

APPENDIX D

March 5, 1990/ae
0641F/CM/pb/ae

Introduced by: Paul Barden

Proposed No.: 89-595

MOTION NO. **7854**

A MOTION establishing a Police Officer's Bill of Rights for all persons in the field of public law enforcement; and rescinding Motion No. 1169.

WHEREAS, it shall be the policy of King County that all persons in the field of public law enforcement, juvenile and adult detention shall be entitled to the protection of the provisions contained herein of what shall hereafter be referred to as the "Police Officer's Bill of Rights."

NOW, THEREFORE BE IT MOVED by the Council of King County:

The King County Police, Juvenile and Adult Detention and Correction Officers' Bill of Rights shall have the following provisions:

A. Every employee who becomes the subject of an internal investigation shall be advised at the time of the interview that s/he is suspected of:

1. committing a criminal offense;
2. misconduct that would be grounds for termination, suspension, or other disciplinary action; or
3. that s/he may not be qualified for continued employment with the Department.

B. Any employee who becomes the subject of a criminal investigation may have legal counsel present during all interviews. This representation by counsel is confined to counseling and not actual participation in the investigation. A criminal investigation as used herein shall be interpreted as any action which could result in the filing of a criminal charge. A major investigation as used elsewhere in this motion shall be interpreted as any action which could result in dismissal from the Department or the filing of a criminal charge.

1 C. The employee under investigation must at the time of
2 an interview be informed of the name of the officer in charge
3 of the investigation and the name of the officer who will be
4 conducting the interview.

5 D. The employee shall be informed in writing of the
6 nature of the major investigation and whether s/he is a witness
7 or suspect before any interview commences, including
8 information necessary to reasonably apprise him/her of the
9 allegations of such complaints.

10 E. The interview of an employee shall be at a reasonable
11 hour, preferably when the employee is on duty unless the
12 exigencies of the interview dictate otherwise. Whenever
13 possible interviews shall be scheduled during the normal work
14 day of the county.

15 F. The employee may request that a major investigation
16 interview be recorded, either mechanically and/or by a
17 stenographer. There can be no "off-the-record" questions.
18 Upon request, the employee under a major investigation shall be
19 provided an exact copy of any written statements s/he has signed
20 or of a verbatim transcript of any interview.

21 G. Interviewing shall be completed within a reasonable
22 time, and shall be done under circumstances devoid of
23 intimidation or coercion. In all major investigation
24 interviews the employee shall be afforded an opportunity and
25 facilities to contact and consult privately with an attorney of
26 his/her own choosing before being interviewed. The employee
27 shall be entitled to such reasonable intermissions as s/he
28 shall request for personal necessities, meals, telephone calls,
29 and rest periods.

30 H. All interviewing shall be limited in scope to
31 activities, circumstances, or events which pertain to the
32 employee's conduct or acts which may form the basis for
33 disciplinary action under one or more of the categories
contained in Paragraph 2 herein.

1
2 I. The employee will not be threatened with dismissal or
3 other disciplinary punishment as a guise to attempt to obtain his/
4 her resignation, nor shall s/he be subject to abusive or
5 offensive language or intimidated in any other manner. No
6 promises or rewards shall be made as an inducement to answer
7 questions.

8 Motion No. 1169 is hereby rescinded.

9 PASSED this 5th day of March, 1990

11 KING COUNTY COUNCIL
12 KING COUNTY, WASHINGTON

13 Lois P. North
14 Chairperson

15 ATTEST:

16 Gerald A. Felt
17 Clerk of the Council