

SHERIFF'S BLUE RIBBON PANEL

Agenda: Meeting #7

Wednesday, July 12, 2006, 6:00 – 9:00 pm

Seattle City Council Chambers

600 Fourth Avenue, Second Floor, Seattle

Topic	Lead Presenter	<i>Estimated Time</i>
• Introductions and agenda overview	Randy Revelle	6:00-6:05 pm
• Responses to prior panel questions; overview of materials	Morgan Shook	6:05-6:15 pm
• <i>Discussion:</i> draft problem statement	Faith Ireland	6:15-6:45 pm
• <i>Discussion:</i> revisions to the panel report	Randy Revelle	6:45-8:45 pm
• Summary and next meeting topics	Morgan Shook	8:45-9:00 pm

Panel Members

- Randy Revelle, chair
- Faith Ireland, vice chair
- Tony Anderson
- Dave Boerner
- Michael O'Mahony
- Wilson Edward Reed
- Jennifer Shaw
- Richard K. Smith
- Pat Stell
- D. Gene Wilson

Panel Staff

- Marty Wine, City of Renton and Berk & Associates
- Morgan Shook, Berk & Associates
- Virginia Kirk, King County Sheriff's Office

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KING COUNTY SHERIFF'S BLUE RIBBON PANEL

Panel Meeting Summary: June 7, 2006, 6:00-9:00 pm

Seattle City Council Chambers

600 Fourth Avenue, Second Floor, Seattle, WA

Panel Members Present: Randy Revelle (chair), Faith Ireland (vice chair), Tony Anderson, Dave Boerner, Michael O'Mahony, Wilson Edward Reed, Jennifer Shaw, and Richard Smith

Panel Members Absent: Pat Stell and D. Gene Wilson

Proceedings: Meeting convened at 6:00 pm by Randy Revelle, chair

Introductions and Agenda Overview

- Panel members introduced themselves. The panel chair presented an overview of the meeting agenda.

Overview of Materials

- Morgan Shook (Berk & Associates) provided a brief description of the meeting materials.

Presentation: Management, Supervision, and Promotion

- Virginia Kirk, Human Resources Manager for the King County Sheriff's Office, presented the office's management, supervision, and promotion policies.
- Virginia's presentation was followed by questions and responses between the panel members and Virginia.

Discussion: Problem Statement and Proposed Recommendations

- Randy Revelle led a discussion on proposed recommendations. The panel discussed other areas of concern and suggested potential recommendations.
- Faith Ireland will lead a subcommittee with Michael O'Mahony and Jennifer Shaw to draft a problem statement for the panel's report.

Discussion: Structure and Content of Report

- Marty Wine presented a draft report outline to the panel for consideration.

Planning: Public Hearings and Council Briefing

- Morgan Shook (Berk & Associates) provided an update on the planning for the three public hearings the panel will hold in Renton, Kenmore, and Issaquah
- He also discussed planning for the progress report briefing to the King County Council.

Meeting adjourned at 9:00 pm by Randy Revelle, chair

Summary: Berk & Associates

BLUE RIBBON PANEL FOLLOW UP QUESTIONS

July 12, 2006

1. *What is disclosed in response to a public disclosure request for a personnel file or an IIU file?*

See attachment A.

2. *Is there a continuing education requirement for KCSO employees? If so, does it differ by rank?*

- Pursuant to WAC 139-05-300, each commissioned employee is required to attend 24 hours of in service training each year. In addition, many of the specialty assignments have additional required training hours to keep certifications or special licenses in place.
- There is no difference in continuing education requirements by rank. However, each supervisory rank has career level certification that that must be completed within six months after promotion. See attachment B.

3. *What is the demographic profile of commissioned staff by rank, gender and race?*

See attachment C.

4. *What is the demographic profile of FTO drop-outs by gender and race?*

In 2005 the department lost 10 recruits during the FTO program: 8 Caucasian males, 1 Hispanic male, 1 Caucasian female.

To date in 2006 the department has lost 12 recruits during the FTO program: 8 Caucasian males, 2 Caucasian females, 1 African American female, 1 Hispanic male.

5. *Does the Sheriff have an established formal public outreach process?*

The Sheriff's Office has various formal public outreach processes that include:

- A department representative is present at all unincorporated area council (UAC) meetings
 - Four Creeks UAC
 - Greater Maple Valley UAC
 - North Highline UAC
 - Upper Bear Creek UAC
 - Vashon-Maury Island UAC
 - West Hill UAC
- Contract City Chiefs attend all city council meetings.
- Explorer program for 14 to 20-year olds. About 50 explorers are currently in the program.
- Citizen academies
- Store front offices staffed by deputies and volunteers
 - Boulevard Park Storefront
 - Cascade Homes Storefront

- Fairwood Substation
- Four Creeks Substation
- Lake Dolloff Storefront
- Park Lake Homes Storefront
- Shoreline Police Neighborhood Center West
- Shoreline Police Neighborhood Center East
- Vashon Substation
- West Hill Storefront
- White Center Storefront
- Washington Working Group – this group was created by KCSO and the National Crime Prevention Council in response to concerns about law enforcement and race relationships after a series of officer involved shootings. This group held a large summit in 2002 and continues to meet and work on these issues. Another community summit will be held in 2006.
- Police Athletic League – a partnership with youth through athletic and recreational activities. See Attachment D.
- Annual participation in National Night Out.
- Participate in and sponsor events for the African American Business Association Breakfast Group, an association dedicated to mentoring, tutoring and supporting students.

6. *How many sergeants does KCSO try to have on duty 24 hours per day?*

The current goal is to have two sergeants available at each precinct 24-hours per day. This goal is relatively new. Over the past year there have been shifts where there is only one sergeant at a precinct several times during a month.

7. *What is the explanation for elimination of lieutenant rank?*

The lieutenant rank was eliminated to reduce the number of layers of supervision and to create an increased pool of candidates to be available for promotion to the rank of major.

