



## King County

### Metropolitan King County Council Committee of the Whole

#### CORRECTED STAFF REPORT

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Agenda Item No.:	4	Date:	2 April 2012
Proposed Motion No.:	2012-0114	Prepared by:	Nick Wagner

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#### SUMMARY

Proposed Motion 2012-0114 (pp. 5-6 of these materials<sup>1</sup>) would appoint Interim Sheriff Steve Strachan to serve as King County Sheriff until the results of the November 2012 election are certified.

#### BACKGROUND

The King County Sheriff, Sue Rahr, has resigned, effective at 11:59 p.m. on 31 March 2012, to become the director of the Washington State Criminal Justice Training Commission. This creates a vacancy in her office.

Section 680.10 of the King County Charter (pp. 7-8) and RCW 36.16.110 (p. 9) call upon the County Council, in the event of a vacancy in the office of County Sheriff, to appoint a Sheriff to serve until a successor is elected and qualified at the next general election, which will be held on 6 November 2012.

Until the Council appoints a replacement, Sheriff Rahr's position will be filled by former Chief Deputy Steve Strachan, whom Sheriff Rahr designated, pursuant to charter Section 680.10, to serve as Interim Sheriff upon her resignation.

#### THE KING COUNTY SHERIFF'S OFFICE

The mission of the King County Sheriff's Office is "to provide quality, professional, regional and local law enforcement services tailored to the needs of individual communities to improve the quality of life." The Office provides local police services for unincorporated area residents, together with regional mandated and specialty services, and is a significant provider of contracted law enforcement to other jurisdictions in the county.

The Sheriff's Office has a 2012 budget of about \$144 million, more than half of which is generated by full-cost-recovery service agreements, fees, and other revenues. The budget

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<sup>1</sup> All page references are to the page numbers of this staff report and its attachments.

includes 958.8 FTEs, more than 600 of whom are police officers, and is allocated as follows:

<b>Section</b>	<b>Expenditures</b>	<b>FTEs</b>
911 Communications	\$10,045,746	90.50
Administration Support Services	\$34,860,392	186.50
Field Operations Unincorporated	\$31,588,204	197.00
Field Operations City Contracted Services	\$31,382,311	227.80
Transit Contract Services	\$16,195,781	123.00
Special Operations Patrol Support	\$7,283,528	42.00
Criminal Investigations Major Investigations	\$10,516,082	77.00
Professional Standards	\$2,101,098	15.00

## **THE PROPOSED LEGISLATION**

Proposed Motion 2012-0114 (pp. 5-6) would appoint interim Sheriff Strachan to serve as King County Sheriff until the vacancy is filled at the November 2012 general election.

## **CHIEF STRACHAN’S BACKGROUND AND QUALIFICATIONS**

Listed below is a summary of Sheriff Strachan’s law enforcement background, his experience as an elected official, his community service, and his education.

### **Law Enforcement**

As described more fully in his resume (p. 11) and biography (p. 13), Sheriff Strachan has more than 25 years of law enforcement experience:

#### **Experience**

- **Chief Deputy, King County Sheriff’s Office**  
Seattle, Washington  
January 2011 to March 2012
- **Chief of Police, Kent Police Department**  
Kent, Washington  
August 2006 – January 2011

- **Chief of Police, Lakeville Police Department**  
Lakeville, Minnesota  
March 2004 – August 2006
- **Sworn Officer, Lakeville Police Department**  
Lakeville, Minnesota  
June 1987 – August 2006  
Held various sworn positions including Patrol Officer, DARE Officer, School Resource Officer, SWAT Officer, Detective, and Sergeant
- **Jail Deputy, Carver County Sheriff's Department**  
Chaska, Minnesota  
November 1985- June 1987

### **Management Training**

- FBI Law Enforcement Executive Development Seminar (LEEDS)
- Senior Management Institute for Police (through Police Executive Research Forum)

