



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

February 27, 2018

Ordinance 18665

Proposed No. 2017-0487.3

Sponsors Gossett, McDermott, Kohl-Welles,
Dembowski and Upthegrove

1 AN ORDINANCE enhancing the trust and fairness for
2 King County immigrant communities; establishing
3 requirements for how agencies, offices and employees will
4 provide services to immigrants; establishing requirements
5 for the department of adult and juvenile detention honoring
6 of federal administrative detainees, granting access to
7 inmates and sharing information; establishing translation
8 assistance requirements for non-English speaking persons;
9 providing a complaint process; establishing an immigrants
10 and refugees fund; amending Ordinance 16692, Section 2,
11 and K.C.C. 2.15.010 and Ordinance 17706, Section 2, as
12 amended, and K.C.C. 2.15.020, adding new sections to
13 K.C.C. chapter 2.15 and adding a new section to K.C.C.
14 chapter 4A.200.

15 PREAMBLE:

16 It is hereby affirmed that Martin Luther King, Jr., County upholds justice
17 and equity for all residents.

18 The Reverend Doctor Martin Luther King, Jr., County, named in honor of
19 the Reverend Doctor Martin Luther King, Jr., is a "home rule" government

20 under Article XI, Section 4, of the Washington State Constitution. Under
21 its home rule power, the Reverend Doctor Martin Luther King, Jr., County
22 may exercise any power and perform any function, unless preempted by
23 state or federal law, relating to its government and affairs, including the
24 power to regulate for the protection and rights of its inhabitants. To this
25 end, the Reverend Doctor Martin Luther King, Jr., County is dedicated to
26 providing all of its residents fair and equal access to services,
27 opportunities and protection.

28 Ensuring that all of the Reverend Doctor Martin Luther King, Jr., County's
29 residents have access to necessary services and benefits is essential for
30 upholding the county's commitment to fair and equal access for all
31 residents.

32 The enforcement of civil immigration laws has historically been a federal
33 government responsibility through the Immigration and Naturalization
34 Service. Since 2002, matters of immigration law have been handled by
35 the Immigration and Customs Enforcement, a branch of the Department of
36 Homeland Security. The federal courts have determined that the
37 enforcement of civil immigration laws are a federal responsibility.

38 King County seeks to protect the federal and state constitutional rights of
39 all persons in Washington, including immigrants, by clearly articulating its
40 policies and practices.

41 A goal of this ordinance is to foster trust and cooperation between law
42 enforcement officials and immigrant communities to heighten crime

43 prevention and public safety.

44 Since 1992, the Reverend Doctor Martin Luther King, Jr., County sheriff's
45 office, has embraced this goal and outlined supporting policies in its
46 operations manual, with which this ordinance is consistent.

47 In 2014, the county enacted Ordinance 17886, which ensured that the
48 department of adult and juvenile detention would honor administrative
49 detainees from the federal government only when certain conditions were
50 met. Based on federal court decisions that determined that holding
51 persons in custody based solely on a detainer is unconstitutional, the
52 county limited the honoring of immigration detainees to only those
53 accompanied by a judicial warrant.

54 Another goal of this ordinance is to promote the public health of the
55 Reverend Doctor Martin Luther King, Jr., County residents.

56 On April 22, 2008, the Reverend Doctor Martin Luther King, Jr., County
57 superior court affirmed the principle that our courts must remain open and
58 accessible for all persons and families to resolve disputes on the merits by
59 adopting a policy that warrants for the arrest of persons based on their
60 immigration status shall not be executed within any of the superior court
61 courtrooms unless directly ordered by the presiding judicial officer and
62 shall be discouraged in the superior court courthouses, unless the public's
63 safety is at immediate risk.

64 This ordinance is intended to be consistent with federal laws regarding
65 communications between local jurisdictions and federal immigration

66 authorities, including but not limited to United States Code Title 8,
67 Section 1373.

