



King County

ATTACHMENT 1

# Office of Law Enforcement Oversight

Annual Report 2016



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**"The support of the community is a critical measure of the success of the Sheriff's Office, and civilian oversight is part of that support."**

King County Sheriff John Urquhart





## Director's Letter

Since taking the helm of the King County Office of Law Enforcement Oversight (OLEO) in June 2016, my top priority has been to fulfill the community's vision for strong and meaningful civilian-led police oversight. The voters of King County expect and deserve a full-service oversight office that has unfettered access to information, that reviews both individual complaints and systemic issues, and that has the authority to conduct independent investigations.



Deborah Jacobs

At a time when the public's faith in law enforcement has hit record lows and the Justice Department has signaled an unwillingness to investigate problems with local law enforcement, the need to establish mutual trust and respect between police and the communities they serve has never been greater. Indeed, it is critical to effective law enforcement. As the President's Task Force on 21st Century Policing has concluded: "People are more likely to obey the law when they believe that those who are enforcing it have the legitimate authority to tell them what to do. The public confers legitimacy only on those they believe are acting in procedurally just ways."

Perhaps not coincidentally, the National Association for Civilian Oversight of Law Enforcement (NACOLE) reports that oversight agencies like OLEO are on the rise – at least 144 have been established in cities and counties across America as of 2016, up from 100 in 2001. Our police are the public servants most likely to engage directly with the community, and therefore, the public's views of law enforcement's successes or failures are often defined by police contact and conduct.

Ultimately, the success or failure of officers can be traced to the systems that hold them accountable. Recognizing this, the voters of King County in 2015 approved King County Charter Amendment 1 to expand OLEO's authority and role. In April 2017, the King County Council unanimously adopted a new OLEO ordinance to realize the voter-approved vision for robust, empowered oversight of the King County Sheriff's Office. However, that vision won't come to fruition until the county's collective bargaining agreements with the unions that represent King County Sheriff's Office employees are aligned with OLEO's new ordinance.

Meanwhile, OLEO's agenda for 2017 maximizes the systems already in place, including the certification of internal investigations, assessment of Sheriff's Office policies and practices, and direct engagement with the communities we serve.

I am honored to serve the diverse communities of King County, and I look forward to bringing even greater effectiveness, transparency, and independence to this office.

A handwritten signature in black ink that reads "Deborah Jacobs".

Deborah Jacobs

*Director of the Office of Law Enforcement Oversight*

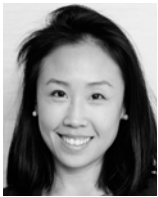
## Our Team



### **Deborah Jacobs, Director**

In a career dedicated to human rights, Deborah has addressed a wide array of police practices including internal affairs, bias-based policing, sexual harassment, enforcement of federal immigration laws, and sexual assault call response. Prior to joining OLEO in June 2016, Deborah served in executive positions for the ACLU and the Ms. Foundation for Women.

Deborah grew up in Ellensburg, Washington. She holds a B.A. in English, an M.A. in Liberal Studies from Skidmore College, and is a former Fulbright Scholar. Her work has been recognized by the National Organization for Women, the NAACP, the People's Organization for Progress, and others.



### **Adrienne Wat, Senior Law Enforcement Analyst**

Adrienne joined OLEO in January 2017 to take a lead role on its reviews. Her interest in this work stems from a desire to address the systemic issues in police practices she observed as a criminal defense attorney at the Pierce County Department of Assigned Counsel. Adrienne previously served as a judicial clerk and extern at the Washington State Supreme Court. She worked on socio-economic issues impacting low-income communities for the Unemployment Law Project, Legal Aid Society, and Seattle University's Fred T. Korematsu Center for Law and Equality. She grew up in Hawaii and graduated from Seattle University School of Law and the University of Washington.



### **Tess Mullarkey, Law Enforcement Analyst**

Tess joined OLEO in 2014 and is responsible for reviewing investigations and complaints and analyzing data. In her previous employment at the U.S. Department of Commerce Office of Inspector General, Tess specialized in compliance and performance audits of federal agency programs. She later transitioned to the Inspector General's Office of Investigations and worked on investigations involving fraud, waste, and employee misconduct. Her work has been recognized through multiple bronze medal awards from the U.S. Department of Commerce Inspector General. Tess has a Master's in Public Administration from Troy University in Alabama. She was raised in San Diego and relocated to Seattle in 1993.



### **Toshiko Hasegawa, Communications Manager**

Toshiko is a lifelong resident of King County and joined OLEO in March 2017. Previously, she gained legislative experience working on criminal justice issues at the federal, state, and county level. She served as Governor Jay Inslee's appointee on the Washington State Joint Legislative Task Force on the Use of Deadly Force in Community Policing. Toshiko takes pride in engaging diverse communities in conversations regarding issues and policy decisions that impact them and enjoys being present in the communities she serves. Toshiko holds a B.A. in Criminal Justice and a B.A. in Spanish from Seattle University.



### **Lacey Lawrence, Administrative Specialist**

Lacey is a career administrative business support specialist and former U.S. Marine. He joined the King County Council in 2015 as a Veteran Fellow and in 2016 became an administrative specialist. Lacey assists OLEO with a range of administrative duties. His administrative business acumen spans many sectors including the White House, the U.S. consulate general in Frankfurt, the City of Colorado Springs, The Home Depot, The George Washington University, Nationwide Insurance, as well as law firms. He hails from Lima, Ohio and holds an Associate of Applied Science degree from the United States Marine Corps School of Administration & Personnel.





"Civilian oversight is a lynchpin of public safety because **transparency and accountability build public trust**. King County's oversight efforts will bring together stakeholders who share a goal of supporting fair, respectful and effective law enforcement practices."

King County Councilmember Larry Gossett







# Our Purpose





**OLEO holds the King County Sheriff's Office** accountable for providing fair and just policing services. Through its independent review, OLEO seeks to instill confidence and public trust in the integrity of Sheriff's Office operations and in the effectiveness and professionalism of its employees. OLEO conducts outreach to the communities the Sheriff's Office serves and provides oversight and recommendations through reviews and investigations of incidents of misconduct and systemic issues. OLEO issues public reports and makes recommendations on policies and practices to the Sheriff's Office.







# Code of Ethics

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**OLEO is committed** to adhering to the Code of Ethics developed by the National Association for Civilian Oversight of Law Enforcement (NACOLE):

### **Personal Integrity**

Demonstrate the highest standards of personal integrity, commitment, truthfulness, and fortitude in order to inspire trust among your stakeholders and to set an example for others. Avoid conflicts of interest. Conduct yourself in a fair and impartial manner and recuse yourself or personnel within your agency when significant conflict of interest arises. Do not accept gifts, gratuities, or favors that could compromise your impartiality and independence.

### **Independent and Thorough Oversight**

Conduct investigations, audits, evaluations, and reviews with diligence, an open and questioning mind, integrity, objectivity, and fairness, in a timely manner. Rigorously test the accuracy and reliability of information from all sources. Present the facts and findings without regard to personal beliefs or concern for personal, professional or political consequences.

### **Transparency and Confidentiality**

Conduct oversight activities openly and transparently, providing regular reports and analysis of your activities and explanations of your procedures and practices to as wide an audience as possible. Maintain the confidentiality of information that cannot be disclosed and protect the security of confidential records.

