

Case Number: 2005020005
Date of Violation: 01/24/2005
Date Received: 02/02/2005
Date To Station: 02/15/2005

How Received: Not Specified
Type of Complaint: Station
Date Back from D/C: 05/04/2005

Complainant(s):

	<u>BADGE</u>	<u>VIOLATION</u>	<u>RR</u>	<u>OMS</u>	<u>DISPOSITION</u>	<u>ASSIGNMENT</u>
1	93012	Improper Procedure - Other	102	OMS- 116.11.1.b.2	Exonerated	Unknown

**DENVER POLICE DEPARTMENT
INTERDEPARTMENTAL
CORRESPONDENCE**

TO: Michael Gibson, Lieutenant, Traffic Operations Bureau
FROM: R. L. Hanna, Sergeant, Traffic Operations Bureau
DATE: April 8, 2005
SUBJECT: Internal Affairs Complaint re: Technician Witkowski 93012

Complainant:

A complaint has been received from the training bureau staff that Tech. Witkowski failed to attend an assigned Continuing Education class on January 24, 2005.

Complaint:

On January 24, 2005 Tech. Witkowski did fail to attend a course concerning Leadership in Turbulent Times at the training bureau.

Investigation:

Tech. Witkowski has completed a statement under Garrity Advisement relating that he failed to attend as scheduled for a Continuing Education class on January 24, 2005. As mitigation Tech. Witkowski related that prior to January 24, 2005 he had spoken with Corporal Louden the Continuing Education program co-ordinator. Corporal Louden had informed Tech. Witkowski that he would not be able to attend this class due to his rank being below that of Sergeant and that supervisory personnel were to be given priority to attend. Tech. Witkowski therefore believed that he was no longer scheduled or required to attend the class. Acting on this information he did not attend on January 24, 2005.

I have spoken with Corporal Louden who remembered and confirmed the conversation with Tech. Witkowski. He stated that a misunderstanding resulting from the conversation was feasible.

Conclusion:

Tech. Witkowski did fail to respond for class on January 24, 2005. His failure to attend this class was based on a misunderstanding between Corporal Louden and himself. Tech. Witkowski acted on what he believed was accurate and current instructions from Corporal Louden the program co-ordinator. Tech. Witkowski's failure to attend class on this occasion therefore does not constitute a violation of section 116.11 (1) (b) (2).