

## APPENDIX D

March 5, 1990/ae  
0641F/CM/pb/ae

Introduced by: Paul Barden

Proposed No.: 89-595

### MOTION NO. 7854

A MOTION establishing a Police Officer's Bill of Rights for all persons in the field of public law enforcement; and rescinding Motion No. 1169.

WHEREAS, it shall be the policy of King County that all persons in the field of public law enforcement, juvenile and adult detention shall be entitled to the protection of the provisions contained herein of what shall hereafter be referred to as the "Police Officer's Bill of Rights."

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

The King County Police, Juvenile and Adult Detention and Correction Officers' Bill of Rights shall have the following provisions:

A. Every employee who becomes the subject of an internal investigation shall be advised at the time of the interview that s/he is suspected of:

1. committing a criminal offense;
2. misconduct that would be grounds for termination, suspension, or other disciplinary action; or
3. that s/he may not be qualified for continued employment with the Department.

B. Any employee who becomes the subject of a criminal investigation may have legal counsel present during all interviews. This representation by counsel is confined to counseling and not actual participation in the investigation. A criminal investigation as used herein shall be interpreted as any action which could result in the filing of a criminal charge. A major investigation as used elsewhere in this motion shall be interpreted as any action which could result in dismissal from the Department or the filing of a criminal charge.

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2 C. The employee under investigation must at the time of  
3 an interview be informed of the name of the officer in charge  
4 of the investigation and the name of the officer who will be  
5 conducting the interview.

6 D. The employee shall be informed in writing of the  
7 nature of the major investigation and whether s/he is a witness  
8 or suspect before any interview commences, including  
9 information necessary to reasonably apprise him/her of the  
10 allegations of such complaints.

11 E. The interview of an employee shall be at a reasonable  
12 hour, preferably when the employee is on duty unless the  
13 exigencies of the interview dictate otherwise. Whenever  
14 possible interviews shall be scheduled during the normal work  
15 day of the county.

16 F. The employee may request that a major investigation  
17 interview be recorded, either mechanically and/or by a  
18 stenographer. There can be no "off-the-record" questions.  
19 Upon request, the employee under a major investigation shall be  
20 provided an exact copy of any written statements s/he has signed  
21 or of a verbatim transcript of any interview.

22 G. Interviewing shall be completed within a reasonable  
23 time, and shall be done under circumstances devoid of  
24 intimidation or coercion. In all major investigation  
25 interviews the employee shall be afforded an opportunity and  
26 facilities to contact and consult privately with an attorney of  
27 his/her own choosing before being interviewed. The employee  
28 shall be entitled to such reasonable intermissions as s/he  
29 shall request for personal necessities, meals, telephone calls,  
30 and rest periods.

31 H. All interviewing shall be limited in scope to  
32 activities, circumstances, or events which pertain to the  
33 employee's conduct or acts which may form the basis for  
disciplinary action under one or more of the categories  
contained in Paragraph 2 herein.

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I. The employee will not be threatened with dismissal or other disciplinary punishment as a guise to attempt to obtain his/her resignation, nor shall s/he be subject to abusive or offensive language or intimidated in any other manner. No promises or rewards shall be made as an inducement to answer questions.

Motion No. 1169 is hereby rescinded.

PASSED this 5<sup>th</sup> day of March, 1990

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Lois M. Orth  
Chairperson

ATTEST:

Arnold A. Pate  
Clerk of the Council