



## CLOSED CASE SUMMARY

ISSUED DATE: DECEMBER 28, 2017

CASE NUMBER: 2017OPA-0698

### Allegations of Misconduct & Director’s Findings

**Named Employee #1**

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 3. Employees Must Attend All Mandatory Training	Sustained

***This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.***

### EXECUTIVE SUMMARY:

The Complainant, SPD’s Compliance Bureau, alleges that Named Employee #1 (NE#1) failed to complete the mandatory 2017 Crowd Management Operational Incident Command training.

### ANALYSIS AND CONCLUSIONS:

#### **Named Employee #1 - Allegation #1**

#### ***5.001 - Standards and Duties 3. Employees Must Attend All Mandatory Training***

SPD Policy 5.001(3) states that “[e]mployees will attend mandatory training and follow the current curriculum during the course of their duties.” The sole exception for missing training is for those officers who are on approved light or limited duty and have received a waiver from a supervisor. (*See* SPD Policy 5.001(3).) Employees that have missed mandatory trainings as a result of excused absences are required to make arrangements through their supervisor to complete the trainings within a reasonable timeframe. (*See id.*)

On July 13, 2017, SPD’s Compliance Bureau provided OPA with a list of those SPD employees that had failed to complete the 2017 Crowd Management Operational Incident Command training. (*See* Original Complaint Memo.) This list constituted a final and conclusive determination of those employee that had failed to attend the training as it had been vetted through SPD Human Resources and removed the names of those individuals who were out due to Extended Sick, Light Duty, Military Leave, or Administrative Reassignment, as well as culled the list of those individuals who were marked as Exempt or Excused. (*See id.*) Prior to these steps being taken there was no definitive determination of which employees failed to attend this training without a valid justification. The steps taken by SPD’s Compliance Bureau to verify the accuracy of this information ensured that employees who had official approval to not attend this training were not improperly made the subjects of an OPA investigation, thus preserving the resources of the Department and OPA and ensuring fundamental fairness to the employees.

On March 23, 2017, Special Order SO17-009 was issued. (*See id.*) This Special Order required that all SPD supervisors complete the mandatory 2017 Crowd Management Operational Incident Command training by May 9, 2017. (*See id.*) Based on OPA’s investigation, this training appears to have been offered nine times between April 4, 2017 and May 9, 2017. (*See* Training Schedule; *see also* Crowd Management Operational Incident Command Timesheets.)



NE#1 worked on all nine dates during which this training was offered; however, NE#1 did not ever attend this training as required. At his OPA interview, NE#1 stated that he mistakenly believed this training was optional and therefore did not attend. NE#1 indicated that he realized that the training was mandatory when he received an email from a Sergeant in the Training Unit after the fact. That email, which NE#1 provided to OPA, asked individuals who had, in fact, attended the training to send the date that they attended and the names of two other officers who also attended that same training. The email further stated: "If you did not attend, please respond and I will see what I can do about setting up a make-up class." NE#1 responded to the email and indicated that he was interested in the make-up session. However, no make-up session was ultimately held. It is OPA's understanding that this was the case based on the Department's limited training resources.

Attending training a required and important aspect of employment as a Seattle Police Department Sergeant. Missing training not only results in employees that have not received up to date tactical, operational and legal instruction, but it also imposes a financial burden on the Department. Lastly, universal attendance at trainings is a cornerstone of constitutional policing and, as explained by the Court-appointed Monitor, is a crucial component of full and effective compliance.

For these reasons, while I commend NE#1 for following up with the Training Unit to see whether he could attend a make-up training, NE#1's failure to attend this mandatory training was in violation of policy.

Recommended Finding: **Sustained**