



CLOSED CASE SUMMARY

ISSUED DATE: DECEMBER 26, 2017

CASE NUMBER: 2017OPA-0701

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
Discipline Imposed: Oral Reprimand		

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 failed to complete the mandatory 2017 Core Competencies training.

ANALYSIS AND CONCLUSIONS:

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 mandatory 2017 Core Competencies 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 January 12, 2017, Special Order SO17-003 was issued. (See *id.*) This Special Order required that all SPD supervisors complete the mandatory 2017 Core Competencies training by March 26, 2017. (See *id.*) A supplemental Special Order was issued on March 6, 2017 (SO17-003-A), which offered the training on two additional dates – March 27 and March 29. (See *id.*) Based on OPA’s investigation, this training appears to have been offered a total of twenty-seven times between January 30, 2017 and March 29, 2017. (See Core Competencies Training Timesheets.)



Based on a review of relevant records, Named Employee #1 (NE#1) was registered for this training on March 8, 2017. However, he did not attend the training due to sickness. There are no records of NE#1 ever re-registering for this class, even though he worked on eleven later dates upon which the training was offered. NE#1 explained that he was busy helping plan for SPD's training in advance of May Day, in which he played a substantial role. He stated that he believed he attended a portion of the training on either March 27 or March 29, but he could not locate any documentation establishing this. NE#1 stated that he did not have an exemption to miss this training, but indicated that he would not intentionally disregard a required training. However, based on a preponderance of the evidence, I find that he failed to attend this training.

Attending training is not an optional aspect of employment at the Seattle Police Department. It is mandatory. 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 appreciate the time NE#1 was required to devote to prepare Department employees for May Day demonstrations, NE#1's failure to attend this training was in violation of policy.

Recommended Finding: **Sustained**