### **Professional Memberships and Offices**

- Washington Auto Theft Prevention Authority (member, appointed by Governor Gregoire), 2007-2010
- Past Co-Chair, Washington Association of Sheriffs and Police Chiefs Corrections Committee
- International Association of Chiefs of Police (member)
- Chair, King County Chiefs of Police Association
- Public Safety Facilities Commission (member, appointed by Minnesota Gov. Jesse Ventura)
- Minnesota State Sex Offender Policy Commission (member, appointed by Minnesota Gov. Tim Pawlenty)
- Minnesota DWI Task Force (member, appointed by Gov. Pawlenty)

### **Elected Offices**

- **Minnesota State House of Representatives**
  - State Representative, 2003-2005 (elected in 2002)
  - Committees: Governmental Operations and Veterans Affairs Policy; Judiciary Policy and Finance; State Government Finance
  - Chief Author of 32 bills, seven of which became law, including one reducing the blood alcohol concentration level from 0.10 percent to 0.08 percent for impairment offenses.
- **City Council of Farmington, Minnesota**
  - Councilmember, 1996-2002

## Community Service

- President-Elect, Kent Rotary Club
- Minnesota Governor’s Stadium Commission (member, appointed by Gov. Pawlenty)

## Education

- **Master of Arts, Public Administration**  
Minnesota State University, Mankato, Minnesota
- **Bachelor of Science, Sociology**  
University of Minnesota, Twin Cities

## PUBLISHED ARTICLES

- “Four myths that complicate efforts to confront gang violence,” *Seattle Times*, 29 January 2009 (pp. 15-16 of these materials)
- “Police use-of-force cases are too important for snap judgments,” *Seattle Times*, 7 August 2009 (pp. 17-18 of these materials)

## BACKGROUND CHECK

Former Sheriff Rahr has informed council staff that before being hired by King County to serve in his current position, Interim Sheriff Strachan passed a background investigation conducted by Public Safety Testing, an organization that conducts pre-employment testing and background investigations, among other services, for agencies employing law enforcement officers, firefighters, corrections officers, paramedics, and 911 dispatchers, among others.

## INVITED

1. Steven D. Strachan, Interim King County Sheriff
2. Sue Rahr, Former King County Sheriff

## ATTACHMENTS

	Page
1. Proposed Motion 2012-0114.....	5
2. King County Charter, Section 680.10 .....	7
3. RCW 36.16.110 .....	9
4. Steve Strachan Resume .....	11
5. Steve Strachan Biography .....	13
6. “Four myths that complicate efforts to confront gang violence,” <i>Seattle Times</i> , 29 January 2009.....	15
7. “Police use-of-force cases are too important for snap judgments,” <i>Seattle Times</i> , 7 August 2009.....	17



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**March 27, 2012**

**Motion**

**Proposed No.** 2012-0114.1

**Sponsors** Patterson, Ferguson and Lambert

1           A MOTION appointing Steve Strachan as King County  
2           Sheriff, in accordance with Section 680.10 of the King  
3           County Charter.

4           WHEREAS, on March 15, 2012, the metropolitan King County Council received  
5 notice of the resignation of King County Sheriff Susan Rahr, and of the Sheriff's  
6 designation of Chief Deputy Steve Strachan as Interim Sheriff to succeed her upon her  
7 resignation, both effective March 31, 2012, at 11:59 p.m., and

8           WHEREAS, in accordance with Section 680.10 of the King County Charter, the  
9 Council may appoint a sheriff to serve until the vacancy has been filled at the next  
10 general election, which is November 2012;

11           NOW, THEREFORE, BE IT MOVED by the Council of King County:

12           The metropolitan King County Council hereby appoints Steve Strachan to serve

13 as King County Sheriff, until the vacancy is filled at the general election in November,  
14 2012.  
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KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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Larry Gossett, Chair

ATTEST:

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Anne Noris, Clerk of the Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Dow Constantine, County Executive

**Attachments:** None

# King County Charter

## **Section 680 Vacancies.**

An elective county office shall become vacant upon the incumbent's death; resignation; recall; conviction of a felony, crime involving moral turpitude, unlawful destruction of court records, or other crime pertinent to his office; declaration of incompetency by a court of competent jurisdiction; absence from the county for a period of more than thirty days without the permission of a majority of the county council; or failure to fulfill or continue to fulfill the qualifications for office; provided, however, that an elective county office shall not become vacant as the result of a criminal conviction or declaration of incompetency until the conviction or declaration has become final and is no longer subject to appeal.