8. *How often are acting sergeants used?*

Acting sergeants are rarely used. A review of three months of rosters shows only one circumstance where an acting sergeant was in place for an entire patrol shift. Master Police Officers are used more frequently for partial shifts when a sergeant does not work an entire shift.

9. *When was deadly force policy reviewed?*

KCSO's deadly force policy was rewritten in 1992 and has been reviewed periodically since that date.

10. *What is the Deputy starting pay and how does it compare to other agencies?*

Starting deputy pay is \$45,676. This is comparable to surrounding agency starting pay. (e.g. Snohomish County Sheriff \$44,484; Seattle Police Department \$44,820; Bellevue Police Department \$47,040.)

11. *What domestic violence (DV) training do deputies get?*

- This year each deputy received training on the department's officer involved domestic violence policy. A copy of that training is attached as Attachment E.
- During the academy and periodically during in-service training the deputies receive DV training.

12. *How do past practices affect the labor contract?*

As defined by Washington State Labor Office, a past practice is the history of the way parties have behaved toward one another in the past that bears upon the expectations the parties have regarding negotiations in the future. Such practices, sanctioned by use and acceptance, are not specifically included in the collective bargaining agreement. To constitute a past practice the issue must be 1) clear to the parties, 2) consistent in its application over a period of time, and 3) condoned by the parties. Arbitrators use past practice to interpret ambiguous language in the collective bargaining agreement.

13. *Is the King County Police Officer's Guild Office still next to the IIU office?*

The office where the Guild Vice-President works full time doing his manual revision duties and where the Guild President sits periodically when he needs to be at the courthouse on labor matters is in the Sheriff's office next to the IIU offices.

14. *Who is on the committee that advises on IIU cases?*

Based on a successful model used at the King County Department of Adult Detention, the sheriff has assembled a group comprised of lawyers from the King County Prosecutor's Office Civil Division Labor and Employment Section, a member of the King County Office of Human Resource Management Labor Section and the Sheriff's Office Human Resource Manager. This group meets with the IIU commander and investigators every other week to discuss issues related to pending IIU cases. The group began meeting with IIU in May.

15. *Is there additional pay for Field Training Officers (FTOs)?*

Each day an FTO trains a recruit, the FTO will receive either 1 hour additional straight-time pay, or one hour of vacation.

16. *Do officers who pass the FTO program have longer tenure at KCSO than other departments?*

We do not have specific data that addresses this but we will gather data from surrounding agencies and present it at the next meeting.

17. *What are the actual span of control numbers. (The patrol numbers are still being compiled – full details to be provided via email by July 14)*

The span of control numbers vary widely by precinct and by function. The patrol figures were determined from a review of three months (90 days) of rosters from each precinct. For each watch the numbers reflect (1) the number of shifts during the three months when the span of control exceeded 7:1; (2) the highest span of

control that occurred during that period and (3) the average span of control. Contract cities that are included within the precinct data use precinct sergeants to supervise the patrol officers in that city. Contract cities listed separately have designated sergeants that only supervise deputies only for that city.

Precinct 2: (Includes cities of Kenmore, North Bend, Woodinville)

	Exceeds 7:1	Highest	Average
First Watch 0600 - 1400			
Second Watch 1400 - 2200			
Third Watch 2200 - 0600			

Precinct 3: (Includes cities of Maple Valley, Newcastle, Covington and the Muckleshoot Tribe.)

	Exceeds 7:1	Highest	Average
First Watch 0600 - 1400			
Second Watch 1400 - 2200			
Third Watch 2200 - 0600			

Precinct 4: (Includes city of Burien)

	Exceeds 7:1	Highest	Average
First Watch 0600- 1400			
Second Watch 1400 - 2200			
Third Watch 2200 - 0600			

Precinct 5: (City of Shoreline only)

	Exceeds 7:1	Highest	Average
First Watch 0600-1400			
Second Watch 1400 - 2200			
Third Watch 2200 - 0600			

City of Sammamish

	Exceeds 7:1	Highest	Average
First Watch 0600-1400			
Second Watch 1400 - 2200			
Third Watch 2200 - 0600			

City of SeaTac

	Exceeds 7:1	Highest	Average
First Watch 0600-1400			
Second Watch 1400 - 2200			
Third Watch 2200 - 0600			

Non-Patrol Units:

Technical Services:

- Administrative Services Captain supervises 3 deputies, 2 sergeants, 2 civilian employees.
- Emergency Communications Captain supervises 2 civilian supervisors and 1 civilian clerical staff person.
- Auxiliary Service Captain (records, contracting, crime analysis) supervises 4 civilian supervisors and 1 civilian clerical staff person.
- Property Management Sergeant supervises 2 deputies, 11 civilian employees.
- Civil Unit Sergeant supervises 14 detectives.

Criminal Investigations:

- Major Crimes and Special Investigations Captains supervise 6 sergeants.
- Most Criminal Investigations Divisions Sergeants generally supervise 6-7 detectives and 1 or 2 civilian employees. Exception: the Criminal Warrants Sergeant supervises 11 detectives; each Court Security Sergeant supervises 11 Court Security Deputies and also assists with court screener supervision.

Field Operations – non-patrol

- District Court Sergeant supervises 8 deputies.
- School Resource Office Sergeant supervises 9 deputies.
- Administrative Sergeant and FTO Coordinator Sergeants do not have supervisory duties.
- Precinct Detective sergeants generally supervise 5 - 7 detectives and may supervise other personnel such as Community Service Officers.

Special Operations

- Patrol Support (Air Support, motors K-9, Marine) Captain supervises 4 sergeants
- Patrol Support Sergeants supervise 5 – 8 deputies.
- Critical Incident (SWAT, Advanced Training, Range) Captain supervises 4 Sergeants
- Critical Incident Sergeants supervise 5 – 8 deputies.
- Metro Transit Captain supervises 7 sergeants
- Metro Transit Sergeants generally supervise 5 – 7 deputies.

Sheriff's Office

- IIU Captain supervises 2 sergeants, 1 deputy, 2 civilian employees
- IIU Sergeants do not have supervisory duties.
- Media Relations Sergeant does not have supervisory duties.

