



OFFICE OF POLICE ACCOUNTABILITY

Closed Case Summary

Complaint Number 2017OPA-0693

Issued Date: 03/14/2018

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

It was reported by the Named Employee's Chain of Command that the Named Employee failed to complete mandatory training.

COMPLAINT

A supervisor within the department reported 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 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.)

Based on a review of his schedule, Named Employee #1 worked on six of the nine days during which this training was offered. However, he did not register for or take the training. Named Employee #1 explained that prior to the expiration of the training period, he worked a number of significant events in his capacity as a SWAT officer. He further stated that he was on vacation for one week. Named Employee #1 told OPA that, when he returned from his vacation, attending the training simply slipped his mind. Named Employee #1 recognized his mistake, as well as the importance of Department training, and stated that his non-attendance was not intentional.

As Named Employee #1 recognized, attending Department trainings is incredibly important and a required element of his job. 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, and while I commend Named Employee #1 for being so forthright at his OPA interview, his failure to attend this training was in violation of policy.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that Named Employee #1 worked on six of the nine days during which this training was offered. However, he did not register for or take the 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.