

**Submission to the Inquiry on Intervention Systems
in the NSW Police Force:
Police Integrity Commission**

Submission by the Police Integrity Commission

The following is the submission of the Police Integrity Commission (PIC) to the Inquiry into Early Intervention Systems to Identify Officers at risk of corruption. This submission addresses each of the terms of reference relevant to this inquiry.

The submission relies on information contained within a research paper the Commission has published on its internet website. The research paper, appended to this submission as an exhibit, focuses on strategies for developing early intervention systems for police misconduct in a law enforcement agency, in particular developing methods of identifying officers displaying problematic behaviours requiring intervention. Whilst the submission draws on information contained in the research paper, it should be noted that the research paper was specifically created for the purpose of fulfilling the Commission's principal function in relation to the prevention of serious police misconduct and other police misconduct. Where appropriate, the research paper is referenced throughout this submission.

The role of early intervention systems in managing vulnerable law enforcement officers and assisting in corruption reduction

Law enforcement agencies are increasingly adopting early intervention systems (EIS)¹ to identify officers displaying problematic behaviour, and manage them through remedial interventions, such as counselling and training. EISs are designed to address problems in a constructive and positive manner with the aim of preventing the escalation of problems before misconduct occurs.

Early intervention systems rely on a wide variety of data and information sources, such as complaints, rostering and sick leave data, to identify officers exhibiting problem behaviours (see the Commission's research paper, p.2). EISs utilise a combination of central management structures (e.g., internal affairs departments) and local management structures (e.g., supervisors, team leaders and local commanders) to effectively identify and manage officers exhibiting problem behaviours, using non-punitive interventions such as training and counselling (see the Commission's research paper, p.2, for more information).

Numerous law enforcement agencies, in the United States in particular, utilise various corruption reduction strategies such as EISs to assist in the management of vulnerable officers, particularly in relation to the prevention of officer misconduct.

The Commission regards early intervention systems as a valuable tool in the management of vulnerable police officers, and more broadly, as a corruption resistance strategy. A further advantage of EISs is that they provide employees the opportunity to correct their problematic behaviour before such behaviour escalates and necessarily becomes the subject of formal disciplinary action.

¹ Early intervention systems are also variously known as 'early identification and intervention system' and 'early warning systems'. In line with current research and practice among law enforcement agencies that utilise such systems, we use the term 'early intervention systems' to encompass the other terms described above.

Current early intervention initiatives by New South Wales Police Force

Background to the development of an EIS within NSW Police Force

The Police Integrity Commission has provided advice to the NSW Police Force (NSWPF) since 2003 regarding the merits of early intervention systems for police misconduct and the process by which one might be developed. To provide a context in which to view NSWPF's current early intervention initiatives, it is valuable to recognise the history of the Commission's involvement with the NSW Police Force in this regard, and to briefly acknowledge some of the issues that have led to the NSW Police Force committing to a dedicated project to develop an early intervention system.

In a research report entitled 'Analysis of Sustained Criminal Allegations 1999-2001', NSW Police (as it was then known) proposed the establishment of an early warning system to highlight at-risk officers. A recommendation was made in 2002 by the Parliamentary Joint Committee (PJC) on the Office of the Ombudsman and the Police Integrity Commission in 2002, following a briefing to the PJC by NSW Police on the proposed system, that the PIC and the NSW Ombudsman consider assisting NSW Police in developing indicators for an early warning system to identify officers vulnerable to engaging in misconduct. Under the auspices of the Inter-Agency Research Committee, the PIC provided advice and input in connection with the development of an early intervention system.

In May 2005, NSWPF informed the PIC that it proposed to defer the development of an early intervention system in favour of a separate process – the Officer Risk Assessment process (ORA). In April 2007, following concerns expressed by the external stakeholders, including the PIC, the NSW Ombudsman and the Police Association of NSW, the NSWPF decided to permanently 'retire' the ORA system. Among the concerns expressed by the external stakeholders were that NSWPF did not conduct a structured and formal costing of an EIS when it decided to defer developing the system in favour of ORA. Additionally, the stakeholders were concerned that the indicators were not reliable and based on solid research, nor tested for their efficacy.

Recent events in the NSW Police Force's efforts to develop an EIS

Throughout 2007 the PIC was involved in discussions with the NSWPF and external stakeholders with a view to reaching consensus on foundational issues regarding early intervention systems. The objective of this exercise was to establish a common understanding between the NSWPF and the external stakeholders as to the role and purpose of an EIS. To inform and support this inter-agency dialogue, the Commission conducted its own research into EISs and specifically focused its attention on the means by which such systems might be developed and evaluated.

This process culminated in November 2007 with a recommendation from PSC to the Commissioner's Executive Team that a dedicated project to develop an EIS be implemented and managed by PSC. That recommendation was endorsed and on 27 November 2007, the Commissioner of Police wrote to the PIC indicating that he had approved the development of an EIS as an '...organisational priority to support corruption resistance within the NSWPF'. The Commissioner invited the PIC to participate in the project. Similar requests for participation were also sent to other external stakeholders, including the NSW Ombudsman and the Police Association of NSW.

EIS project planning meetings commenced in February 2008. Representatives of the PIC, the NSW Ombudsman and the Police Association of NSW are currently involved in the project planning group.

Current status

At present, the NSW Police Force is in the process of developing a project plan for the EIS project, in consultation with the external stakeholders. The Commission was informed on 16 April 2008 that an external project manager was appointed for an initial period of two months. Additionally, on 4 June, the Steering Committee, consisting of executive-level managers within NSW Police Force and the external stakeholders, will meet for the first time to set a direction for the EIS project and to review the draft project plan.

The Police Integrity Commission remains committed to assisting the NSW Police Force to develop an early intervention system for officer misconduct, particularly with regards to research requirements.

Issues

The development of an EIS within the NSWPF has been hampered and delayed by:

- the decision in 2005 by the NSWPF to set aside plans to develop an EIS and, in its place, implement the ORA (see above) – an alternative process developed by NSWPF to manage misconduct and other risks presented by police officers; and
- an absence, until recently, of a systematic project planning and management process.

As to the first dot point, the Commission advised NSWPF in 2005 that it was not prepared to endorse the implementation of ORA. Amongst the concerns articulated by the Commission, were: the imprecise nature of the indicators that were developed as part of the ORA process, such as 'sick leave'; the lack of testing and research involved in developing the indicators associated with the ORA program; the inadequate evaluation of the ORA program at the trial sites; and the lack of focus on the prevention of police misconduct. It is also relevant to note that the Commission informed NSWPF that one of the reasons nominated by that agency for deferring the development of an EIS – namely the likely cost of implementing such a system – was not derived through a formal and structured costing analysis.

Turning to the second dot point above, once implemented the EIS will be a major corporate misconduct prevention strategy involving all commands within the NSWPF. This being the case, the Commission considers that substantial and systematic planning and preparation will be required if an effective EIS is to be developed and implemented. The project will require, amongst other things, significant participation from different business units and disciplines within the NSWPF – such as research, information technology and training – and coordination with external stakeholders, such as the Commission. The Commission's view is that an effective project planning and management regime is essential if the EIS is to be successfully implemented. Since the Commission first started providing advice and input with regard to an EIS in early 2003, there have been a number of key stages where a lack of project planning and management has caused delays and impeded progress. However, as indicated above, in April 2008 the NSWPF appointed an external contractor to develop, in the first instance, the EIS project plan for the NSWPF. Arrangements for the ongoing management of the project, at this stage, remain to be resolved by NSWPF. However, the Commission considers the involvement of a professional project manager in the planning for the EIS project a positive step and an attempt to address some of the shortcomings of the past.

The utility and further development of an early intervention system for NSW Police Force

The utility of an EIS within the NSW Police Force

An early intervention system for police officer misconduct would be a valuable corruption and misconduct prevention tool within the NSW Police Force for numerous reasons. Firstly, current government policies support the adoption of a preventative framework. An EIS within the NSW Police Force would support priority F4 in the current NSW Government State Plan, entitled 'A New Direction for NSW', which advocates the need to establish a sound early intervention and prevention policy framework, and to shift resources to support early intervention and prevention within government agencies.

Through its focus on remedial interventions, an EIS will provide employees of NSW Police Force an opportunity to correct their problematic behaviour before they are formally dealt with in a disciplinary process (see the Commission's research paper, pp.4-5). This constructive form of prevention is more likely than formal disciplinary management action to facilitate an environment in which officers engage co-operatively with their supervisors in addressing their behavioural problems.

Early intervention systems are often conceptualised as a method of assisting officers in addressing certain problems they may be experiencing in their work or personal lives, particularly if those problems are in some way predictive of future misconduct. An EIS within the NSW Police Force may significantly contribute to efforts to address problems arising as a result of stress-related issues amongst officers. By providing intervention options such as stress reduction training or specific training in certain volatile situations, for example, an EIS may be of some value in addressing problems that may worsen if left unchecked, particularly if such problems manifest as misconduct in future.

