

## Legislation Text

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File #: 2019-0492, Version: 2

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Clerk 12/12/2019

AN ORDINANCE related to King County Courthouse security; making an appropriation of \$400,000 from the general fund to the sheriff and an appropriation of \$200,000 from the general fund to the department of community and human services; amending the 2019-2020 Budget Ordinance, Ordinance 18835, Sections 21, 44 and 62, as amended; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The sidewalks and area surrounding the King County Courthouse have been the scene of a number of violent incidents which has been recognized as a significant problem for the county.

B. King County finds it unacceptable that county employees and members of the public are at risk of being assaulted while trying to enter their place of work or use public facilities.

C. Beginning on July 11, 2017, and continuing periodically through October 22, 2019, the government accountability and oversight committee of the King County council has hosted a panel of superior court judges, city of Seattle and King County law enforcement personnel and county executive staff to discuss security concerns around the perimeter of the King County Courthouse.

D. Panelists at these committee meetings raised issues and concerns related to safety, including: assaults on jurors and courthouse employees and a bullet shot into superior court from south of the courthouse; illegal behavior, including drug dealing and lewd conduct; and sanitation issues, including garbage, feces and urine.

E. In response to these issues, a joint city of Seattle-King County work group called the courthouse vicinity improvement committee was created and tasked with looking at the courthouse perimeter security issue from four perspectives: public safety; transportation; human services; and sanitation.

F. Additionally, a courthouse security work group was established comprised of twelve superior court judges, one superior court commissioner, two district court judges, the King County prosecuting attorney and several of the prosecuting attorney's staff, and the court facilities and security manager. The committee had been made permanent under General Rule of the Court 36, a new statewide rule that requires all courts to convene a security committee with all stakeholders.

G. The courthouse security work group made several recommendations related to courthouse security in 2017, including immediately opening the Fourth Avenue security entrance to the courthouse full time, King County Metro transit department police emphasis on patrols, facilities management division's security emphasis outside the courthouse, a request to the Seattle police department to emphasize patrols on City Hall park and Prefontaine Place and ordering the Third Avenue security entrance to the courthouse closed as an emergency measure, among others.

H. Based on recommendations from both the courthouse vicinity improvement committee and the courthouse security work group, the Seattle police department provided an increased presence around the courthouse vicinity and King County Metro transit department police increased visibility of bike patrol officers.

I. In November 2017, the King County council appropriated \$400,000 for the facilities management division to "...implement strategies to maintain cleanliness and security of the immediate vicinity of the King County courthouse building" and \$182,000 to the sheriff's office to "solely fund a one-year pilot for 2018 to reopen the King County courthouse Fourth Avenue entrance at least during the periods of Mondays through Thursday between 7:45 a.m. and 9:45 a.m. and between 12:00 noon and 2:00 p.m. and to track the usage and variations of wait times at the fourth avenue entrance during those hours."

J. Additionally, beginning in August 2018, the city of Seattle parks department activated City Hall park

which is adjacent to the King County Courthouse. Park activation included a park concierge, buskers and other activities and amenities. The department also conducted general clean-up and tree limbing, and the facilities and management division of King County improved lighting in the area. The city of Seattle parks department confirmed that funding for City Hall park activation would continue in 2019 and 2020.

K. On November 20, 2019, the King County council in Ordinance 19021 appropriated \$202,207 for the sheriff's office to hire a screener and a marshal to keep the King County Courthouse Fourth Avenue security entrance open during business hours.

L. Despite those moneys appropriated and improvements made to address security issues, in September 2019 and again in November 2019, King County employees were assaulted outside the Third Avenue security entrance of the courthouse.

M. On December 2, 2019, the presiding judge of the King County superior court ordered that the Third Avenue entrance to the King County Courthouse be closed until January 1, 2020.

N. The King County council intends for the moneys appropriated in this ordinance to be a starting point for addressing security issues around the perimeter of the King County Courthouse.