PERSONNEL FILES

ITEM	DISCLOSE? YES OR NO	IF DISCLOSED IS IT REDACTED?
Hard card	Yes	Yes
Personnel orders	Yes	No
Medical information		Yes, specifics are highly redacted.
Application	No	
Evaluations / Performance	Yes – Only sustained misconduct	Yes, everything is redacted except sustained misconduct.
Transfer Request Applications	No	
Accident Review Memos/Fleet Control Reports	Yes	Yes
Letter of Appreciation / Thank you notes	Yes	Yes
Photos	No	
Salary Step Increases	Yes	Personal info redacted
Education Incentive Memo	Yes	Personal info redacted
Settlement Letters (ie. Covey v KC)	Yes	Yes
Training Summaries/Certificates/Misc	Yes	No
Absence Requests	Yes	Yes

IIU FILES – sustained complaints only

ITEM	DISCLOSE? YES OR NO	IF DISCLOSED IS IT REDACTED?
Original complaint letter	Yes	Yes
Complaint log	Yes	Yes
Interviews	Yes	Yes
NCIC / DOL / Access	NO	
Non-sustained contained within sustained	NO	
Memos	Yes	Yes
Notifications	Yes	Yes
Guild Letters	Yes	Yes

ATTACHMENT A

Career Level Certification for Law Enforcement

Career Level Certification is mandated for law enforcement personnel who are first level supervisors, middle-managers, or executive level managers. The mandate is contained in RCW 43.101.350. The requirements for Career Level Certification are:

- **First Level Supervision:**
 - Must successfully complete the 40 hour core class within six months of being promoted to a first level supervision position.
 - Must complete a minimum of 72 hours of elective training within one year of the completion of the core class. Courses must be those that are intended or approved for persons in a first level supervisory position.
 - These may include, but are not limited to: role of the supervisor; advanced oral and written communication; team building; goal setting; workplace planning/time management; scheduling and delegating; performance monitoring; employee selection or recognition; performance appraisal; handling difficult staff and preventing grievances; handling criticism; preventing and handling staff burnout; leading meetings.
- **Middle Management:**
 - Must successfully complete the 40 hour core class within six months of being promoted to a middle management position.
 - Must complete a minimum of 72 hours of elective training within one year of completion of the 40 hour core class. Courses must be those that are intended or approved for persons in a middle management position.
 - These electives may include, but are not limited to: teamwork; internal consulting; budgeting; program development; procedures development; program evaluation.
- **Executive Management:**
 - Must successfully complete the core training prescribed by the Commission within six months of promotion, election, or appointment to an executive level law enforcement position.
 - Must complete a minimum of 72 hours of elective training within one year of the completion of the core training requirements. Courses must be those that are intended or approved for persons in an executive level position.
 - These electives may include, but are not limited to: team building and organizational goal setting; long range planning; public image of your agency; organizational change; organizational leadership; policy development; executive self care; managing limited resources; career ladder and power base; quality control; training systems; futures planning.

COMMISSIONED EMPLOYEE DEMOGRAPHIC PROFILE

Rank	Number	Male	Female	Caucasian	African Am.	Asian	Hisp.	Native Am.	Not Spec.
Sheriff	1		1	1					
Chief	4	2	2	4					
Major	5	3	2	5					
Captain	21	17	4	17	0	1		1	
Sergeant	91	78	13	81	4	4	2	0	
Deputy	586	507	79	472	31	43	26	10	5
Totals	708	607	101	580	35	48	28	11	5
Pct.		86%	14%	82%	5%	7%	4%	2%	1%

KING COUNTY SHERIFF'S OFFICE



OFFICER INVOLVED DOMESTIC VIOLENCE POLICY TRAINING – TB 9.73.100

1

POLICY TRAINING GOALS

- o Provide all employees with an understanding of the KCSO'S *Officer Involved Domestic Violence Policy*.
- o Describe roles/responsibilities of all employees covered by this policy.
- o Meet statutory compliance for training requirement by June 30, 2006. (RCW 10.99)

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BACKGROUND

- o In April 2003, Tacoma Police Chief David Brame fatally shot his wife, Crystal, and then committed suicide. The incident occurred in a local shopping parking lot. The Brame's two young children were nearby.
- o Prior to the shooting there was evidence of DV that was known by several people in TPD. Also, Chief Brame had failed his psychological exam before becoming an officer and had been accused of raping a work acquaintance while an officer.
- o In the aftermath of the shooting, more information about officer-involved DV was studied (locally and nationally) and it was widely acknowledged that handling DV involving police officers involves unique and difficult issues in part, because of police officer's knowledge and involvement with the criminal justice system.

3

BACKGROUND

- o After investigation of the Brame incident, other information was gathered about other police officer-involved DV. There was concern expressed about screening and monitoring police behavior toward family members.
- o The Washington State Legislature proposed a variety of bills that would place strict oversight and reporting requirements on police officers. Through the work of a dedicated group of police officers, prosecutors and DV advocacy groups, a more workable and reasonable statute was adopted that covers the concerns about monitoring police behavior, protecting victims, and protecting police officers' rights.

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● BACKGROUND RCW 10.99

- The statute allows individual agencies to adopt their own officer-involved DV policies that meet certain minimum statutory requirements.
- Pursuant to the legislation, each agency is required by RCW 10.99.020 to adopt an officer involved domestic violence policy and is required to train all department employees on the policy.
- WASPC created a model policy in 2004 to assist Washington agencies. The model policy was developed by a group that included law enforcement agencies, WACOPS, prosecutors and domestic violence advocates.
- KCSO has created its own policy to comply with the requirements of the law.

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● APPLICATION OF RCW 10.99

- All KCSO members are affected by the policy and self reporting applies to both professional and commissioned staff.
- Among sworn employees, there are different obligations for officers of different ranks.

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● AGENCY RESPONSIBILITY

- Promptly respond to and investigate allegations of domestic violence by an employee according to this policy and all applicable laws.
- Give primary consideration to protection of the victims of domestic violence and enforcement of the laws.
- Respect the due process rights of all employees, according to applicable laws and labor contracts.
- Provide pre-hire screening procedures reasonably calculated to disclose whether an applicant for an employee position has a history of domestic violence or child abuse allegations or has been subject to a protective order.