68 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

69 NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 2.15 a
70 new section to read as follows:

71 The definitions in this section apply throughout this chapter unless the context
72 clearly requires otherwise.

73 A. "Administrative warrant" means a noncriminal immigration warrant of arrest,
74 order to detain or release aliens, notice of custody determination, notice to appear,
75 removal order, warrant of removal or any other document, issued by ICE, CBP or USCIS
76 that can form the basis for a person's arrest or detention for a civil immigration
77 enforcement purpose. ICE administrative warrant forms include the U.S. DHS form I-
78 200 (Rev. 09/16) "Warrant for Arrest of Alien" and Form I-205 "Warrant Of
79 Removal/Deportation," as well as predecessor and successor versions. "Administrative
80 warrant" does not include any criminal warrants issued upon a judicial determination of
81 probable cause and in compliance with the Fourth Amendment to the United States
82 Constitution.

83 B. "Agency" means a King County department, agency, division, commission,
84 council, committee, board, other body or person, established by authority of an
85 ordinance, executive order, or charter.

86 C. "Agent" means a person acting within the scope of employment by or acting
87 on behalf of an agency.

88 D. "CBP" means the United States Customs and Border Protection agency of the

89 United States Department of Homeland Security and shall include any successor federal
90 agency charged with border enforcement.

91 E. "Citizenship or immigration status" means a person's recorded citizenship or
92 immigration status, as such status is defined in the Immigration and Nationality Act, at
93 the time an agent or agency receives the information.

94 F. "Civil immigration enforcement operation" means an operation that has as one
95 of its objectives the identification or apprehension of a person or persons in order to
96 investigate them for a violation of the immigration laws and subject them to one or more
97 of the following:

- 98 1. Civil immigration detention;
- 99 2. Removal proceedings; and
- 100 3. Removal from the United States.

101 G. "Coerce" means to use express or implied threats towards a person or any
102 family member of a person that attempts to put the person in immediate fear of the
103 consequences in order to compel that person to act against the person's will.

104 H. "Commitment" means confinement in secure detention for a specified amount
105 of time following a determination of guilt. "Commitment" does not include pretrial
106 detention of any persons such as those who unable to post bail.

107 I. "Employee" means a person who is appointed as an employee by the
108 appointing authority of a county agency, office, department, council, board, commission
109 or other separate unit or division of county government, however designated, acting
110 within the scope of employment by or acting on behalf of the county. "County
111 employee" also includes a county elected official and a member of a county board,

112 commission, committee or other multimember body, but does not include an official or
113 employee of the county's judicial branch, though it does include an employee of the
114 department of judicial administration.

115 J. "ICE" means the United States Immigration and Customs Enforcement agency
116 including Enforcement and Removal Operations and Homeland Security Investigations
117 and shall include any successor federal agency charged with the enforcement of
118 immigration laws.

119 K. "Immigration detainer" means a request by ICE to a federal, state or local law
120 enforcement agency, such as the King County department of adult and juvenile detention,
121 to provide notice of release or maintain custody of a person based on an alleged violation
122 of a civil immigration law. "Immigration detainer" includes a detainer issued under
123 Sections 236 or 287 of the Immigration and Nationality Act or 287.7 or 236.1 of Title 8
124 of the Code of Federal Regulations. "Immigration detainer" includes a detainer issued
125 under DHS form I-274A entitled Immigration Detainer- Notice of Action, as well as well
126 as predecessor and successor versions.

127 L. "Interpretation" means the transfer of an oral communication from one
128 language to another.

129 M. "Limited-English-proficient" means a person who does not speak English as
130 the person's primary language, who has a limited ability to read, speak, write, or
131 understand English.

132 N. "Nonpublic" means any area of a county facility, including the secure
133 detention facilities of the department of adult and juvenile detention that is not generally
134 open and accessible to the general public, but instead requires special permission for

135 admittance by a county employee on an individual basis.

136 O. "Personal information" means one or more of the following, when the
137 information is linked with or is reasonably linkable, including via analytic technology, to
138 the person's first name or first initial and last name:

- 139 1. Home address;
- 140 2. Work address;
- 141 3. Telephone number;
- 142 4. Electronic mail address;
- 143 5. Social media handle or other identifying social media information;
- 144 6. Any other means of contacting a person;
- 145 7. Social security number;
- 146 8. Driver's license number or Washington identification card number;
- 147 9. Bank account number or credit or debit card number;
- 148 10. Information or data collected through the use or operation of an automated
149 license plate recognition system; and
- 150 11. User name that, in combination with a password or security question and
151 answer, would permit access to an online account.

