

King County Auditor's Office

Kymber Waltmunson, King County Auditor



King County

DATE: December 9, 2014

TO: Metropolitan King County Councilmembers

FROM: Kymber Waltmunson, King County Auditor

SUBJECT: Follow-up on 2012 Performance Audit of the King County Sheriff's Office and Office of Law Enforcement Oversight

This memorandum provides the results of a second follow-up review of our 2012 performance audit of the King County Sheriff's Office (KCSO) and Office of Law Enforcement Oversight (OLEO) regarding officer complaint investigation reporting. Both KCSO and OLEO have made progress in addressing requirements to publicly report on the outcomes of officer complaint investigations, but some additional actions are needed. We make two new recommendations, first to KCSO to include omitted information about officer training in future reports, and second to OLEO to develop new procedures necessary to strengthen its officer complaint investigation oversight process.

Recommendation 15 from the 2012 audit addresses annual reporting for KCSO and OLEO.

#	Quick Status	Recommendation	Status Detail
15	PROGRESS	KCSO and OLEO should each submit an annual report detailing progress in successfully implementing the recommendations in this [2012 audit] report and in future subsequent reports. KCSO should also provide detailed annual statistics reports on the number, type, and unit location of allegations and complaints received to allow for greater tracking and analysis of supervisor compliance with reporting requirements and community outreach efforts.	<u>KCSO</u> - The Internal Investigations Unit submitted a 2013 annual report on time, which substantially satisfied the reporting requirements described in council motions. Some required information about officer training was omitted from the 2013 report and should be included in future reports. <u>OLEO</u> - Although it was issued six-months late and included no information about its work in 2012, OLEO's 2012-2013 complaint investigation oversight report met the basic reporting requirements specified in the King County Code. We noted several weaknesses in OLEO's review procedures and make recommendations for improvement.

New Recommendations

KCSO has substantially satisfied complaint investigation reporting requirements

KCSO Internal Investigations Unit's (IIU) 2013 Annual Report addressed the major reporting requirements for complaint and investigation data. Recommendation 15 of the 2012 audit requested KCSO annually report statistical information regarding complaints. Specific reporting requirements for KCSO regarding complaints and related investigations are detailed in King County Council Motions 13734 and 14002. KCSO submitted its 2013 annual report to the County Council on time. The report addressed the central components of Motion 14002: the number of complaints and allegations, with information regarding their type, location, and resolution. The report also included narrative information on trends observed and potential recommendations.

The KCSO report included narrative information on training resources and programs; however, it did not include statistical information about officer training: hours of training, number of officers trained, and training content. This training-related information is required under Motion 13734 and could help provide valuable insights into KCSO's efforts to address the underlying causes of complaints.

Recommendation 17 The King County Sheriff's Office should include officer training-related statistical information as described in County Council Motion 13734 in its 2014 annual report and in future reports.

Office of Law Enforcement Oversight reporting needs improvement

Per King County Code 2.75.050, OLEO's case reviews are a key component of its civilian oversight role. However, current weaknesses in OLEO's complaint investigation review procedures limit OLEO's ability to inform KCSO, County Council, and the public about trends observed in its review of complaint investigations. These weaknesses undermine the system of checks and balances intended when OLEO was created.

In September 2014, OLEO released its 2012-2013 annual report. Under King County Code, OLEO – like KCSO – is mandated to provide an annual report by March 1 each year. OLEO's 2012-2013 report was issued six months after the March reporting deadline and included no information about its work in 2012.

Although it was issued late and did not include information about 2012, OLEO's September 2014 report met the basic reporting requirements for its 2013 activities. It included a statistical analysis of 2013 complaints, including information on investigative findings and discipline, recommendations for KCSO improvements in policies and practices, and the number of complaint investigations certified by the OLEO director as "thorough and objective."

However, elements of the report were limited in scope. For example, only some complaint types were included. Moreover, the report lacked any comment or analysis of reviewed officer complaint investigations. It simply notes that 325 cases were reviewed and certified.

Recommendation 15 of the 2012 audit requested that OLEO submit an annual report detailing progress in successfully implementing audit recommendations; recommendation 13 requested OLEO to develop working guidelines and measurable objectives to assure the effectiveness of law enforcement oversight. However, OLEO lacks a systematic and documented process to track important case review information, such as the date a case is turned over by KCSO for OLEO review, or the criteria used for determining whether KCSO IIU's investigations are "thorough and objective."

Although OLEO's 2012-2013 annual report minimally meets the data reporting requirements in the King County Code, no detail or documentation exists resulting from OLEO's case reviews. Beyond a single hard count of cases reviewed and certified, statistical or qualitative details regarding complaint investigation reviews were not provided. As a result, it is not possible to see how OLEO's policy recommendations are tied to trends observed from case reviews.

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- Recommendation 18** The Office of Law Enforcement Oversight (OLEO) should strengthen its officer complaint investigation oversight reporting process by developing and implementing new policies and procedures for:
- a) Tracking important case review information, such as the date a case is turned over for review.
 - b) Developing criteria to be used for determining whether individual King County Sheriff's Office (KCSO) complaint investigations are "thorough and objective."
 - c) Documenting its review of KCSO complaint investigations.
 - d) Recommending improvements in KCSO procedures based on trends identified from OLEO's complaint investigation reviews.
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Justin Anderson, Senior Management Auditor, conducted this review. Please contact Justin at 477-1046 if you have any questions about the issues discussed in this letter.

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