### **680.10 Designation, Appointment and Election to Fill Vacancy.**

Immediately upon commencing their terms of office, the county executive, county assessor, county director of elections and county sheriff shall each designate one or more employees who serve as a deputy or assistant in such office to serve as an interim official in the event of a vacancy in the elective office of the county executive, county assessor, county director of elections or county sheriff, respectively.

Except for a designation made by the metropolitan county council, a designation of an interim official shall only be effective if the county executive, county assessor, county director of elections and county sheriff, each for his or her elective office, complies with the following procedure; commits the designation to writing; identifies the order of precedence if more than one county officer or employee is designated; signs the written designation; has the written designation notarized; files the written designation with the county office responsible for records; and provides a copy of the written designation to the chair of the metropolitan county council. The county executive, county assessor, county director of elections and county sheriff may, at any time, amend such designation by complying with the same procedure established for making the designation.

In the event the county executive, county assessor, county director of elections or county sheriff neglects or fails to make such a designation within seven calendar days of commencing his or her term of office, the metropolitan county council may by ordinance designate one or more employees who serve as a deputy or assistant in such office to serve as an interim official in the event of a vacancy in the elective office of the county executive, county assessor, county director of elections or county sheriff, respectively. A designation made by the metropolitan county council shall be effective upon adoption of the ordinance therefor and may be amended by ordinance; provided that a designation by the county executive, county assessor, county director of elections or county sheriff which occurs subsequent to

the adoption of an ordinance shall take precedence over the designation by ordinance.

The designated county officer or employee shall immediately upon the occurrence of a vacancy serve as the interim official and shall exercise all the powers and duties of the office granted by this charter and general law until an acting official is appointed as provided in this section.

The metropolitan county council shall, after being appraised of a vacancy in the elective office of county executive, county assessor, county director of elections or county sheriff, fill the vacancy by the appointment of an employee who served as a deputy or assistant in such office at the time the vacancy occurred as an acting official to perform all necessary duties to continue normal office operations. The acting official shall serve until the vacancy is filled by appointment pursuant to general law for nonpartisan county elective offices.

A vacancy in an elective county office shall be filled at the next primary and general elections which occur in the county; provided that an election to fill the vacancy shall not be held if the successor to the vacated office will be elected at the next general election as provided in Sections 640 and 645 of this charter. The term of office of an officer who has been elected to fill a vacancy shall only be for the unexpired portion of the term of the officer whose office has become vacant and shall commence as soon as he or she is elected and qualified.

A majority of the county council may temporarily fill a vacancy by appointment until the vacancy has been filled by election or the successor to the office has been elected and qualified. (Initiative 26 § 1, 2008: Initiative 25 § 1, 2008: Ord. 12847 § 2, 1997).



RCW 36.16.110  
Vacancies in office.

(1) The county legislative authority in each county shall, at its next regular or special meeting after being appraised of any vacancy in any county, township, precinct, or road district office of the county, fill the vacancy by the appointment of some person qualified to hold such office, and the officers thus appointed shall hold office until the next general election, and until their successors are elected and qualified.

(2) If a vacancy occurs in a partisan county office after the general election in a year that the position appears on the ballot and before the start of the next term, the term of the successor who is of the same party as the incumbent may commence once he or she has qualified as defined in RCW 29A.04.133 and shall continue through the term for which he or she was elected.

(3) If a vacancy occurs in a nonpartisan county board of commissioners elective office or nonpartisan county council elective office, the person appointed to fill the vacancy must be from the same legislative district, county, or county commissioner or council district as the county elective officer whose office was vacated, and must be one of three persons who must be nominated by the nonpartisan executive or nonpartisan chair of the board of commissioners for the county. In case a majority of the members of the county legislative authority do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for in this section, appoint someone to fill the vacancy.