### **Respectful and Unbiased Treatment**

Treat all individuals with dignity and respect, and without preference or discrimination including, but not limited to: age, ethnicity, citizenship, color, culture, race, disability, gender, gender identity, gender expression, housing status, marriage, mental health, nationality, religion, sexual orientation, socioeconomic status, or political beliefs, and all other protected classes.

### **Outreach and Relationships with Stakeholders**

Disseminate information and conduct outreach activity in the communities that you serve. Pursue open, candid, and non-defensive dialog with your stakeholders. Educate and learn from the community.

### **Agency Self-examination and Commitment to Policy Review**

Seek continuous improvement in the effectiveness of your oversight agency, the law enforcement agency it works with, and their relations with the communities they serve. Gauge your effectiveness through evaluation and analysis of your work product. Emphasize policy review aimed at substantive organizational reforms that advance law enforcement accountability and performance.

### **Professional Excellence**

Seek professional development to ensure competence. Acquire the necessary knowledge and understanding of the policies, procedures, and practices of the law enforcement agency you oversee. Keep informed of current legal, professional, and social issues that affect the community, the law enforcement agency, and your oversight agency.

### **Primary Obligation to the Community**

At all times, place your obligation to the community and duty to uphold the law and to the goals and objectives of your agency above your personal self-interest.



# A Brief History of OLEO

## October 2006

The King County Council creates the Office of Law Enforcement Oversight via Ordinance 15611 to ensure the integrity, transparency, and accountability of the King County Sheriff's Office in misconduct investigations and to foster greater community trust in the Sheriff's Office.

## May 2009

The original authority established under the ordinance is revised through the King County Council's adoption of Ordinance 16511. The ordinance reflects negotiations with the King County Police Officers Guild, which resulted in a three-year delay of OLEO's implementation.

## October 2011

OLEO begins operations.

## November 2015

The voters of King County approve Charter Amendment 1, expanding the scope of OLEO's investigatory powers. The charter amendment also enhances the role of OLEO's citizen advisory committee to advise and report on the work of OLEO, as well as on equity, social justice, and public safety practices.

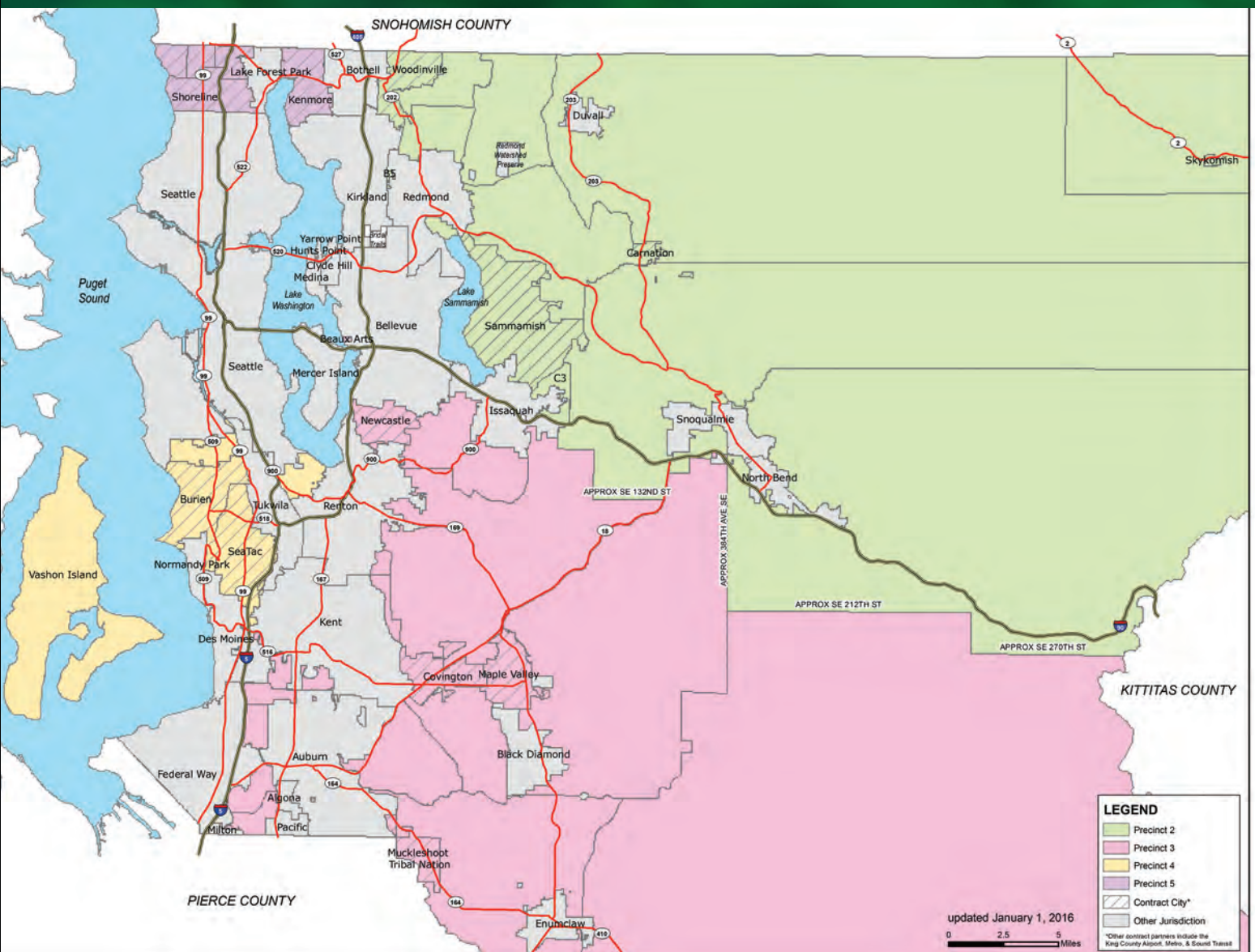
## April 2017

The King County Council adopts Ordinance 2017-0139 to implement Charter Amendment 1. The next step in establishing OLEO's authority is collective bargaining with the unions that represent Sheriff's Office employees.



# Whom We Serve

## KCSO Patrol Section Precincts and Contract Cities



With more than 2 million residents, **King County** is the **largest metropolitan county in the State of Washington in terms of population**, number of cities and employment. It is the thirteenth most populous county in the United States.



## Complaints and Investigations<sup>5</sup>

Both OLEO and the Sheriff's Office accept complaints from any party, including Sheriff's Office employees. OLEO forwards complaints to the Sheriff's Office's Internal Investigations Unit (IIU), which may conduct an investigation if it determines that the allegations involve misconduct.

Complaints involving minor policy violations are referred to supervisors for management action. If IIU determines in its preliminary review that no policy violation exists, then no action is taken. IIU investigations are administrative, not criminal. Complaints concerning Equal Employment Opportunity violations are reviewed by the Sheriff's Office's Human Resource Division, which is not within OLEO's purview. This report provides only analysis of complaints that are classified as misconduct and investigated by IIU or by sergeants at the precinct or unit level.

According to preliminary data for IIU's 2016 annual report, IIU conducted 233 investigations out of 687<sup>6</sup> complaints received in 2016. Sixty-three percent (or 146) of the complaints investigated by IIU were reported by citizens. The remaining 37 percent (87 complaints) were reported internally by Sheriff's Office employees. A summary of the five most frequent allegations by source is listed below in Table 1. As of April 20, 2017, there were six investigations for 2016 still open in which employees had not yet received final memos notifying them of the outcome of the investigation.