A comprehensive early intervention system utilises a wide variety of information sources to identify officers in need of intervention (see the Commission's research paper, pp.15-16). In some cases, EISs identify officers through electronic databases, using sophisticated identification rules for the indicators. One of the benefits of drawing on various information and data sources is that it facilitates the identification of problems that are often not readily discernible through other existing processes. In addition, EISs provide a framework within which identified problems are addressed and managed. The NSW Police Force could benefit from utilising an EIS to identify and manage problems with its officers which may not be identified and managed through its other systems and processes, particularly if the EIS is integrated into existing management frameworks (see the Commission's research paper, p.16).

By establishing a formal framework within which behavioural problems are identified and managed in a non-punitive way, EISs enable law enforcement organisations to improve the effectiveness of supervisory arrangements, particularly if accountability mechanisms involve a combination of central and local management structures (see the Commission's research paper, pp.18-20). In this respect, a benefit of implementing an EIS within the NSW Police Force is that the existence of such a system will assist in focusing supervisory attention to officers experiencing difficulties and behavioural problems. The increased monitoring of identified officers will potentially enhance the effectiveness of remedial management actions.

Finally, by aiming to positively change the behaviour of officers and supervisors, EISs inevitably have an impact at an organisational level. At one level, the existence of an EIS within a law enforcement agency sends a clear message to all employees regarding the commitment of the organisation to corruption and misconduct prevention strategies. This in turn could have a positive effect on the culture of the organisation at all levels, by, for

example, encouraging employees to honestly appraise their behaviour and address any issues in co-operation with their supervisors. At another level, if the EIS exists within a broader formal disciplinary framework, including effective accountability mechanisms and oversight, then it is more likely to be supported by other mechanisms, and it is more likely to be perceived as a serious misconduct prevention tool throughout the organisation. The establishment of an EIS within the NSW Police Force may be valuable in positively influencing the culture of the organisation, particularly in view of the fact that the NSW Police Force is oversighted by two agencies, the Police Integrity Commission and the NSW Ombudsman, both of which are consistently active in promoting and encouraging a high standard of accountability within the NSW Police Force.

Further development of an EIS within the NSW Police Force

Regarding the issue of the further development of an EIS within the NSW Police Force, the Commission remains committed to providing assistance, particularly in regards to required research in developing indicators, to the NSW Police Force and to the EIS Project working group (as outlined in relation to the previous terms of reference item). The Commission is of the view that the NSW Police Force should adopt a best practice project management approach to ensure that the project is effectively managed and that indicators are tested prior to implementation of the EIS.

**DEVELOPING AN EARLY INTERVENTION SYSTEM FOR POLICE MISCONDUCT
IN A LAW ENFORCEMENT AGENCY**

**Tony Bertoia
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June 2008**

1 Scope and Purpose of this Paper

The purpose of this paper is to outline the fundamental issues associated with the development and implementation of an early intervention system (EIS) within a law enforcement agency. Key theoretical and practical issues are discussed, including the purpose of an EIS, the benefits of having an EIS, the underlying assumptions of an EIS, the componential structure of an EIS, the management support structure of an EIS, the process of developing an EIS, and the process of monitoring and evaluating an EIS.

Since January 2003 the Police Integrity Commission has been involved in providing advice to the New South Wales (NSW) Police Force on the development of an EIS. The Commission's view is that these systems can be used to effectively prevent police misconduct. This paper is a modified version of a document provided by the Commission to the NSW Police Force in mid 2007 on, amongst other things, the process by which an early intervention system might be developed and subsequently evaluated and monitored.

2 What is an Early Intervention System?

Organisations are increasingly recognising the value of employing a proactive approach to identifying and managing risks in the workplace. In New South Wales, for example, the State Government has explicitly advocated the need for government agencies to establish sound early intervention and prevention principles (NSW Government, 2006, Priority F4).

Of considerable importance is the identification and management of risks in relation to misconduct, particularly given the potentially damaging consequences associated with allowing misconduct to exist unchecked within an organisation. Reflecting this trend towards implementing sound risk management principles, law enforcement agencies are increasingly adopting early intervention systems (EIS) to identify and manage officers at risk of engaging in misconduct (Lersch, Bazley & Mieczkowski, 2006).

Historically, as Walker (2003, p.10) notes, early intervention systems (previously known as early warning systems) in law enforcement agencies were designed to focus on identifying 'problem' officers (that is, the systems were focused solely on targeting officers exhibiting problematic behaviours, whether such behaviours were indicative of work-related issues or misconduct). More recently, the purpose of early intervention systems has broadened to encompass other goals, such as improving supervisory practices and the public perception of the organisation. A useful definition of an EIS is as follows:

"EW systems are data-driven programs designed to identify officers whose behavior appears to be problematic and to subject those officers to some kind of intervention, usually in the form of counseling or training designed to correct the problematic behavior." (Walker, Alpert & Kenney, 2000, p.132)

Aside from the use of the term 'EW' (i.e. 'early warning') being used instead of the more widely used term 'early intervention'¹, this definition encompasses the key elements of an EIS, which include the following:

- An EIS uses all relevant data – it is not limited in the data it can draw on

¹ There has been a recent trend towards using the term 'early intervention' instead of 'early warning' due to growing concerns regarding the negative connotations associated with the term 'warning' (see Walker, 2003, p. 7). For consistency with the existing literature, and to avoid negative perceptions of the system among staff, it is desirable to use the term 'early intervention system'.

- An EIS involves the identification of problem behaviours (whether related to work performance, misconduct, or any other behavioural issue)
- An EIS is designed to address problems and resolve them in a remedial manner, using such processes as counselling and training
- EISs are designed specifically to correct problematic behaviours, not to punish officers.

A systematically developed and effectively managed EIS can provide numerous benefits for the organisation and for the individual to whom the system is targeted. An EIS can:

- give employees an opportunity to correct their behaviour before they are formally dealt with in a disciplinary process;
- address conduct, performance and other behavioural issues that are not serious enough to warrant formal disciplinary action (but only if there is a possibility that they may lead to misconduct);
- address behavioural issues that may not be identified and managed through other systems and processes;
- establish a consistent framework for identifying and managing behaviour that, if left unchecked, may lead to misconduct; and
- improve accountability within the organisation by systematically monitoring officer behaviour and addressing problems at an early stage.

3 Defining the Purpose of an Early Intervention System

There are a number of fundamental issues relating to the purpose of an EIS that need to be examined and resolved in the process of developing such a system. These include whether an EIS should address conduct or performance issues (or both), utilise remedial or punitive interventions, and focus on identifying current or potential future misconduct issues. Such issues are crucial to consider when developing an EIS within a law enforcement environment, and are discussed below.

3.1 Conduct and Performance – An Unnecessary Distinction?

In terms of defining the scope and purpose of an EIS, one of the first issues that needs to be confronted is whether the system should be designed to address problems related to the conduct or performance of officers. For the purposes of this paper, 'misconduct' refers to improper or unlawful conduct or behaviour by a sworn officer that, if proven, would merit disciplinary and/or criminal sanctions. The term 'performance' relates to the extent to which an officer, in executing their duties, is meeting the standards required of their position.

In some contexts it may be quite difficult to determine '*a priori*' (i.e. before all relevant information has been collected) whether a problem behaviour is indicative of underlying performance or misconduct issues. What may appear to be a performance-related problem may instead be indicative of an underlying misconduct issue. It might be useful to illustrate this point with an example.

An officer testing positive to an illicit drug is clearly exhibiting problem behaviour relating to misconduct. In contrast, an officer who is found to have prepared a poor quality brief of evidence is likely to be exhibiting performance-related problems. However, consider a situation in which an officer is found to have consistently conducted numerous inadequate investigations. At face value,

this situation may be the result of a performance problem requiring some form of retraining. However, it may also be reasonable to suspect that this officer is engaging in misconduct, particularly if the inadequate investigations involved acts or omissions that could arise from a deliberate intention to reduce the likelihood of a conviction. In such circumstances, there is a risk that an EIS which ignores performance-related problems may also be ignoring potential misconduct issues.²

Given the potential for confusion in determining whether a particular behaviour is indicative of misconduct or a performance problem, consideration should be given to whether this distinction is relevant at all in the context of an EIS of police misconduct. It is arguable that an EIS need not rely on a distinction between misconduct and performance issues because the focus is on addressing performance problems which are assumed to potentially lead to misconduct problems in future. The focus of an EIS should be on preventing misconduct in future, regardless of the nature of the problematic behaviour to be detected at present.

3.2 Remedial Interventions

Insofar as an EIS seeks to correct performance and behavioural problems before they manifest as misconduct issues, it makes sense to focus on applying solutions that are most likely to succeed in positively changing problem behaviours. This being the case, consideration should be given to whether an intervention that punishes an officer is more likely to address problem behaviour than an intervention that is designed to address the problem constructively.

