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Title: AN ORDINANCE requiring the council review of bylaws for the operation of the citizens' committee on independent oversight; and amending Ordinance 15611, Section 9, as amended, and K.C.C. 2.36.050.

Sponsors: Kathy Lambert

Indexes: Sheriff

Code sections:

Attachments: 1. Ordinance 17812.pdf, 2. Staff Report 2014-0180 OLEO Citizens Committee Bylaws.docx

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|-------------------------|--------|
| 5/27/2014 | 1 | Metropolitan King County Council | | |
| 5/27/2014 | 1 | Metropolitan King County Council | Passed | Pass |
| 5/13/2014 | 1 | Law, Justice, Health and Human Services Committee | Recommended Do Pass | Pass |
| 5/12/2014 | 1 | Metropolitan King County Council | Introduced and Referred | |

AN ORDINANCE requiring the council review of bylaws for the operation of the citizens' committee on independent oversight; and amending Ordinance 15611, Section 9, as amended, and K.C.C. 2.36.050.

STATEMENT OF FACTS:

1. Beginning in January 2006, the county council's law, justice and human services committee held eleven meetings to consider civilian oversight for the sheriff's office. During the same timeframe as the county council's deliberations related to oversight, the sheriff established a "Blue Ribbon Panel" to review the internal management systems within the sheriff's office related to employee misconduct and discipline.
2. The law, justice and human services committee, based on its deliberations and its review of the 2006 sheriff's oversight blue ribbon panel report, developed legislation with the goal to

design a system for civilian oversight that allows for the independent civilian monitoring and evaluation of ongoing investigations. The legislation included the creation of a citizens' advisory committee on law enforcement oversight.

3. On October 9, 2006, the council approved Ordinance 15611 regarding civilian oversight of the sheriff's office, creating the office of law enforcement oversight as an independent office within the legislative branch. The office was given significant powers to review complaints and investigations; and to also create a citizens' advisory committee.

4. Shortly after the council approved Ordinance 15611, establishing the requirements for civilian oversight of the sheriff's office, the King County Police Officers Guild filed an unfair labor practice charge against the county. On November 19, 2007, the county and the King County Police Officers Guild finalized an agreement that Ordinance 15611 would be treated as a labor policy and that this policy would need to be bargained in good faith. As a result, the King County Police Officers Guild dismissed its unfair labor practice charge against the county. As a consequence of this agreement, the executive took no action to implement the elements of Ordinance 15611.

5. On December 8, 2008, the council passed Ordinance 16327, approving a new five-year collective bargaining agreement between King County and the King County Police Officers Guild. The new collective bargaining agreement required the county to repeal most of Ordinance 15611, eliminating the primary components of the legislation establishing the office of law enforcement oversight. Nevertheless, the agreement let stand the provisions creating the citizen's' advisory committee for oversight.

6. In May 2009, the council adopted Ordinance 16511 to establish a system of civilian oversight in accordance with the approved labor agreement. The ordinance was developed to address the adopted collective bargaining agreement while also preserving some civilian oversight

capabilities for the office of law enforcement oversight. The new ordinance kept the provisions to establish a citizens' advisory board.

7. The adopted oversight legislation requires that the executive shall appoint, subject to council confirmation, a citizens' committee on independent oversight to advise the director of the office of law enforcement oversight on policies, procedures and practices relating to officer misconduct, discipline and other responsibilities of the director of the office of law enforcement oversight.

8. Because of the desire of the council to ensure that the citizen's committee on oversight is properly established and that its responsibilities and scope of work address the council's intended purposes, this ordinance requires that the council approve by motion the committee's bylaws.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 15661, Section 9, as amended, and K.C.C. 2.36.050 are each hereby amended to read as follows:

A. The executive shall appoint, subject to council confirmation, a citizens' committee on independent oversight to advise the director of the office of law enforcement oversight, which is created under K.C.C. chapter 2.75, on policies, procedures and practices relating to officer misconduct, discipline and other responsibilities of the director of the office of law enforcement oversight.

B. The committee shall include eleven members of the public who represent the geographic, ethnic and economic diversity of the sheriff's service area. The committee shall consist of three members representing cities that contract with the sheriff for law enforcement services, four members shall represent unincorporated King County and four members shall be selected at-large. The committee members shall be appointed for three-year terms, subject to reappointment for additional terms.

C. The committee shall make recommendations to the director regarding:

1. Misconduct and discipline policies, procedures and practices of the sheriff's office;

2. Policies, procedures and practices related to other responsibilities of the director of the office of law enforcement oversight; and

3. Public perceptions of the sheriff, the sheriff's deputies and their roles and functions in the community.

D. The committee shall also serve as a means for the director of the office of law enforcement oversight to communicate with King County's diverse communities. The communication should increase accountability and public understanding of the misconduct and discipline policies, procedures and practices of the sheriff's office and other issues related to the director of the office of law enforcement oversight's responsibilities.

E. The committee shall not review or advise the director of the office of law enforcement oversight on individual complaints, investigations or disciplinary actions.

F. The committee, after consulting with the director of the office of law enforcement oversight, shall adopt bylaws and rules, including meeting times and quorum requirements, and submit a proposed motion for their approval to the council. To take effect, the bylaws and rules must be approved by the council by motion.