152 P. "Public communication materials" means materials that are intended for broad
153 distribution to inform or educate people served by King County. For the purpose of
154 translation, "public communication materials" refers only to printed media such as
155 brochures, posters, booklets, pamphlets, billboards and advertisements in printed
156 publications.

157 Q. "Translation" means the transfer of a written communication from one

158 language to another while preserving the intent and essential meaning of the original text.

159 R. "USCIS" shall mean the United States Citizenship and Immigration Services
160 and any successor agency charged with overseeing United States immigration laws.

161 S. "Verbal abuse" means the use of a remark which is overtly insulting, mocking
162 or belittling directed at a person based upon the actual or perceived:

163 1. Race, color, sex, religion, national origin, English proficiency, sexual
164 orientation or gender identity of the person; or

165 2. Citizenship or immigration status of the person or the person's family
166 member.

167 T. "Vital documents" are materials that provide essential information for
168 accessing basic county services and benefits and for which serious consequences would
169 result if the information were not provided.

170 SECTION 2. Ordinance 16692, Section 2, and K.C.C. 2.15.010 are each
171 amended to read as follows:

172 A. Except as otherwise provided in this section or when otherwise required by
173 law, a Reverend Doctor Martin Luther King, Jr., County office, department, employee,
174 agency or agent shall not condition the provision of county services on the citizenship or
175 immigration status of any ((individual)) person.

176 B. ~~(1. Nothing in this section shall be construed to prohibit any King County~~
177 ~~officer or employee from participating in cross-designation or task force activities with~~
178 ~~federal law enforcement authorities.~~

179 ~~2. The Reverend Doctor Martin Luther King, Jr., County sheriff's office~~
180 ~~personnel shall not request specific documents relating to a person's civil immigration~~

181 ~~status for the sole purpose of determining whether the individual has violated federal civil~~
182 ~~immigration laws. The documents include but are not limited to:~~

183 ~~a. passports;~~

184 ~~b. alien registration cards; or~~

185 ~~c. work permits.~~

186 ~~3. The Reverend Doctor Martin Luther King, Jr., County sheriff's office~~

187 ~~personnel may use documents relating to a person's civil immigration status if the~~

188 ~~documents are offered by the person upon a general, nonspecific request.~~

189 ~~4. The Reverend Doctor Martin Luther King, Jr., County sheriff's office~~

190 ~~personnel shall not use stops for minor offenses or requests for voluntary information as a~~

191 ~~pretext for discovering a person's immigration status.~~

192 ~~5. The Reverend Doctor Martin Luther King, Jr., County sheriff's office~~

193 ~~personnel shall not initiate any inquiry or enforcement action based solely on a person's:~~

194 ~~a. civil immigration status;~~

195 ~~b. race;~~

196 ~~c. inability to speak English; or~~

197 ~~d. inability to understand the deputy.)) All applications, questionnaires and~~

198 interview forms used in relation to the provision of county benefits, opportunities or

199 services shall be reviewed by each agency, and any question requiring disclosure of

200 information related to citizenship or immigration status, unless required by state or

201 federal law, or international treaty, shall be, in the agency's best judgment, either deleted

202 in its entirety or revised such that the disclosure of the information is no longer required.

203 Agencies that have a need for the collection of demographic data related to immigration

204 status for performance measurement shall identify mechanisms that will allow for the
205 separation of the demographic information from personally identifying information.

206 C. The Seattle-King County department of public health shall not condition the
207 provision of health benefits, opportunities or services on matters related to citizenship or
208 immigration status. The Seattle-King County department of public health may inquire
209 about or disclose information relating to a ~~((n individual's))~~ person's citizenship or
210 immigration status for the purpose of determining eligibility for benefits or seeking
211 reimbursement from federal, state or other third-party payers.