Remedial interventions (i.e. management actions designed to remedy a problem) are preferable to punitive interventions within the context of an EIS for numerous reasons, including:

- Officers may be more likely to voluntarily admit they are experiencing performance or other problems if they know that they will not be punished for doing so;
- Punitive interventions are more suited to achieving an outcome of deterrence, while remedial interventions are more suited to achieving a rehabilitation outcome. In terms of addressing the core purpose of an EIS which is to correct problems before they escalate into misconduct, the concept of rehabilitation may be more appropriate than a deterrent in effecting constructive behavioural change; and
- Remedial interventions may be more likely to lead to positive outcomes by providing officers and opportunity to engage with their supervisors in resolving behavioural problems.

Remedial interventions include, but are not limited to, coaching, mentoring, training and development, increased professional, administrative or educational supervision, counselling³, personal development, performance enhancement agreements, and change of shift (but only if the change results in no financial loss and is imposed for a limited period and is subject to review). The key feature of these interventions is that they are primarily remedial in nature.

In contrast, punitive interventions could involve a reduction of a police officer's rank or grade, a reduction of a police officer's seniority, a deferral of a police officer's salary increment, the

² Walker (2003, p.52) illustrates this issue in a recent case study involving the City of Miami Police Department.

³ In this context, unless otherwise stated, the term 'counselling' refers to an informal meeting between an identified officer and his/her supervisor, often for the sole purpose of warning the officer that their behaviour needs to be addressed. This is distinct from the colloquial use of the term counselling to refer to psychological counselling. In this context, the term 'psychological counselling' is used to refer to an officer meeting with a professional psychologist or counsellor with similar qualifications for the purpose of addressing behavioural problems.

imposition of a fine, or dismissal. The defining characteristic of a punitive intervention is that its aim is to penalise an officer with the intention of preventing recurrence of the aberrant behaviour.

An EIS and a formal disciplinary framework should be distinct (but related) processes requiring different interventions. However, it should be acknowledged that the nature of the interventions depend on the nature of the identified behaviour – behavioural problems interpreted as early signs of misconduct may require remedial interventions while behaviours interpreted as misconduct may require formal discipline. This issue is addressed in detail in section 3.3.

3.3 Focus on Misconduct Prevention

As observed above, early intervention systems focus on detecting early signs of potential future misconduct. They are, by design, *misconduct prevention* tools. The identification or the uncovering of current acts of misconduct does not, therefore, form part of the scope and purpose of an EIS.

Consequently, the processes involved in developing an EIS differ from those associated with a misconduct identification system. As far as an EIS is concerned, information must be collected and analysed regarding the precursors of misconduct behaviours, and the likely situational, personal, financial and environmental factors that may indicate whether an individual's behaviour is likely to deteriorate in future. A *misconduct identification* system, by contrast, primarily requires an understanding of what sorts of factors may be indicative of current underlying misconduct behaviours.

Despite these differences, it is recognised that an EIS may in some situations uncover information suggesting current misconduct, depending on how the indicators are defined. For example, an officer may come to notice as a result of absenteeism issues (such as departing a shift before its completion) in conjunction with personal conflicts with colleagues and, on this basis, identified for some kind of intervention to remedy their behaviour. On collecting further information in support of the intervention, however, indications may come to light that the officer in question is using illegal drugs. In this example, the rules used to identify an officer who may be exhibiting signs of future misconduct might also identify an officer who is currently engaging in misconduct, which may require disciplinary action.

An EIS should therefore not be discounted as a potentially valuable tool in identifying patterns of behaviour indicating current misconduct, even though it may not be specifically designed for that purpose.

4 Structure of an Early Intervention System

The success of an early intervention system depends on several independent components functioning cooperatively. Walker (2003) outlines four such components (p.25):

- performance indicators, such as complaints, to identify officers requiring intervention;⁴
- identification and selection of officers requiring intervention;
- intervention, that is, steps taken to correct an identified officer's behavioural problems; and
- post-intervention monitoring, so as to measure the success of the intervention and provide potentially valuable data in identifying problems in future.

⁴ Note that Walker (2003) defines 'performance indicators' as "*aspects of officer performance that are the subject of official departmental reports and are entered into an EI system database*" (p.26). This is to be differentiated from the use of the term in the context of performance measurement of the entire system.

These components reflect the broader objectives of an EIS, namely the identification of a problem and the implementation of its solution. This problem solving approach has been used in the context of developing crime prevention strategies. (see, for example, a four-stage model developed by Hough & Tilley, 1998). Figure 1 displays a potential structure of an EIS to address an officer's aberrant behaviour, based on Hough and Tilley's (1998) model. The proposed EIS model incorporates the following stages:

1. identifying officers exhibiting behavioural, performance or misconduct problems;
2. deciding what the appropriate intervention will be for the officer;
3. implementing the intervention;
4. monitoring and evaluating the intervention and the ongoing progress of the officer as a result of the intervention.

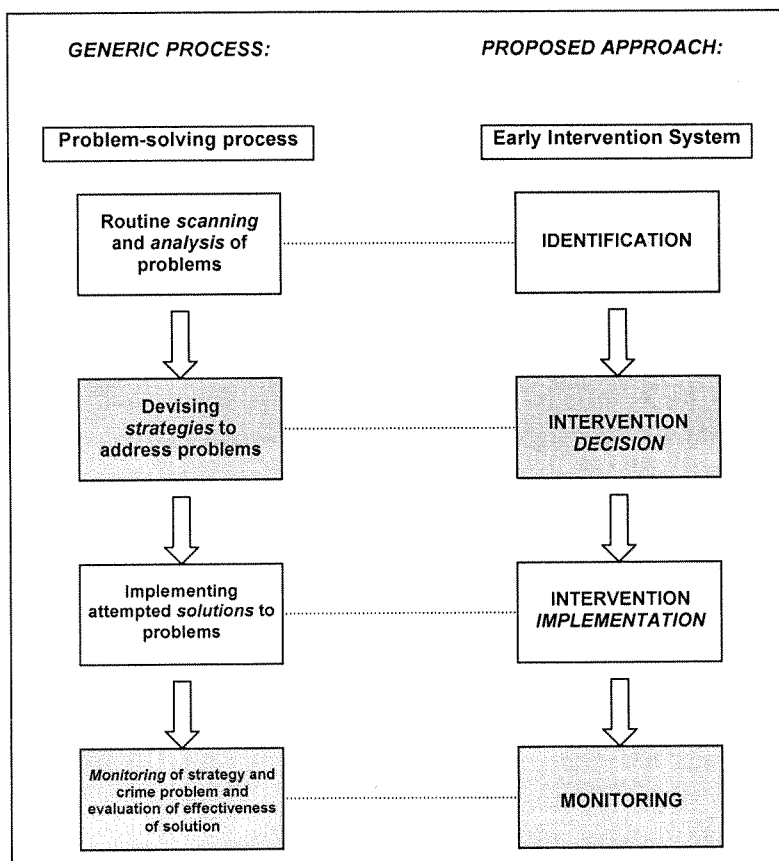


Figure 1. Proposed structure of an Early Intervention System

The components of this proposed system differ slightly from the components proposed by Walker (2003, p.25), in which he differentiated between 'identification and selection' and 'performance indicators'. In the model proposed in this paper, there is no distinction made between the identification phase, which refers to a *process*, and the set of indicators used in the identification phase, which refers to a discrete *material* component within an EIS. While the emphasis on developing an effective set of indicators is essential,⁵ this paper focuses on describing the separate components of an early intervention system in terms of processes which are important in fulfilling the main objectives.

⁵ Given the importance of developing appropriate indicators, it is useful to note Walker, Milligan & Berke's (2006) observation that "an early intervention system is only as good as the data it contains; therefore, it is essential to ensure the integrity of that data" (p.21).

Note that the four stages outlined above are closely aligned with the five basic steps in risk management best practice that can be applied to most types of organizations (taken from Archbold, 2005, p.31):

1. Identify risks, frequency of exposure to risks, and the severity of losses resulting from exposure to risks;
2. Explore methods to handle exposure to identified risks;
3. Choose appropriate treatment or response to manage exposure to risks;
4. Implement risk treatment; and
5. Continuously evaluate risk treatment applied to organizational risks.

From the risk management steps outlined above, it can be seen that an EIS, in effect, comprises the full cycle of risk management, involving the identification of the risk (in this case, to an officer), steps to address the risk (i.e. the intervention), and continual evaluation of the effects of the intervention (i.e. monitoring).

5 Developing Indicators for an EIS

Early intervention systems rely on indicators as a means of identifying officers for further assessment and intervention. At this juncture, it is relevant to define the term indicator as it is used in such systems. Some discussion is also merited as to the distinction between EIS indicators and the data elements that constitute an indicator.

For the purposes of this paper, the term '*data element*' denotes an individual discrete piece of information that may be potentially useful in identifying an officer in an EIS. A data element constitutes the most basic component of an indicator. For example, the number of arrests made by an officer in the previous 12 months can be classified as a data element. Similarly, a piece of intelligence suggesting that an officer has been associating with known criminals can also be deemed a data element.