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● AGENCY RESPONSIBILITY CONT'D

- Maintain ongoing and meaningful relationships with victim advocacy groups and other domestic violence professionals.
- Provide education and resources to agency employees and victims on the dynamics of violence, power and control in relationships.
- Provide information on this domestic violence policy to employees and make it available to employee families and the public.

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MEMBER RESPONSIBILITIES:

1. Members are entitled and encouraged to seek assistance in all matters involving personal and family conflict.
2. Members with knowledge that a member is alleged to have committed domestic abuse and/or violence shall immediately report such information to their supervisor.
Failure to report may result in disciplinary action.

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MEMBER RESPONSIBILITIES CONT'D

3. Members with knowledge that a member is a victim of domestic abuse and/or violence should report such information to their supervisor.
 - a. The victim may not want the domestic abuse/violence reported.
 - b. A member DV victim will not be punished for failing to report a domestic abuse and/or violence incident.
4. Members arrested for domestic violence in another jurisdiction, shall notify their supervisor as soon as possible.

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MEMBER RESPONSIBILITIES CONTD

5. Members who have had a police response where an alleged domestic violence incident took place in another jurisdiction shall immediately notify their supervisor.
6. Members who engage in threatening, harassing, stalking, surveillance, or other such behavior designed to interfere with cases against fellow members or intimidate witnesses will be subject to an investigation involving possible criminal charges and departmental disciplinary action.

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MEMBER RESPONSIBILITIES CONT'D

7. Members who fail to cooperate in an internal investigation of a deputy/member involved domestic violence case will be subject to departmental disciplinary action.
8. Members who, with intent, wrongly accuse a victim of domestic violence of a crime, or with intent, make a false report against the victim, will be subject to an investigation involving possible criminal charges and departmental disciplinary action.

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MEMBER RESPONSIBILITIES CONT'D

9. The accused member shall immediately notify their Commander via the chain of command, of any court dates, no contact orders, temporary or permanent orders of protection or civil anti-harassment orders (where he/she are the respondent), providing a copy to his/her supervisor.
10. Commissioned members shall not wear the Sheriff's Office uniform when attending domestic violence court proceedings.

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COMMUNICATION CENTER'S RESPONSIBILITIES

1. When the Communications Center receives information of domestic violence incidents involving Department members and commissioned officers from other jurisdictions a commissioned supervisor shall be advised.
2. When the Communications Center receives information of domestic violence incidents involving KCSO commissioned members in another jurisdiction a commissioned supervisor and the CDO shall be advised.

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PATROL'S RESPONSIBILITIES

- o The response by deputies to reports of domestic violence involving Sheriff's Office members, or officers from any other jurisdiction, will be handled as any response to other domestic violence crimes occurring in King County.

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PATROL'S RESPONSIBILITIES CONT'D

1. When handling domestic violence calls involving Sheriff's Office members or law enforcement officers from another jurisdiction, deputies shall ensure a supervisor has been notified and shall:
 - a. Conduct a thorough investigation, with an emphasis toward successful prosecution regardless of the victim's availability to testify.
 - b. Enforce the laws violated and exercise arrest powers pursuant to RCW 10.31.100 when there is probable cause.

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PATROL'S RESPONSIBILITIES CONT'D.

- c. Document and gather physical evidence.
- d. Complete an incident report.
- e. Take photographs.
- f. Obtain a medical release when injuries (or possible injuries) are involved.
- g. Submit the Incident Report, forward a copy to the Domestic Violence Intervention Unit.

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PATROL'S RESPONSIBILITIES CONT'D

- g. (cont'd)
All IRIS documents shall be "SECURED" to restrict access to the Domestic Violence Intervention Unit when the investigation has been completed and the incident report approved.
The approving supervisor's name shall be placed in the incident report prior to submitting the report.

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SUPERVISOR RESPONSIBILITIES CONT'D

The response by supervisors to reports of domestic violence involving Sheriff's Office members, or officers from any other jurisdiction, will be handled as any response to other domestic violence crimes occurring in King County. Command staff notifications are required in all instances of a member involved domestic violence allegation.

1. A first line supervisor shall respond to the scene of all domestic violence incidents involving Department members and commissioned officers from other jurisdictions.

- a) In the event that the reported incident involves a member of the command staff, judge, or city/county official, the supervisor shall notify the Command Duty Officer. If the Command Duty Officer is the accused, his/her Division Chief will be notified.

- b) If the reported incident involves the Sheriff, the King County Prosecutor shall be notified.

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SUPERVISOR RESPONSIBILITIES CONT'D

2. The first line supervisor shall:
 - a. Assume command and ensure that the crime scene is secured
 - b. Immediately notify the Precinct/Section Commander, or Division Chief and the IIU Commander of the member's status. If the above commanders are not available, the Command Duty Officer shall be notified
 - c. Ensure the investigating deputy/detective conducts a thorough and complete investigation.

SUPERVISOR RESPONSIBILITIES CONT'D

- d. Ensure that an arrest is made in cases where probable cause exists to arrest a primary aggressor when he/she is alleged to have committed:
 - o A felonious assault.
 - o An assault that resulted in bodily injury (including pain or complaints of pain) to the victim, whether observable by the responding deputy(s) or not or
 - o Any physical action intended to cause another person reasonably to fear serious bodily injury or death.

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SUPERVISOR RESP. CONT'D

- e. Ensure that an arrest is made when it is a mandatory requirement for a Court Order Violation.
- f. If the offender has left the scene, the responding deputies/detectives shall make every effort to locate and arrest the offender and document such efforts in the incident report.
- g. Relieve the member from duty in accordance with GOM 3.01.085 (Emergency Relief of Duty).

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SUPERVISOR RESP. CONT'D

- h. Relieve an accused commissioned deputy/officer of his/her service weapon whenever an arrest is made.