SECTION 2. Ordinance 18835, Section 21, as amended, is hereby amended as follows:

SHERIFF - From the general fund there is hereby appropriated to:

Sheriff	\$400,000
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The maximum number of additional FTEs for sheriff shall be:	3.0
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ER1 EXPENDITURE RESTRICTION:

Of this appropriation, \$10,000 shall be expended or encumbered solely to provide traffic safety reflective gloves and flashlight extender wands to all sheriff patrol deputies.

ER2 EXPENDITURE RESTRICTION:

Of this appropriation, \$241,000 shall be expended or encumbered solely to comply with the processing and certification requirements under RCW 7.98.020 related to petitions for U and T nonimmigrant visas.

ER3 EXPENDITURE RESTRICTION:

Of this appropriation, no more than \$200,000 shall be expended or encumbered to support in-service training in the areas of procedural justice, listen and explain with equity and dignity communication, violence de-escalation, antibias and crisis intervention training for any employees managed by the King County sheriff until a motion accepting a report as referenced in Proviso P3 of this section is passed by the council.

ER4 EXPENDITURE RESTRICTION:

Of this appropriation, \$371,000 and 1.0 FTE shall be expended or encumbered solely for a background check detective position.

ER6 EXPENDITURE RESTRICTION:

Of this appropriation, \$25,000 shall be expended or encumbered solely to support overtime for special emphasis patrols related to July 4 holidays.

ER7 EXPENDITURE RESTRICTION:

Of this appropriation, \$20,000 shall be expended or encumbered solely to support traffic control for special events in the city of Maple Valley, the city of Enumclaw and unincorporated King County.

P2 PROVIDED THAT:

Of this appropriation, \$700,000 shall not be expended or encumbered until the sheriff transmits a quarterly letter addressed to all councilmembers describing how the sheriff's office is complying with the processing and certification requirements under RCW 7.98.020 related to petitions for U and T nonimmigrant visas.

The letter shall include:

A. A list of all U and T nonimmigrant-visa certification forms filed with the sheriff's office in the previous quarter including the date each certification form was filed with the sheriff's office, and the date each certification form was executed by the sheriff's office; and

B. A confirmation from the sheriff stating that the office is compliant with the processing and

certification requirements under RCW 7.98.020.

Moneys shall be unencumbered in \$100,000 increments upon receipt of each quarterly letter, transmitted by the sheriff to the clerk of the council.

The sheriff must file the first quarterly letter required by this proviso by April 30, 2019, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee, or its successor.

The sheriff must file the next five quarterly letters required by this proviso no later than thirty days after the end of each quarter in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee, or its successor.

The sheriff must file a final quarterly letter by December 31, 2020, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee, or its successor.

**P3 PROVIDED FURTHER THAT:**

Of this appropriation, \$1,100,000 shall not be expended or encumbered until the sheriff's office, in cooperation with the office of law enforcement oversight, transmits a detailed in-service training plan and a motion that should acknowledge receipt of the plan and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion and a motion acknowledging receipt of the plan is passed by the council.

The plan shall include, but not be limited to:

A. Descriptions of the specific in-service training curriculum modules, which shall include the areas of procedural justice, listen and explain with equity and dignity communication, violence de-escalation and

antibias training;

B. Description of the method of delivering such trainings to both deputies and other employees managed by the sheriff;

C. The timeline for implementation of in-service trainings in the areas of procedural justice, listen and explain with equity and dignity (LEED) communication, violence de-escalation and antibias training to both deputies and other employees managed by the sheriff;

D. An analysis describing how the in-service training curriculum in the areas of procedural justice, listen and explain with equity and dignity (LEED) communication, violence de-escalation and antibias training will meet the anticipated state-mandated law enforcement training requirements; and

E. An assessment of the efficacy of the planned in-service training curriculum modules in the areas of procedural justice, listen and explain with equity and dignity (LEED) communication, violence de-escalation and antibias training, methods of delivery and implementation timeline by the office of law enforcement oversight.

The sheriff's office should file the plan and a motion required by this proviso by June 1, 2019, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee, or its successor.