In contrast, an '*indicator*' can be defined as a combination of data elements, linked by a decision rule, which represents a behavioural pattern requiring intervention. For example, the occurrence of a significantly higher proportion of harassment-related complaints against an officer relative to other officers might qualify as an indicator for an EIS within a law enforcement agency. The inclusion of a specific decision rule defines exactly how the data flags an officer for intervention. The precision with which the data identifies an officer for an intervention is the key measure of the success of an indicator. Thus, while a data element represents the most basic constituent of an indicator, it is the way that data elements are combined to produce the indicator that is crucial in identifying an officer with behavioural problems. It should be noted, however, that in some cases a data element may qualify as an indicator without the need to incorporate other information or decision rules. For example, an intelligence report suggesting that an officer may be experiencing financial problems could be considered enough to warrant an intervention (or at least further assessment of the officer's situation).

Other terms, such as 'trigger' or 'threshold', are often used in the literature to represent indicators. In the interests of simplicity, however, the term 'indicator' has been used in this paper to encompass the meaning ascribed to the other terms.⁶

⁶ Walker (2003, p.31) also expresses concern with the negative connotations associated with the term 'trigger'. In contrast, the term 'indicator' does not appear to have such connotations.

There is little specific information available on the types of indicators used by law enforcement agencies with an actively functioning EIS. The available information usually derives from Samuel Walker's work on the subject. For example, Walker (2003) refers to three different methods being used by police departments in the US to identify officers for intervention:

- department-level thresholds⁷, which refer to levels set by particular departments;
- peer officer averages, which refer to comparisons being made for each officer against officers undertaking the same assignment; and
- performance indicator ratios, which refer to comparing the ratios of different performance indicators, such as the ratio of use-of-force reports to arrests (pp.32-33).

According to Walker (2003, p.33), performance indicator ratios can identify top-performing officers (for example, via such indicators as high arrest activity) without unfairly subjecting them to intervention.

The available literature on early intervention systems does not contain great detail with regards to successful and testable methodologies for developing indicators. Despite the dearth of available information, this section outlines some possible approaches, utilising readily available resources (for most law enforcement organisations), for developing indicators. These approaches, described in detail in the following sections, are:

- reviewing the literature on misconduct prevention and existing early intervention systems for misconduct detection;
- analysing available complaints and performance data, perhaps comparing officers with a history of misconduct against those without such a history to find commonalities and differences between them;
- reverse engineering indicators from misconduct behaviours (that is, identifying the antecedents of specific misconduct behaviours); and
- forward engineering indicators from known problem behaviours to potential future misconduct (that is, identifying problem behaviours regardless of whether future misconduct behaviours have been predicted).

Although these approaches might individually produce a satisfactory set of indicators, when used collectively, they are more likely to produce a comprehensive set of indicators. Consideration should therefore be given to combining these approaches in some form.

5.1 Literature review

A literature review focusing on the precursors to criminal and other anti-social behaviours should be considered in connection with any process which seeks to develop a comprehensive set of indicators. Relevant information may be found in the criminology, social psychology, abnormal psychology, and sociology literature.

There are a variety of sources that may be useful in developing indicators. Literature sources may include published research (e.g., journal articles, books); conference proceedings; government reports; and theses or dissertations. Each source may require a different search strategy to ensure

⁷ Walker (2003) discusses the various approaches to indicators based on quantitative data (e.g., number of use of force incidents). A common approach is to adopt a formula whereby an officer is identified if they are sufficiently different from their peers (i.e. any data element deviates one or more standard deviations from their peers).

that only relevant information is obtained. Conference proceedings, for example, may be particularly useful for obtaining information about the current trends in the field. Peer-reviewed sources are preferable to ensure that good quality of research is relied upon.

With regards to the literature on EISs, it would be useful to follow a clearly defined search strategy. Of particular importance is ensuring that all variations of the term 'early intervention system' are utilised in any searches. For example, previous research often refers to 'early warning', while some research may use the term 'early identification'. There may be some existing police departments that still use the term 'early warning' to describe their EISs.

It might also be useful to consider the broader literature when developing a set of indicators for an EIS. For example, theories relating to the causes of crime in general (e.g., Topalli, 2005) may inform assumptions regarding the precursors of police misconduct. Insights gained from a review of the broader literature on corruption detection, corruption prevention, and criminology could be useful in generating ideas on the problems associated with implementing an EIS and potential ways to overcome these problems. In addition to the literature on the causes of crime, it might be useful to review the available literature related to human resources, employment, or industrial relations. In particular, literature relevant to factors affecting an employee's honesty and integrity could be explored. For example, literature exploring the relationship between addictions (e.g., gambling, alcohol etc) and behaviour in the workplace might be relevant.

5.2 Analysing available complaints and performance data

Given that effective EISs are data-driven, there would be value in conducting analyses on available complaints, human resources or other relevant data to facilitate the identification of appropriate indicators. One such method might involve conducting comparative statistical analyses on available data by comparing officers found to have engaged in misconduct and officers not found to have engaged in misconduct (i.e. officers with 'clean' records). By analysing the common features in the behaviour of, and circumstances surrounding, these groups of officers, sound evidence-based indicators can be developed. Additionally, analyses of differences between these groups of officers, in terms of background, current behaviours, and attitudes, should be considered. An example of this approach can be seen in the example outlined in section 5.2.1.

5.2.1 Example of analysing assault-related complaints data

One might begin by analysing complaints data related to a sample of officers who have had a sustained finding of an assault at some point in their careers, and comparing the results with another sample of officers who have not had any sustained findings related to assaults during their career. One way to do this statistically is to conduct a series of discriminant analyses to determine the factors that most effectively distinguish between the two comparison groups. This statistical technique is often used in marketing research to identify factors distinguishing different groups of consumers, and could be quite useful in this context.

Such a comparison may reveal that officers who have had a sustained finding of assault share certain characteristics, such as a higher than average number of complaints (sustained or otherwise) in relation to threatening behaviour and unreasonable use of force. The analysis may also reveal that the only factor distinguishing the two groups of officers is a high number of complaints in relation to unreasonable use of force.

The advantage of using this analytical approach is that it encourages a better understanding of the available data and techniques to utilise that data to identify officers with performance or misconduct problems. However, there are a number of caveats associated with this analytical approach. Firstly, caution must be exercised when drawing inferences about personal characteristics based on the findings of any comparative analyses. For example, if comparative analyses show that officers found to have problems with alcohol abuse are generally younger than

30, this does not justify using age as an indicator of potential future misconduct requiring immediate intervention. Profiling based on observed behaviours should be utilised in favour of profiling based on personal and demographic characteristics to avoid any concerns that officers are being targeted on the basis of the behaviours of other officers in their demographic group.

Secondly, factors identified as distinguishing between groups of officers may not be sufficient as indicators in an EIS. In the example described above, a determination might be made that complaints relating to unreasonable use of force might be a useful component of an indicator. However, the specific decision rule defining the indicator for early intervention still needs to be determined. In this sense, therefore, this analytical technique can only help in identifying the basic elements of an indicator, rather than the final indicator for inclusion in an EIS.

5.3 Reverse engineering in the development of indicators

The most systematic approach to selecting early 'misconduct prevention' indicators is to identify the antecedents of specific misconduct behaviours – that is, to work backwards from misconduct behaviours and construct a set of indicators which might suggest that the individual is heading towards behaviour of this kind. This task, referred to here as '*reverse engineering*', essentially relates to understanding the causes of misconduct, and is likely to involve planned research. In addition, elements of this approach also rely on the literature review and analyses of performance and complaints data described above.

Due to the complexity involved in developing indicators, there is merit in adopting a structured and staged approach with achievable goals at each stage. Six stages are suggested (outlined below and illustrated in Figure 2) to achieve the aim of compiling a list of indicators to be used in an EIS:

Stage 1 - Compilation of list of misconduct behaviours – to be undertaken via a review of complaints categories, relevant literature, reports and other materials, as well as via consultation with experienced officers and personnel.

Stage 2 - Literature review producing potential precursors for each misconduct behaviour outlined in step 1 – this stage needs to be thorough and wide-reaching in scope so that all potential indicators will be canvassed as viable options.

Stage 3 - Review of existing EISs to obtain further information regarding precursors to misconduct behaviours and indicators which are currently being used in existing EISs.

Stage 4 - Compilation of a list of feasible data elements⁸ to be included as indicators – it is important to check the list of data elements against a pre-defined set of criteria regarding measurability, availability, and cost-effectiveness (if the data element is not currently available).

Stage 5 - Develop rules for combining the feasible data element into indicators for problematic behaviours – this is important because indicators of problematic behaviours are often not obviously derived. A suggested method is to use the knowledge gained from stages 2 and 3 to compile a list of indicators for each of the misconduct behaviours identified in stage 1.

Stage 6 – Assess the reliability⁹ of the indicators – it is important to test whether the indicators are useful in detecting misconduct or performance problems.

⁸ An individual piece of information to be used as part of a decision rule in identifying an officer for intervention. A data element is the basic element of an indicator (e.g., the number of arrests made by an officer in the previous 12 months).

⁹ Reliability indicates the extent to which a measuring procedure yields the same results on repeated trials (Carmines and Zeller, 1979). A more detailed explanation is provided in section 6 of this paper.