All other firearms owned or at the disposal of the accused deputy/member should be removed to further ensure the victim's safety, in accordance with established legal practice and case law.
- i. Immediately notify the highest ranking on-duty supervisor of an accused officer/member if that person is from another jurisdiction.

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SUPERVISOR RESP. CONT'D

- j. Provide the victim with DVPA form with incident number, provide the victim with relevant resources (i.e., shelters, community services, the VINE Program, legal remedies, etc.), as required by RCW 10.99.030 (7) and document this in the incident report.
- k. If needed offer, arrange, or facilitate transportation for the victim to a hospital for treatment of injuries or to a place of safety or shelter.
- l. Remain at the scene until the situation is under control and the likelihood of further violence has been eliminated.

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● ● ● SUPERVISOR'S RESP. CONT'D

- m. Notify the Precinct/Section, or Division Commander and the IIU Commander of the member's status and the actions that were taken. If the above are not available, notify the Command Duty Officer.
- n. Ensure the entire case file is sent to IIU and a copy to the Precinct/Section Command staff and the Domestic Violence Unit before securing from duty. Ensure the IRIS documents have been placed in a "Secured" status after approval of the incident report.
- o. Whenever a member is involved in a domestic violence call that results in a non-arrest, the supervisor shall submit a report explaining any and all reasons for the action.

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● ● ● CRIMINAL INVESTIGATIONS

Responsibility to complete criminal investigations of a domestic violence incident involving a Sheriff's Office deputy/member shall rest with the appropriate CID Unit with oversight by the Domestic Violence Intervention Unit.

1. The investigating detective shall conduct the criminal investigation as he/she would any other criminal investigation.
2. If the victim reports previous or additional criminal activity, each incident shall be documented in an incident report and investigated thoroughly. The investigator's supervisor shall be notified immediately if previous or additional criminal activity comes to light.

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● ● ● CRIMINAL INVESTIGATIONS CONT'D

3. The Sheriff's Office shall thoroughly complete the investigation and promptly refer the charges to the appropriate Prosecutor's Office for a filing decision, even if the victim recants or refuses to cooperate with the prosecution.
4. The investigator will establish a liaison with the prosecuting attorney for each case and present the information for proper action in a timely fashion and request that the prosecuting attorney, in turn, make timely decisions about the case's adjudication.

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● ● ● CRIMINAL INVESTIGATIONS CONT'D

5. Filing of court papers/complaints shall be requested as with any other case by the investigator for criminal prosecution.

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ADMINISTRATIVE INVESTIGATIONS

All alleged incidents of deputies/members involved in domestic violence will be investigated administratively by the Sheriff's Office. The Sheriff's Office may take administrative action, in advance of criminal proceedings, to ensure that Sheriff's Office members adhere to all policies.

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ADMINISTRATIVE INVESTIGATIONS

1. All alleged involvement in domestic violence by members of the Sheriff's Office will be investigated by the Internal Investigations Unit.
2. The Sheriff's Office shall take immediate administrative action that may include reassignment, or placing a deputy/member on administrative leave.

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ADMINISTRATIVE INVESTIGATIONS CONT'D

3. The Sheriff's Office will establish a consultative relationship with a domestic violence specialist to ensure appropriateness of response to each administrative investigation.
4. The Internal Investigations Unit shall provide regular updates to the victim's assigned contact person.

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VICTIMS OF DOMESTIC VIOLENCE

1. The confidentiality and safety of the victim are of the utmost importance
2. The supervisor of the Domestic Violence Intervention Unit shall designate a contact person for the victim to be available for victim's questions and concerns.
 - This person should not be involved in the investigation of the incident.

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VICTIMS Cont'd.

3. This person shall be responsible for:
 - a. Checking on safety of victim.
 - b. Outlining for the victim the parameters of criminal and internal investigations.
 1. Potential repercussions
 2. Providing DV Policy copies
 3. Conveying victim's input
 4. Informing victim of next steps in the process

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VICTIMS Cont'd

5. Providing information about public and private domestic violence advocacy resources.
6. Provide information related to the relevant confidentiality policies related to the victim's information and public disclosure laws.

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BACKGROUND INVESTIGATIONS

1. KCSO shall conduct thorough background investigations of all new lateral and entry level applicants considered for employment.
2. All applicants shall be questioned about past allegations, arrests and/or convictions of domestic violence, sexual assaults and stalking as well as past and present protective orders.

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BACKGROUND INVESTIGATIONS Cont.

3. All applicants will be given a polygraph and psychological examination to include questions about past allegations, arrests and/or convictions of domestic violence, sexual assaults and stalking as well as past and present protective orders.
4. Any applicant considered for employment who has committed violence, such as domestic violence, child abuse, elder abuse, stalking, animal cruelty, sexual assaults, etc., will not be employed by the Sheriff's Office.

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CONCLUSION

- o Complete the Roster affirming staff attendance and return to S. Reese per the instruction sheet prior to June 15, 2006.
- o This concludes the PowerPoint/Handout material for policy training on Officer Involved Domestic Violence – T. B. 9.73.100
- o T⁵ modules will follow to supplement this training.

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Resource List

- o RCW 10.99
- o TB 9.73.100
- o Washington State AG's Office
<http://www.atg.wa.gov/domesticviolence/index.shtml>

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SHERIFF'S BLUE RIBBON PANEL
Revised Panel Work Program

