



Legislation Text

File #: LP2012-035, **Version:** 1

Labor Policy related to implementation of the recommendations of the King County Auditor's 24 July 2012 report and the Office of Law Enforcement Oversight's 17 August 2012 report on the King County Sheriff's Office

STATEMENT OF FACTS:

1. In May of 2009, the County Council adopted Ordinance 16511, which, among other things, directed the County Auditor's Office to establish a permanent, ongoing law enforcement audit process, focusing on the Internal Investigation Unit (IIU) of the King County Sheriff's Office (KCSO) and on the effectiveness of the Office of Law Enforcement Oversight (OLEO) in providing oversight of KCSO.

2. The County Auditor recently completed an audit pursuant to Ordinance 16511. That audit was conducted in conjunction with a national law enforcement consulting firm, Hillard Heintze, LLC. The primary purposes of this audit, as described by the County Auditor, were to evaluate the Sheriff's Office internal investigation operations and to assess the effectiveness of OLEO. The audit also included a review of best practices for managing citizen-initiated and internally-generated complaints concerning police misconduct and use of force.

3. Based on the results of the audit, the County Auditor identified significant issues with KCSO's policies and procedures for investigating complaints and inconsistent adherence to those policies and procedures within KCSO. The Auditor concluded that those issues undermined organizational and individual accountability in KCSO and were inconsistent with best practices and the standards of the Commission on Accreditation for Law Enforcement Agencies (CALEA).

4. The Auditor further concluded that, as a result of the issues described above, the County may be exposed to greater risk from claims (e.g., claims arising from vehicle accidents and allegations of excessive use

of force) and may be unable to maintain its CALEA accreditation.

5. The Auditor recommended, among other things, that KCSO develop more detailed policies specifying the investigation and reporting processes for all complaints and that these processes become standards that are categorically adhered to by officers and supervisors.

6. The Auditor identified significant challenges in implementing OLEO as an effective civilian oversight function under the current organizational and legal framework, and noted that KCSO had worked proactively with the County Council and council staff to develop new collective bargaining strategies to restore OLEO's authority to provide effective civilian oversight.

7. The Auditor recommended that OLEO, in collaboration with KCSO, continue to plan and develop working guidelines and measurable objectives to ensure that the positive effects and benefits of civilian law enforcement oversight are maximized in King County.

8. The Auditor made 16 recommendations in all, and both KCSO and OLEO concurred with all of them; however, the Auditor observed that successful implementation of several of the recommendations may be contingent to some extent on labor negotiations.

9. OLEO retained the Police Assessment Resource Center to analyze whether the KCSO policies and practices comport with national best practices on the evaluation and management of deadly and less-than-deadly force. The review examined the thoroughness, completeness, and fairness of the KCSO's practices and procedures.

10. The OLEO report made 25 recommendations, and both OLEO and KCSO concurred or fundamentally agreed with each of the recommendations; however, successful implementation of several of the recommendations may be contingent to some extent on labor negotiations.

FOR THE FOREGOING REASONS, LP 2010-031 is hereby amended by adding a new section as follows:

“Sheriff’s Office Implementation of Report Recommendations. It is the policy of King County that

the county’s bargaining agents shall make every effort to negotiate labor agreements that are consistent with the implementation of (1) the July 24, 2012, report of the King County Auditor concerning the King County Sheriff’s Office (Report No. 2012-01, entitled “Performance Audit of King County Sheriff’s Office and Office of Law Enforcement Oversight”) and (2) the August 17, 2012, report of the Office of Law Enforcement Oversight prepared by the Police Assessment Resource Center (entitled “Managing the Risk of Misconduct for the King County Sheriff’s Office”) as embodied in the adopted implementation action plan of Motion 13734.

The committee determines that this labor policy shall be _____ maintained as confidential OR x made public.

Adopted by the Labor Policy Committee by majority vote of the entire committee on _____, 2012.

King County Council
King County, Washington

Chair

Attest:
_____, Clerk of the Council