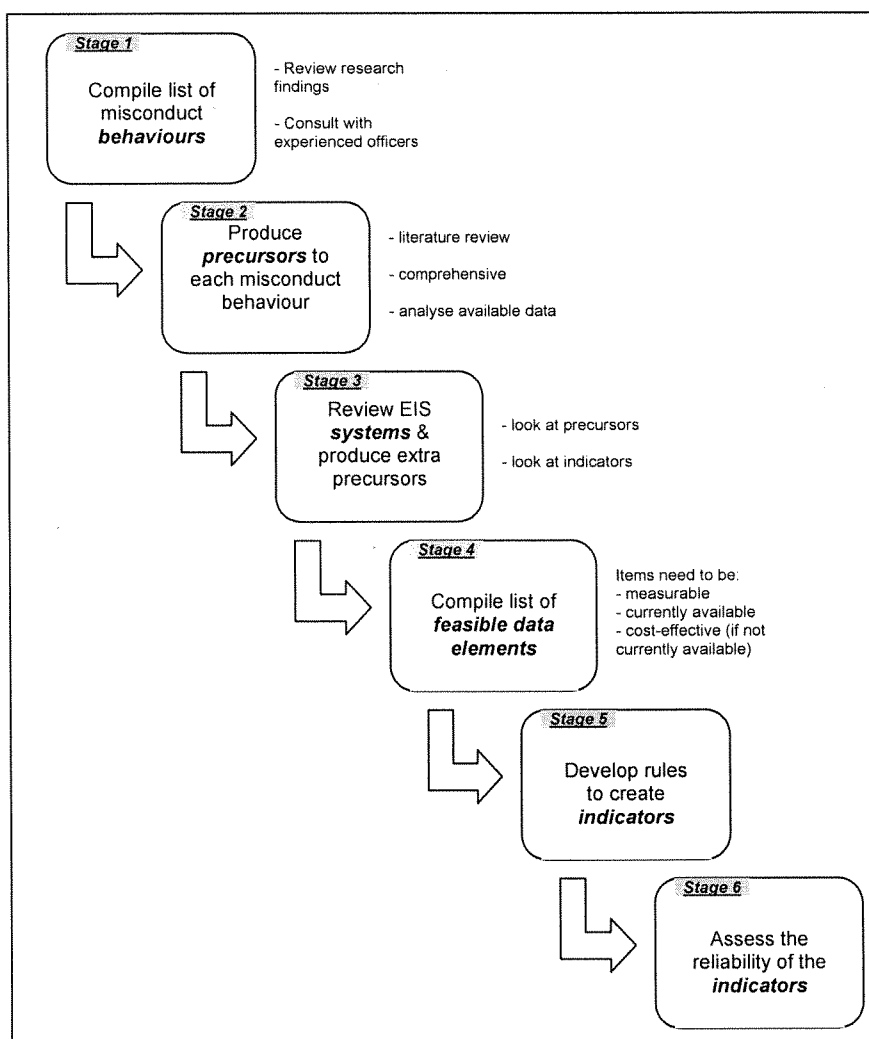


Figure 2. Proposed procedure for reverse engineering early indicators of behavioural misconduct

One potentially useful method in identifying the aspects of misconduct behaviours (stage 1), precursors (stage 2), and data elements (stage 4) is a consultation process known as the 'Delphi method' (see Loo, 2002, for a review). The Delphi method was originally developed to improve the development of policy in complex areas. The method involves a number of characteristics, including:

- Reliance on a panel of experts in the area of interest;
- The anonymity of participants in the process;
- The use of a moderator, who constructs a series of questionnaires for the panel;
- An iterative process involving several questionnaires and feedback reports; and
- A research report outlining the results, forecasts, and recommendations for action.

Such a structured method of consultation could be valuable in the context of developing indicators for an EIS, especially given the complexity of the subject matter, and the breadth of literature that needs to be considered. In this sense, consideration could also be given to inviting external law enforcement agencies to be part of the panel. Opinions could be sought on such issues as how they developed their indicators, and whether new data elements need to be created in order to enable a particular type of behaviour to be detected by the system.

5.4 Forward engineering in the development of indicators

The forward engineering of indicators is referred to in this paper as the development of indicators based on identifying problem behaviours without attempting to link them to, or having identified, future misconduct behaviours. In other words, the forward engineering of indicators does not rely on an understanding of a causal relationship between 'early' behavioural problems and future misconduct behaviours.

The main reason for forward engineering the indicators is to fill in the gaps one may have when applying the other approaches described in the preceding sections. After having searched the relevant literature, analysed available performance data, and reverse engineered the indicators from misconduct behaviours, one may still be aware of behaviours that have not yet been identified as potential indicators.

In practice, it may sometimes be extremely difficult to know 'a priori' what sort of misconduct behaviour one wishes to prevent. It may instead be easier to identify behaviours seen in case studies, and to determine that such behaviours are indicative of a problem, even though identifying the problem itself might be difficult. For example, it might be well known that evidence of alcohol consumption whilst on duty indicates that an officer has an alcohol problem that requires attention. It may not be clear, however, whether or not this behaviour is likely to lead to the escalation of such destructive behaviour towards, for example, the future use of illicit drugs. Hence, knowledge regarding the indicators of some potential problem may be useful, even without a specific awareness of what sort of misconduct behaviour an intervention might prevent.

Another example might be when an officer attracts a 'flurry' of complaints within a short space of time. This could indicate that the officer's behavioural problems are becoming more acute. Without knowing what sort of behaviour to prevent, it might be well understood that an indicator based on this sort of complaints-related activity suggests that some sort of (perhaps urgent) intervention is required.

5.4.1 *Forward engineering using severity of misconduct*

One example of a technique that could be useful in developing indicators is to explore the severity of behaviours within broad misconduct categories. By looking at the less severe examples of behaviour within broad misconduct categories, one could generate examples of early signs of potential future misconduct.

For example, using the broad misconduct category of 'abuse of office', a less severe example of this category might be showing their police identification card or badge at a nightclub to receive preferential treatment, while a more severe example might be obtaining a bribe in exchange for tampering with evidence in an investigation. Similarly, using the broad category of 'unreasonable use of force', a less severe example might be pushing and shoving an offender who is resisting arrest, while a more severe example might be repeatedly striking an individual with a baton who is not posing any risk to the safety of anyone else.

Assuming that the broader misconduct categories are comprised of levels of severity of behaviours, it might be possible to focus on the lower end of the continuum and extract behaviours that could be considered for an EIS. Using the examples described above, an officer showing their police identification card or badge to receive preferential treatment could be considered as an indicator for the broader misconduct category of 'abuse of office', while pushing and shoving an offender who is resisting arrest might be considered as an indicator for the broader misconduct category of 'unreasonable use of force'.

In summary, by choosing appropriate broad misconduct categories and generating examples of less severe behaviours within that category, it might be possible to extract numerous indicators that can be used in an EIS to detect emerging performance and misconduct problems.

6 Testing the Reliability and Validity of Indicators¹⁰

The EIS model presented in this paper proposes testing at key stages of the development, implementation and subsequent maintenance of the system. Testing in relation to the reliability and validity of the indicators is one such stage.

The concept of 'reliability' indicates the extent to which a measuring procedure yields the same results on repeated trials (Carmines & Zeller, 1979). Reliability is important in determining whether an indicator will obtain the same results if applied to the same person at different points in time or if applied to a wide range of people. In both of these situations, reliability is a valuable aspect of an indicator.

The concept of 'validity' is also important because it reflects whether an indicator is actually measuring what it is intended to measure (Carmines & Zeller, 1979). It could be beneficial to consider a few types of validity, each involving different approaches. These approaches include, but are not limited to:

- criterion validity, which refers to the ability of the measurement to estimate some form of behaviour that is external to the measurement itself. It can be further differentiated into two types of validity:
 - concurrent validity, which relates to correlating (i.e. determining if a relationship exists between) a measure and the criterion at the same point in time (e.g., correlating a verbal report of voting behaviour with actual participation in an election);
 - predictive validity, which relates to correlating a measure with a future criterion (e.g., correlating an employment screening test with future job performance);
- content validity, which refers to the ability of an indicator to measure all aspects of a given construct (e.g., the extent to which an academic exam accurately measures a student's ability in the given topic area); and
- construct validity, which refers to the degree to which the indicator is similar to other indicators or measures that it should theoretically be similar to (e.g., the extent to which one test of academic ability is similar to another test of academic ability).

One way to measure the predictive validity of an indicator is to apply it to historical data for each officer. In other words, one could compile a data set from an appropriate prior point in time and apply the indicator to identify whether that officer would have been identified early for intervention.

7 Lessons from Existing Early Intervention Systems

Early intervention systems are in use in different policing agencies in Australia and overseas, particularly in the United States. There are, therefore, lessons that can be learned from the experience of other agencies. This section outlines some positive features of existing early intervention systems that may be applicable to various law enforcement jurisdictions. The

¹⁰ While this section briefly introduces some of the concepts that should be considered, it would be beneficial to refer to the literature on reliability and validity testing in assisting the development of an EIS.

information provided is referenced where possible to allow for verification of source information and to encourage follow up correspondence with the relevant police department.