Tentative Day/Date	Meeting/Agenda
Through March 8	<ul style="list-style-type: none"> • Appoint, announce, and convene the Sheriff's Blue Ribbon Panel. Develop a roster of contact information • Develop a draft work program, agenda, and operating guidelines (<i>Berk</i>) • Meet with the Sheriff's staff to plan and organize logistics (<i>Berk</i>) • Initial research into the current process and comparable agencies (<i>Berk/Sheriff's Office</i>)
Wednesday March 8	Panel Meeting 1 – Organization and Overview <ul style="list-style-type: none"> • <u>Part 1: Organizational Elements</u> <ul style="list-style-type: none"> ✓ Panel introductions ✓ Review the panel's charge (<i>Sheriff Rahr, King County Council members Phillips and Hague</i>) ✓ Review and approve the operating guidelines ✓ Review and approve the panel's preliminary work program ✓ Review the flow of information and meeting materials (binders and background information) • <u>Part 2: Disciplinary Process</u> <ul style="list-style-type: none"> ✓ Overview of Sheriff's Office services and work force ✓ Overview of current misconduct and disciplinary procedures
Wednesday March 22	Panel Meeting 2 – Problem Identification <ul style="list-style-type: none"> • Overview and discussion of current investigative procedures • Problem identification: brainstorm factors that influence the success or failure of the misconduct and discipline process • Begin identification of comparable agencies and best practices • Initial impressions and future directions for research
Wednesday April 12	Panel Meeting 3 – Development of Alternatives <ul style="list-style-type: none"> • Discussion and approval of major influential factors • Overview of King County Office of Citizen Complaints-Ombudsman • Overview of employment law and labor environment • Initial findings: model programs and best practices • Identification of comparable agencies for research
Wednesday April 26	Panel Meeting 4 – Development of Alternatives <ul style="list-style-type: none"> • Discussion and approval of <i>revised</i> work program • Presentation of Sheriff's 100-Day Plan (<i>Sheriff Rahr</i>) • Presentation of current training programs and hiring practices • Preliminary findings: model practices and programs research • Discussion of the preliminary identification of concerns

June 29, 2006

Tentative Day/Date	Meeting/Agenda
Wednesday <i>May 17</i>	Panel Meeting 5 – Findings/Recommendations <ul style="list-style-type: none"> • Presentation by police labor organizations • Additional findings: model programs and best practices
Wednesday <i>June 7</i>	Panel Meeting 6 – Findings/Recommendations <ul style="list-style-type: none"> • Presentation: Sheriff's Office management, supervision, and promotion practices • Discuss and revise preliminary findings/recommendations • Develop report structure and outline • Prepare for public hearings and King County Council briefing
Weeks of <i>June 12</i> <i>and</i> <i>June 19</i>	Public Hearings <ul style="list-style-type: none"> • Renton • Kenmore • Issaquah
Monday <i>June 26</i>	Brief the King County Council
Wednesday <i>July 12</i>	Panel Meeting 7 – Panel Report <ul style="list-style-type: none"> • Consider and discuss comments from the public hearings and the King County Council briefing • Discussion of draft problem statement • Discussion of and revisions to the panel report
Wednesday <i>July 19</i>	Panel Meeting 8 – Panel Report <ul style="list-style-type: none"> • Discussion of findings/recommendations • Discussion of and revisions to the panel report
Week of <i>July 24</i>	Report Preparation <ul style="list-style-type: none"> • Distribute draft report to panel members for final review • Panel member edits and revisions by email
Wednesday <i>July 26</i>	Panel Meeting 9 – Panel Report <ul style="list-style-type: none"> • Adopt findings/recommendations • Discussion of and revisions to the panel report
<i>Week of</i> <i>August 21</i>	Deliver the Final Panel Report to the King County Sheriff, the King County Executive, the King County Council, and the King County Prosecutor

MEMORANDUM

Date: June 12, 2006

To: King County Sheriff's Blue Ribbon Panel

From: Chelene Alkire
Staff to Randy Revelle, Panel Chair

Re: Public Hearing (Renton)

FOCUSED QUESTIONS:

- (1) What problems related to misconduct/discipline and management systems do you believe the King County Sheriff's Office needs to address and solve?
- (2) In the future, how should the Sheriff's Office be more accountable to the public when dealing with citizen inquiries and complaints against its employees?
- (3) In the future, what kind of independent review of the misconduct/discipline processes should be put into place for the Sheriff's Office?

PUBLIC TESTIMONY:

- **Anwar Peace**, Peace Incorporated:

General comments

- ✓ The King County Sheriff's Office needs to have a system of accountability.
- ✓ The "secretive conduct" of the Sheriff's Office is problematic.

Recommendations:

- ✓ The Sheriff's Office needs more public oversight including:
 - Power to subpoena;
 - Redaction; and
 - Fairer appeal process.
- ✓ Captain Webster should be removed from the Sheriff's Office Internal Affairs Unit.
- ✓ King County should participate in "integrity stings" similar to those performed in New York.
- ✓ Random drug tests of sheriffs must occur, along with psychological evaluations and fitness tests.
- ✓ Perform a geo-policing study in King County.

- **David Bauer**, resident of Skyway:

General comments

- ✓ Has had positive experiences dealing with King County sheriffs.

Recommendations:

- ✓ Sheriffs need to be assigned to patrol the same area to be more effective in the community.

- **Dawnzella Gearhart**, resident of Skyway:

Recommendations

- ✓ Sheriffs need to be assigned to patrol the same area to be more effective in the community.

- **Michael Gearhart**, resident of Skyway:

Recommendations

- ✓ Sheriffs need to be assigned to patrol the same area to be more effective in the community.

- **Bob O'Brien**, Kent City Councilman:

Recommendations

- ✓ Random drug testing of sheriffs must occur.

MEMORANDUM

Date: June 15, 2006

To: King County Sheriff's Blue Ribbon Panel

From: Chelene Alkire
Staff to Randy Revelle, Panel Chair

Re: Public Hearing (Kenmore)

FOCUSED QUESTIONS:

- (1) What problems related to misconduct/discipline and management systems do you believe the King County Sheriff's Office needs to address and solve?
- (2) In the future, how should the Sheriff's Office be more accountable to the public when dealing with citizen inquiries and complaints against its employees?
- (3) In the future, what kind of independent review of the misconduct/discipline processes should be put into place for the Sheriff's Office?

PUBLIC TESTIMONY:

- **Ben Marquez**, project manager, King County:

Recommendations

- ✓ Create a professional oversight committee to deal with misconduct and discipline of King County deputies.
- ✓ Focus on long term education of deputies by creating a "Deputies University" similar to the Los Angeles Sheriff's Department.
- ✓ The Blue Ribbon Panel should take a more proactive approach to encourage deputies to give recommendations to the panel.

