



Legislation Details (With Text)

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File created: 6/9/2020 **In control:** Committee of the Whole

On agenda: **Final action:** 7/7/2020

Enactment date: 7/16/2020 **Enactment #:** 19125

Title: AN ORDINANCE proposing to amend the King County Charter to grant the office of law enforcement oversight subpoena powers; amending Section 265 of the King County Charter; and submitting the same to the voters of the county for their ratification or rejection at the next general election to be held in this county occurring more than forty-five days after the enactment of this ordinance.

Sponsors: Rod Dembowski, Jeanne Kohl-Welles, Joe McDermott, Girmay Zahilay, Claudia Balducci

Indexes: Charter, Elections, OLEO

Code sections: 265 - *

Attachments: 1. Ordinance 19125, 2. 2020-0206_OLEO_CharterAmd_Subpoena_SR.docx, 3. 2020-0206_ATT2_2019-03-20 - OLEO Charter Proposed Changes.pdf, 4. 2020-0206_Amd_T1_Final.docx, 5. 2020-0206_Amd1_Final.docx, 6. Written Comment Irene Danysh, 7. Written Comment Jeppa Hall, 8. Written Comment Vicky Hartley, 9. 2020-0206_REVISED_SR_OLEO_CharterAmd_Subpoena.docx

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------------------|--------------------------------|--------|
| 7/7/2020 | 2 | Metropolitan King County Council | Passed | Pass |
| 6/16/2020 | 1 | Committee of the Whole | Recommended Do Pass Substitute | Pass |
| 6/9/2020 | 1 | Metropolitan King County Council | Introduced and Referred | |

Clerk 06/22/2020

AN ORDINANCE proposing to amend the King County Charter to grant the office of law enforcement oversight subpoena powers; amending Section 265 of the King County Charter; and submitting the same to the voters of the county for their ratification or rejection at the next general election to be held in this county occurring more than forty-five days after the enactment of this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There shall be submitted to the qualified voters of King County for their ratification or rejection, at the next general election to be held in this county occurring more than forty-five days after the enactment of this ordinance, an amendment to Article 2, Section 265 of the King County Charter, as set forth

herein:

Section 265. Office of Law Enforcement Oversight.

The county council shall establish by ordinance an office of law enforcement oversight, which shall be a part of the legislative branch. The office shall have a director who is appointed by a majority of the county council to serve a term of four years and until a successor is appointed. The director may be removed from office at any time for cause by a majority of the county council.

The authority of the office of law enforcement oversight shall be prescribed by ordinance and should include: investigation, review and analysis of conduct of county law enforcement officers that has been the subject of a complaint and the use of force by county law enforcement officers regardless of whether it has been the subject of a complaint; and review and analysis of internal investigations conducted and disciplinary action taken by the department of public safety regarding that conduct or use of force.

The authority of the office should also include: the preparation and publication of findings, conclusions and recommendations related to the office's oversight of the department of public safety; and community outreach concerning the department of public safety and the office of law enforcement oversight.

To enable the office of law enforcement oversight to exercise its authority effectively, the office shall be authorized by ordinance to obtain all relevant information, including authority to review and copy relevant department of public safety files, subpoena witnesses, documents and other evidence relating to its investigations or review and administer oaths, inspect crime scenes, conduct interviews and participate in internal investigations and review hearings. Any subpoenaed witness shall have the right to be represented by counsel.

The county council shall establish by ordinance an advisory committee for law enforcement oversight to review, advise and report on the office of law enforcement oversight in a manner that may be prescribed by ordinance. The committee shall also advise the sheriff and the council on matters of equity and social justice related to law enforcement. The committee may also advise the sheriff and the council on systemic problems

and opportunities for improvement in the law enforcement practices of the department of public safety. The county council shall prescribe by ordinance the committee's membership, qualifications, and rules and procedures, and the process for appointment of committee members, and may prescribe by ordinance additional duties of the committee.

SECTION 2. The clerk of the council shall certify the proposition to the manager of the elections division, in substantially the following form, with such additions, deletions or modifications as may be required by the prosecuting attorney:

Shall Section 265 of the King County Charter be amended to enable the office law enforcement oversight to subpoena witnesses, documents and other evidence related to its investigations and reviews of county law enforcement officers?