7.1 Final intervention decision to be made by local management:

A key consideration in the decision processes in an EIS is the need to ensure that relevant decision makers (in particular supervisors) are accountable for their decisions. The ultimate decision on what sort of intervention to conduct on an identified officer should therefore be made by the individual who is ultimately responsible for the welfare and performance of the officer: the local line manager or supervisor. Numerous existing EISs require local managers to decide on the most appropriate course of action for an identified officer. For example, Western Australia Police's EIS and Phoenix Police Department's Personnel Assessment System (PAS)¹¹ requires the final decision on the appropriate intervention strategy for an identified officer to be made by local management. This feature of the EIS ensures that local issues are given due attention in any intervention.

7.2 Involvement of senior officers in the counselling of an identified officer:

The involvement of senior police officers in the counselling of an officer may convey the message that the officer's behaviour is a serious matter and that the organisation is committed to addressing the problem. This in turn may prove helpful in curbing the officer's errant behaviour. An example of this principle is seen in the San Jose Police Department, where identified officers are required to be involved in an 'Intervention Counselling' session involving the Police Chief, the head of internal affairs, and the officer's immediate supervisor (see Luna & Walker, 1997).

7.3 Continual reviewing of data:

The use of an electronic database as a component in an EIS allows for the possibility of continuously updating data as it is entered into the various source databases. The benefit of considering continued data updating is that it allows for relatively quick identification of a problem, which will enable more efficient implementation of interventions. An example of this can be found in Phoenix's PAS, which automatically reviews all employee data on a daily basis. The intention is to identify a problem quickly by ensuring that the data is up-to-date and that the relevant decision-makers are kept informed regularly.

7.4 Direct referral to an intervention:

Incorporating a mechanism that allows a manager to directly refer an officer to the intervention phase may reduce potential concerns that an automated EIS will undervalue the role of local knowledge about an officer's performance and conduct. The benefit of such a mechanism, currently employed by Phoenix's PAS,¹² is that it may facilitate managers' compliance with, and confidence in, the system.

¹¹ Phoenix Police Department Website. *Early Intervention and Personnel Assessment System FAQ's*. Available at <<http://phoenix.gov/POLICE/pas1.html>> Accessed on 22 May 2008.

¹² As mentioned on the Phoenix Police Department website, initial evaluations of the PAS revealed that supervisors often knew which officers were having problems. This sentiment demonstrates the importance of including an element of subjectivity into such a complex automated system.

7.5 Regular evaluations of the early intervention system:

Regular evaluations of an EIS against its objectives, and those of the organisation in which it operates, need to be conducted on an ongoing basis to ensure the system is subject to improvement. This process is known as an outcome evaluation and is described in detail in section 9 of this paper. Even the most sophisticated EISs, such as Phoenix's PAS, yield false positives - that is, officers being identified and referred for an intervention when they shouldn't be. Even if the indicators are effective, employees who are performing well may be identified as well as those in need of a possible intervention. One reason for the production of false positives might be the use of inaccurate or inappropriate indicators.¹³ Two police agencies that regularly conduct EIS evaluations are the Phoenix and San Francisco police departments. Similarly, although not conducted on a regular basis, Pittsburgh's PARS has been subject to two separate evaluation and monitoring procedures to date (Walker, 2003).

7.6 Transparency of the review process:

A key feature of some existing EISs in the US is the inclusion of public transparency in the review process. For example, Phoenix Police Department includes a member of the community on the board of review for the PAS.¹⁴ Similarly, every quarter, San Francisco Police Department conducts public board meetings to review aggregate (i.e., non-identifiable) information for thresholds surpassed (i.e. officers identified) during the previous quarter.¹⁵ The purpose of providing the public with such information on the performance and outputs of the EIS is to facilitate the public perception of transparency within the EIS and the organisation as a whole.

7.7 Minimal administrative burden for supervisors:

Maximising the use of existing electronic information systems may reduce the need for excessive paperwork and any concerns regarding additional administrative burden as a result of the implementation of an EIS. In Phoenix Police Department's PAS, supervisors use a paperless system when reviewing an identified employee's case file. Information is disseminated electronically from the PAS case manager to the employee's line manager when an 'intervention review' is required. The line manager fills out an electronically-based series of questions, which is then sent to the second-level supervisor who conducts the same process, and then finally all information is returned electronically to the PAS case manager. In this example, the system is designed to minimise the paperwork involved by requiring supervisors to review the case electronically and by automatically disseminating that information to the appropriate individual without delay.

As at 2004, the Phoenix Police Department employed 4000 officers.¹⁶ However, the size of the department should not affect the level of administrative burden on managers within the paperless-style system described above. This is because the only additional work will occur when an officer has been identified. Regardless, a paperless system is likely to require less work than a system based on compiling exhaustive reports for all officers on a regular basis in order to identify and assess their performance and conduct problems.

¹³ Phoenix Police Department Website. *Early Intervention and Personnel Assessment System FAQ's*. Available at <<http://phoenix.gov/POLICE/pas1.html>> Accessed on 22 May 2008.

¹⁴ Phoenix Police Department Website. *Early Intervention and Personnel Assessment System FAQ's*. Available at <<http://phoenix.gov/POLICE/pas1.html>> Accessed on 22 May 2008.

¹⁵ San Francisco Police Department, General Order #3.19, "Early Intervention System" (20 October, 2006). Available at <http://web1.sfgov.org/site/uploadedfiles/occ/OCC_EIS_020907.pdf> Accessed on 4 June 2007.

¹⁶ Phoenix Police Department Website. *Early Intervention and Personnel Assessment System FAQ's*. Available at <<http://phoenix.gov/POLICE/pas1.html>> Accessed on 22 May 2008.

7.8 Inclusion of various data sources:

A variety of data sources should be utilised in identifying an officer for intervention. This ensures that identification decisions are based on as comprehensive a data set as possible, and improves the accuracy of such decisions. Provided the data sources reflect important behavioural indicators it is desirable to incorporate as many data sources as possible. For example, Cincinnati Police Department's Risk Management System (RMS) collects data on the number of canisters of chemical spray used by officers.¹⁷ To the extent that this data element might reflect issues relating to ability to deal with aggressive offenders, the inclusion of such information might be deemed valuable. Similarly, Portland's EIS identifies officers who have had three vehicular accidents (preventable or non-preventable) within a 12 month period,¹⁸ suggesting that measures reflecting issues such as reckless driving may be useful to consider for inclusion as an indicator.

7.9 Transparency of data:

Phoenix's PAS appears to be an example of best-practice in demonstrating transparency. Phoenix allows officers to view (but not edit) not only their own PAS information, but also the indicators on which they may be identified. While it could be argued that this may encourage employees to seek to avoid identification, this is likely to be difficult, especially if the indicators involve complex calculations such as standard deviations. In any case, the improved transparency is likely to do more to encourage compliance with the system than it is to encourage deviance.

8 Integrating the Early Intervention System with existing processes and policies

Lessons from jurisdictions currently using EISs (cited in section 7 of this paper) suggest that it is possible to integrate an EIS into an agency's existing systems and processes. For example, Phoenix's PAS¹⁹ exists as a clearly separate system to the formal disciplinary system, but works well with it. Once an employee is found to have violated a Departmental policy, the PAS intervention review ceases and a formal administrative investigation begins. The key to integrating an EIS within an existing policy framework appears to be the existence of clear boundaries dictating the conditions under which the EIS operates. It is therefore important to ensure that the objectives of the EIS are clearly defined at the outset. For further information on the extent to which an EIS should be integrated with management processes, see section 11 of this paper.

9 Evaluating an Early Intervention System

An effective early intervention system is an evolving system that enables new information and processes to be integrated into existing systems. An important method of ensuring that the EIS improves over the course of time is by conducting a thorough and systematic evaluation of the system. There are several key features comprising a comprehensive evaluation of any EIS. Broadly, a comprehensive evaluation requires at least two main types of evaluation: an *outcome evaluation* and a *process evaluation*. As mentioned in section 7.5, an outcome evaluation involves the measurement of outcomes (such as products or results) to assess whether objectives have been met. Thus, in order to effectively conduct an outcome evaluation, the objectives of an EIS need to be clearly defined and measurable (or at least observable). An outcome evaluation might use measures such as the number of complaints (either sustained or of a particular type) per officer within a certain time period, and the number of awards and commendations.

¹⁷ From Memorandum of Agreement between the US DOJ and the City of Cincinnati, Ohio (2002). Available at <<http://www.usdoj.gov/crt/split/Cincmoafinal.htm>> Accessed on 22 May 2008.

¹⁸ Portland Police Bureau. *Manual of Policy and Procedure* 2006, (p.107). Available at <<http://www.portlandonline.com/shared/cfm/image.cfm?id=32482>> Accessed on 22 May 2008.

¹⁹ Phoenix Police Department Website. *Early Intervention and Personnel Assessment System FAQ's*. Available at <<http://phoenix.gov/POLICE/pas1.html>> Accessed on 22 May 2008.