- **Viola Gay:**

General Comments

- ✓ The Internal Affairs Unit of the King County Sheriff's Office did not respond to or confirm receipt of Ms. Gay's complaint.
- ✓ She believes the Sheriff and the Sheriff's Office has the authority to direct Internal Affairs not to investigate a problem.

Recommendations

- ✓ Train the King County Sheriff Department's internal staff in dealing with post-traumatic stress disorder.
- ✓ Provide a victim's satisfaction survey.

- **Robert Ransom**, Shoreline Mayor and Councilman:

General Comments

- ✓ Through the council, Mr. Ransom hears about the public's discontent with the King County Sheriff's Department.
- ✓ Residents in Shoreline do not believe the Sheriff's Office adequately follow up with their complaints.
- ✓ Residents want to feel like their complaints receive justified attention.
- ✓ Mr. Ransom has witnessed King County sheriffs performing "attitude adjustments" on residents. He has seen sheriffs harass tavern/bar owners. An 80 year old resident of Shoreline has also told him that a sheriff drives by and yells at him for walking on the road. The sheriff yells from his car and has never once stopped to talk to the elderly man.

Recommendations

- ✓ Create a citizen review committee
- ✓ Allow the review committee to examine the sheriffs' personnel files
- ✓ Have a follow-up meeting with each resident who makes a complaint against a sheriff

MEMORANDUM

Date: June 22, 2006

To: King County Sheriff's Blue Ribbon Panel

From: Chelene Alkire
Staff to Randy Revelle, Panel Chair

Re: Public Hearing (Issaquah)

FOCUSED QUESTIONS:

- (1) What problems related to misconduct/discipline and management systems do you believe the King County Sheriff's Office needs to address and solve?
- (2) In the future, how should the Sheriff's Office be more accountable to the public when dealing with citizen inquiries and complaints against its employees?
- (3) In the future, what kind of independent review of the misconduct/discipline processes should be put into place for the Sheriff's Office?

PUBLIC TESTIMONY:

- **Michael Temlov**, former Deputy Sheriff 1967-1973:

General Comments

- ✓ The community is only as healthy as its law enforcement.
- ✓ Officers are under a lot of stress and they will not tell people they need a break or a vacation.
- ✓ Mr. Temlov wrote a letter to Sheriff Reichert and never received a response.

Recommendations

- ✓ Communication from the Sheriff's Office to the public needs improvement.
- ✓ Communication within the Sheriff's Office and to the deputies also needs improvement.
- ✓ Sheriffs need to be evaluated and critiqued through a peer review system.

- **David Tankersly**, Renton:

General Comments

- ✓ A recent experience with the King County Sherriff's Office/Department has caused Mr. Tankersly to lose trust in the department.
- ✓ He was frustrated at the contradictory feedback he received on numerous occasions.
- ✓ He received unprofessional comments and attitudes from sheriffs and the sheriff's supervisor.

Recommendations

- ✓ Train the King County Sheriff Department's deputies and staff regarding the department's policies.

Written Comments

(See Attached)

- **Jackie Ruedi, Sammamish:**

General Comments

- ✓ In response to numerous problems on the Sammamish Plateau, Ms. Rudy has been attempting to work with the Sheriff's Office.
- ✓ Making a complaint against an officer is very difficult and once her complaint was made the Office and Sherriff Reichert did not take action; they only covered up the officer's mistakes.
- ✓ The Sherriff's Office told her neighbors they could not make complaints against deputies.
- ✓ Mrs. Ruedi's Sammamish community does not trust the King County Sherriff's Office, nor its deputies.
- ✓ Mrs. Rudy believes the Office delayed investigation so criminal charges could not be brought against the sheriffs.

Recommendations

- ✓ Create an outside, independent review committee to deal with policy procedures, misconduct, and criminal conduct of deputies and the Sherriff's Office.
- ✓ The review committee needs to have the following:
 - Full subpoena power;
 - Law enforcement and legal background; and
 - A place for sheriffs, family members of sheriffs, and residents to go to make complaints and voice serious concerns against King County sheriffs.
- ✓ Solve the problems with the complaint process. Create a universal form for residents and provide follow up to a complaint.
- ✓ Force the Internal Investigating Unit to take complaints against the sheriffs and file the complaints so they can be useful in weeding out "problem officers."
- ✓ Remove the "problem officers" from the department.

Written Comments

(See Attached)

- **Steven Pyeatt, Kirkland/Bothell:**

General Comments

- ✓ Mr. Pyeatt has had the opportunity through political campaigns to talk with many sheriffs and residents.
- ✓ Ninety-nine percent of the time he receives good feedback.
- ✓ In talking with the officers, a common problem Mr. Pyeatt heard was that King County needs to hire more sheriffs.
- ✓ More accountability for the sheriffs is always a good idea.

- **Judy Eilers:**

General Comments

- ✓ Ms. Eilers has called for assistance from the sheriffs, and her experiences have been positive.
- ✓ If the King County Sheriff's Office has a "bad officer" on the force look into the "bad officer's" personnel record and see if there is a pattern of who is hiring this type of person. You will find people of integrity hire people of integrity. (Comment received by email.)

Recommendations

- ✓ Establish a hotline for residents to call for complaints.
- ✓ Put in place a "three strikes you are out" rule for repeat offenders.
- ✓ Sheriffs with repeat complaints should be re-trained.
- ✓ Create an independent review committee.

Chad Lisk, Sammamish:

General Comments

- ✓ Mr. Lisk has served five to six years as a full time police deputy.
- ✓ Unlawful entry by a King County Sheriff occurred at his parent's house. The sheriff named in the lawsuit has been promoted.
- ✓ A stolen item was found in their garage, and Mr. Lisk contacted the Sheriff's Office. A sheriff was supposed to come and pick up the item; 15 years later the item is still in the Lisk's possession.
- ✓ He has developed a severe distrust of the King County Sheriff's Office as a result of the interactions.

Recommendations

- ✓ The Sheriff's Office needs more oversight in recruiting and hiring practices.
- ✓ An outside agency with law enforcement background needs to investigate misconduct. Mr. Lisk suggested the State Patrol investigate misconduct and then turn the case over to a citizen panel for review and action.

