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This document was drafted by the North Carolina Department of Justice, in collaboration with law enforcement leaders in North Carolina, to assist in complying with new legislation and in the development of comprehensive early warning systems. Please direct any questions to Jeffrey Smythe, Director, Criminal Justice Training and Standards Division, jsmythe@ncdoj.gov.

Early Warning Systems Guide

The Case for Early Warning Systems

Early warning systems, [required by law](#) in North Carolina as of December 1, 2021, track signs of officer misconduct to identify, remediate, and prevent incidents of misconduct and use of excessive force through a confidential process. These data-driven programs promote professionalism, accountability and public trust, all of which advance the mission of the law enforcement agency and the well-being of the people they serve.

Early Warning Systems are also required for [CALEA accreditation](#) and for the North Carolina State Law Enforcement Accreditation Program (currently in pilot phase).¹

This document assists law enforcement leaders to achieve compliance with SL 2021-138 (SB300), provides options for agencies to expand their early warning system data collection beyond minimum requirements, and offers best practices for monitoring and intervening in response their data.

How to get in compliance with SL 2021-138 by December 1

SL 2021-138 requires every law enforcement agency in North Carolina to develop and implement an early warning system to document and track the actions and behaviors of law enforcement officers for the purpose of intervening and improving performance by December 1, 2021. At a minimum, the early warning system should include basic information about:

1. Instances of the discharge of a firearm.
2. Instances of use of force.

¹ <https://ncdoj.gov/north-carolina-law-enforcement-accreditation/>.

3. Vehicle collisions.
4. Citizen complaints

Formal early warning systems or early intervention systems take time and effort to research and implement. In order to reach immediate compliance, smaller agencies may choose to adopt a simple paper-based tracking system, for example, via a table. One example is below.

Rudimentary Paper-Based Early Intervention System

Name	Discharge Firearm	Use of Force	Vehicle Collision	Citizen Complaint	Added Topic	Added Topic	
Employee #1	{date}	{date}			Arrestee hospitalized {date}		
Employee #2		{date}		{date} & {date}			
Employee #3							
Employee #4							
Employee #5							

When an employee reaches three items checked in any combination, supervisory staff should assess overall performance and meet with the employee to explore performance. Action steps might include additional training, a referral to the Employee Assistance Program, financial consultation, family support, spiritual support, temporary reassignment, and/or disciplinary measures.

Even under a paper-based system, it is important that agencies have a plan to monitor each entry, intervene when appropriate, and improve performance per the statute and best practice.

Steps to Expand to a Formal System

1. Determine a database tool to develop system.
2. Determine what your EWS will monitor beyond statutory requirements, for example:
 - a. Identify officers who receive two or more citizen complaints of any kind in a single month.
 - b. Identify officers who report two or more use of force incidents or who receive two or more citizen complaints regarding uses of force in a single quarter or longer period of time.
3. Identify next steps for when system is activated, for example:
 - a. Employee interviews

- b. Wellness evaluation & services
 - c. Training, and disciplinary actions up to and including termination, as necessary
4. Create policy.
5. Announce policy & system to the agency and to community.
6. Provide on-going training to agency and commitment by leadership for successful implementation.

Model Policies and Programs

1. [The International Association of Chiefs of Police](#) (available for members)
2. [Fayetteville Police Department](#)
3. [Durham Sheriff's Office](#)

References/Resources

1. [SAS](#)
2. [Guardian Tracking](#)
3. [PMAM](#)
4. [Benchmark Analytics](#)
5. [Blue Team](#)