



## **CLOSED CASE SUMMARY**

ISSUED DATE: JANUARY 5, 2018

CASE NUMBER: 2017OPA-0697

### **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.)



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NE#1 worked on five of the nine dates during which this training was offered. NE#1 was, in fact, registered for the training on May 9, 2017. However, NE#1 did not attend the training on this date and was marked as a “no show.” At his OPA interview, NE#1 stated that he believed that he was the only hard stripe sergeant available on his watch on the day he was registered for the training. As such, he did not attend the training.

Attending training is 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.

While NE#1 was the only hard stripe sergeant on duty during his shift on May 9, there was an acting sergeant on duty. As the training was only a partial day training, NE#1 could have attended the training and temporarily relied on the acting sergeant to supervise the squad. Moreover, NE#1 had multiple other opportunities to attend this training. By signing up for the last date of the training period, he ran the risk that staffing issues could arise that would prevent him from attending the training. Ultimately, it was NE#1’s obligation to manage his schedule appropriately to ensure that this did not occur.

For these reasons, NE#1’s failure to attend this mandatory training was in violation of policy. As such, I recommend that this allegation be Sustained.

Recommended Finding: **Sustained**