Hunt Rolling, South King County

Written Comments

(See Attached)

ATTACHMENT

Jackie Ruedi, Sammamish:

Written Comments

I spoke last night at the meeting in Issaquah and wanted to touch on something just so you have no misunderstanding on the incidents that took place on the Sammamish Plateau.

First, I want to say that my son who was the victim in all of this did not have a criminal record, does not have a criminal record and was not involved in criminal activity. He was just a young person that was an easy target as were the rest of the young people that were targeted at the same time. None of those young people were involved in anything criminal and to my knowledge the most that any one of them may have had would be a charge for MIP. These were good kids that will forever mistrust law enforcement. The harassment was so bad that my son called every time that he was stopped and searched and it was over 100 times - he gave his location, he left his cell phone open so we were witness to what was taking place and we intervened 3 times on those traffic stops. We, along with many others, were always afraid that our child would be the next to be assaulted by one of the deputies - they were told to never stop somewhere unless there were other people around that could witness. This is a community that had to protect itself from the deputies.

Secondly, I nor my son knew the other complainants, except one that my son went to school with. To this day, I have met only a few of those people. I spoke with them, I asked questions that would justify whether the complaints were valid, I told them to put together their own statements of what took place and I would make certain that it was delivered to the right people because they had already been told they could not file complaints against the police.

Because there was so much effort to discredit me and my son, I now still feel the need to clarify that these were not cases of arrests gone bad or excessive force and I especially need to clarify that it was not the result of any criminal activity by these young people. The only criminal activity was from the deputies themselves.

That was in 2000, I have continued to work toward changes for the past 6 years and especially after keeping track of other far more egregious conduct by King County deputies and monitoring that nothing was done in those cases either. It has been a failure of duty from Sheriff Reichert especially and also Sheriff Rahr in bringing to justice those who violate the criminal statutes - that includes their own deputies.

Thank you for your time.

Jackie Ruedi

David Tankersly, Renton:

Written Comments

My recent experience with KCS has left me with a lot of distrust for the organization. I found the people I dealt with to be incompetent and unprofessional.

In early November of last year, I had some property stolen from my storage area. Several other occupants had property stolen during the same break-in. The investigating KCS officer who filed the incident report never even looked at the places that were broken into. He simply spoke to the custodian and his report stated that a fence had been cut and it was unknown if any property was stolen (ie no crime committed). I was told by KCS that they were going to file the case and that there would be no investigation. I was also told by KCS that if I were to find my property in an antique shop that the only way I could recover that property would be to pay the antique dealer what he paid the thieves for it. In following meetings with KCS officers, I was told things which they contradicted in the same conversation. I came to understand that these people did not know what they were doing and because of that I did not trust them. I solved the case myself, located where my property had been taken, and I gave this information to KCS. The primary thief was convicted for the theft and I obtained a court order for the release of my property to me and I am still trying to recover my property since the antique dealer is in defiance of the court order.

As, I said, I was told by KCS that the only way I would be able to recover my property from an antique dealer would be to reimburse the dealer for the amount he had paid for the property. I contacted KCS legal department and asked for their policy regarding the reimbursement of second hand dealers for the recovery of stolen property. It was clear from these guidelines that I was not required to pay the antique dealer. When I showed these guidelines to the precinct in charge of the case, I was told that they were only guidelines and that they did not follow these guidelines. When I asked what their policy was for this type of case, I was told that they did not have a policy, but rather that it was "a work in progress". I was also told by the captain of the precinct that if victims did not pay antique dealers for the stolen property, then antique dealers would not buy the stolen property from the thieves and KCS could not recover my property because it would be sold on the East coast. I was told that if the antique dealers were reimbursed then they would report the thefts to KCS. Well, that is just not true and in fact, I believe that KCS's policy regarding reimbursement of antique dealers for stolen property encourages and promotes theft of property rather than preventing it. Their policy also puts the victim in a position in which he can be victimized by both the thief and the antique dealer. In my case, the antique dealer tried to extort money from me and he threatened to lie to the court if asked to identify the thieves if I did not fully reimburse him. He also demanded over \$2000 in storage fees for the time my property was on hold in his shop by KCS.

At one point, I received a letter from the detective in charge of my case stating that she would no longer discuss my case with me. I wrote a letter to Sergeant Corey in Sue Rohr's office expressing my concerns about the handling of my case and I was told by Sergeant Corey that Captain Webster read my letter, but I never received a response to that letter.

I really think that KCSs policy regarding stolen property is misguided and wrong. I would suggest that the local police are better equipped to handle stolen property matters and that the policies adopted by the Renton police are outstanding. I have spoken with detective Montemayer at the Renton police department about the need for a uniform state code for handling stolen property rather than each jurisdiction and in the case of KCS each precinct within their jurisdiction having a different policy for stolen property matters. I also believe that KCS officers need to be better trained in their own policies and that they should follow those policies rather than make policy which is contradictory and “a process in work”. I also believe that the victim of a crime should not be put in a position of being victimized by the second hand dealer who buys stolen property.

David Tankersley
P.O. Box 607
Renton, WA 98057-0607
(425) 204-1267 (home)
(425) 234-3184 (work)

Hunt Rolling, South King County

Written Comments

According to the ADA 1990 Title 2, the Disabled are supposed to be included into every type of panel. That is one from each group.

This also goes with the Inclusion law from the state of Washington.

Now the Last meeting that I was thinking of attending was in North of me. All I have seen is that King County only deals with the “rich areas” of the County.

Those of us in South County are NEVER represented. Nothing has been done with use in the South and we only get about 10% of the services, instead of getting the same services from say the “rich areas” of the county. About 4 months ago, I called 911 to report a DV, and it took them over 1 hour to get to my area, besides the fact that one of the sheriffs, were in a Maple Valley City car.

So what are we going to do about this, I really don’t know, but until I can get to a meeting, I still think that those of us in South County will get nothing while North County will get everything!

Hunt