212 D. Except when otherwise required by law, where the county accepts
213 presentation of a state-issued driver's license or identification card as adequate evidence
214 of identity, presentation of a state-issued document marked as not valid for federal
215 purposes or presentation of a photo identity document issued by the person's nation of
216 origin, such as a driver's license, passport or ~~((matricula consular, which is a consulate-~~
217 ~~issued document,)) other consul-issued document, such as a Matrícula Consular de Alta
218 Seguridad, shall also be accepted and shall not subject the person to a higher level of
219 scrutiny or different treatment than if the person had provided a Washington state driver's
220 license or identification card. However, a request for translation of such a document to
221 English shall not be deemed a violation of any provision of ~~((Ordinance 16692 and any~~
222 ~~subsequent ordinance)) this chapter. This ~~((provision))~~ subsection does not apply to
223 documentation required to complete a federal I-9 employment eligibility verification
224 form.~~~~

225 E. ~~((This section does not create or form the basis for liability on the part of the~~
226 ~~county, its officers, employees or agents.~~

227 ~~F. Unless permitted by this section or otherwise required by state or federal law~~
228 ~~or international treaty, all applications, questionnaires and interview forms used in~~
229 ~~relation to the provision of county benefits, opportunities or services shall be promptly~~
230 ~~reviewed by each agency, and any question requiring disclosure of information related to~~
231 ~~citizenship or immigration status shall be, in the agency's best judgment, either deleted in~~
232 ~~its entirety or revised such that the disclosure is no longer required.~~

233 ~~The review and revision shall be completed within one hundred and eighty days~~
234 ~~of November 29, 2009.)) A county employee or an agent or agency of King County shall~~
235 ~~not inquire about or request, from a member of the public information about the~~
236 ~~citizenship or immigration status or place of birth of any person unless the inquiry,~~
237 ~~request or investigation is required by state or federal law, regulation or directive or court~~
238 ~~order or rule, or to ensure compliance with any state or federal law, regulation or~~
239 ~~directive or court order. When an inquiry, request or investigation into nationality,~~
240 ~~immigration status or citizenship, including place of birth, is required to be or for any~~
241 ~~reason is made, the King County agent or county employee shall not attempt to coerce a~~
242 ~~response. All persons to whom the inquiries are made shall be explicitly informed of~~
243 ~~their right to decline to respond, free from fear or threat of retaliation.~~

244 F. Agents of King County and county employees are hereby prohibited from
245 conditioning King County services on immigration status, except where required under
246 applicable federal or state law or regulation or directive or court order or rule. Agents of
247 King County and county employees are prohibited from verbally abusing or coercing
248 persons or threatening to report them or their family members to ICE or threatening to
249 take other immigration-related action against them or their family members.

250 G. Except where necessary to provide King County services, or where otherwise
251 required by state or federal law or regulation or directive or court order, King County
252 agents and employees are not permitted to either maintain or share, or both, personal
253 information or information about national origin, race, ethnicity, language proficiency,
254 religion, sexual orientation, gender identity, disability, housing status, financial status,
255 marital status, status as a victim of domestic violence, criminal history, release date from
256 incarceration or confinement in a secure detention or other custody or status as a veteran.

257 H. Nothing in this chapter shall be construed as to prohibit any county employee,
258 upon request of the noncitizen, from aiding a noncitizen to obtain immigration benefits
259 pursuant federal immigration law.

260 I. An agent of King County or a county employee shall not expend any time,
261 moneys or other resources on facilitating the civil enforcement of federal immigration
262 law or participating in civil immigration enforcement operations, except where state or
263 federal law, regulation or court order shall so require. However, a county agency,
264 employee or agent is not prohibited from sending to, or receiving from, federal
265 immigration authorities, the citizenship or immigration status of a person. Also, nothing
266 in this section prohibits any county agency from sending to, receiving from, requesting
267 from or exchanging with any federal, state or local government agency information
268 regarding the immigration status of a person or from maintaining such information.

269 J. Nothing in this section shall be construed to prohibit any county employee
270 from participating in cross-designation or task force activities with federal law
271 enforcement authorities for criminal law enforcement.

272 K. The executive shall ensure that all King County employees and agents receive

273 appropriate training on the implementation of the provisions of this section.

274 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 2.15 a
275 new section to read as follows:

276 A. The King County sheriff's office shall not request specific documents relating
277 to a person's civil immigration status from a member of the public, for the sole purpose of
278 determining whether the person has violated federal civil immigration laws. The
279 documents include but are not limited to:

- 280 1. Passports;
- 281 2. Alien registration cards; or
- 282 3. Work permits.

