



KING COUNTY
Signature Report

July 10, 2015

Ordinance

Proposed No. 2015-0275.1

Sponsors Phillips, Gossett, Upthegrove and
McDermott

1 AN ORDINANCE providing for the submission to the
2 qualified electors of King County at a special election to be
3 held in King County on November 3, 2015, a proposition to
4 add a new Section 265 to the King County Charter,
5 establishing a charter-based civilian office of law
6 enforcement oversight to investigate complaints about law
7 enforcement conduct and the use of force by the King
8 County sheriff and the department of public safety,
9 providing the office with appropriate authority to carry out
10 its duties and establishing a charter-based citizen advisory
11 committee on law enforcement oversight; and appointing a
12 committee to write the voters pamphlet statement for the
13 November 3, 2015, special election.

14 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

15 **SECTION 1. Findings:**

16 A. In a democratic society, effective civilian oversight of law enforcement is
17 essential. To protect the fundamental freedoms of all citizens, police are granted the
18 power to detain and use force against some individuals, but there is potential for that
19 power to be abused. Civilian oversight is a safeguard against such abuse.

20 B. The creation and maintenance of an independent civilian office of law
21 enforcement oversight is a crucial means of assuring integrity, transparency and
22 accountability in law enforcement and of fostering community trust in, and respect and
23 support for, the King County sheriff and the department of public safety.

24 C. By its independent and objective review, a civilian office of law enforcement
25 oversight serves not only to identify police misconduct when it has occurred, but also to
26 reassure citizens and maintain the positive reputations of law enforcement officers when
27 allegations of misconduct are unfounded.

28 D. To be effective, an office of law enforcement oversight must, at a minimum,
29 have authority to investigate, review, and analyze: complaints about the conduct of law
30 enforcement officers; incidents involving the use of force by county law enforcement
31 officers; and internal investigations conducted, and any resulting disciplinary action
32 taken, by the King County sheriff and the department of public safety regarding the
33 conduct of county law enforcement officers that is related to those complaints or
34 incidents. The authority of the office should also include the preparation and publication
35 of findings, conclusions and recommendations related to the office's oversight of the
36 department of public safety.

37 E. An additional vital function of an office of law enforcement oversight is to
38 reach out to the community, listening and responding to questions and concerns that are
39 raised and helping to foster communication and understanding between the community
40 and the King County sheriff's office.

41 F. To do its job, an office of law enforcement oversight must have timely access
42 to all relevant information.

43 G. To exercise independent judgment, the director of an office of law
44 enforcement oversight must not fear removal from office prior to expiration of the
45 director's term of office, except for cause by a majority vote of the county council.

46 H. Civilian oversight of law enforcement is a fundamental principle that should
47 be enshrined in the King County Charter.

48 I. The county council has already established by ordinance a civilian office of
49 law enforcement oversight in chapter 2.75 of the King County Code and a citizens'
50 advisory committee on law enforcement oversight in K.C.C. 2.36.050. This proposed
51 charter amendment is not intended to dissolve those entities or to require reoption of
52 existing code provisions that are consistent with this proposed amendment, but rather is
53 intended to provide the office and the committee with a foundation in the county Charter
54 as well as the county code and to set forth the essential authority of the office and the
55 committee.

56 J. K.C.C. chapter 1.10 provides for the publication and distribution of local voters
57 pamphlets in conformity with the provisions of chapter 29A.32 RCW for elections held in
58 King County.

59 K. RCW 29A.32.280 provides that for each measure from a jurisdiction that is
60 included in a local voters pamphlet, the legislative authority of that jurisdiction shall
61 formally appoint a committee to prepare arguments advocating voter approval of the
62 measure and a committee to prepare arguments advocating voter rejection of the measure.

63 SECTION 2. There shall be submitted to the qualified voters of King County for
64 their approval and ratification or rejection at a special election to be held in conjunction

65 with the general election on November 3, 2015, the addition of a new Section 265 to the
66 King County Charter, as follows:

67 **Section 265. Office of Law Enforcement Oversight.**

68 The county council shall establish by ordinance an office of law enforcement
69 oversight, which shall be a part of the legislative branch. The office shall have a director
70 who is appointed by a majority of the county council to serve a term of four years and
71 until a successor is appointed. The director may be removed from office at any time for
72 cause by a majority of the county council.

73 The authority of the office of law enforcement oversight shall be prescribed by
74 ordinance and shall include investigation, review, and analysis of: complaints about the
75 conduct of law enforcement officers; incidents involving the use of force by county law
76 enforcement officers; and internal investigations conducted, and any resulting
77 disciplinary action taken, by the department of public safety regarding the conduct of
78 county law enforcement officers that is related to those complaints or incidents. The
79 authority of the office shall also include: the preparation and publication of findings,
80 conclusions and recommendations related to the office's oversight of the sheriff's office
81 and community outreach concerning the sheriff's office and the office of law
82 enforcement oversight.

83 To enable the office of law enforcement oversight to exercise its authority
84 effectively, the office shall be authorized by ordinance to obtain all relevant information,
85 including authority to review and copy relevant department of public safety files, inspect
86 crime scenes, conduct interviews and participate in internal investigations and review
87 hearings.

88 An advisory committee for law enforcement oversight is established to review,
89 advise and report on the office of law enforcement oversight in a manner that may be
90 prescribed by ordinance. The committee shall also advise the sheriff and the council on
91 matters of equity and social justice related to law enforcement. The committee may also
92 advise the sheriff and the council on systemic problems and opportunities for
93 improvement in the law enforcement practices of the department of public safety. The
94 county council shall prescribe by ordinance the committee's membership, qualifications,
95 and rules and procedures, and the process for appointment of committee members, and
96 may prescribe by ordinance additional duties of the committee.

97 SECTION 3. Call for special election. In accordance with RCW 29A.04.321,
98 the King County council hereby calls for a special election to be held in conjunction with
99 the general election on November 3, 2015, to consider a charter amendment as described
100 in this ordinance. The King County director of elections shall cause notice to be given of
101 this ordinance in accordance with the state constitution and general law and to submit to
102 the qualified electors of the county, at the said special county election, the proposition
103 hereinafter set forth. The clerk of the council shall certify that proposition to the King
104 County director of elections in substantially the following form, with such additions,
105 deletions or modifications as may be required by the prosecuting attorney:

106 Shall the King County Charter be amended to establish a charter-based civilian
107 office of law enforcement oversight to investigate complaints about law
108 enforcement conduct and the use of force by the King County sheriff and the
109 department of public safety, to provide the office with appropriate authority to

110 carry out its duties, and to establish a charter-based citizen advisory committee on
111 law enforcement oversight?

112 SECTION 4. The director of the records, elections and licensing services division
113 is hereby authorized and requested to prepare and distribute a local voters pamphlet,
114 pursuant to K.C.C. 1.10.010, for the special election called for in this ordinance, the cost
115 of the pamphlet to be included as part of the cost of the special election.

116 SECTION 5. Pursuant to RCW 29A.32.280, the following individuals are
117 appointed to serve on the voters pamphlet committees, each committee to write a
118 statement for or against the proposed levy:

FOR	AGAINST

119

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Larry Phillips, Chair

ATTEST:

Anne Noris, Clerk of the Council

Ordinance

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None