**P4 PROVIDED FURTHER THAT:**

Of this appropriation, \$100,000 shall not be expended or encumbered until the sheriff transmits a report describing the actions and resources necessary for a community policing model to be implemented in the unincorporated areas of each of the sheriff precincts.

The report shall include, but not be limited to:

A. A description of a community policing model that would best serve the unincorporated area residents of each of the sheriff precincts, including the organizational structure and guiding policies that would

be employed in the development and implementation of a community policing model for the unincorporated area of each sheriff precinct;

B. A list of organizations, including, but not limited to, nonprofits, neighborhood groups, homeowner associations, schools and businesses in the unincorporated area of each sheriff precinct, identified as potential partners necessary to advance the objectives of community policing in their respective sheriff precinct;

C. A description of the staffing levels necessary to increase the sheriff's office visibility through neighborhood specific patrols in the unincorporated area of each sheriff precinct as compared to current reactive policing methods;

D. An assessment of the feasibility of establishing a taskforce or roundtable bringing together representatives from each individual sheriff precinct and those community leaders within the unincorporated area of the respective sheriff precinct to foster collaboration and trust in furtherance of the objectives of community policing;

E. A description of the resources and estimated time necessary to implement a community policing model in the unincorporated area of each sheriff precinct; and

F. An analysis of obstacles to implementing a community policing model in the unincorporated area of each of the sheriff precincts and methods of overcoming those obstacles.

The sheriff should file the report by June 29, 2019, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee, or its successor.

**P5 PROVIDED FURTHER THAT:**

Of this appropriation, \$100,000 shall not be expended or encumbered until the sheriff transmits a plan to increase staffing for the sheriff marine unit during the peak recreation months of June, July and August in order to reduce safety issues by increasing the number and frequency of river patrols.

The sheriff should file the plan by May 1, 2019, in the form of a paper original and an electronic copy

with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee, or its successor.

**P6 PROVIDED FURTHER THAT:**

Of this appropriation, \$100,000 shall not be expended or encumbered until the sheriff transmits a report on the community engagement efforts employed by the sheriff to prevent and reduce gang participation and violence and a motion that should acknowledge receipt of the report and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion, and a motion acknowledging receipt of the report is passed by the council.

The report shall include, but not be limited to:

A. A list of organizations, including, but not limited to, law enforcement agencies, nonprofits, neighborhood and community groups, youth organizations, schools and businesses that the sheriff has partnered with, or has identified as potential partners, to advance the objectives of preventing and reducing gang participation and violence; and

B. A description of the methods and manner through which the sheriff is partnering with other law enforcement agencies and public entities to increase coordination and collaboration to advance the objectives of preventing and reducing gang participation and violence.

The sheriff should file the report and a motion required by this proviso by September 1, 2019, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee, or its successor.

**P7 PROVIDED FURTHER THAT:**

Of this appropriation, \$500,000 shall not be expended or encumbered until the sheriff transmits a report responding to the office of law enforcement oversight reports entitled, "Transparency and Media Relations in High-Profile Cases," "Internal Investigations Complaint Classification Review of the King County Sheriff's



Office" and "Use of Force Complaint Processing in the King County Sheriff's Office," and a motion that should acknowledge receipt of the report and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion and a motion acknowledging receipt of the report is passed by the council.

The report shall include, but not be limited to:

A. A response addressing the methodology, findings and recommendations of each of the three office of law enforcement oversight reports listed in this proviso;

B. A description of all steps taken, or proposed to be taken, by the sheriff to implement the recommendations offered in each of the three office of law enforcement oversight reports listed in this proviso; and

C. An explanation of the sheriff's rationale for any recommendation found in any of the oversight reports listed in this proviso that the sheriff does not intend to implement.

The sheriff should file the report and a motion required by this proviso by March 31, 2019, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee or its successor.

