



CLOSED CASE SUMMARY

ISSUED DATE: DECEMBER 22, 2017

CASE NUMBER: 2017OPA-0694

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.)



NE#1 was scheduled to take this training on May 9, 2017. However, on that day, he stated that he was one of only two Sergeants on duty for his watch and was required to assist with demonstration management. He claimed that this caused him to miss the training. Prior to May 9, NE#1 worked four other days during which the training was offered, but did not attend the training on any of those days. By waiting until the last day of the training, NE#1 put himself in the position where, if his assistance was required by the Department, he would be forced to miss the training. As a supervisor with over twenty-five years of experience, NE#1 should have been more cognizant of that fact and should have better managed his schedule. I further note that, with the exception of only a very limited few, virtually every supervisory employee of the Department was able to find time to take this required and very important 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 have sympathy for NE#1's stated circumstances, his failure to attend this training was in violation of policy.

Recommended Finding: **Sustained**