**Table 1: Top Allegations<sup>7</sup> Made by Citizens Compared to Those Internally Reported**

Count	Citizens	% of Total
1	Excessive or unnecessary use of force against a person	34%
2	Appropriate use of authority	17%
3	Courtesy	11%
4	Acts in violation of Sheriff's Office directives, rules, policies, or procedures as set out in this manual, the training bulletins or elsewhere	6%
5	Conduct that is criminal in nature	6%

Count	Internal	% of Total
1	Conduct unbecoming	15%
2	Acts in violation of Sheriff's Office directives, rules, policies, or procedures as set out in this manual, the training bulletins or elsewhere	15%
3	Punctuality	13%
4	Making false or fraudulent reports or statements, committing acts of dishonesty, or inducing others to do so	10%
5	Insubordination or failure to follow orders	7%

<sup>5</sup> The data provided in this section is current as of April 20, 2017, unless otherwise specified.

<sup>6</sup> This total represents the total number of complaints received in 2016 that includes non-investigated matters, supervisory referrals, and major investigations as reported by the Sheriff's Office IIU annual report.

<sup>7</sup> There can be more than one allegation in a complaint; therefore, the number of allegations will always exceed the number of complaints. There can be more than one Sheriff's Office employee named in a complaint.



Of the 87 complaints reported by Sheriff’s Office employees, 76 percent (or 66) of these investigations related directly to the performance of the employee’s duties and were not a result of citizen interaction. These top three allegations are “conduct unbecoming,” “acts in violation of Sheriff’s Office directives, rules, policies or procedures,” and “punctuality.”

Thirty-seven complainants contacted OLEO directly, of which 27 were forwarded to IIU. The remaining 10 were not referred either because the complainant decided to not to move forward or because it was a duplicate complaint and an active investigation had already been initiated. Table 2 is a summary of public contacts with OLEO in 2016 and 2015.

**Table 2: OLEO Contacts with Citizens**

Category	2016	2015
Complaints	37	34
Disputes Investigative Finding	2	5
General Inquiries	17	8
Related to Other Law Enforcement Agencies	12 <sup>8</sup>	6 <sup>9</sup>
<b>Total</b>	<b>68</b>	<b>53</b>

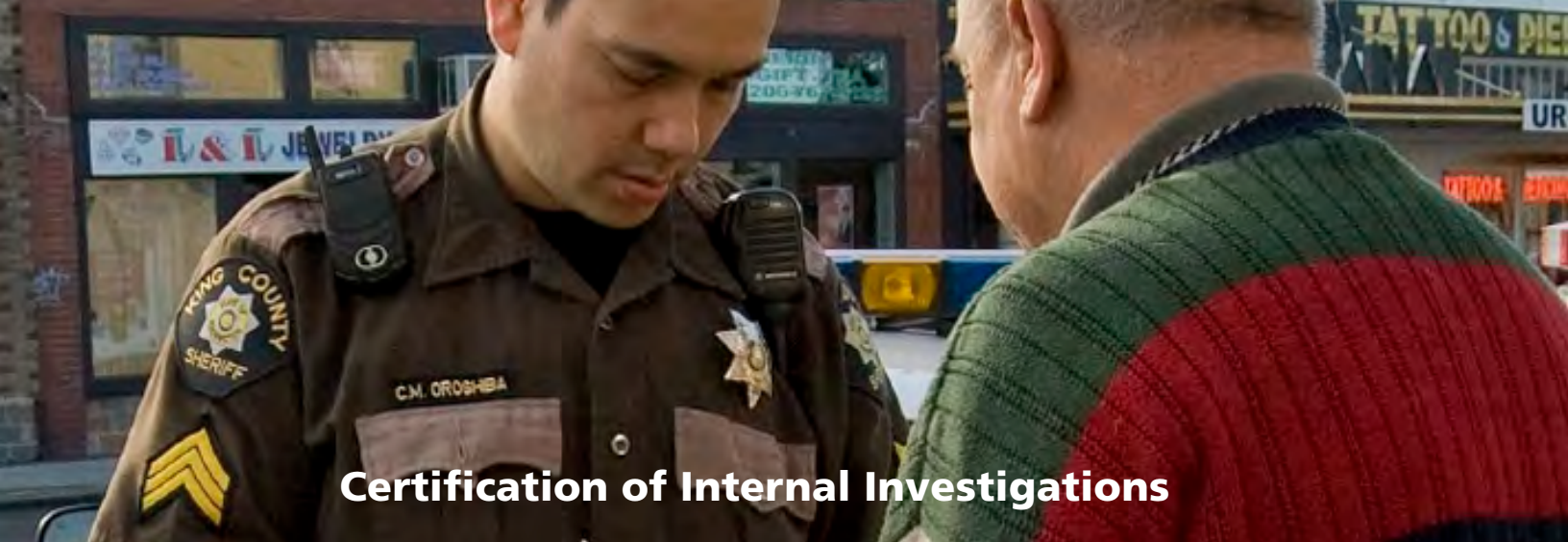
<sup>8</sup> 2016 agencies include Clark County, Enumclaw, Federal Way, Issaquah, KC Jail, Kent, Lincoln County, Longview, Redmond, Tenino, and Tukwila.

<sup>9</sup> 2015 agencies include Bellevue, Federal Way, and KC Jail

## The Justice Department has faulted numerous police departments

for a bias in favor of officers in internal affairs cases, a low rate of sustaining citizen complaints, and a failure to conduct investigations in a timely fashion.





## Certification of Internal Investigations

One of OLEO's key duties is to review completed internal investigations and certify them as "thorough and objective."

In 2016, OLEO reviewed 196 of the Sheriff's Office's 233 investigations. Those not reviewed by OLEO were due to factors including the severity of the allegation, lack of citizen involvement, whether the subject employee was still employed with the Sheriff's Office, OLEO staff availability, and whether the investigation exceeded 180 days (if an administrative investigation exceeds 180 days, no findings can be entered and discipline can no longer be imposed, thus OLEO recommendations would no longer be relevant)<sup>10</sup>.

To ensure that OLEO's reviews<sup>11</sup> of IIU investigations are unbiased and impartial, OLEO uses the following criteria to determine whether the investigation of a complaint was "thorough and objective":

- The preliminary intake investigation was thorough and objective, and perishable evidence was promptly obtained;
- Relevant witnesses were identified, contacted, and interviewed, and material evidence was collected in a timely fashion;
- Interviews were thorough and conducted in an unbiased manner;
- Conflicting testimony or contrary evidence or gaps in information were sufficiently addressed;
- Additional allegations or named employees that surfaced during the investigation were addressed;
- Additional clarifying information that would strengthen the investigation was obtained;
- The intake and investigation was conducted in a timely manner; and
- Applicable procedures were followed for intake and investigation.

OLEO has the option to request additional investigation or seek clarifying information on issues material to the outcome of the investigation. This was done in 50 of the investigations reviewed. A detailed list of the cases and any follow-up can be found in the Appendix. Of the 196 investigations reviewed by OLEO, it has certified 193 as thorough and objective. As this report goes to press, OLEO has declined to certify three matters, and the Sheriff is considering whether to appeal them to the County Executive.<sup>12</sup> They involve:

- A potentially unlawful search of a car in which the driver did not give consent to search;
- Failure to interview the complainant in an allegation that a deputy was driving recklessly; and
- Failure to find and interview witnesses to a one-car accident.

<sup>10</sup> In 2016, six investigations exceeded 180 days.

