


King County Auditor's Office
Kymber Waltmunson, King County Auditor



King County

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

**Officer Complaint Investigation
Reporting has Improved**

*Kymber Waltmunson
Justin Anderson*

*Government Accountability & Oversight Committee
December 9, 2014*

Summary

Both the King County Sheriff's Office and the Office of Law Enforcement Oversight made progress addressing requirements to publicly report on outcomes of officer complaint investigations, but some additional actions are needed.

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Recap of previous recommendation

Recommendation 15 – 2012 Performance Audit

- KCSO and OLEO should annually report on progress in implementing audit recommendations.
- KCSO should also annually report statistics on the number, type, and unit location of complaints and allegations for improved analysis and community outreach.

2013 audit follow-up found little progress in the implementation of this recommendation.

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King County Sheriff's Office

2013 Internal Investigations Unit Annual Report

- Provided on time
- Addressed requirements of Motion 14002
- Provided more details than previous annual reports
- Established a methodology for future reports
- Omitted some training information required by Motion 13734

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New Recommendation: KCSO IIU

Recommendation 17

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

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Office of Law Enforcement Oversight

2012-2013 Annual Report

- Addressed basic content requirements in county code
- Omits 2012 data
- Completed six months late
- Not available publicly on the internet
- Much of the information and recommendations were previously provided in other sources

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Office of Law Enforcement Oversight

2012-2013 Annual Report, continued

- Indicates all 325 complaint cases reviewed were “thorough and objective”
- Internal OLEO case review procedures not established
- No information about patterns or trends derived from case reviews

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New Recommendation: OLEO

Recommendation 18

The Office of Law Enforcement Oversight 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 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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Conclusion

- Both KCSO and OLEO have concurred with our recommendations
- We will continue to monitor progress as part of our annual reports on KCSO and OLEO

Thank you

Full report available online
<http://www.kingcounty.gov/auditor>

Questions?



DATE: December 9, 2014

TO: Metropolitan King County Councilmembers

FROM: Kymer 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.

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 the [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. | KCSO's 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. Although it was issued six-months late and included no information about its work in 2012, OLEO's first officer 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. |

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 Motions 13734 and 14002 of the King County Council. KCSO submitted its 2013 annual report to the King 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.

New Recommendation 1:

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

Office of Law Enforcement Oversight: Reporting Needs Improvement

In September 2014, OLEO released its 2012-2013 annual report. Under the King County Code, OLEO – like KCSO – is mandated to provide an annual report by March 1st 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 specific 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. Recommendations and supporting narrative included in the report are very similar to information provided in previous reports to Council since 2012.

OLEO also lacks a documented process for reviewing and certifying KCSO officer complaint investigations. 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.

Per King County Code 2.75.050, OLEO's case reviews are the key component of its civilian oversight role. The weaknesses in OLEO's complaint investigation review procedures limit OLEO's ability to inform KCSO, the 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.

New Recommendation 2:

The Office of Law Enforcement Oversight should strengthen its officer complaint investigation oversight reporting process by developing 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 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