The methods for an outcome evaluation of an EIS depend on the objectives agreed to for the system as a whole. For example, if an objective is to encourage perceptions of transparency within the system, it would be prudent to encourage honest appraisals of the system during an evaluation. One method of encouraging honest responses in any survey-style aspect of an evaluation is by providing a variety of responding options. This is important because some people might be more comfortable in responding anonymously while others prefer face-to-face interviews. Outcome evaluation methods might include paper-and-pencil surveys; web-based surveys; face-to-face surveys; pre- and post-intervention comparisons; and pre- and post-EIS system implementation comparisons.

An evaluation of an EIS also requires a process evaluation, which involves describing and critiquing, and where possible, measuring, the procedures involved in the EIS. A process evaluation could consider the impact of several factors, including the frequency and duration of interventions; whether there are checks on non-compliance and unsatisfactory execution of interventions; and whether there are barriers and facilitators to participating in the intervention.

Some methods to consider when conducting a process evaluation for an EIS include external validation; internal consistency (e.g., compare EIS procedures with other employee management procedures within the organisation for consistency; check for consistency of application of the EIS across the organisation; check if results of EIS are replicable); questionnaire/survey to examine concerns, attitudes, expectations, and awareness relating to the EIS; and a cost-based analysis of the EIS.

There would be merit in appointing a suitably qualified group or individual independent of the organisation to undertake and oversee the process and outcome evaluation of the EIS. This would reduce the risk of any perceived conflict of interest.

10 Interventions

Several interventions are suitable for use in an EIS (Lersch *et al.*, 2006; Walker, 2003). As discussed in section 3.2 of this paper, remedial interventions are most suited to addressing an officer's behavioural problems in the context of an EIS. A two step process is suggested to ensure that the most appropriate interventions are available for use in an EIS. The first step is to identify the existing interventions and management actions, and assess whether they are appropriate for use in an EIS. The second step is to identify the possible interventions that are not currently in existence within the organisation, and to conduct some basic research on those interventions to ascertain whether new interventions need to be developed in order for the organisation to satisfactorily address the relevant issue.

Whenever considering which interventions to use, it is important to assess the advantages and disadvantages of using interventions to address specific problems. For example, an officer who is flagged for intervention due to evidence of an ongoing alcohol problem (such as binge drinking whilst off duty, which could adversely affect job performance or potentially contribute to conduct problems) may be referred to an alcohol rehabilitation program. In this context, an advantage of using this intervention is that it might address an underlying problem that may influence other behaviours, such as confidence, or depression. Throughout the development process, it must be borne in mind that the purpose of the intervention should be to remedy the problem before it gets worse – punishing an officer will not necessarily address the problem.

Another consideration is the process by which the intervention strategy is chosen – that is, how decisions are made regarding the strategies that are the most appropriate and most likely to succeed in addressing the problem. The appropriateness of intervention techniques depends on the problem behaviour, thus requiring a problem-specific approach to developing prevention and intervention strategies (see Lesson 3 in Gorta, 1998). To this end, a basic understanding of the causes associated with the relevant problem behaviour would be beneficial.

10.1 Monitoring of interventions

A critical requirement to achieving success with the interventions used within an EIS is monitoring – it is crucial to determine whether the intervention led to a measurable reduction in the behavioural problem that required the intervention in the first place. There are several monitoring methods which have been utilised in other EISs in the US, as reported by Walker (2003). Some systems rely on informal monitoring, while others rely on some formal mechanism of observation and documentation.

The scope of intervention monitoring depends on the resources available in the organisation. Where possible, it is desirable to implement a formal system of monitoring and documentation to allow for a comprehensive evaluation and to facilitate continued improvement of the system. This would support efforts to increase perceptions of accountability as a result of implementing an EIS. The specific nature of the system of monitoring depends on available resources and supporting management structures. This issue is discussed in detail in section 11. Additionally, section 11.3 briefly discusses the nature of the outcome measures to be used in monitoring interventions. The outcome measures used in the monitoring phase will depend on the intervention used. For example, a professional psychological counselling-based intervention might require monitoring to consist of a combination of subjective outcome measures (such as counsellor's reports) and objective outcome measures (such as the number of complaints of a particular kind over a certain time period). On the other hand, a training-based intervention might rely more heavily on objective outcome measures (such as performance in the training course).

11 Management Support Structure of an EIS

When implementing an EIS, consideration should be given to the relative influences of centralised and localised management structures. For the purposes of this paper, the relevant central management structure is referred to with the generic term 'Central Administration' while the local management structure is referred to as 'Local Commander.'²⁰ Where possible, consideration should also be given to the influence of the management structure on information security (e.g., who has access to officers' details) and administrative workload (e.g., whether the EIS reduces the workload for managers). It is desirable to create an efficient administrative and management structure which clearly defines the powers of the relevant managers. A pictorial representation of a possible overall EIS management structure is shown in Figure 3.

The key feature of the suggested management structure involves the separation of three main phases in the EIS: identification, intervention (incorporating 'intervention decision' and 'intervention implementation' - a distinction made in section 4) and monitoring. The implementation of an intervention, while clearly very important in terms of achieving outcomes, must also be supplemented with a monitoring phase which provides information about the success of the intervention, and which may facilitate the improvement of identification and intervention processes. The intervention and monitoring phases are to some extent reliant on the same management processes, and it might therefore be useful to manage (although not necessarily conduct) these processes using the same management structure.

²⁰ This in no way should limit the descriptive nature of the term as referring, for example, only to Local Commanders. All forms of local management are covered in this term.

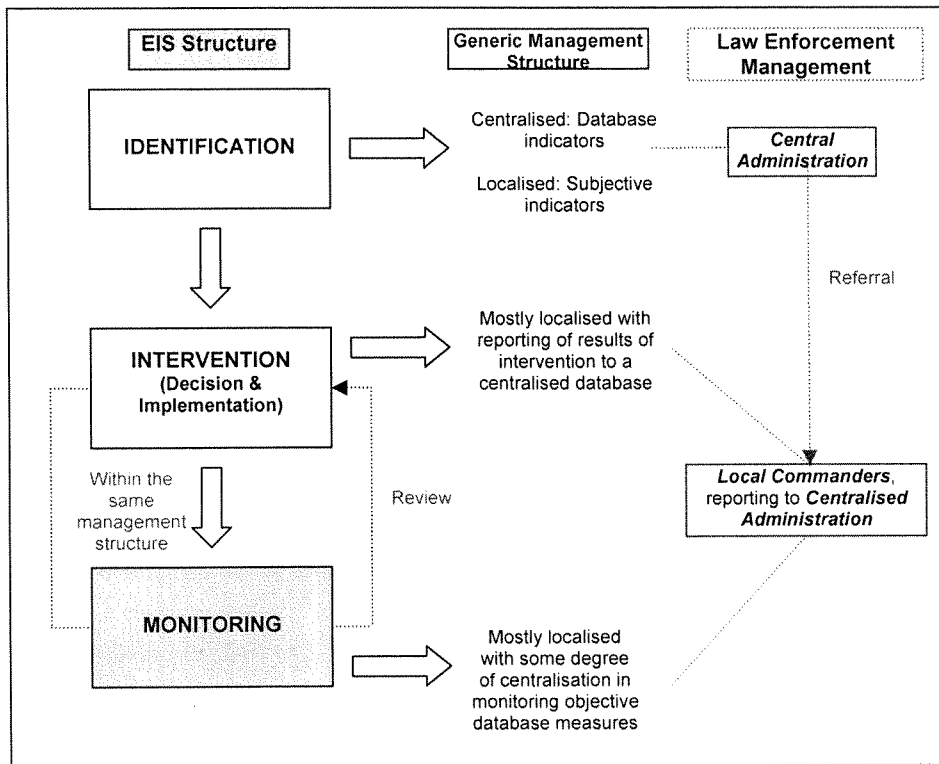


Figure 3. Proposed management structure of an Early Intervention System in a law enforcement agency

11.1 Management of Identification phase

Managing the identification phase of the EIS might involve some combination of centralised and localised management. This hybrid approach could be beneficial not only in the separation of appropriate decision-making powers, but also in allowing local issues to be recognised and reported appropriately for identification at a central level. In other words, both local reporting (including subjective or informal information) and centralised database analysis are considered important in the context of an identification tool for misconduct. The relative weighting of information from central and local management structures depends on several factors, including the nature of the misconduct behaviour one wishes to detect, and the nature of the current duties performed by the officer. These dependencies can be built into a computerised alert system prior to implementation and should be relatively easy to adjust on an ongoing basis.

The benefit of using a hybrid management approach is that it maintains (and perhaps, in some cases, increases) the power of local commanders and managers to effectively manage officers under their command who are known to be exhibiting behavioural problems. A hybrid approach is likely to reduce perceptions that an EIS removes power from local commanders and demonstrates that an EIS is an integrated system, in terms of information flow and management processes, which aims to address behavioural problems at the earliest instance.