<sup>11</sup> The review is based on the contents of the investigative file found in IAPro (an Internal Affairs and Professional Standards case management system) and is limited to assessing the thoroughness and objectivity of the investigation. The certification does not comment or consider the findings and recommendations of the investigation

<sup>12</sup> According to the ordinance in effect at the time, if there is dispute about an investigation, OLEO will request review first by the IIU commander, next by the sheriff, and finally by the county executive. (Ord. 16511 § 6, 2009; Ord. 15611 § 8, 2006.)



## OLEO Impact

OLEO's follow-ups can impact the outcome of complaints. For example, OLEO reviewed an incident in which a deputy approached a man on the street to check on his well-being after the deputy observed him flailing his arms, talking to himself, and dressed in inappropriate clothing for the weather. The man, who appeared to have mental health problems, did not acknowledge the deputy or obey an order to remove his hands from his pockets. The deputy reported that the interaction began to pose a potential for danger when the man lit a cigarette. The deputy ordered the man not to smoke and forcibly removed the cigarette from his hand when he was disobeyed. In response, the man took a "fighting stance" and tried to grab the deputy. The deputy requested assistance through his radio. A civilian rider who had accompanied the deputy assisted in restraining the man until backup arrived, and the man was arrested.

Although the deputy was not found to have violated Sheriff's Office policies, OLEO questioned the appropriateness of the decision to forcibly remove the man's cigarette rather than to disengage or create space, especially given that the deputy had initiated the contact with the intent of checking on the man's well-being. We raised this issue with the Sheriff's Office. In response, the Sheriff's Office reviewed the case file and together with the precinct chief required the deputy to attend a 40-hour Crisis Intervention and Procedural Justice course. The Sheriff's Office also promised that it would hold precinct roll calls to inform deputies of the tools and resources available for interacting with people experiencing mental health crises and to reiterate the legal requirements for proper stops and searches.



## OLEO Spotlight on Critical Incidents

Another important role for OLEO is observing and reviewing critical incidents, which include the use of deadly force, in-custody deaths, officer-involved shootings, and any use of force or vehicular pursuit that results in death or injury requiring hospitalization.

In 2016, OLEO staff attended two critical incidents. In one of them, OLEO staff attended the scene of the shooting of Renee Davis on October 21, 2016 at the Muckleshoot Indian Reservation. Davis was shot and killed by deputies called to her house for a wellness check when she threatened suicide. That incident will be in the subject of an inquest and Use of Force review, both of which OLEO staff will attend. Ultimately, OLEO will report on the incident and assess any policies and practices that contributed to this outcome.

## Community Outreach

OLEO has an important role to play in improving community-police relationships and inspiring the public's trust in law enforcement. With OLEO's advisory committee members as partners, we are well-positioned to disseminate information and collect public input from all corners of the county. County councilmembers have also opened doors in their districts, via informational gatherings at which OLEO informs the community of important available resources. Bringing diverse stakeholders into conversations around policing and oversight practices goes far to ensure operations are both effective and meaningful.

OLEO's outreach efforts have just begun. To learn more about our plans for the future, see "Goals and Priorities," on page 16.

## Citizen's Committee on Independent Oversight

The Citizens' Committee on Independent Oversight (CCIO) provides input to OLEO on policies, procedures, and practices relating to policing in King County based on personal experience, community feedback, and knowledge attained through service on the committee. Its members advocate on behalf of OLEO to the county council, the county executive, the Sheriff's Office, and the community.

The committee, which meets monthly, also advises the Sheriff's Office and the county council on matters of equity and social justice related to law enforcement and on systemic problems and opportunities for improvement within the Sheriff's Office.

As liaisons between OLEO and King County's communities, CCIO conducts outreach in partnership with OLEO at community meetings, events, and other venues for discussion and information sharing about the public's concerns relating to law enforcement.

The following individuals are members of the CCIO:



**Rev. Steve E. Baber**

The Rev. Baber is the Pastor of the Skyway United Methodist Church, since 1996. A graduate of Franklin High School, a Bachelor's of Science degree in Business Administration, and a Masters of Divinity degree from the United Theological Seminary, the Rev. Baber co-founded and served as President of the Community Clergy for Children, Families and Youth Coalition (4C's) which provides mentors for youth in trouble. In addition, the Rev. Baber has been a successful high school and junior high football coach. Rev. Baber serves on a host of boards and agencies.



**David Baker, Ph.D., co-chair, Citizens' Committee on Independent Oversight**

Mayor Baker has served on the Kenmore City Council for over ten years. David received a Registered Nurse degree in 1974 from Iowa Western Community College. He then attended the University of Nebraska where he earned both a Bachelor of Science degree and a Master's of Science degree, and he has also received a Ph.D. from Iowa State University. Mr. Baker owns Vision Systems Engineering, has lived and worked in Kenmore since 1995, and is a member of the Board of Directors of the Association of Washington Cities and the National League of Cities.



**Liz A. Campbell**

Ms. Campbell has been a voice for social justice since volunteering as a six-year-old on the George McGovern campaign. Liz moved to the Belltown neighborhood of Seattle almost 12 years ago and resides there today. She has been involved with various parts of drug policy reform and Law Enforcement and Diversion (LEAD) programs for nearly six years and has seen first-hand what improvements can be made through thoughtful increase in communication between law enforcement and residential communities.



**Mia Su-Ling Gregerson**

Representative Gregerson, former SeaTac Mayor, served on the SeaTac City Council between 2008 and 2015 and currently serves the 33rd District in the state legislature. A graduate of Highline Community College with an Associate of Arts Degree in Math and Science and a Bachelor of Arts Degree in European History from the University of Washington, Mia is active in the Sound Cities Association, the National Association of Cities, and the National Women's Political Caucus. She is a surgical assistant and business manager and has lived in SeaTac for over 38 years.





### **John Jensen**

A lifelong resident of King County, Mr. Jensen grew up in Rainier Beach and currently lives in Newcastle. His prior public service involvement includes serving as the president and political liaison for the Municipal League Board of Directors and chair of the South Committee, serving as a member of the 2007 King County Charter Review Commission and serving on the 2010 King County Redistricting Committee. John is President of Jensen Companies, Inc., based in the Seattle area, specializing in tile roof consulting, maintenance, and repair.



### **Tamika Moss**

Ms. Moss has been a Human Resources professional for the last 10 years and regularly volunteers as a Court Appointed Special Advocate (CASA) for children. In this volunteer role, Tamika advocates for children involved in the juvenile court system to break the cycle of child abuse. Her mother has served as a police officer for more than 20 years. As a child, Tamika saw her mother work in various positions while serving her community, building relationships, and making a difference.



### **Abel Pacheco**

Mr. Pacheco was raised near Venice Beach, California, in a biracial home. Abel is a graduate of the University of Washington's Evans School of Public Affairs and currently serves as the Assistant Director for External Relations at the University of Washington. He also serves as a member of the Wallingford Community Council, United Way's Emerging Leaders, and the young professionals' group of Plymouth Housing Group.



### **Sili Savusa, co-chair, Citizens' Committee on Independent Oversight**

Ms. Savusa is the Executive Director of the White Center Community Development Association. Sili is a Trustee at Highline College, Governor's Commission on Closing the Achievement Gap, API Advisory at South Seattle College and the Washington State Commission on Asian Pacific American Affairs Committee (CAPAA).

