

## Legislation Details (With Text)

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<b>Enactment date:</b>	3/25/2021	<b>Enactment #:</b>	19249
<b>Title:</b>	AN ORDINANCE establishing an advisory committee to engage community stakeholders regarding the selection, appointment and confirmation of the chief officer for the department of public safety and matters pertaining to the department of public safety.		
<b>Sponsors:</b>	Girmay Zahilay, Jeanne Kohl-Welles, Claudia Balducci		
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Date	Ver.	Action By	Action	Result
3/9/2021	1	Metropolitan King County Council	Passed as Amended	Pass
3/2/2021	1	Law and Justice Committee	Passed Out of Committee Without a Recommendation	Pass
2/23/2021	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE establishing an advisory committee to engage community stakeholders regarding the selection, appointment and confirmation of the chief officer for the department of public safety and matters pertaining to the department of public safety.

### STATEMENT OF FACTS:

1. In November 2020, the voters of King County approved Charter Amendment No.5, returning the King County sheriff to an appointed position with a requirement for consideration of community stakeholder input during the selection, appointment and confirmation process to be prescribed by county ordinance.
2. In November 2020, the voters of King County approved Charter Amendment No.6, allowing the duties of the chief officer of the department of public safety, who may also be referred to as

the county sheriff, and the duties and structure of the department of public safety to be established by county ordinance.

3. In November 2020, the adoption of the 2021-2022 Biennial Budget Ordinance, Ordinance 19210, set the maximum biennial appropriation for the department of public safety at approximately four hundred and nine million dollars with a maximum of one thousand ninety-five full time equivalent positions.

4. The department of public safety has an active role providing and participating in regional services and activities including bomb disposal, search and rescue, homicide investigations, civil and criminal warrants, sex offender registration, dignitary protection, the automated fingerprint identification system, intelligence services and the joint terrorism task force.

5. The department of public safety is the police department for unincorporated King County, which includes nearly 250,000 residents over a wide-ranging geographic area that encompasses dense urban areas, such as Skyway and White Center, and sparsely populated rural areas, such as Vashon Island and rural east King County.

6. The county contracts with twelve cities and the Muckleshoot Indian Tribe to provide law enforcement services to their approximately three hundred thousand residents through the department of public safety. Combined, those contracts were approximately thirty six percent of the department of public safety's budget for the 2019-2020 biennium and are an important part of the department's operations.

7. In accordance with the interlocal agreements for law enforcement services, the cities and county have formed an oversight committee, responsible for ensuring compliance with the terms of the interlocal agreement.

8. The county also provides public safety services for transportation agencies, including the King County International Airport, the Metro transit department and the Central Puget Sound

Regional Transit Authority, which is also known as Sound Transit. Combined, providing those services represented approximately eighteen percent of the department of public safety's budget for the 2019-2020 biennium and require unique services along bus and light rail lines and at transit stations.

9. The department of public safety has faced reductions over the past decades and creates challenges for the vision of public safety the county hopes to uphold.

10. Since the tragic killing of George Floyd by a police officer on May 25, 2020, in Minneapolis, Minnesota, the Black Lives Matter movement has been at the forefront of protests, rallies, marches and demonstrations calling for an end to structural racism and to restructuring law enforcement as it has been traditionally practiced in King County and across the United States.

11. Safety for all requires that the county explores new alternatives to incarceration and alternatives to armed police response to some calls for service. Alternative emergency response models could include but are not limited to mental health responders, conflict resolution teams and trauma-informed violence interruption initiatives.

12. The council and the executive desire an open, transparent and inclusive process to review and update the structure and duties of the department of public safety and to appoint a new county sheriff.

13. The council and the executive will engage with a wide ranging and diverse group of community stakeholders, contract cities and other partners, to understand the needs of the communities served by the department of public safety.

14. The county is committed to continuing its long-established partnership with labor unions, including sworn and civilian bargaining units.

15. The county is committed to providing efficient, effective and equitable public safety

services in the unincorporated areas and in the contract entities.

16. The county is committed to maintaining and enhancing public safety for all its residents.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1.

A. The King County public safety advisory committee is hereby established.

B. The purpose of the committee shall be to:

1. Engage with and receive input from community stakeholders directly impacted by the department of public safety and provide guidance to the council and the executive in the selection, appointment and confirmation process for appointment of the chief officer of the department of public safety in accordance with section 3 of this ordinance; and

2. Engage with and receive input from community stakeholders directly impacted by the department of public safety regarding the values stakeholder communities hold on how law enforcement services should be provided and ways the county could improve the delivery of law enforcement services to preserve and enhance public safety, and to provide guidance to the council and the executive on those matters in accordance with section 4 of this ordinance.

C.1. The committee shall include thirteen members of the public, who represent the geographic, ethnic and economic diversity of the department of public safety's service area. Two members of the committee shall represent overpoliced communities. Two members of the committee shall represent rural unincorporated communities. Two members of the committee shall represent urban unincorporated communities. Two members of the committee shall represent cities which contract with the department of public safety for police services. Two members of the committee shall have knowledge of, or experience related to, law enforcement reform work. One member of the committee shall represent the Puget Sound Police Managers Association. One member of the committee shall represent the King County Police Officers Guild. One member of the committee shall represent the community advisory committee for law enforcement oversight.

2. The executive and the council shall each select one member representing the following communities or expertise:

a. overpoliced communities, which for the purposes of this ordinance, are those communities that have simultaneously experienced the greatest infringement of personal liberty and the greatest under-protection from law enforcement.

b. rural unincorporated communities, which for the purposes of this ordinance, are those areas located in the rural area of the county;

c. urban unincorporated communities, which for the purposes of this ordinance are those located in the in the urban growth areas of unincorporated King County; and

d. a person with knowledge of or experience related to law enforcement reform work.