11.2 Management of Intervention phase

Due to the variety of interventions available in an EIS, it is difficult to suggest an appropriate management structure regarding the intervention phase. Interventions may be necessarily spread across different management structures because each have a markedly different role to play in supporting police officers. Despite the variety of interventions, however, a single management structure that oversees the referral of interventions based on the problems identified in the identification phase is desirable.

While such a system could be administered centrally, it is preferable to implement the intervention locally (as indicated above). In other words, while the central administration may administer the referral of the officer to the Local Commander for further assessment, the Local Commander should have an option to decide on the appropriate intervention strategy based on local knowledge and available resources. This ensures that the most appropriate intervention is chosen, and allows the officer an opportunity to clarify any issues with the relevant Local Commander, who may decide not to conduct any further intervention at all. In such cases, the Local Commander would be responsible for completing the administrative 'paperwork' (which may be mostly electronic) and updating the status of the intervention in the central database.

Given the issues outlined above, a potential management structure for the intervention phase of the EIS could include the following types of processes:

- Central Administration suggests a specific intervention based on all information available;
- Local Commander decides on intervention to conduct, if any, and oversees the implementation of intervention;
- Local Commander updates central database upon completion of intervention and provides a brief report (either written or electronic) regarding the status of the intervention, and details of the intervention monitoring process; and
- Central Administration initiates monitoring phase of the intervention, with input from Local Commander.

It is noted that accountability arrangements for Local Commanders, together with systems for ensuring a high level of consistency across the agency, are two issues that will require consideration.

11.3 Management of Monitoring phase

Once the intervention has been completed, and the Local Commander has filed a report to Central Administration and updated the central database, Central Administration should initiate the monitoring phase of the EIS. This would involve referring the officer's file to the appropriate centralised management structure to commence monitoring of the outcomes of the intervention. The type of monitoring required will depend on the intervention. For example, as stated in section 10.1, a counselling-based intervention might rely on subjective and objective outcome measures while a training-based intervention might rely more heavily on objective outcome measures, such as assessment results.

An issue to consider is whether the management of the intervention and monitoring phases should be distinct. An option would be to combine the management of the intervention and monitoring phases so that they fall under the auspices of one centralised management structure. The rationale behind this suggestion is that monitoring is often required prior to the implementation of the intervention itself. For example, the monitoring phase of a professional psychological counselling intervention might require reporting both prior to and after the intervention. This is so that a baseline measure may be obtained, enabling measurement of any changes in an officer's behaviour as observed by the counsellor during the counselling sessions. One disadvantage to be aware of with this approach is that supervisors may not have sufficient resources to conduct the monitoring phase of an intervention.

In summary, where appropriate the management of the monitoring phase should be conducted in conjunction with the management of the intervention phase, preferably by the same management structure, to streamline administrative processes and to facilitate improvement of the intervention process.

12 Education, Training and Support

All staff participating in an EIS (managers, officer etc) should be trained in the processes involved and what is expected of them if the process is to succeed. Participants need to be informed of the purpose of the system, and their role in ensuring processes run smoothly. In addition, training may be required on how to conduct interventions.

In some jurisdictions, the development of an EIS may represent a dramatic shift in the existing system of supervision and accountability (Walker, Milligan & Berke, 2006, p.11). In such circumstances, managers need to communicate with their officers on the likely impact of this system on supervisory interactions, including what is expected of officers, and that the purpose of the system is not punitive. This would assist in addressing concerns about the nature of the EIS.

Given the scope of the EIS, managers also need to be trained on their specific responsibilities within the EIS. Training should be conducted prior to the implementation of the EIS, and should clearly reinforce expectations concerning reporting requirements, management structures, and responsibilities. It is also important for managers to receive training on the most effective ways to conduct interventions (e.g., counselling an officer, see Walker, 2003, p.106).

Finally, a support structure needs to be created to assist all participants in their enquiries regarding the EIS. The central support structure could act as a 'help desk', fielding and answering enquiries and receiving feedback regarding the EIS. It might be useful to consider whether, in addition to the help desk function, this central support structure could also be responsible for co-ordinating or possibly conducting any formal training regarding the EIS. This would ensure that the EIS trainers are aware of the relevant concerns and problems encountered by EIS participants, thus allowing for a more tailored approach to training and skills development.

13 Consultation

Given the numerous complexities associated with the theoretical and practical aspects of implementing an EIS, it would be beneficial to consult widely with the relevant experts. Consultation should not be limited to highly ranked officers and external oversight agencies, but should extend to junior officers, middle management, administrative staff and corruption prevention experts and researchers.²¹ Wide consultation, both within and external to the organisation, can be considered valuable for two main reasons:

1. It encourages the involvement of various levels of staff in the planning of the EIS, which will encourage ownership, and hence compliance, in the system when it is implemented; and
2. It enables the EIS development team to incorporate into the system the specific concerns and experiences of officers at all levels, thus improving the quality of the system prior to it being piloted.

The method of consultation is also important to ensure that the most relevant information is obtained from all relevant participants. It would be beneficial to utilise existing literature to inform methodology. One possibility would be to utilise existing methods of policy development, such as the 'Delphi method' (see Loo, 2002, for a review).

²¹ As suggested by Walker (2003), Chapter 5.

14 Staged Implementation

No early intervention system is 'complete' upon implementation. A process whereby the implementation of an EIS is followed by a system of regular maintenance and of the EIS is desired. To facilitate the transition to regular maintenance of an EIS, it is desirable to initiate a process during the implementation of an EIS which identifies and solves problems within the system. A good early intervention system is an evolving system which can improve when detection methods have improved and a greater knowledge base is obtained. Six stages are suggested in the implementation of an EIS.²² The suggested staged approach is outlined below:

14.1 Stage 1 – Implementation of EIS trial

Prior to a wide-scale roll-out, an EIS should be trialled in a small representative sample of the entire organisation (e.g., a few commands or districts). The purpose of an initial trial is to test the performance of the system in practice. This step leads to the identification of weaknesses in the system that need to be addressed to ensure a successful agency-wide implementation of the EIS.

14.2 Stage 2 – Evaluation of EIS trial

A comprehensive evaluation of the trial will allow problems (minor and major) to be identified prior to implementing the system on a large scale. A detailed explanation of useful evaluation techniques is outlined in section 9.

14.3 Stage 3 – Refinement of EIS

Once a thorough evaluation has been conducted, it is important that the lessons learnt from the trial are incorporated into the system to improve it prior to wider implementation. Generally, minor changes can be made with a reasonable degree of confidence that another trial does not need to be conducted. However, if the changes required to the system are large, it is likely that addressing these problems will have a major impact on other aspects of the system. To minimise the possible adverse effects of making changes to the system, it is preferable to design a modular system. By designing a system which comprises relatively independently functioning modules, any changes to one module are less likely to cause drastic changes to another module which could compromise the effectiveness of the system.

14.4 Stage 4 – Implementation of revised EIS on a large scale

Once the EIS trial has been evaluated, a decision needs to be made regarding whether to conduct another pilot study with the new system or whether to implement the system on a larger scale. If a decision is made to implement the system across the entire organisation, several additional factors are important to consider.

First, a large-scale implementation of an EIS requires the establishment of clear management guidelines, preferably utilising existing management structures, which outline the role of localised and centralised functions within the system. A large-scale EIS will differ significantly from a pilot or trial EIS not only in scale but in the degree of role differentiation between localised and centralised structures. Second, when implemented on a large scale, an EIS may benefit from the establishment of some sort of hybrid identification system drawing on centralised (e.g., computer

²² Note, the period of time to complete the implementation of an EIS may vary, depending on such factors as the complexity of the system, available resources within the organisation etc. The consultation process may better inform the organisation as to appropriate timeframes for completion.

database) and localised (e.g., subjective reports) data. Third, the large-scale EIS implementation stage also requires consideration of a training and education program for participants, as well as the creation of a formal support structure, functioning as a 'help desk' to deal with enquiries and problems in the system.

14.5 Stage 5 – Evaluation of revised EIS

Most of the techniques utilised in evaluating the trial may also be relevant to the evaluation of the large-scale implementation of the EIS. In addition to those techniques, however, there is a need to examine measurable long-term outcomes relevant to the goals of the EIS.

14.6 Stage 6 – Regular monitoring of EIS

Regular ongoing monitoring of the EIS is crucial in determining whether the interventions have been successful, and whether improvements to the EIS can be made after it has been implemented across the organisation. The three main objectives of this phase of the implementation of the EIS are to:

- uncover problems that may exist in the EIS;
- identify new indicators to add to the identification phase of the EIS; and
- monitor the success of the interventions.

15 Summary

This paper has provided a background to the major issues fundamental to a successful early intervention system of misconduct within a law enforcement agency. Specific guidance was provided in relation to the most important issues to consider when developing an EIS, such as the development of indicators, evaluation, management structure and staging the implementation of the system. Additionally, relevant theoretical and practical issues, such as whether to focus on conduct or performance, and whether to focus on misconduct prevention or misconduct identification, were discussed.

These discussion points are intended to encourage a systematic approach to implementing a comprehensive and evolving early intervention system.

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