283 B. The sheriff's office may use documents relating to a person's civil immigration
284 status if the documents are offered by the person upon a general, nonspecific request.

285 C. The sheriff's office shall not use stops for minor offenses or requests for
286 voluntary information as a pretext for discovering a person's immigration status.

287 D. The sheriff's office shall not initiate any inquiry of, or enforcement action
288 against, a member of the public, based solely on a person's:

- 289 1. Civil immigration status;
- 290 2. Race;
- 291 3. Inability to speak English;
- 292 4. Inability to understand the sheriff's office personnel; or
- 293 5. Hit on the National Crime Information Center database.

294 SECTION 4. Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020 are
295 each amended to read as follows:

296 A. ~~((It is the policy of the county to only honor civil immigration hold requests from~~
297 ~~United States Immigration and Customs Enforcement for individuals that are accompanied~~
298 ~~by a criminal warrant issued by a U.S. District Court judge or magistrate.~~

299 B. ~~The department of adult and juvenile detention shall compile a listing all~~
300 ~~immigration detainees received by the department, showing detainees received and detainees~~
301 ~~accompanied by federal judicial warrants. Beginning May 1, 2014, the department shall~~
302 ~~prepare and transmit to the council a quarterly report showing the number of detainees~~
303 ~~received and the number of detainees that were accompanied by a federal judicial warrant~~
304 ~~with descriptive data that includes but is not limited to: the types of offenses that individuals~~
305 ~~with detainees accompanied by a federal judicial warrant were being held, the reason for~~
306 ~~release from county custody, the length of stay for each individual before the detainer~~
307 ~~accompanied by a federal judicial warrant was executed, and the number of individuals that~~
308 ~~had detainees but were transferred to federal or state department of corrections' custody.~~
309 ~~The reports called for in this section shall be transmitted in the form of a paper original and~~
310 ~~an electronic copy to the clerk of the council, who shall distribute electronic copies to all~~
311 ~~councilmembers and the lead staff for the committee of the whole, and the law, justice,~~
312 ~~health and human services committee, or their successors.)) An agent of King County or
313 county employee shall not expend any time, moneys or other resources on facilitating
314 the civil enforcement of federal immigration law or participating in civil immigration
315 enforcement operations, except where state or federal law, regulation or court order or
316 rule shall so require. However, a county agency, employee or agent not is prohibited
317 from sending to, or receiving from, federal immigration authorities, the citizenship or
318 immigration status of a person. Also, nothing in this section prohibits any county
319 agency from sending to, receiving from, requesting from or exchanging with any~~

320 federal, state or local government agency information regarding the immigration status
321 of a person or from maintaining such information.

322 B. King County and its agents and departments and county employees shall not:

323 1. Enter into any contract, agreement or arrangement, whether written or oral,
324 that would grant federal civil immigration enforcement authority or powers to King
325 County or its agents or law enforcement officers, including but not limited to
326 agreements created under 8 U.S.C. Sec. 1357(g) or Intergovernmental Service
327 Agreements;

328 2. Honor immigration detainer requests or administrative warrants issued by
329 ICE, CBP or USCIS, or hold any person upon the basis of an ICE, CBP or USCIS
330 detainer request or administrative warrant unless such request or warrant is
331 accompanied by a criminal warrant issued by a United States District Court judge or
332 magistrate. The sheriff's office or the department of adult and juvenile detention
333 personnel shall not carry out a civil arrest, detain a person after the release date set by a
334 court or refuse to accept a bond based on an administrative warrant separately or in
335 combination with an ICE detainer request;

336 3. For purposes of execution of federal civil immigration enforcement, permit
337 ICE, CBP or USCIS officers, agents or representatives access to nonpublic areas of
338 King County's facilities, property, equipment or nonpublic databases, or nonpublic
339 portions of otherwise public databases, or people in King County's custody, absent a
340 judicial criminal warrant specifying the information or persons sought unless otherwise
341 required by state or federal law. Any warrantless attempts or requests for access to
342 those facilities, property, equipment or nonpublic databases shall be immediately sent to

343 the department or agency director or their designee responsible for the operation of the
344 facility, property, database or equipment. Permission to access any such a facility,
345 property, equipment or nonpublic database without a judicial criminal warrant may only
346 be provided with the express, written approval of the appropriate person. Any detention
347 facilities, including secure detention facilities, prisons and halfway houses, that King
348 County contracts with or leases land to for the purposes of criminal or civil detention
349 must include the requirement in this subsection B.3. in any contract with King County;
350 and

351 4. Provide personal information to federal immigration authorities for purpose
352 of civil immigration enforcement, except as required by state or federal law, about any
353 person, including place of birth or household members, the services received by the
354 person or the person's next court date or release date, absent a warrant signed by a judge
355 or a law requiring disclosure.