(4) If a vacancy occurs in a nonpartisan county board of commissioners elective office or nonpartisan county council elective office after the general election in a year that the position appears on the ballot and before the start of the next term, the term of the successor may commence once he or she has qualified as defined in RCW 29A.04.133 and shall continue through the term for which he or she was elected.

[2010 c 207 § 2; 2003 c 238 § 1; 1963 c 4 § 36.16.110. Prior: 1927 c 163 § 1; RRS § 4059; prior: Code 1881 § 2689; 1867 p 57 § 28.]

Notes:

**Findings -- Intent -- 2010 c 207:** "The legislature finds that a number of counties have moved to designate certain countywide elective offices as nonpartisan. Because the creation of these nonpartisan offices is a relatively new occurrence, there is not a mechanism in the state Constitution or statutory laws to fill vacancies in these offices. The legislature also finds that many local governments have not created a mechanism for expediently filling the vacancies. The legislature further finds the following: Political representation is an important and fundamental aspect of elective government; vacancies in elective office effectively disenfranchise portions of the state's citizenry; vacancies in elective office can hamper or completely stall the efficient administration of all aspects of governance, including the appointment of inferior office holders responsible for the administration of health, public safety, and a myriad of social services; and that all of these governing functions represent public policy considerations of broad concern. Therefore, it is the responsibility and intent of the legislature to provide a mechanism for filling vacancies in these offices that is in keeping with the state Constitution and current statute." [2010 c 207 § 1.]

**Contingent effective date -- 2003 c 238:** "This act takes effect January 1, 2004, if the proposed amendment to Article II, section 15 of the state Constitution (HJR 4206) is validly submitted to and is approved and ratified by the voters at a general election held in November 2003. If the proposed amendment is not approved and ratified, this act is void in its entirety." [2003 c 238 § 5.] House Joint Resolution No. 4206 was approved by the voters on November 4, 2003.



**Steven D. Strachan**

Experience

**Chief Deputy, King County Sheriff's Office**  
**Seattle, Washington**  
January, 2011 to present

**Chief of Police, Kent Police Department**  
Kent, Washington  
August, 2006- January, 2011

**Chief of Police, Lakeville Police Department**  
Lakeville, Minnesota  
March, 2004- August, 2006

**Lakeville Police Department**  
Sworn officer, June, 1987- August, 2006  
Held various sworn positions including patrol officer, DARE  
Officer, School Resource Officer, SWAT Officer, Detective and  
Sergeant

**Jail Deputy, Carver County Sheriff's Department**  
Chaska, Minnesota  
November, 1985- June, 1987

Education

**Master of Arts, Public Administration**  
Minnesota State University, Mankato, Minnesota

**Bachelor of Science, Sociology**  
University of Minnesota, Twin Cities

Community

**State Representative, District 36B**  
Minnesota State Legislature, 2002-2005  
Served on Public Safety Committee

**City Council Member, City of Farmington, Minnesota**  
1996- 2002

**Governor's Stadium Commission (MN Gov. Pawlenty)**  
**State Sex Offender Policy Commission (MN Gov. Pawlenty)**  
**State Public Safety Training Task Force (MN Gov. Ventura)**  
**Washington Auto Theft Prevention Authority (Gov. Gregoire)**

**Board Member, Kent Youth and Family Services**  
**President, Rotary Club of Kent, 2011**  
**Chair, King County Chiefs of Police Association**



## **Steven D. Strachan Biography**

**Chief Deputy Steve Strachan** has 25 years of law enforcement experience. Prior to being appointed by Sheriff Rahr as Chief Deputy in 2011, Steve served from 2006- 2011 as Chief of Police in Kent, Washington, with a population of 115,000. Steve previously served as Chief of Police in Lakeville, Minnesota, where he had been an Administrative Sergeant, Detective, School Resource Officer, SWAT team leader, DARE Officer, and Patrol Officer. Prior to becoming a patrol officer, Steve worked as a Jail Deputy for a the Carver County, MN Sheriff's Office.

In 1996, Steve was elected to the first of two terms as a city council member in Farmington, Minnesota. In 2002, Steve was elected to the Minnesota State House of Representatives, where he served on the Judiciary, Local Government and State Government Finance Committees. In his time in the House, Steve was the chief author of several bills, including the reduction of the alcohol limit to .08.

