



KING COUNTY AUDITOR'S OFFICE

DECEMBER 1, 2022

Follow-up on the 2015 Law Enforcement Oversight Audit





The King County Sheriff's Office improved internal processes and coordination with the Office of Law Enforcement Oversight, completing two recommendations. These two recommendations addressed findings central to the 2015 audit. Removing the language from the King County Police Officers Guild (KCPOG) contract that limits the Office of Law Enforcement Oversight's (OLEO) access to records resolves the conflict between OLEO's independent oversight role and the terms in the employment agreement. Completing Recommendation 4 is a major milestone for the Sheriff's Office and OLEO. As explained in the audit, the contract was never the appropriate method to address the coordination of investigations-related information between the Sheriff's Office's Internal Investigations Unit (IIU) and OLEO. The changed terms address a significant, long-standing barrier to OLEO's effectiveness.

In addition, IIU has continued to use the standard operating procedures discussed in the last audit follow-up (August 2021), satisfying Recommendation 11. As a result, it is better able to monitor the timeframes for advancing and completing IIU cases, in turn ensuring timely resolution of investigations. Together, completing these two recommendations significantly enhances the quality and rigor of the law enforcement oversight framework in King County.




Of the three remaining recommendations, changed circumstances closed two, but assessing IIU staffing needs remains important to ensuring effective oversight. Each of the three remaining audit recommendations addresses different aspects of law enforcement oversight. First, we are closing Recommendation 3, which called for relocating IIU to another location within the King County Courthouse or another facility. Sheriff's Office operational changes and the expanded role of the Office of Law Enforcement Oversight deemphasized the unit's physical location relative to where they perform their work. Next, we are also closing Recommendation 12, requiring language updates to the General Orders Manual (GOM) explaining the role of other King County agencies involved in complaint investigation and oversight processes. The intent of the recommendation—ensuring awareness of these functions for Sheriff's Office employees—has been met through OLEO's inclusion in the manual and policy, officer training, and broader overall communication regarding law enforcement oversight since the time of the audit.

Finally, audit Recommendation 7 calls for the Sheriff's Office to complete an IIU staffing analysis. This recommendation remains at "progress." By reviewing the recommendation language and mindfully applying data it has available in its case management system, the Sheriff's Office can support the qualitative reporting on IIU workload it already provides and complete the recommendation. As this recommendation is the final one remaining from the 2015 Law Enforcement Oversight audit, this work should ideally be completed in 2023.

Of the 13 audit recommendations:

	8 DONE		1 PROGRESS		0 OPEN		4 CLOSED
Fully implemented Auditor will no longer monitor.		Partially implemented Auditor will continue to monitor.		Remain unresolved Auditor will continue to monitor.			

Please see details below for implementation status of each recommendation.

Recommendation 1	On April 21, 2017	CLOSED	
Recommendation 2	On August 3, 2020	DONE	
Recommendation 3		CLOSED	

The King County Sheriff's Office should relocate the Internal Investigations Unit to another facility or to an area of the King County Courthouse that does not house other Sheriff's Office functions.

STATUS UPDATE: During last year's audit follow-up (August 2021), we noted that, working with the Facilities Management Division (FMD) of the Department of Executive Services, the Sheriff's Office had made various proposals to relocate IIU, but none had advanced into the capital budget. We also noted that, without significant progress on relocating IIU, we would formally include FMD as responsible for implementation of this recommendation. In discussions with FMD and the Sheriff's Office during this follow-up, staff noted that relocation of IIU to the Black River building, alongside other Sheriff's Office functions, would have been counterproductive to the intent of the recommendation. Sheriff's Office leaders also shared they felt this recommendation was less important now than at the time of the audit, due to operational changes and expectations. For example, IIU investigators are expected to meet with witnesses and complainants in the field instead of requesting them to come downtown.

WHAT REMAINS: At the time of the audit (July 2015), the purpose of this recommendation was to support the independence of the internal investigations function in performing its work, and to encourage participation by complainants and witnesses in investigations. Accordingly, best practice was to locate the police internal investigations function apart from the main body of the law enforcement agency, including senior management. Since then, operational changes mean IIU staff perform more of their work in the field. In addition, OLEO's expanded authorities provide both additional pathways for complainants, as well as additional oversight into the quality of investigations. Given these operational changes, along with the reduced footprint of other Sheriff's

Office functions downtown, the need to physically relocate IIU's space has lessened. As a result, we are closing this recommendation.

Recommendation 4

DONE



The King County Sheriff's Office should remove limits to Office of Law Enforcement Oversight (OLEO) access to information from all collective bargaining agreements, including the King County Police Officers' Guild agreement. OLEO should have unrestricted access to information, including unrestricted access to files more than two years old and the ability to print and save documents to its own file systems. Provisions that allow the Sheriff's Office to cut off OLEO access to files are among those that impede access to information and should be removed.

STATUS UPDATE: At the time of the audit (July 2015), a central finding was that the KCPOG–King County contract had inappropriately introduced limits on OLEO's authority; OLEO's functional effectiveness was limited by the contract language despite not being a party to it. Since the audit, there have been significant changes in this context: the people of King County modified the county charter to expand OLEO's authorities and return the Sheriff to an appointed position, coordination between IIU and OLEO on processes and procedures has formalized, access technology has advanced, there have been two new iterations of the KCPOG contract, and OLEO is a participant in contract negotiations. The most recent version of the contract, approved by KCPOG on October 16, 2022, removes OLEO's barriers to information. Both the Sheriff's Office and the OLEO director agree that the new contract resolves these issues.