"Public engagement in police oversight is accountability in action. **Effective oversight depends on community involvement.**"

Sili Savusa, co-chair,  
Citizens' Committee on Independent Oversight

# Goals and Priorities for 2017

## Fulfilling the County's Vision for Oversight

Perhaps the most important goal for 2017 remains the full implementation of the 2015 Charter Amendment. On April 17, 2017, the King County Council unanimously adopted Ordinance 2017-0139 to fulfill the vision for empowered independent oversight in King County. However, the authorities granted within this ordinance must still be collectively bargained with the labor unions that represent Sheriff's Office employees, the outcome of which is uncertain.

## Ensuring Integrity in Complaint Investigations

In 2017, OLEO will continue its work to review completed investigations by the Sheriff's Office and certify those conducted in a thorough and objective manner. We will also submit recommendations to the Sheriff's Office on making internal investigations more accessible to the public and improving policies and practices.

## Analyzing Trends to Improve Community Outcomes

Our agenda includes reviewing systemic issues and trends in complaints, reporting our findings to the public, and making recommendations for changes in policy or practice to the Sheriff's Office. These reviews include:

- Use of Force patterns, policies, and practices;
- Policies and practices concerning the use of confidential informants;
- Practices with respect to classifying complaint intake and criteria for determining which are investigated; and
- Trends in how complaints from members of the public are handled as opposed to those that come from Sheriff's Office employees.

## Listening to our Constituents

With a new communications manager on board, OLEO is hitting the road in 2017 to learn from the community members served by the Sheriff's Office throughout our diverse geographic region. The community input will help OLEO identify areas for review and improvement of services by the Sheriff's Office.

In addition, we hope to boost OLEO's profile by expanding our social media presence and making the webpage a user-friendly aid to generate public interest in the activity, growth, and impact of independent oversight in King County.

## Assessing the Future

Once its new authorities and duties are affirmed, our office will assess its capacity to fulfill its expanded mandate. We have engaged The Athena Group of Olympia, Washington, to conduct a staffing analysis for OLEO in 2017.

Community input will help **OLEO identify areas for review and improvement** of services by the Sheriff's Office.





# Frequently Asked Questions

## OLEO'S Mission and Jurisdiction

### What is OLEO?

OLEO is an independent office within the King County Council that holds the King County Sheriff's Office accountable by: (1) receiving complaints and concerns regarding the conduct of its employees; (2) ensuring that the Sheriff's Office investigates misconduct complaints thoroughly and objectively; (3) engaging the community for input and feedback on the actions of the Sheriff's Office; (4) reviewing the Sheriff's Office's policies, procedures, and training; and (5) recommending improvements to the Sheriff's Office as a result of our reviews and community input.

### Who does OLEO serve?

OLEO serves the same communities that are served by the Sheriff's Office: unincorporated King County, Carnation, Kenmore, Sammamish, Skykomish, Woodinville, Beaux Arts Village, Covington, Maple Valley, Muckleshoot Indian Tribe, Newcastle, Burien, SeaTac, Shoreline, Metro Transit, Sound Transit, and the King County International Airport (Boeing Field). OLEO has no jurisdiction over King County Jail employees or complaints related to law enforcement personnel in agencies other than the Sheriff's Office (see map on p.9).

### Why does OLEO matter?

OLEO matters because the work we do helps hold the Sheriff's Office accountable to the community it serves. For example, our office has made an impact on police responses to people in mental health crises, search and seizure practices, and the quality and timeliness of the sheriff's investigations of misconduct.

### Is OLEO part of the Sheriff's Office? Why should I trust OLEO?

OLEO is not part of the Sheriff's Office or any police department. The community can trust OLEO because we are an independent office that is free to agree or disagree with the decisions of the Sheriff's Office.

### Is OLEO part of the prosecutor's office, Department of Public Defense, or ombudsman?

OLEO is an independent office within the King County Council and does not answer to any of these entities.

### What can I do if I think a Sheriff's Office employee did something wrong?

You can file a complaint with the Sheriff's Office's Internal Investigations Unit (IIU) or with OLEO (which forwards complaints to the Sheriff's Office).

## Filing a Complaint

### What is a complaint?

A complaint is a statement from you explaining why you think a Sheriff's Office employee broke one or more rules that they are required to follow and a request that the conduct be investigated by the Sheriff's Office. The rules can be found in Sheriff's Office's General Orders Manual.

### Can anyone file a complaint?

Yes, all complaints are accepted. Complaints can be about something that happened to you or someone else. You do not need to give your immigration status, and you can file a complaint even if you are under 18 years old. You can also file a complaint if you are a defendant in a criminal case, but if the case is related to the complaint you want to tell us about, we recommend that you talk to your lawyer first.

# Frequently Asked Questions

## How do I file a complaint?

You can file your complaint with OLEO or directly with the Sheriff's Office. OLEO accepts complaints in writing (e-mail, mail, fax, hand delivery, or as a private message on Facebook) or by talking to us about it on the phone or in person. We have a form that you can fill out if you prefer to file it this way. It's helpful if you tell us your preferred method of contact for follow-up. OLEO typically forwards complaints to the Sheriff's Office.

OLEO's complaint forms are available in Spanish, Vietnamese, Traditional Chinese, Somali, and Amharic.

## What if I don't know which rule the employee violated?

To file a complaint, you don't need to know the exact rule that was violated. If you have questions about whether a certain behavior by an employee is against Sheriff's Office rules, please contact OLEO.

## Can OLEO guarantee the confidentiality of complaints or concerns?

No, communications to OLEO are subject to disclosure under the Washington Public Records Act.

## Can I file a complaint anonymously?

Yes, if you choose to remain anonymous, please include as many details as possible because there is no way to reach you to clarify or obtain more information.

## Do I have to know the employee's name or badge number?

No, you can file a complaint without that information. However, it is helpful to provide as many details as possible about the time and location of an incident.

  
**King County**  
**Office of Law Enforcement Oversight**  
401 10th Avenue, Room 515, Seattle, WA 98104-3818  
206-263-8870 / Fax: 206-296-1675 / TTY Relay: 711  
[oleo@kingcounty.gov](mailto:oleo@kingcounty.gov) / [www.kingcounty.gov/oleo](http://www.kingcounty.gov/oleo)

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**Complaint Form**

The information you provide on this form documents alleged misconduct by an employee of the King County Sheriff's Office (KCSO). You are not required to complete every box. OLEO accepts complaints from all people including third parties, undocumented residents, juveniles, and individuals who wish to remain anonymous. However, keep in mind that anonymity prevents follow up with you about your complaint and could affect the complaint's outcome.

Mail the completed form to 401 10th Avenue, Room 515, Seattle, WA 98104-3818 or email to [oleo@kingcounty.gov](mailto:oleo@kingcounty.gov). An online form is available at [www.kingcounty.gov/oleo](http://www.kingcounty.gov/oleo).

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**1. About the Person Making the Complaint**

YOUR NAME	
ADDRESS (Street, City, State, Zip Code)	
HOME PHONE	CELL PHONE
EMAIL ADDRESS	PREFERRED CONTACT (MAIL, PHONE, or EMAIL)

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**2. About the KCSO Employee(s)**  
*Provide as much information as you can to identify the employee(s).*

NAME	SEX	RACE	HAIR COLOR	EYE	AGE
BADGE #	RANK	WEIGHT	OTHER DESCRIPTION		

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NAME	SEX	RACE	HAIR COLOR	EYE COLOR	AGE
BADGE #	RANK	WEIGHT	OTHER DESCRIPTION		

(over)

**3. About Witnesses**  
*Provide as much information as possible about others who witnessed the event.*

WITNESS NAME(S)	WITNESS CONTACT INFORMATION

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**4. Evidence**  
DOES WRITTEN, AUDIO, VIDEO, PHOTO OR OTHER EVIDENCE RELATED TO THE EVENT EXIST? PLEASE EXPLAIN.