Steve served on the Public Safety Facilities Commission for Minnesota Gov. Jesse Ventura, and was later appointed by Minnesota Gov. Tim Pawlenty to the State Sex Offender Policy Commission, the DWI Task Force, and the Governor's Stadium Commission.

Steve holds a Bachelor's degree in Sociology from the University of Minnesota, and a Master's degree in Public Administration from Minnesota State University, Mankato. He is a graduate of the FBI Law Enforcement Executive Development Seminar (LEEDS) #51, and was a member of Session #44 of the Senior Management Institute for Police through the Police Executive Research Forum (PERF).

From 2007- 2010, Steve served as an appointee of Washington Governor Christine Gregoire to the Washington Auto Theft Prevention Authority. Steve is a past Co-Chair of the Washington Association of Sheriff's and Police Chiefs Corrections Committee. He is a member of the International Association of Chiefs of Police, Chair of the King County Chiefs of Police Association, and is President-Elect of the Kent Rotary Club.





Originally published Thursday, January 29, 2009 at 4:10 PM

## Four myths that complicate efforts to confront gang violence

In confronting gang violence, Kent Chief of Police Steven D. Strachan argues that to simply focus on enforcement — without creating alternatives and support systems for the much larger numbers of kids on the periphery of gangs — is the wrong direction.

By [Steven D. Strachan](#)

Special to The Times



AS crime rates in our area generally decline, juvenile violent crime, related to gang violence, is increasing. The paradox between these two trends is a unique issue within what the media calls the “gang culture.” It’s difficult to get our collective minds around what appears as an irrational and destructive lifestyle. Looking at a few myths and solutions might help.

While most young people make good choices, our communities are seeing high-profile incidents related to ongoing dynamics involving rival Seattle-based groups. Easily accessible transportation makes these groups more mobile, affecting every community. I would like to offer a few myths about gangs and violence, and hopefully begin a conversation about what we can do.

**Myth No. 1** — Gangs are a black thing. Gangs do exist in the African-American community, but also exist among Hispanics, East Africans, Pacific Islanders and among whites. Violence occurring in the recent spate of high-profile incidents has centered on African-American groups, but that is not indicative of the overall picture. Our tendency to draw conclusions from a few incidents ignores the huge numbers doing the right things.

**Myth No. 2** — These shootings should make us avoid certain areas. A person who chooses to hang out and subsequently commit a violent act goes wherever groups of people go — malls, transit platforms, friend’s houses, or anywhere else — as we all do. Incidents can happen anywhere, and have. It is an uncomfortable truth that nationally we have seen violence in malls,

schools, parking lots, churches, private homes, parties, restaurants, office buildings, post offices. You get the point. Labeling an area as bad simply exacerbates the problem and further divides us. We should be aware in public places, not avoid them because of a high-profile incident.

***Myth No. 3*** — Kids are different now than they used to be. I am not being naive when I say that, by and large, teenagers right now are doing better than anytime in my memory. Most are working hard and are impressive young people. A small subset going off in a destructive direction, with an “eye for an eye” gun-driven culture, is driving collective opinions.

***Myth No. 4*** — We can enforce and incarcerate our way out of this. This is the most important myth to debunk. Regionally we can, and are, beefing up aggressive enforcement of the most hard-core gang members and putting them away.

In December, I joined King County Sheriff Sue Rahr, Seattle Chief Gil Kerlikowske and many others to announce new enforcement and interagency cooperation efforts aimed at better coordination. That will make a difference. We are actively going after the most chronic and dangerous offenders. However, to simply focus on enforcement without creating alternatives and support systems for the much larger numbers of kids on the periphery of gangs is the wrong direction.

While we wonder why some join gangs, we need to acknowledge that gangs offer a perception of short-term benefit: a sense of security to a kid who feels threatened, a sense of belonging to a kid who feels adrift, and a sense of risk to young people wanting to show their independence. The problem is, it’s a dysfunctional choice that fosters violence and never ends well.

