



## Legislation Text

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Clerk 08/14/2018

AN ORDINANCE updating the King County 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 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 adopted 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 adopted 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 Ordinance 15611.

5. On December 8, 2008, the council adopted 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 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. In November 2015, the voters approved a charter amendment to Article 2, Section 265 establishing the office of law enforcement oversight as a charter-based agency; expanding the

scope and authority of the agency to directly investigate misconduct by law enforcement officials.

9. In April 2017, the council adopted Ordinance 18500 expanding the office of law enforcement oversight's authorities to align with the 2015 voter approved charter amendment.

10. Because of the desire of the council to ensure that the citizens' committee on oversight aligns with the expanded scope and authority granted to the office of law enforcement oversight by the voters, this ordinance changes the name of the committee, provides greater flexibility in committee's composition and membership and updates the duties and responsibilities of the committee.

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))~~ community advisory committee for law enforcement oversight to advise and work collaboratively with the office of law enforcement oversight.

B. The committee shall include up to 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))~~ include: members ~~((representing))~~ who live in cities that contract with the sheriff for law enforcement services ~~((, four))~~; members ~~((shall represent))~~ who live in unincorporated King County; and ~~((four))~~ members ~~((shall be))~~ who are selected at-large. ~~((The committee members shall be appointed for three-year terms, subject to reappointment for additional terms.))~~

C. The committee members shall be appointed to three-year terms. Committee members may be

reappointed to one additional term.

D. The committee shall ~~((make recommendations to the director regarding))~~:

1. ~~((Misconduct and discipline policies, procedures and practices of the sheriff's office))~~ Serve as liaison between the office of law enforcement oversight and the communities it serves;
2. ~~((Policies, procedures and practices related to other responsibilities of the director of the office of law enforcement oversight))~~ Advise the office of law enforcement oversight on systemic problems and opportunities to improve law enforcement training, policies and practices; ((and))
3. ~~((Public perceptions of the sheriff, the sheriff's deputies and their roles and functions in the community))~~ Advise the sheriff's office and the council on matters of equity and social justice related to law enforcement including opportunities to reduce criminal justice involvement, decrease recidivism, abate inequities and enhance fairness in the justice system; and
4. Advise the sheriff and the council on systemic problems and opportunities for improvement in the law enforcement practices of the sheriff's office.

~~((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.))~~ E. 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))~~ shall:

1. Elect one or two chairpersons to preside over its meetings and guide the committee's work process;
  2. Meet at least one time per quarter and shall receive staff support from the office of law enforcement oversight at the meetings;
  3. Keep minutes of its meetings; and
  4. Make recommendations based on a majority vote of its members.
- F. The committee may form such task forces as it determines appropriate to consider matters under its review.
- G. In consultation with the office of law enforcement oversight, the committee shall adopt bylaws that are consistent with this section.