



CLOSED CASE SUMMARY

ISSUED DATE: FEBRUARY 12, 2018

CASE NUMBER: 2017OPA-0947

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 10. Employees Shall Be Truthful and Complete In All Communication	Not Sustained (Training Referral)
# 2	5.001 - Standards and Duties 4. Employees Complete Work in a Timely Manner	Not Sustained (Training Referral)

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 alleged that the Named Employee submitted training rosters to the training unit with signatures different from the original document submitted.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 - Standards and Duties 10. Employees Shall Be Truthful and Complete In All Communication

On July 24, 2017 and again on July 26, 2017, Named Employee #1 (NE#1) administered trainings during North Precinct roll calls. NE#1 had each officer sign in and out of the training to confirm their attendance; however, NE#1 used one training roster for both trainings and submitted that roster to the Training Unit on July 26, after both sessions of the training had been completed. On August 31, 2017, NE#1 was informed by the Training Unit that each session of the training needed its own roster and should have been submitted separately. NE#1 apologized for her error. NE#1 asserted at her OPA interview that she was further informed that the revised rosters, with new officer signatures, had to be submitted that same day or else the officers would be out of compliance with their training requirements.

NE#1 was able to get new signatures from all of the officers that attended the training except for three officers. Two of those officers were off that day and the third officer had since been transferred to third watch. Based on her concern that the officers were going to be out of compliance if she did not submit the correct roster and based on the fact that she was unable to get the signatures of the three officers before the deadline, she signed for those officers and submitted the roster to the Training Unit. These officers, who had previously signed the earlier version of the roster, confirmed during their OPA interviews that they did not sign the roster submitted by NE#1 on August 31.

Upon review of the roster, the Training Unit determined that the signatures were false and reported this matter to OPA. This investigation ensued.



SPD Policy 5.001-POL-10 requires that SPD employees be complete and truthful in all communications. Here, it is undisputed that NE#1 forged the signatures of three officers. However, she did not do so for personal gain or because of any ill motive. Instead, she did so because, based on her account, she simply would not have been able to get the officers' signatures in time and was worried that because of her error these officers would be out of compliance with their training and potentially subject to discipline.

NE#1 admittedly submitted a fraudulent document and did not disclose that she was doing so to the Training Unit or clear her decision to do so with a supervisor. As such, she technically acted contrary to this policy. However, given her motives, I do not believe that a sustained finding is warranted. Instead, I recommend that this allegation be Not Sustained – Training Referral.

- **Training Referral:** NE#1 should receive counseling from her chain of command concerning her decision to submit a training roster with forged signatures. While her reasons for doing so may have been understandable, such behavior is outside of the Department's expectations and was technically untruthful. Moreover, even viewing her intentions as altruistic, she should have cleared her decision with a supervisor or with the Training Unit prior to submitting the roster. Lastly, NE#1 should again be reminded by her chain of command that she is required to submit one roster for each training that she administers and that this roster should be submitted to the Training Unit by the close of business on the date the training is held. This counseling should be memorialized in a PAS entry.

Recommended Finding: **Not Sustained (Training Referral)**

Named Employee #1 - Allegation #2

5.001 - Standards and Duties 4. Employees Complete Work in a Timely Manner

SPD Policy 5.001-POL-4 generally requires that SPD employees complete their work in a timely manner. The policy further states that "[a]bsent exigent circumstances or supervisory approval, employees shall complete all official duties and official reports before going off duty." (SPD Policy 5.001-POL-4.)

Here, NE#1 completed one training roster for two separate sessions of roll call training. Instead, she was required to complete one roster for each date. Presumably, this allegation was classified because NE#1 did not send the roster for the July 24 training to the Training Unit by the close of business on that day and instead waited until two days later, July 26, to send the completed roster. As such, her actions were technically at odds with the requirements of SPD Policy 5.001-POL-4.

As indicated in her OPA interview, NE#1 believed, albeit errantly, that she could submit a joint roster for the two trainings. She was clear in her OPA interview that she recognized her mistake. Accordingly, I do not believe that a sustained finding is warranted. Instead, I refer to the above Training Referral.

Recommended Finding: **Not Sustained (Training Referral)**