



**The Municipal League Foundation**  
220 Second Avenue South  
Seattle, WA 98104

2015 Board of Directors

Chuck Sloane, Chair  
*University of Washington*  
Ombudsman

Brett Jordan  
*Russell Investments*

Peter Aberg

Kathy Elias  
*Prospect Delta*

Will Gould  
*Microsoft*

Clayton Graham  
*Davis Wright Tremaine*

Ben Stafford  
*Perkins Cole*

Jonathan Kreitler  
*Parsons Brinckerhoff*

Wes Uhlman  
*Uhlman and Associates*

Mike Flood  
*Seahawks*

Steve Marshall

Allison Schwartzman  
*Foster Pepper*

David Laub  
*New Game Town*

Ex-officio

Alejandra Tres  
*Executive Director*

## **Municipal League Foundation** **SUPPORTS**

### **King County Charter Amendment No. 1** **General Election Ballot Measure**

#### **Overview**

A civilian office of law enforcement oversight (OLEO) and a citizen's advisory committee on law enforcement oversight (Citizen's Advisory Committee), tasked with oversight of the King County Department of Public Safety (i.e., the Sheriff's Office), currently exist pursuant to a council-adopted ordinance. Charter Amendment No. 1 would establish OLEO and the Citizen's Advisory Committee as charter-based requirements that would require voter approval for amendment or repeal.

Under the Charter Amendment, OLEO's specific authority would be established by a new implementing ordinance. The Charter Amendment specifies that OLEO's authority should include:

- Review and analysis of internal investigations conducted and disciplinary action taken regarding that conduct or use of force.
- The discretion (but not the obligation) to conduct its own investigation, review and analysis of (1) conduct of county law enforcement officers that has been the subject of a complaint and (2) the use of force by county law enforcement officers regardless of whether it has been the subject of a complaint.
- The preparation and publication of findings, conclusions and recommendations related to OLEO's oversight of the Sheriff's Office, and community outreach and education concerning the Sheriff's Office and OLEO's oversight role.



## **The Municipal League Foundation**

220 Second Avenue South  
Seattle, WA 98104

- The ability to obtain all relevant information, including authority to review and copy relevant the Sheriff's Office files, inspect crime scenes, conduct interviews and participate in internal investigations and review hearings.

OLEO's director would be appointed by the council for a four-year term. The Citizen's Advisory Committee would advise and report on the work of OLEO, matters of equity and social justice; and opportunities for improvement in Sheriff's Office practices. The Committee's membership would be prescribed by ordinance.

The proposed amendment would further require that for purposes of collective bargaining with the King County Police Officers' Guild, matters of civilian oversight of law enforcement that impact wages, hours or working conditions would be negotiated by the King County Executive in consultation with the Sheriff.

### **Arguments FOR the Measure**

The Municipal League believes that the following are some of the strongest arguments in favor of Charter Amendment No. 1.

- Elevating OLEO and the Citizen's Advisory Committee to charter-based entities will provide them with a citizens' mandate and inoculation from political disputes among elected officials and county employees that have impeded OLEO's work to date.
- As explained in a report by the King County Auditor's Office, OLEO cannot exercise its oversight functions effectively unless it has full access to relevant files. The Charter Amendment lays the groundwork for adoption of an implementing ordinance that will provide OLEO with sufficiently robust powers.
- The Charter Amendment gives OLEO the basic authority to initiate investigations into serious incidents itself, a power it currently lacks. Providing OLEO with this authority would provide the public with confidence that OLEO has a meaningful ability to serve as a backstop to internal investigations conducted within the Sheriff's Office.
- Providing the County Executive, rather than the Sheriff, with primary responsibility for engaging in collective bargaining related to OLEO's powers and authorities is more sound, given OLEO's role in providing oversight of the Sheriff's Office.



**The Municipal League Foundation**  
220 Second Avenue South  
Seattle, WA 98104

## **Arguments AGAINST the Measure**

The Municipal League believes that the following are some of the strongest arguments counseling against passage of Charter Amendment No. 1.

- OLEO and the Citizen's Advisory Committee already exist as a matter of county ordinance. Re-establishing these entities under the County Charter will be symbolic but have little practical consequence unless the implementing ordinance and negotiated collective bargaining agreement alter OLEO's current powers.
- For years, OLEO has not operated well because of leadership shortcomings and disputes over the scope of its authority. OLEO's prior director resigned after concerns were raised about the conduct of his duties. Coupled with broader disputes with the King County Police Officers' Guild about the proper scope of OLEO's duties, this impeded OLEO from "getting off the ground" as an organization. Passage of the Charter Amendment may cause continued political conflict and uncertainty that impedes OLEO from quickly hiring a new director and becoming fully operational.
- Giving OLEO the power to conduct its own investigations may result in duplication of work done by the Sheriff's Office and create the possibility for unproductively adversarial relationships between OLEO, the Sheriff's Office, and rank-and-file members of the King County Police Officers' Guild. A recent report by the King County Auditor's Office suggests that authority to conduct independent investigations is not necessarily a prerequisite for OLEO to operate effectively.

## **Recommendation and Rationale**

The Municipal League recommends voting YES on King County Charter Amendment 1.

The Municipal League believes that a system of strong and independent oversight is required for effective County law enforcement in which the public has full confidence. The Municipal League heard consensus between the opponents and proponents of Charter Amendment 1 that the current leadership of the Sheriff's Office is committed to accountability. Leaders change, however, and it is critical to give OLEO the structural authority it needs to provide meaningful oversight. The Municipal League therefore recommends voting YES on King County Charter Amendment 1.

While passage of Charter Amendment 1 is important, it is not sufficient standing alone. The robust oversight contemplated by the Charter Amendment must be fully and thoughtfully



**The Municipal League Foundation**

220 Second Avenue South

Seattle, WA 98104

implemented in the subsequent implementing ordinance so that OLEO can fulfill its mission while working effectively with other stakeholders.

