



OFFICE OF POLICE ACCOUNTABILITY

Closed Case Summary

Complaint Number 2017OPA-0699

Issued Date: 01/23/2018

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (3) Standards and Duties: Employees Must Attend All Mandatory Training (Policy that was issued April 1, 2015)
OPA Finding	Sustained
Final Discipline	Oral Reprimand

INCIDENT SYNOPSIS

The Named Employee did not complete mandatory training.

COMPLAINT

The complainant, the Compliance Bureau, alleged that the Named Employee failed to complete the Mandatory 2017 Crowd Management Operational Incident Command training.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Search for and review of all relevant records and other evidence
3. Interview of SPD employee

ANALYSIS AND CONCLUSION

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 appeared 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.) Named Employee #1’s timesheet indicated that while he was on regular duty for each of those nine dates, Named Employee #1 did not attend this mandatory training. (See Crowd Management Operational Incident Command Timesheets.)

As a threshold matter, at the time this training was offered, Named Employee #1 was a sergeant and was thus required to attend. At his OPA interview, Named Employee #1 admitted that he did not sign up for or attend this mandatory training and that he did not even know that the training was held until he received the notice of complaint relating to this OPA investigation. (NE#1 OPA Interview, at p. 2.) Named Employee #1 stated that there were no extenuating circumstances for why he missed the training. (Id.) Named Employee #1 opined, however, that it was possible that he did not receive the email that attached the Special Order for this training. (Id. at pp. 2-3.) OPA followed up on that possibility and determined that Named Employee #1 did, in fact, read and receive the March 23, 2017 email containing the Special Order. (See Email Containing Special Order Opened by NE#1.) He did not read a subsequent email concerning this Special Order, which was sent the same day. (See id.)

This was a required training that Named Employee #1 did not attend. There was no officially-sanctioned exemption that justified his failure to do so.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that Named Employee #1 did not complete the mandatory training. Therefore a **Sustained** finding was issued for *Standards and Duties: Employees Must Attend All Mandatory Training*.

Discipline Imposed: Oral Reprimand

NOTE: The Seattle Police Department Manual policies cited for the allegation(s) made for this OPA Investigation are policies that were in effect during the time of the incident. The issued date of the policy is listed.