

March 5, 1990/ae
0641F/CM/pb/ae

Introduced by: Paul Barden

Proposed No.: 89-595

MOTION NO. 7854

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2 A MOTION establishing a Police Officer's Bill of
3 Rights for all persons in the field of public law
4 enforcement; and rescinding Motion No. 1169.

5 WHEREAS, it shall be the policy of King County that all
6 persons in the field of public law enforcement, juvenile and
7 adult detention shall be entitled to the protection of the
8 provisions contained herein of what shall hereafter be referred
9 to as the "Police Officer's Bill of Rights."

10 NOW, THEREFORE BE IT MOVED by the Council of King County:

11 The King County Police, Juvenile and Adult Detention and
12 Correction Officers' Bill of Rights shall have the following
13 provisions:

14 A. Every employee who becomes the subject of an internal
15 investigation shall be advised at the time of the interview
16 that s/he is suspected of:

- 17 1. committing a criminal offense;
- 18 2. misconduct that would be grounds for termination,
19 suspension, or other disciplinary action; or
- 20 3. that s/he may not be qualified for continued
21 employment with the Department.

22 B. Any employee who becomes the subject of a criminal
23 investigation may have legal counsel present during all
24 interviews. This representation by counsel is confined to
25 counseling and not actual participation in the investigation.
26 A criminal investigation as used herein shall be interpreted as
27 any action which could result in the filing of a criminal
28 charge. A major investigation as used elsewhere in this motion
29 shall be interpreted as any action which could result in
30 dismissal from the Department or the filing of a criminal
31 charge.

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2 C. The employee under investigation must at the time of
3 an interview be informed of the name of the officer in charge
4 of the investigation and the name of the officer who will be
5 conducting the interview.

6 D. The employee shall be informed in writing of the
7 nature of the major investigation and whether s/he is a witness
8 or suspect before any interview commences, including
9 information necessary to reasonably apprise him/her of the
10 allegations of such complaints.

11 E. The interview of an employee shall be at a reasonable
12 hour, preferably when the employee is on duty unless the
13 exigencies of the interview dictate otherwise. Whenever
14 possible interviews shall be scheduled during the normal work
15 day of the county.

16 F. The employee may request that a major investigation
17 interview be recorded, either mechanically and/or by a
18 stenographer. There can be no "off-the-record" questions.
19 Upon request, the employee under a major investigation shall be
20 provided an exact copy of any written statements s/he has signed
21 or of a verbatim transcript of any interview.

22 G. Interviewing shall be completed within a reasonable
23 time, and shall be done under circumstances devoid of
24 intimidation or coercion. In all major investigation
25 interviews the employee shall be afforded an opportunity and
26 facilities to contact and consult privately with an attorney of
27 his/her own choosing before being interviewed. The employee
28 shall be entitled to such reasonable intermissions as s/he
29 shall request for personal necessities, meals, telephone calls,
30 and rest periods.

31 H. All interviewing shall be limited in scope to
32 activities, circumstances, or events which pertain to the
33 employee's conduct or acts which may form the basis for
disciplinary action under one or more of the categories
contained in Paragraph 2 herein.

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I. The employee will not be threatened with dismissal or other disciplinary punishment as a guise to attempt to obtain his/her resignation, nor shall s/he be subject to abusive or offensive language or intimidated in any other manner. No promises or rewards shall be made as an inducement to answer questions.

Motion No. 1169 is hereby rescinded.

PASSED this 5th day of March, 1990

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Lois North
Chairperson

ATTEST:

Ronald A. Peter
Clerk of the Council