IMPACT: Completing this recommendation is a significant achievement for the County, including the Sheriff's Office, OLEO, and KCPOG. Access to information is essential to OLEO's oversight role, and the previous contract terms were inappropriate, given OLEO was not a contract party and is not responsible for officer discipline. By removing the barriers to information from the contract, OLEO should now be able to perform its oversight role, independent of the labor-management agreement context, increasing its effectiveness and reflecting the intent of county voters in the county charter.

Recommendation 5

On April 1, 2019

CLOSED



Recommendation 6

On August 3, 2020

DONE



Recommendation 7

PROGRESS







The King County Sheriff's Office should conduct a staffing analysis of the Internal Investigations Unit (IIU). The analysis should include information on the

- a. total number of investigations
- b. types of investigations
- c. number of investigations IIU handles that are equal employment opportunity or human resources investigations

- d. number of investigations being handled by each IIU investigator
- e. number of hours required to complete each investigation
- f. comparative information on workloads of internal investigations units from other jurisdictions.

STATUS UPDATE: Sheriff's Office leaders noted that IIU's investigations policy expands on previous updates and is currently being implemented; it allows for minor performance issues to be managed by worksite supervisors through an expedited process and was developed in collaboration with OLEO. These changes support the IIU workload, with the IIU team completing investigations in shorter timeframes (see Recommendation 11, below). In this light, IIU and the Sheriff's Office are proactively managing IIU staffing to ensure sufficient resources. However, the Sheriff's Office has not performed a staffing analysis consistent with the elements of the recommendation; as explained in the August 2020 audit follow-up, the Sheriff's Office has already gathered iterations of most of the data needed to complete it, at various points since July 2015.

WHAT REMAINS: As we explained in the August 2020 and August 2021 follow-ups, to complete this recommendation, the Sheriff's Office should assemble the data elements readily available for the recommendation (a. through d.), and then determine a strategy to address elements e. and f. Doing so would address the positive benefit of the recommendation: allowing the Sheriff's Office to benchmark IIU's workload over time, and compare it to that of its peers—helping ensure IIU retains sufficient resources to meet its critical role.

Recommendation 8	On April 1, 2019	DONE	
Recommendation 9	On August 3, 2020	DONE	
Recommendation 10	On August 3, 2020	DONE	
Recommendation 11		DONE	

The King County Sheriff's Office should develop and document interim timeframes to ensure the timely progression of complaint investigations conducted by the Internal Investigations Unit.

STATUS UPDATE: During last audit follow-up (August 2021), IIU had completed operating procedures updates that identified milestones for key steps in investigations. It also provided examples of the tools it uses, primarily in its IAPro case tracking system, to monitor cases relative to those timeframes. We noted then that consistent use of the case status queries would complete the recommendation. During this follow-up, the current IIU captain shared their approach to manage cases using these queries, consistent with the previous approach, and provided anecdotal examples of coordinating with investigators, administrative staff, and commanders to ensure timely progress of cases.

IMPACT: By clearly identifying milestones for investigations and using the monitoring tools in IAPro, IIU—and the Sheriff’s Office as a whole—ensures case investigations can be completed while the pertinent information is still fresh and within the 180-day investigatory limit in the KCPOG contract. Timely resolution of internal investigations benefits officers because it reaches outcomes—whether exonerated, unsustained, or leading to progressive discipline—quickly, and it benefits the public because it ensures that concerns will be addressed as swiftly as practicable.

Recommendation 12

CLOSED



The King County Sheriff’s Office should update its General Orders Manual to explain the role of other King County offices involved in the complaint investigation and oversight process, including the Office of Law Enforcement Oversight and the King County Ombudsman’s Office.

STATUS UPDATE: During the last audit follow-up (August 2021), the Sheriff’s Office provided sections of the GOM that include OLEO’s role in critical incidents and mediation of complaints. However, the GOM still does not include information about the Ombuds, or general information about OLEO’s role. However, as we found in the August 2021 follow-up, officer training includes participation by these bodies. The working relationships of IIU and OLEO had significantly improved, and IIU’s procedures specifically reference OLEO’s role in oversight.

During this audit follow-up, Sheriff’s Office leaders noted that adding additional information to the GOM is challenging, because the context of the manual is in providing orders—but it is not clear what, specifically, officers would be expected to do beyond the processes already established in IIU’s operating procedures. Adding general language regarding OLEO also would logically include describing its processes and action steps—something within OLEO’s purview, not the Sheriff’s Office. Unlike the conditions at the time of the audit, OLEO reviews the classification of incidents at the outset of the investigation process, and awareness of the County’s oversight entities is high among Sheriff’s Office employees.

WHAT REMAINS: The purpose of the recommendation was to ensure Sheriff’s Office employees were aware of OLEO and Ombuds roles as oversight entities apart from IIU. That awareness has significantly expanded since the time of the audit. For example, removing language regarding OLEO was a significant issue in contract negotiations with the KCPOG. Because this information is now provided through multiple sources, including operating procedures and officer training (per Recommendation 13), we are closing this recommendation.

Recommendation 13

On August 2, 2021

DONE



Justin Anderson conducted this review. If you have any questions or would like more information, please contact the King County Auditor’s Office at KCAO@KingCounty.gov or 206-477-1033.