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**5. About the Incident (space is provided on the last page to describe your complaint)**

DATE OF INCIDENT	TIME OF INCIDENT	INCIDENT (IF APPLICABLE)
WERE YOU INJURED? <input type="checkbox"/> YES <input type="checkbox"/> NO	WERE YOU ARRESTED? <input type="checkbox"/> YES <input type="checkbox"/> NO IF SO, BOOKING # _____	

**6.** How did you hear about the Office on Law Enforcement Oversight? Referral ☐ Website ☐ Other \_\_\_\_\_

**7.** Did you file a complaint with the King County Sheriff's Office Internal Investigations Unit? ☐ Yes ☐ No  
If not, why not? \_\_\_\_\_

**8. Personal Information:** Age \_\_\_\_\_ Sex \_\_\_\_\_ Race/Ethnicity \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

Name OLEO Representative if this complaint was written on behalf of the complainant:  
How was this complaint received by OLEO? ☐ E-Mail ☐ In person ☐ Telephone ☐ Mail ☐ Fax

IN THE SPACE PROVIDED ON THE NEXT PAGE, PLEASE DESCRIBE WHAT HAPPENED.



## Frequently Asked Questions

### Will I have more problems with the police if I file a complaint?

Sheriff's Office rules prohibit employees from retaliating against people who file complaints. Sheriff's Office employees are not to talk with anyone about an investigation once they learn a complaint has been filed against them.

### Does it matter if I file a complaint?

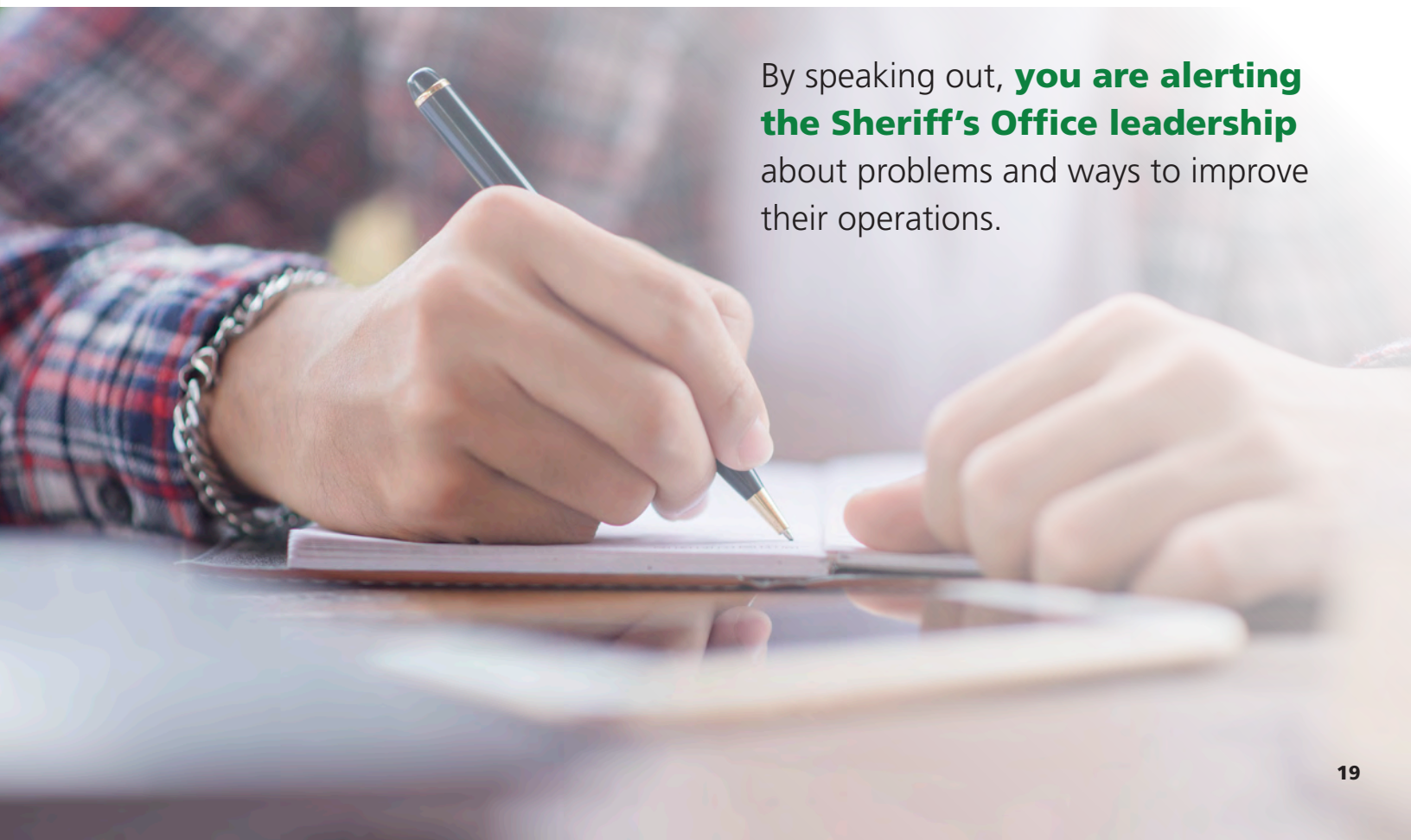
Yes, by speaking out, you are alerting the Sheriff's Office leadership about problems and ways to improve their operations. In addition, OLEO looks for patterns in complaints and makes recommendations to the Sheriff's Office for policy and training.

## Complaint Follow-up

### What happens after I file a complaint?

When OLEO receives your complaint, we review it. If we have questions and your contact information is available, we will contact you to get clarification. After that, or even if we cannot reach you for clarification, we will promptly forward your complaint to the Sheriff's Office's Internal Investigations Unit for investigation. This unit determines how complaints are handled, including whether a complaint will be investigated. The Sheriff's Office will notify complainants if an investigation has been opened. You might be asked to sign a release of medical records if you claim you were injured by an employee. An IIU investigation can take up to 180 days.

When the investigation is finished, the Sheriff's Office issues a finding for each allegation. (See page 10 for a summary of the categories of findings.) Based on these findings, the Sheriff's Office decides whether to discipline the employee(s).

A close-up photograph of a person's hand holding a black pen and writing on a small, light-colored notepad. The person is wearing a plaid shirt and a metal chain bracelet. The background is blurred, showing another person's hand and a desk surface.

By speaking out, **you are alerting the Sheriff's Office leadership** about problems and ways to improve their operations.

# Frequently Asked Questions

## **Will OLEO investigate my complaint?**

At present, OLEO does not have authority to investigate any complaints. IIU investigates the complaint, and as part of that investigation, you, any witnesses (including other employees), and the subject employee may be interviewed about the incident. If you want a member of OLEO's staff to attend when you speak with IIU, please let OLEO and the IIU investigator know.

OLEO's role is to review the investigation by IIU to ensure it was thorough and objective. We may follow up with the investigator for clarification or additional investigation. When OLEO disagrees with the findings, we discuss the matter with the leadership of the Sheriff's Office. Sometimes findings may be changed or training will be provided to the employee.