SECTION 3. Ordinance 18835, Section 44, as amended, is hereby amended as follows:

GENERAL FUND TRANSFER TO DEPARTMENT OF COMMUNITY AND HUMAN SERVICES -

From the general fund there is hereby appropriated to:

General fund transfer to department of community and human services   \$200,000

ER1 EXPENDITURE RESTRICTION:

Of this appropriation, \$400,000 shall be expended or encumbered solely to contract with a King County nonprofit organization that pays bail for indigent individuals who would otherwise spend their pretrial time in jail, unnecessarily burdening the county with additional costs to incarcerate those individuals.

ER2 EXPENDITURE RESTRICTION:

Of this appropriation, \$75,000 shall be expended or encumbered solely to support the King County Sexual Assault Resource Center for a technology project.

ER3 EXPENDITURE RESTRICTION:

Of this appropriation, \$150,000 shall be expended or encumbered solely to support The Lighthouse for the Blind, Inc., for program expansion that would serve King County residents with visual impairment.

ER4 EXPENDITURE RESTRICTION:

Of this appropriation, \$150,000 shall be expended or encumbered solely to support 1.0 FTE to staff the King County renters' commission.

ER5 EXPENDITURE RESTRICTION:

Of this appropriation, \$305,000 shall be expended or encumbered solely to support the King County Coordinated Family Intake Line operated by Mary's Place.

ER6 EXPENDITURE RESTRICTION:

Of this appropriation, \$60,000 shall be expended or encumbered solely to support Seattle Compassion Services.

ER7 EXPENDITURE RESTRICTION:

Of this appropriation, \$25,000 shall be expended or encumbered solely to support outreach and marketing efforts related to housing including, but not limited to, resources to find housing and housing rights for the lesbian, gay, bisexual, transgender and queer communities.

ER8 EXPENDITURE RESTRICTION:

Of this appropriation, \$200,000 shall be expended or encumbered solely to provide outreach workers to connect people in the vicinity of the King County Courthouse to critical services and resources. The agency shall consider the Response, Awareness, De-escalation and Referral (RADAR) program utilized by cities in

north King County as a model.

SECTION 4. Ordinance 18835, Section 62, as amended, is hereby amended as follows:

COMMUNITY AND HUMAN SERVICES ADMINISTRATION - From the community and human services administration fund there is hereby appropriated to:

Community and human services administration	\$200,000
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ER1 EXPENDITURE RESTRICTION:

Of this appropriation, \$35,000 shall be expended or encumbered solely to reimburse the department of human resources for the cost of assigning two Ruth Woo fellows, as described in K.C.C. 3.12.184, for three to four months to the department of community and human services.

ER2 EXPENDITURE RESTRICTION:

Of this appropriation, \$200,000 shall be expended or encumbered solely to provide outreach workers to connect people in the vicinity of the King County Courthouse to critical services and resources. The agency shall consider the Response, Awareness, De-escalation and Referral (RADAR) program utilized by cities in north King County as a model.

P1 PROVIDED THAT:

Of this appropriation, \$250,000 shall not be expended or encumbered until the executive transmits a report on county-funded civil legal aid services and a motion that should acknowledge receipt of the report and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion, and a motion acknowledging receipt of the report is passed by the council.

The report shall include, but not be limited to:

- A. A summary of civil legal aid services funded by the general fund in 2017 and 2018 including the dollar amount expended in each year;
- B. A summary of civil legal aid services funded by veterans, seniors and human services levy proceeds

in 2018 and in 2019, including the dollar amount expended in 2018 and the adopted funding level for 2019; and

C. Identification of funding available for 2020 from applicable strategies and programs included in the veterans, seniors and human services levy implementation plan, adopted in Ordinance 18768, to support contracted civil legal aid services that address the collateral consequences of criminal charges, such as housing and employment impacts, experienced by populations served by the levy. For each of the applicable strategies and programs identified with available funding, identify the amount of available funding from each of the strategy's or program's estimated allocated populations proceeds, as well as the total amount of available funding. For purposes of subsection C. of this proviso, "available funding" means additional or underspent levy proceeds allocated, or anticipated to be allocated, to a strategy or program included in the implementation plan. It should be noted that the council supports the funding level appropriated in this ordinance to contract with civil legal aid services to address the collateral consequences of criminal charges, such as housing and employment impacts, and this proviso is not an indication from the council that the funding level should be reduced.

