



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion 15637

Proposed No. 2020-0159.1

Sponsors Balducci

1 A MOTION establishing King County council's intent
2 related to collective bargaining with the King County
3 Police Officers Guild.

4 WHEREAS, the metropolitan King County council is charged with the
5 responsibility of providing oversight to county agencies and departments, including the
6 sheriff's office, and

7 WHEREAS, the council exercises its responsibility to provide oversight of county
8 agencies and departments in a variety of ways, including the establishment of offices
9 within the legislative branch to provide specialized oversight services, and

10 WHEREAS, recognizing the need to bolster public confidence and to ensure
11 proper oversight, in 2006, the council began deliberations on legislation that would
12 implement civilian oversight of the sheriff's office. The councilmembers heard testimony
13 from representatives of the sheriff's internal investigations unit, the ombudsman/office of
14 citizen complaints and the Seattle police department's office of professional
15 accountability, and reviewed materials detailing models for civilian oversight and
16 evaluated the types and effectiveness of existing systems for police agency oversight.
17 Councilmembers also visited jurisdictions that have established successful systems for
18 civilian oversight, and

19 WHEREAS, in a parallel effort, the sheriff, with input from the county council,

20 executive and prosecutor, established a volunteer ten-member "blue ribbon panel" of
21 citizen experts to make recommendations concerning needed improvements for the
22 sheriff's misconduct/discipline policies, procedures and practices. The panel ended its
23 deliberations with a final report that made recommendations in six major areas including
24 the need for civilian oversight. The council adopted the panel's final report as Motion
25 12337, and

26 WHEREAS, as a result of the council's efforts, including visits to other
27 jurisdictions and the blue ribbon panel's recommendations, the council recognized that a
28 vigorous and effective internal investigation process, combined with appropriate civilian
29 monitoring and oversight, is essential for effective law enforcement, and

30 WHEREAS, on October 9, 2006, the metropolitan King County council approved
31 Ordinance 15611 regarding civilian oversight of the King County sheriff's office. In
32 doing so, the council sought to establish a system of civilian oversight to monitor
33 ongoing investigations of misconduct, help resolve cases, implement methods for
34 increasing the level of public trust and transparency and identify systemic issues within
35 the sheriff's office and to offer recommendations for reform, and

36 WHEREAS, after passage of the civilian oversight legislation, the King County
37 Police Officers Guild filed an unfair labor practice charge against King County, and

38 WHEREAS, on November 19, 2007, King County and the King County Police
39 Officers Guild finalized an agreement that Ordinance 15611 would be treated as a labor
40 policy and that this policy would be bargained in good faith. The King County Police
41 Officers Guild dismissed its unfair labor practice charge against the County. Because of
42 this agreement, no action was taken to implement the elements of Ordinance 15611, and

43 WHEREAS, on December 8, 2008, the metropolitan King County council passed
44 Ordinance 16327 approving a new five-year collective bargaining agreement between
45 King County and the King County Police Officers Guild, the new collective bargaining
46 agreement required King County to repeal most of Ordinance 15611, and

47 WHEREAS, on December 8, 2008, the council adopted Motion 12892, which
48 reaffirmed its commitment to establishing a system of civilian oversight as outlined in
49 Ordinance 15611, and

50 WHEREAS, the council subsequently adopted Ordinance 16511 in 2009, that
51 established the authorities and responsibilities of the office of law enforcement oversight
52 in the King County Code, and

53 WHEREAS, in 2015, the council approved Ordinance 18087, which sent to the
54 voters a proposed change to the King County Charter that would also establish the office
55 of law enforcement oversight as a charter agency in the legislative branch with the
56 multiple oversight authorities, and

57 WHEREAS, in April 2017, the county council adopted labor policy LAB 7-010
58 that directs the bargaining agent to "bargain in good faith with labor organizations
59 prioritizing the achievement of the law enforcement oversight authorities set forth in the
60 King County Charter and Code," and

61 WHEREAS, the county began negotiations with the Guild in September
62 2016, before the agreement's termination date of December 31, 2016. In February
63 2018, the parties entered into mediation with the Public Employment Relations
64 Commission, in November 2019 a tentative agreement was reached, and in
65 December 2019 the bargaining unit ratified the agreement, and

66 WHEREAS, the executive has transmitted the bargaining agreement for
67 the King County Police Officers Guild for the period of January 1, 2017, through
68 December 21, 2021, to the council for its review, and

69 WHEREAS, many of the terms in the new agreement are a continuation of
70 the provisions included in the previous agreement which had expired on
71 December 31, 2016. However, the new agreement does have significant changes
72 to compensation, benefits and working conditions, especially those related to the
73 implementation of policies to improve civilian oversight of the sheriff's office,
74 and

75 WHEREAS, while the new agreement does include several of the
76 requirements for civilian oversight as set forth in council-established labor policy,
77 not all of the elements have been included, especially the code requirement
78 allowing for the office of law enforcement oversight to issue subpoenas, and

79 WHEREAS, the executive reports that the parties have agreed to conduct a joint
80 education process to explore civilian oversight models used elsewhere in the country,
81 including those that conduct independent investigations, where this effort is intended to
82 be used to find common ground among the office of law enforcement oversight, the
83 sheriff's office and the Guild on the best practices for civilian oversight before bargaining
84 the next labor agreement, and

85 WHEREAS, the council continues to recognize that there is still a need to
86 improve civilian oversight of the sheriff's office and to increase the ability of the
87 office of law enforcement oversight to exercise its responsibility and authority,
88 under the charter and ordinance, to monitor ongoing investigations of misconduct,

89 help resolve cases, implement methods for increasing the level of public trust and
90 transparency and identify systemic issues within the sheriff's office and offer
91 recommendations for reform;

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

93 Before the commencement of bargaining for the next successor labor agreement
94 between King County and the King County Police Officers Guild, it is the intent of the
95 King County council, sitting as the labor policy committee to:

96 A. Review labor policies, specifically LAB 7-010, that pertain to collective
97 bargaining with the Guild and consider amendments to such labor policies to provide
98 clear policy direction to the bargaining agent of the matters the labor policy committee
99 desires to be successfully included in the next collective bargaining agreement, in
100 accordance with the county's obligation to negotiate in good faith. Consideration should
101 include, but are not limited to:

102 1. Recognition of the full investigative powers of the office of law enforcement
103 oversight ("OLEO") as applicable to the Guild as set forth in code and charter; and

104 2. Grievance provision related to the OLEO's exercise of its investigatory
105 authority;

106 B. Determine if and when an OLEO designee should attend collective bargaining

107 negotiations and the role the designee should have in the negotiations; and

108 C. Solicit public engagement as part of the process.

109

Motion 15637 was introduced on 3/24/2020 and passed by the Metropolitan King County Council on 3/24/2020, by the following vote:

Yes: 9 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles, Ms. Balducci and Mr. Zahilay



KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Claudia Balducci, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

Attachments: None