After this process is complete and your case is closed, the Sheriff's Office will send you a letter to inform you of the findings of its investigation.

## **Is the process fair to the employees?**

The rights of employees are protected via their respective union contracts. These protections include the right to be notified of the allegation(s), the right to have a representative (union or attorney) present during misconduct investigation interviews, the right to an administrative appeal, and timelines by which investigations must be completed in order for discipline to be imposed.

## **Can you tell me what happened to the employee about whom I complained?**

Upon request, OLEO will send you a letter specifying whether we certified the Sheriff's Office's investigation of your complaint as thorough and objective, and the criteria used to do so. You can also obtain information about the resolution of your complaint through a public disclosure request to the Sheriff's Office, which also publishes monthly reports on discipline on its website.

## **General Questions**

### **What if I don't have a complaint against an individual employee, but I don't like a pattern I see within the Sheriff's Office?**

OLEO welcomes feedback about your concerns relating to the Sheriff's Office and its employees. Please report it to OLEO in writing (email, mail, fax, hand delivery, or as a private message on Facebook), or by talking to us about it on the phone or in person.

### **What if I want to give an employee a compliment?**

Compliments can be submitted to the Sheriff's Office by calling that person's supervisor, writing a letter, or filling out the online form. You can also email compliments to: [sheriff@kingcounty.gov](mailto:sheriff@kingcounty.gov).

### **What if I think that the police should have to pay me money because of what they did to me? Can OLEO help me with this?**

No, this complaint process only addresses possible employee discipline. You should seek the advice of a lawyer about other remedies.



# Appendix

## 2016 IIU Investigations in Which OLEO Requested Further Information

#	IIU Number	Summary of Allegation	Allegation	Disposition	OLEO Clarification Sought Regarding:
1	2016-004	Force used taking subject into custody	1 Excessive or unnecessary use of force against a person	1 Unfounded	■ Attempts to interview/contact complainant
2	2016-007	Detained for an excessive amount of time	1 Excessive or unnecessary use of force against a person	1 Unfounded	■ Attempts to interview/contact subject officer who was no longer employed by the Sheriff's Office
3	2016-009	Taser deployed while running away	1 Excessive or unnecessary use of force against a person	1 Nonsustained	■ Taser probe photos ■ Use of Force policy
4	2016-011	Detective mishandled investigation	1 Acts in violation of Sheriff's Office directives, rules, policies, or procedures as set out in this manual, the training bulletins, or elsewhere	1 Exonerated	■ Internal investigator logs and documentation
5	2016-013	Detective mishandled investigation/management of case files	1 Failing to submit reports, citations, or other appropriate paperwork in a timely manner 2 Performs at a level significantly below the standard achieved by others in the work unit 3 Making false or fraudulent reports or statements, committing acts of dishonesty, or inducing others to do so	1 Sustained 2 Sustained 3 Nonsustained	■ Attempts to interview/contact subject officer who was no longer employed by the Sheriff's Office
6	2016-017	False arrest, detention, and unnecessary and/or excessive force	1 Excessive or unnecessary use of force against a person 2 Failing to abide by federal and state laws and applicable local ordinances, whether on or off-duty	1 Unfounded 2 Exonerated	■ Attempts to interview/contact complainant
7	2016-019	Police report missing details of force used by deputies during arrest	1 Acts in violation of Sheriff's Office directives, rules, policies, or procedures as set out in this manual, the training bulletins, or elsewhere	1 Nonsustained	■ Attempts to interview/contact witness
8	2016-022	Officer responding to vehicle incident was discourteous and did not cite other driver at fault	1 Courtesy	1 Nonsustained	■ Appropriate Revised Code of Washington
9	2016-024	Excessive force used by officer during escort/transfer to jail facility	1 Excessive or unnecessary use of force against a person	1 Unfounded	■ Difference between Use of Force reported versus Use of Force investigated ■ Evidence review identify/interview/contact witness

# Appendix

#	IIU Number	Summary of Allegation	Allegation	Disposition	OLEO Clarification Sought Regarding:
10	2016-032	Sexually assaulted by officer	1 Conduct that is criminal in nature	1 Unfounded	■ Clarification on whether all allegations were captured
11	2016-035	Officer provided false statements in court	1 Otherwise fails to meet Sheriff's Office standards	1 Unfounded	■ Attempts to interview/contact complainant
12	2016-036	Domestic violence involving officer	1 Conduct that is criminal in nature	1 Non-sustained	■ Evidence review
13	2016-045	Illegal stop and harassment	1 Appropriate use of authority	1 Exonerated	■ Basis for original contact
14	2016-048	Profanity and racial slurs yelled by officer	1 Discrimination, incivility, and bigotry	1 Undetermined	■ Case documentation and relationship to another case
15	2016-049	Racial bias by security screener	1 Discrimination, incivility, and bigotry 2 Insubordination or failure to follow orders 3 Courtesy 4 Making false or fraudulent reports or statements, committing acts of dishonesty, or inducing others to do so	1 Officer 2 exonerated 2 Officer 1 and 2 nonsustained 3 Officer 2 exonerated 4 Officer 1 Nonsustained	■ Interview statements
16	2016-056	Unprofessional conduct during traffic stop	1 Courtesy	1 Unfounded	■ Findings and recommendations memo ■ Attempts to interview/contact witness
17	2016-057	Compliance technique while working secondary employment was excessive	1 Excessive or unnecessary use of force against a person	1 Unfounded	■ Attempts to interview/contact witness
18	2016-061	Officer contact with bus driver was rude	1 Courtesy	1 Exonerated	■ Policy analysis and case documentation
19	2016-067 2016-084 2016-134 2016-172 (related cases)	Travel claims fraud Conduct unbecoming AWOL Insubordination	1 Conduct that is criminal in nature 2 Willful violation of either Sheriff's Office Civil Career Service rules, or King County Code of Ethics. Violation of King County Sheriff's Office rules, policies, and procedures 3 Conduct unbecoming 4 Making false or fraudulent reports or statements, committing acts of dishonesty, or inducing others to do so	1 Sustained 2 Sustained 3 Sustained 4 Sustained	■ No follow up-this was a limited review to determine if the IIU investigator: ■ Considered applicable policies ■ Obtained and reviewed a sample of claims filed and determined whether those claims were necessary and reasonable and consistent with policy ■ Conducted interviews and gathered relevant evidence ■ Addressed inconsistencies and questionable costs claimed ■ Results, conclusions, and recommendations generally aligned with the investigation