The executive should file the report and a motion required by this proviso by August 30, 2019, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the budget and fiscal management committee, or its successor.

**P2 PROVIDED FURTHER THAT:**

A. Of this appropriation, \$500,000 shall not be expended or encumbered until the executive transmits the following:

1. A final report on the coordination of the delivery of benefits and services to residents in poverty, and a motion that should acknowledge receipt of the report and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion and a motion

acknowledging receipt of the report is passed by the council; and

2. A progress report on the progress of the final report as described in this proviso, and a motion that should acknowledge receipt of the report and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion and a motion acknowledging receipt of the report is passed by the council.

B. The department of community and human services and public health - Seattle & King County shall work collaboratively on a final report that will assess the coordination of the delivery of the most common benefits and services to residents in poverty. Benefits or services should include those that are provided directly by the county, funded by the county, or provided by other noncounty organizations partnering with the county. The department of community and human services and public health - Seattle & King County should also consider benefits and services provided by other county agencies, such as the Metro transit department's ORCA Lift, to residents in poverty and work with those agencies to get input for the final report. The department of community and human services and public health - Seattle & King County shall approach the effort through the perspective of the customers, who are county residents that receive benefits and services, and recognize the challenges customers might face in receiving all benefits and services available.

C. The department of community and human services and public health - Seattle & King County shall collaborate to also convene focus groups with customers to identify challenges and barriers on receiving benefits and services and to receive feedback on ways to address the challenges and barriers. The focus groups may also include social workers, case workers, health care providers and community organizations to understand the customers' perspectives.

D. The final report shall include, but not be limited to:

1. A summary of focus groups assessed as described in this proviso. The summary shall include, but not be limited to:

a. a list of organizations included in the focus group engagement;

- b. gaps and barriers identified in delivering benefits to residents;
- c. ways to streamline the delivery of benefits and services so that customers can receive them all in either a single location or a single method, or both; and
- d. obstacles and challenges of identifying, applying and receiving benefits and services for customers in particular;

2. An assessment of the role of technology in improving the coordination of benefits and services.

The assessment should include evaluating the county's existing "customer/constituent" database and its capabilities, new and existing back-end technology, such as data warehousing with business intelligence capabilities, and new and existing front-end technology tools, such as smart phone applications, web portals and a smart card. In particular, the assessment should include an assessment of smart card programs like the Clarity Card in Washoe County, Nevada; and

3. Recommendations based on the focus groups and assessment of the role of technology, as described in subsection D.1. and 2. of this proviso, to improve integration of the benefits and services to residents in poverty.

E. The progress report shall include, but not be limited to, progress made to date on the final report and any challenges to produce the final report.

F. The executive should file the progress report and motion required by this proviso by September 30, 2019, and the final report and motion required by this proviso by March 31, 2020, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the health, housing, and human services committee, or its successor.

**P3 PROVIDED FURTHER THAT:**

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits a report on the performance outcomes from a contract with a King County nonprofit organization that pays bail

for indigent individuals as described in Section 85, Expenditure Restriction ER2, of this ordinance and a motion that should acknowledge receipt of the report and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion, and a motion acknowledging receipt of the report is passed by the council.

To the extent data are available, the report shall include, but not be limited to:

- A. The number of bails posted;
- B. The number of unique individuals that received bail support;
- C. The frequency of bail posted for each individual that received bail support more than once;
- D. The average bail amount;
- E. The total amount of bail posted;
- F. The total number of jail detention days averted because the individual would have been in jail if bail was not posted;
- G. The total number of failure to appears for each individuals that received bail support; and
- H. A summary of support services provided to assist individuals to appearance in court.

To the extent that the data are available, the report shall include data for 2017, 2018, 2019 and 2020.

The executive should file the report and a motion required by this proviso by September 1, 2020, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law and justice committee, or its successor.

**SECTION 5.** The council finds as a fact and declares that an emergency exists and that the enactment of this ordinance as an emergency ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.