two officers terminated, one was for a use of force incident. The use of force was later determined to be within departmental policy, the former employee was cleared of any criminal misconduct, and ultimately, the former employee settled a lawsuit against the Athens-Clarke County Unified Government.

Vehicle Pursuits

There were 10 vehicle pursuits in 2018. This was a 75% decrease from 2017. Departmental policy changed in October 2017, which was more restrictive on criteria for pursuing vehicles. Of the total pursuits, two listed policy violations. Of the two policy violations, one was pursuing a vehicle for a traffic offense and the other policy violation was for pursuing a vehicle the wrong way on a limited access highway. The latter policy violation was determined to be null from the Office of Professional Responsibility as no part of the pursuit occurred on a limited access roadway.

See also Vehicle Pursuit Analysis memorandum for CALEA Standard 41.2.2.

Sick Leave

Last calendar year, 15,846.52 sick hours (\$347,940.17) were used department wide.

During 2018, 39 sworn officers, 12 communications officers, and 7 civilian personnel (excluding communications) used 96 or more hours of sick time. It should be noted that some of these personnel had Family Medical Leave Act (FMLA) paperwork on file.

ACC Safety and Risk Notices

The ACCPD reported 66 Loss Notices to ACC Human Resources Safety and Risk, excluding exposure reports (e.g. needle sticks, blood contact) and worker's comp, both of which are not reported on loss notices.

There were 33 worker's compensation claims where treatment was sought and a worker's comp claim was created. There were 47 total employee injuries reported last year, which include injuries (or potential injuries) where treatment was not sought and there was no worker's comp claim created (i.e. we were just put on notice).

There were a total of 28 preventable vehicle accidents during 2018. Of the preventable accidents, two employees were involved in multiple accidents within the calendar year.

Cause of Preventable Accident	Number
Backed into another vehicle	5
Hit stationary object	5
Rear-ended other vehicle	4
Ran off road	3
Slid on ice/rain	3
Improper backing (not into a vehicle)	2
Sideswiped other vehicle	1
Failed to maintain lane	1

Recommendation

Guardian Tracking is an electronic employee performance log used by the ACCPD to document certain events such as commendations, discipline, tardiness, preventable vehicle accidents, etc.

ACCPD WDS C3/03/05 provides that Use of Force and Pursuit Reviews will also be documented in Guardian Tracking; however, the Directive does not specific who will enter the review. It has been common practice through the years for the employee's immediate supervisor to enter the Use of Force / Pursuit review. A review of the Use of Force and Pursuit categories in Guardian Tracking shows inconsistent use across the department. Some supervisors have been more active in documenting the reviews than others. Lack of consistency could affect the way Guardian Tracking automatically calculates incidents for Early Warning System intervention.

Beginning January 1, 2020, IA Pro is slated to become the Department's electronic performance log. The goal of using IA Pro is to ensure incidents are documented, reviewed and managed with consistency and completeness. In addition, IA Pro contains an Early Warning System algorithm into the software. I recommend the WDS be revised to specify who is responsible for and the suspense date for entering the information (e.g. Use of Force / Pursuit review) into the software in use at the time.