# Appendix

#	IIU Number	Summary of Allegation	Allegation	Disposition	OLEO Clarification Sought Regarding:
20	2016-070	Employee used information obtained from department systems for personal business or gain	1 Ridicule 2 Conduct unbecoming 3 Harassment based on race, ethnicity, gender, religion, disability, or sexual orientation 4 Personal business or recreation while on-duty or in uniform	1 Employee 1 unfounded Employee 2 nonsustained 2 Nonsustained 3 Nonsustained 4 Nonsustained	■ Incident details and policy
21	2016-086	Welfare check results in force, lost items	1 Excessive or unnecessary use of force against a person	1 Nonsustained	■ Officer interaction with subject
22	2016-088	Citizen contacted for suspicious license plate results in force	1 Excessive or unnecessary use of force against a person	1 Unfounded	■ Computer Aided Dispatch systems notes
23	2016-091	Domestic violence call results in force	1 Excessive or unnecessary use of force against a person 2 Appropriate use of authority	1 Unfounded 2 Exonerated	■ Attempts to interview/contact witness ■ Interview recording
24	2016-093	Performance and attendance while working overtime	1 Performs at a level significantly below the standard achieved by others in the work unit 2 Making false or fraudulent reports or statements, committing acts of dishonesty, or inducing others to do so	1 Sustained 2 Nonsustained	■ Clarification – incident details
25	2016-098	Responding officer threatened and abused complainant	1 Excessive or unnecessary use of force against a person	1 Unfounded	■ Clarification – incident details
26	2016-116	Officer did not pursue DUI arrests	1 Performs at a level significantly below the standard achieved by others in the work unit	1 Exonerated	■ Communications manager requested to review call handling
27	2016-124	Officer uniform on eBay	1 Acts in violation of Sheriff's Office directives, rules, policies or procedures as set out in this manual, the training bulletins or elsewhere	1 Exonerated	■ Details of contact with complainant
28	2016-130	Officer interaction while directing traffic was rude	1 Conduct unbecoming	1 Exonerated	■ Risk management claim option ■ Attempts to interview/contact reporting party

# Appendix

#	IIU Number	Summary of Allegation	Allegation	Disposition	OLEO Clarification Sought Regarding:
29	2016-133	Sexual assault case not investigated properly	1 Acts in violation of Sheriff's Office directives, rules, policies, or procedures as set out in this manual, the training bulletins, or elsewhere	1 Officer 1 exonerated Officer 2 sustained	<ul style="list-style-type: none"> <li>Incident classification</li> <li>Quality of investigation</li> <li>Attempts to interview/contact subject</li> <li>Attempts to interview/contact witness</li> <li>Evidence handling/processing</li> <li>Investigation details</li> <li>Interview statements</li> <li>Effort to assist complainant</li> <li>Whether allegations were captured accurately</li> <li>Thoroughness of interviews</li> </ul>
30	2016-135	Officer driving and response to incident	1 Performs at a level significantly below the standard achieved by others in the work unit	1 Sustained	<ul style="list-style-type: none"> <li>Policies and practice</li> </ul>
31	2016-152	Officer took unauthorized leave	1 Accepting any gratuity, fee commission, loan, reward, or gift for services rendered incident to duty as a deputy, unless approved by the sheriff 2 Insubordination	1 Sustained 2 Sustained	<ul style="list-style-type: none"> <li>Whether allegations were captured accurately</li> </ul>
32	2016-156	K9 bite to arm	1 Excessive or unnecessary use of force against a person	1 Exonerated	<ul style="list-style-type: none"> <li>Internal investigator logs and documentation</li> </ul>
33	2016-175	Officer response was overly aggressive and rude	1 Courtesy 2 Making false or fraudulent reports or statements, committing acts of dishonesty, or inducing others to do so	1 Exonerated 2 Unfounded	<ul style="list-style-type: none"> <li>Attempts to interview/contact subject</li> <li>Attempts to interview/contact witness</li> <li>Interview statements</li> <li>Incident details</li> </ul>
34	2016-176	Photographs taken of private property	1 Appropriate use of authority	1 Exonerated	<ul style="list-style-type: none"> <li>Potential privacy issues related to curtilage and photos</li> </ul>
35	2016-178	No attention given to medical condition	1 Appropriate use of authority	1 Unfounded	<ul style="list-style-type: none"> <li>Internal investigator logs and documentation</li> </ul>
36	2016-180	Tardy	1 Punctuality	1 Sustained	<ul style="list-style-type: none"> <li>Internal investigator logs and documentation</li> </ul>
37	2016-181	Patrol officer accused of dishonesty	1 Making false statement	1 Nonsustained	<ul style="list-style-type: none"> <li>Thoroughness</li> </ul>
38	2016-183	Taser application was excessive	1 Excessive or unnecessary use of force against a person	1 Unfounded	<ul style="list-style-type: none"> <li>Clarification – incident details</li> </ul>
39	2016-185	Officer seen driving unsafe, erratic	1 Performs at a level significantly below the standard achieved by others in the work unit	1 Sustained	<ul style="list-style-type: none"> <li><b>Under Review by the Sheriff</b></li> <li>Attempts to interview/contact complainant</li> </ul>



# Appendix

#	IIU Number	Summary of Allegation	Allegation	Disposition	OLEO Clarification Sought Regarding:
40	2016-191	Illegal search and harassment based on past history with police	1 Abide by federal and state laws and applicable local ordinances, whether on or off-duty	1 Nonsustained	<ul style="list-style-type: none"> <li>■ <b>Under Review by the Sheriff</b></li> <li>■ Witness statements</li> <li>■ Officer statements</li> <li>■ Complainant statement</li> <li>■ Incident details</li> <li>■ Policy</li> </ul>
41	2016-202	Compliance technique used was excessive and officer used profanity	1 Excessive or unnecessary use of force against a person 2 Courtesy	1 Officer 1 and 2 exonerated 2 Officer 2 exonerated	<ul style="list-style-type: none"> <li>■ Policy clarification</li> <li>■ Attempts to interview/contact witness</li> </ul>
42	2016-207	Homeowner told could not come home while civil standby occurring	1 Appropriate use of authority	1 Exonerated	<ul style="list-style-type: none"> <li>■ Policy clarification</li> <li>■ Witness statements</li> </ul>
43	2016-213	Taser application unnecessary	1 Excessive or unnecessary use of force against a person	1 Exonerated	<ul style="list-style-type: none"> <li>■ Incident details</li> <li>■ Investigator obligation to report</li> <li>■ Investigator interview</li> <li>■ Policy clarification</li> </ul>
44	2016-244	Officer harassment and yelling profanities for no reason	1 Bias-based policing 2 Discrimination, harassment, incivility, and bigotry 3 Courtesy 4 Acts in violation of directives, rules, policies, or procedures	1 Unfounded 2 Unfounded 3 Unfounded 4 Unfounded	<ul style="list-style-type: none"> <li>■ Revised certification after Sheriff's Office addressed witness recording</li> <li>■ Incident details</li> <li>■ Attempts to interview/contact witness</li> </ul>
45	2016-264	Retaliated against for filing an IIU complaint	1 No policy violation	1 Unfounded	<ul style="list-style-type: none"> <li>■ Clarified allegation and investigative steps</li> </ul>
46	2016-271	Insufficient car accident investigation	1 Rules of conduct	1 Nonsustained	<ul style="list-style-type: none"> <li>■ <b>Under Review by the Sheriff</b></li> <li>■ Attempts to interview/contact witness</li> <li>■ Internal investigator logs and documentation</li> </ul>
47	2016-273	Arrest may have lacked cause	1 Appropriate use of authority	1 OPEN	<ul style="list-style-type: none"> <li>■ Incident details</li> </ul>
48	2016-275	Removal of license plate outside authority	1 Appropriate use of authority	1 OPEN	<ul style="list-style-type: none"> <li>■ Policies and practice</li> </ul>
49	2016-279	Officer harassment and touching personal property	1 Appropriate use of authority 2 Discrimination, harassment, incivility, and bigotry	1 Exonerated 2 Finding not addressed	<ul style="list-style-type: none"> <li>■ Whether all allegations were captured</li> </ul>
50	2016-281	Compliance technique used was excessive	1 Excessive use of force	1 Exonerated	<ul style="list-style-type: none"> <li>■ On-scene medical aid</li> </ul>



**King County**