356 C. It is the policy of King County to obtain the minimum information required
357 under RCW 10.70.140 and to provide it to immigration officials after the person has
358 been convicted and sentenced. In complying with RCW 10.70.140, the department of
359 adult and juvenile detention personnel shall only inquire as to the nationality of persons
360 who have been committed to secure detention after an adjudication of guilt and
361 imposition of sentence. The preceding sentence only applies to the department of adult
362 and juvenile detention's direct inquiries of persons committed to secure detention, and
363 not to interactions with other governmental entities. Only persons who self-identify as
364 being nationals of a country other than the United States shall be subject to the
365 notification requirements of RCW 10.70.140.

366 D.1. If permission to access a King County detention facility without a judicial
367 criminal warrant is granted to ICE, CBP or USCIS in accordance with subsection B.3.
368 of this section for the purpose of conducting an interview which does not relate to civil
369 immigration enforcement between either ICE or CBP, or both, and a person who is in
370 the custody of the department of adult and juvenile detention, the department of adult
371 and juvenile detention shall provide the person with an oral explanation and a written
372 consent form that explains the purpose of the interview, that the interview is voluntary
373 and that the person may decline to be interviewed or may choose to be interviewed only
374 with the person's attorney present. The form shall state explicitly that the person will
375 not be punished or suffer retaliation for declining to be interviewed. The form shall be
376 available in English, Spanish and any other language identified by the county's language
377 assistance plan as established in section 6.B. of this ordinance and explained orally to a
378 person who is unable to read the form. Either ICE or CBP officials, or both, shall only
379 be permitted to interview persons who have consented in writing to be interviewed,
380 absent a judicial criminal warrant.

381 2. Upon receiving any ICE hold, notification or transfer request, department of
382 adult and juvenile detention personnel shall provide a copy of the request to the person
383 and inform the person whether the department intends to comply with the request.

384 3. Consistent with Article 36 of the Vienna Convention on Consular Relations,
385 any person in custody or detention shall be informed through the person's attorney of the
386 right to communicate with the consular post of a country of which the person is a
387 national, if other than the United States, and informed that the person's consular officers
388 have the right to visit, converse or correspond with the person, if the person wishes the

389 communication. If a person chooses to disclose that the person is a foreign national and
390 requests consular notification, the custodian shall contact the appropriate consulate. The
391 informed consent requirements of the Vienna Convention on Consular Relations shall
392 apply to all such inquiries. The same requirements shall apply to inquiries into
393 nationality status for the purpose of complying with mandatory consular notification
394 under any bilateral consular convention. In all cases, identification as a foreign national
395 shall be voluntary and based on informed consent by the person.

396 4. King County shall consider all records relating to ICE, CBP or USCIS access
397 to facilities and information, including all communications with ICE, CBP or USCIS to
398 be public records for purposes of chapter 42.56, the state Public Records Act, and King
399 County shall handle all such requests in accordance with the usual procedures for receipt
400 of public records requests.

401 SECTION 5. K.C.C. 2.15.020 subsections D.1. and D.2 shall be implemented by
402 June 1, 2018.

403 NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 2.15 a
404 new section to read as follows:

405 A.1. King County and all its contractors shall provide free interpretation and
406 translation services as required by this chapter to limited-English-proficient persons.
407 When a limited-English-proficient person seeks or receives benefits or services from a
408 local agency, office or contractor, the agency, office or contractor shall make reasonable
409 efforts provide prompt interpretation services in all interactions with the person, whether
410 the interaction is done remotely or in person. King County agencies and offices shall
411 either employ sufficient qualified bilingual employees or contract with remote language

412 services to provide interpretation services in languages spoken by limited-English-
413 proficient county residents.

