



King County
Metropolitan King County Council
Labor Policy Committee

LABOR POLICY ADOPTION REPORT

1 Date: 10/8/12

2 **Labor Policy related to implementation of the recommendations of the King County Auditor's 24**
3 **July 2012 report and the Office of Law Enforcement Oversight's 17 August 2012 report on the**
4 **King County Sheriff's Office**

5 STATEMENT OF FACTS:

6 1. In May of 2009, the County Council adopted Ordinance 16511, which, among other
7 things, directed the County Auditor's Office to establish a permanent, ongoing law enforcement
8 audit process, focusing on the Internal Investigation Unit (IIU) of the King County Sheriff's
9 Office (KCSO) and on the effectiveness of the Office of Law Enforcement Oversight (OLEO) in
10 providing oversight of KCSO.

11 2. The County Auditor recently completed an audit pursuant to Ordinance 16511. That audit
12 was conducted in conjunction with a national law enforcement consulting firm, Hillard Heintze,
13 LLC. The primary purposes of this audit, as described by the County Auditor, were to evaluate
14 the Sheriff's Office internal investigation operations and to assess the effectiveness of OLEO.
15 The audit also included a review of best practices for managing citizen-initiated and internally-
16 generated complaints concerning police misconduct and use of force.

17 3. Based on the results of the audit, the County Auditor identified significant issues with
18 KCSO's policies and procedures for investigating complaints and inconsistent adherence to those
policies and procedures within KCSO. The Auditor concluded that those issues undermined
organizational and individual accountability in KCSO and were inconsistent with best practices

19 and the standards of the Commission on Accreditation for Law Enforcement Agencies
20 (CALEA).

21 4. The Auditor further concluded that, as a result of the issues described above, the County
22 may be exposed to greater risk from claims (e.g., claims arising from vehicle accidents and
23 allegations of excessive use of force) and may be unable to maintain its CALEA accreditation.

24 5. The Auditor recommended, among other things, that KCSO develop more detailed
25 policies specifying the investigation and reporting processes for all complaints and that these
26 processes become standards that are categorically adhered to by officers and supervisors.

27 6. The Auditor identified significant challenges in implementing OLEO as an effective
28 civilian oversight function under the current organizational and legal framework, and noted that
29 KCSO had worked proactively with the County Council and council staff to develop new
30 collective bargaining strategies to restore OLEO's authority to provide effective civilian
31 oversight.

32 7. The Auditor recommended that OLEO, in collaboration with KCSO, continue to plan and
33 develop working guidelines and measurable objectives to ensure that the positive effects and
34 benefits of civilian law enforcement oversight are maximized in King County.

35 8. The Auditor made 16 recommendations in all, and both KCSO and OLEO concurred with
36 all of them; however, the Auditor observed that successful implementation of several of the
37 recommendations may be contingent to some extent on labor negotiations.

38 9. OLEO retained the Police Assessment Resource Center to analyze whether the KCSO
39 policies and practices comport with national best practices on the evaluation and management of
40 deadly and less-than-deadly force. The review examined the thoroughness, completeness, and
41 fairness of the KCSO's practices and procedures.

42 10. The OLEO report made 25 recommendations, and both OLEO and KCSO concurred or
43 fundamentally agreed with each of the recommendations; however, successful implementation of
44 several of the recommendations may be contingent to some extent on labor negotiations.

45 FOR THE FOREGOING REASONS, LP 2010-031 is hereby amended by adding a new
46 section as follows:

47 **“Sheriff’s Office Implementation of Report Recommendations.** It is the policy of
48 King County that the county’s bargaining agents shall make every effort to negotiate
49 labor agreements that are consistent with the implementation of (1) the July 24, 2012,
50 report of the King County Auditor concerning the King County Sheriff’s Office (Report
51 No. 2012-01, entitled “Performance Audit of King County Sheriff’s Office and Office of
52 Law Enforcement Oversight”) and (2) the August 17, 2012, report of the Office of Law
53 Enforcement Oversight prepared by the Police Assessment Resource Center (entitled
54 “Managing the Risk of Misconduct for the King County Sheriff’s Office”) as embodied
55 in the adopted implementation action plan of Motion 13734.

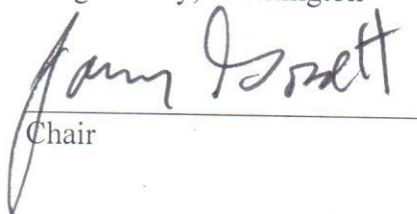
56 The committee determines that this labor policy shall be _____ maintained as confidential OR
57 x made public.

58
59 Labor Policy 2012-035 was passed as amended by the Metropolitan King County Council on
60 10/8/12, by the following vote:

61
62 Votes: Yes: 7 - Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Lambert, Mr. McDermott, Ms.
63 Patterson and Mr. Phillips

64 Excused: 2 - Ms. Hague and Mr. von Reichbauer
65

66 King County Council
67 King County, Washington

68
69
70
71 
Chair



72 Attest: Janet Masno for, Clerk of the Council
73