In Kent, we are working on additional enforcement through extra patrols in hot spots and coordinated efforts with other departments. We are a regional leader in working with federal and state agencies to develop and assess intelligence and in tracking the worst offenders. As Chief Kerlikowske said, gang members don’t care about city boundaries, and neither should we.

We are working with community groups to create alternative activities and are providing ride-alongs for local pastors to get to know our officers and connect with kids contacted during patrol.

Gangs and gang-involved kids exist at some level in every community. Certain groups have decided to use violence and retribution, and their acts are affecting all of us.

Yes, it takes enforcement, but we also need the entire community to own the solution and for families, schools and churches to deal with it head-on. We can start in our own neighborhood, have frank discussions with our own kids, and encourage the Legislature, even in these difficult economic times, to focus on both enforcement and intervention.

*Steven D. Strachan is chief of police of Kent*

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Last published at August 7, 2009 at 2:24 PM

Guest columnist

## Police use-of-force cases are too important for snap judgments

We in law enforcement owe it to the public to hold ourselves accountable. And the public owes it to our officers to be mindful of those “split-second judgments.”

By [Steven D. Strachan](#)

Special to The Times

A few weeks ago, the City of Kent settled a federal civil suit with Nicomedes Tubar for \$400,000. His attorney and The Seattle Times have given regular and unilateral coverage to the case. Now that the case is completed, I would like to discuss the larger issue of deadly force, and public trust in the police, the courts and the media.

In 2003 our officer found a parked, unoccupied stolen car. Later the driver got into the car, along with Tubar. When confronted by the officer, the driver accelerated toward him, forcing our officer to use his firearm to protect his life. The trial centered on the fact that three shots were fired — with the third shot injuring Tubar. It was undisputed that the entire incident took just a few seconds.

If you accept Tubar’s testimony that he unknowingly got into a stolen car with a woman he just met, then his injury due to the criminal actions of the driver is truly unfortunate. An early offer of a settlement in this case included mitigation of his medical expenses. The offer was rejected and Tubar chose to go to a civil jury trial.

Two years and several hundred thousand dollars later, the jury rendered its decision, finding 12-0 that the actions of the officer were reasonable and justified.

Here is where public trust and the media come in. The incident itself was not the only issue raised at the trial. Tubar’s attorney worked tirelessly to cast the officer as unpredictable and dangerous. This was done through testimony regarding every aspect of the officer’s personal and professional life before and after the incident. The officer’s name and every negative fact were duly recounted in the newspaper, helping lead readers to conclude the officer must be “out of control.” Yet, the jury, presented with all the information, returned a 12-0 verdict in favor of the officer.

I understand and acknowledge that the attorney must zealously advocate for his client. I will not question his motives in a contingency case in which the attorney typically receives a large percentage of any award. I will not spend time countering every unfounded allegation, which included: jury tampering and intimidation, the driver's guilty plea that really wasn't, and more. Others questioning the motives and decisions of the jury and judge, automatically assuming the police are always right or always wrong — all of these things serve to cumulatively bring down the public trust in the courts, the police and the media. It doesn't help and it doesn't serve the truth.

At Kent Police Department, complaints, emotional issues and uses of force are closely tracked and evaluated. I do not pretend that all police officers are perfect. Far from it. We are human beings just like the people we protect and the people we arrest. Some officers commit bad-faith acts for which they should absolutely be held accountable. We need to continue to pay close attention to our unique duty to serve the public.

Judge Sonia Sotomayor, citing longstanding Supreme Court precedent acknowledging the difficult decisions officers are forced to make under stressful and dangerous, circumstances, wrote in 2006, "We must judge the officer's actions from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. Police officers are often forced to make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving about the amount of force necessary."

We in law enforcement owe it to the public to hold ourselves accountable. And the public owes it to our officers to be mindful of those "split-second judgments," remembering that police officers also have families that count on them to come home at the end of their shifts. We take our mandate to protect the Constitution very seriously.

It is truly our honor to serve the public and our community.

*Steven D. Strachan is chief of Police for the city of Kent.*

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