414 2. The agency, office or contractor shall meet its obligation to provide prompt
415 interpretation services for purposes of this subdivision by ensuring that limited-English-
416 proficient persons do not have to wait unreasonably longer to receive assistance than
417 persons who do not require interpretation services. King County agencies shall provide
418 support to contractors to meet the requirements of this section.

419 3. Where an application or form administered by King County requires
420 completion in English by a limited-English-proficient person for submission to a local,
421 state or federal authority, King County or its contractor shall make reasonable efforts to
422 provide oral interpretation of the application or form as well as acknowledgement by the
423 limited-English-proficient person that the form was translated and completed by an
424 interpreter. King County agencies shall provide support to contractors to meet the
425 requirements of this section.

426 B. King County agencies and offices shall develop language assistance plans that
427 identify which of its vital documents and public communication materials need to be
428 translated into languages for use by limited-English-proficient persons. The plans
429 should also include identification of agency or office plans for providing translation of
430 webpages, automated telephonic greetings, automated telephonic voice messages and
431 informational signage. The threshold for the translation of vital documents and public
432 communication materials shall be based on the top six languages identified by the tier
433 map of limited-English-proficient persons maintained by the office of equity and social
434 justice and the county demographer.

435 SECTION 7. The executive shall submit the language assistance plans required
436 in section 6 of this ordinance and a motion that accepts the plans to the county council by
437 September 30, 2018. The language assistance plans called for in this section shall be
438 transmitted in the form of a paper original and an electronic copy to the clerk of the
439 council, who shall distribute electronic copies to all councilmembers and the lead staff for
440 the committee of the whole, the law and justice committee, the health, housing and
441 human services committee or their successors.

442 SECTION 8. NEW SECTION. There is hereby added to K.C.C. chapter 2.15 a
443 new section to read as follows:

444 A person who has been injured or otherwise sustained damages as a result of a
445 violation of this chapter may file a complaint with the King County office of civil rights
446 in accordance with K.C.C. 12.22.040.

447 SECTION 9. NEW SECTION. There is hereby added to K.C.C. chapter 2.15 a
448 new section to read as follows:

449 In accordance with 8 U.S.C. Sec. 1373, nothing in this chapter prohibits any
450 county agency, agent or employee from sending to, or receiving from, federal
451 immigration authorities, the citizenship or immigration status of a person. Also, nothing
452 in this chapter prohibits any county agency from sending to, receiving from, requesting
453 from or exchanging with any federal, state or local government agency information
454 regarding the immigration status of a person or from maintaining such information.

455 SECTION 10. NEW SECTION. There is hereby added to K.C.C. chapter
456 4A.200 a new section to read as follows:

457 A. There is hereby created the immigrant and refugee assistance fund.

458 B. The fund shall be a first tier fund.

459 C. The director of the department of executive services shall be the manager of
460 the fund.

461 D. The fund shall be used to collect revenue from state, local and other funding
462 sources and to expend direct service and related administration dollars to provide legal
463 representation for indigent immigrants and refugees in deportation proceedings in
464 immigration court and to support citizenship services for these citizens. The fund may
465 also be used for English language classes for immigrants and refugees.

466 SECTION 11. Severability. If any provision of this ordinance or its application

467 to any person or circumstance is held invalid, the remainder of the ordinance or the
468 application of the provision to other persons or circumstances is not affected.
469

Ordinance 18665 was introduced on 11/13/2017 and passed as amended by the Metropolitan King County Council on 2/26/2018, by the following vote:

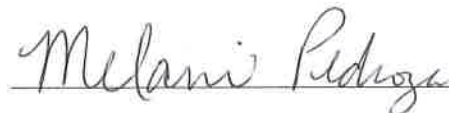
Yes: 6 - Mr. Gossett, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci
No: 3 - Mr. von Reichbauer, Ms. Lambert and Mr. Dunn
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Joseph McDermott, Chair

CLERK
KING COUNTY COUNCIL
2018 MAR -9 PM 3:27
RECEIVED

ATTEST:


Melani Pedroza, Clerk of the Council

APPROVED this 8 day of MARCH, 2018.


Dow Constantine, County Executive

Attachments: None