3. The oversight committee, established by the interlocal public safety services agreements with the cities, shall select two members to represent the contract cities on the advisory committee. The Puget Sound Police Managers Association and the King County Police Officers Guild shall each select one member from their respective organizations to represent their organizations on the committee. The community committee for law enforcement oversight shall select one member to represent it on the advisory committee.

4. Committee members selected by the executive and those members selected by the council to represent the communities as described in section 1.C.2. of this ordinance and those members selected by the organizations as described in section 1.C.3. of this ordinance are included in Attachment A to this ordinance.

5. Once fully constituted, the committee, with assistance from the facilitators described in section 6 of this ordinance, shall determine its rules and operating procedures, including but not limited to, frequency of committee meetings and method by which the committee will determine what to include in the final report required by section 5 of this ordinance.

SECTION 2. In accordance with K.C.C. 2.28.006, members of the committee who are neither employees of King County nor employees of other municipal governments shall receive compensation of one

hundred fifty dollars per meeting of the committee. The maximum compensation that a committee member may receive is two thousand five hundred dollars. The purpose of the compensation is to compensate those nongovernmental employees for their experience and expertise contribution to the advisory committee.

SECTION 3. The responsibilities of the committee pertaining to the selection, appointment and confirmation of the chief officer of the department of public safety shall include:

- A. Serving as credible messengers to and on behalf of their represented communities or organizations;
- B. Engaging with the broader community to garner input on community expectations on the selection, appointment and confirmation of a department of public safety chief; for example, participating in public forums when invited by communities or other relevant organizations or jurisdictions within King County;
- C. Soliciting input from experts with knowledge of, or experience with, the recruitment and selection of high-ranking law enforcement personnel;
- D. Transmitting a report as further described in section 5.A. of this ordinance;
- E. At a meeting of the committee, conducting interviews of those candidates identified by the executive; and within seven days of completing the candidates' interviews, providing to the executive the committee's impressions of the candidates; and
- F. After the executive has transmitted a motion appointing a chief officer of the department of public safety, attending a meeting of the committee of the whole to provide the advisory committee's input on the person selected by the executive for the position of chief officer of the department of public safety.

SECTION 4. The responsibilities of the committee pertaining to the obtaining input from stakeholder communities regarding both the values stakeholder communities hold for how law enforcement services should be provided and the ways the county could improve the delivery of law enforcement services to preserve and enhance public safety shall include:

- A. Serving as credible messengers to and on behalf of their represented communities or organizations;
- B. With support from the county and facilitators, providing stakeholder communities with an overview

of the services of the department of public safety provides;

C. Engaging with the broader community to gather input on the values stakeholder communities hold regarding how law enforcement services should be provided and what ways the county could improve the delivery of law enforcement services to preserve and enhance public safety;

D. Participating in public forums when invited by communities or other relevant organizations or jurisdictions within King County;

E. Soliciting input from experts with knowledge or experience in the fields of public safety, accountability and oversight or any other field the committee deems relevant; and

F. Transmitting a report to the executive and council as further described in section 5.B. of this ordinance.

#### SECTION 5.

A. The committee shall provide a chief of the department of public safety report to the executive and the council by no later than July 1, 2021. An electronic copy of the report shall be transmitted simultaneously to the executive and to the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and the lead staff of the law and justice committee. The report shall include, but limited to, the following:

1. A description detailing the principles that should guide the solicitation of candidates for the position of the chief officer of the department of public safety;

2. A description of those qualities, experience and other characteristics the committee would like to see in a candidate;

3. A description of the committee's efforts to engage with, and receive input from, community stakeholders;

4. A description of the community stakeholder groups providing input to the committee; and

5. A description of community stakeholder input, categorized by general themes, pertaining to the

guiding principles on selection of a chief officer of the department of public safety and the qualities a successful candidate should have.

B. The committee shall provide a law enforcement services report to the executive and the council by no later than July 1, 2021. An electronic copy of the report shall be transmitted simultaneously to the executive and to the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and the lead staff of the law and justice committee. The report shall include, but limited to, the following:

1. A description of those values stakeholder communities expressed, categorized by general themes, regarding how law enforcement services should be provided;
2. A description, categorized by general themes, of those ways the county could improve the delivery of law enforcement services to preserve and enhance public safety;
3. A description of the committee's efforts to engage with, and receive input from, community stakeholders;
4. A description of the community stakeholder groups providing input to the committee; and
5. A recommendation on whether a future advisory body should provide continued public engagement and guidance to the executive and the council pertaining to the matters described in subsection B.1. and 2. of this section.

#### SECTION 6.

- A. The executive shall hire facilitators to assist the committee in its work.
- B. A staff working group shall be available to assist the committee, including staff from the executive and council.

#### SECTION 7.

- A. In addition to considering the community stakeholder input gathered by the committee, the executive will engage in other methods of gathering community stakeholder input regarding the selection and



appointment of the chief officer of the department of public safety, as well as, pertaining to the matters described in section 5.B.1. and 2. of this ordinance.

B. In addition to considering the community stakeholder input gathered by the committee, the council will engage in other methods of gathering community stakeholder input regarding the confirmation of the chief officer of the department of public safety, as well as pertaining to the matters described in section 5.B.1. and 2. of this ordinance.

SECTION 8. This ordinance expires upon confirmation of a new chief officer of the department of public safety.