IRC Commissioners received a request from OneAmerica to consider supporting these recommendations

June 18, 2019

To: King County Charter Commission
From: OneAmerica, Entre Hermanos, ACRS, Latino Community Fund and Partners

Recommended Changes to the King County Charter

Thank you for this opportunity to provide recommendations that would modernize the Charter and ensure that the Charter fully reflects a series of initiatives across King County to strengthen the County’s commitment to racial and social equity. The recommendations included in this memo are provided sequentially, following the content of the Charter.

Preamble. We recommend adding to the Preamble language that defines the term “racial equity” being used by the County. Of particular value would be language describing the County’s commitment to end disparities in health outcomes based on race and zip code.

We also recommend replacing the term “citizen” with “resident” throughout the document, except where using the term resident may not be consistent with requirements under the State constitution (e.g., voting).

Section 260 – Office of Citizen Complaints. This provision raised questions about what the “Office of Citizen Complaints” is, how it functions in the County Government, and what efforts have been made to make this Office accessible to the broader community.

Instead of an “Office of Citizens Complaints” we recommend establishing a new agency in County Government that would be a “Community Advocate” modeled after the Public Advocate position that exists in New York City, an elected position. This recommendation is touched on later in this memo under sections where such a recommendation appears to be appropriate.

Section 265 – Office of Law Enforcement Oversight. It is not entirely clear that the language in the Charter is consistent with the duties and functions of the Office as it currently exists. We recommend reviewing this language to ensure that it reflects the intent of the existing ordinance related to this office.

Section 270.10 – Regional Committees. We recommend that the County Charter establish additional regional committees:

Regional Committee on Criminal Justice Reform. The criminal justice system reflects a lion’s share of the County Budget, and while there are multiple efforts across the County to address racial disparities in the criminal justice system, establishing a Regional Committee would serve as a new center of gravity at a higher level of authority that would squarely examine reforms to the system. We also recommend that the Charter expressly include and define as the mission of the Committee to transition the mission of the system to adopt a transformative justice
framework that prioritizes rehabilitation and accountability over punishment, and adopts the County’s goals with regard to zero youth detention.

**Regional Committee for Housing Affordability and Displacement Prevention.** Separate jurisdictions across the County are engaging in efforts to protect lower-income communities, businesses and non-profit organizations, and residents from being displaced due to rising property values. But a regional framework is critical to addressing these issues, including the location of “workforce housing” and other affordable housing options.

**Regional Committee for Climate Resiliency and Pollution Prevention.** The Charter Commission also has the opportunity to establish a Committee charged with exploring regional strategies – building on multi-jurisdictional commitments to reducing greenhouse gas emissions – that would reduce greenhouse emissions and related airborne pollutants, mitigate the impact of climate change causing pollution on environmental justice communities, and examine strategies for climate resiliency and adaptation.

**Section 270.20 – Composition of Regional Committees.** The Charter should further “democratize” the Regional Committees. Each Regional Committee should also have an advisory commission comprised of local residents, particularly focused on centering the voices of impacted communities and residents. If the Charter includes a Community Advocate, per our recommendation, that position should also serve on the Regional Committees.

**Add to Section 350 a new sub-section that establishes the Office of the Community Advocate** as an Executive Department, with an elected Director. The Office, which can be modeled on a similar office that exists in New York, should have the following functions: an inspector general role that can investigate County Government, responsibility for shepherding and coordinating the various Boards and Commissions in County Government, and responsibility for coordinating and supporting culturally competent public and community outreach efforts for King County Government.

**Add to Section 470 a new sub-section that authorizes the County to establish by ordinance an infrastructure bank** in order to generate capital and investment to advance County priorities.

**Section 510 (Under Article 5 – The Personnel System) insert language clarifying that legal permanent residents are eligible for all County positions, and include the prioritization of qualifications related to life experience reflective of communities served (e.g., race, income, etc.) in addition to professional qualifications. We also recommend including language placing a priority on bilingual staff, authorizing the County Executive to incentivize the hiring and retention of individuals fluent in more than one language.

**Article 6 – Elections.** In Section 630, clarify that the County strives to ensure that elected representation is proportionally representative of the total population (not just registered voters), and authorize the County Council to enact legislation to lead to this outcome.
We also recommend that the Charter include language that asserts that citizenship is not a requirement for voting, running for office or holding office, subject to limitations under state or federal law.

We also recommend a new section 600 that adopts language from the WA Voting Rights Act affirming the right to vote.

**Section 650.30 – Districting.** We recommend adding language drawn from the WA Voting Rights Act that prohibits racially polarized voting and adopts mechanisms to adjust district lines and election systems that can generate greater voting rates and ensure proportional representation.

**Section 690.10 – Limits on Campaign Contributions and Expenditures.** We recommend inserting language directing the Council to enact legislation creating a publicly funded election system that includes mechanisms, like “Democracy Vouchers”, that can democratize campaign finance.

**Section 800 – Charter Review and Amendments.** Instead of reviewing the Charter every 10 years, we recommend that the review take place every 5 years in order to allow for more consistent community engagement.

We also recommend language in the Charter that clarifies that the Commission be a resident commission that reflects the diversity of King County.

We further recommend that lobbyists and County government contractors not be allowed to serve on the Commission, in order to ensure that seats on the Commission go to community residents and to prevent any potential conflicts of interest.

**Section 815 – Contracts and Procurement.** Insert language that a) requires a tangible community benefit to all County-funded projects, including pre-apprenticeship and apprenticeship mechanisms, affordable housing and equitable development strategies, and that all contractual requirements include language upholding worker rights, protections, wages.

We also recommend language that asserts that the County, within state requirements, has the authority to gift property or sell property at below market value for the purpose of equitable economic development and preservation of affordable residential and commercial property.

**Section 830 – Public Inspection of Public Records.** Either add to this section or create a new section that establishes privacy requirements related to data on residents collected by the county, taking into consideration the role of video, facial recognition and other forms of surveillance where data may be used for purposes other than intended.

Seattle recently enacted an ordinance that established a public review process intended to establish greater public accountability for expenditures made by the jurisdiction to ensure that certain surveillance technologies be analyzed through a racial equity lens, that the technologies
(and data gathered through the technologies) are not used for purposes beyond their intended use.

**Section 840 – Antidiscrimination.** We recommend that the Commission include “immigration status” and “criminal history” as protected classes.

**Section 895 – Mandatory Inquests.** We support recommendations from the community to reform the inquest system. Please contact us for further information.

**Section 897 – High Conservation Value Properties.** Include language that applies the principle of land conservation to both natural resources and for the purpose of preventing displacement. This section should also allow for the equitable development of land conserved for the purpose of addressing displacement and economic inequity.